



# Mayor & Council of Berlin

10 William Street, Berlin, Maryland 21811

Phone 410-641-2770 Fax 410-641-2316

www.berlinmd.gov



**Mayor**

Wm. Gee Williams, III

**Vice President**

Elroy Brittingham, Sr.

**Council Members**

Dean Burrell, Sr.

Lisa Hall

Paula Lynch

Troy Purnell

## BERLIN, MARYLAND

### MAYOR AND COUNCIL MEETING

**Town Attorney**

David Gaskill

**MONDAY, APRIL 22, 2013**

**Town Administrator**

Anthony J. Carson, Jr.

**COUNCIL CHAMBERS – BERLIN TOWN HALL**

**10 WILLIAM STREET**

**BERLIN, MD 21811**

EXECUTIVE SESSION.....6:30 PM

REGULAR SESSION .....7:00 PM

*Anyone having questions about the meetings mentioned above or needing special accommodations should contact Tony Carson, Town Administrator at (410) 641-4144. Written materials in alternate formats for persons with disabilities are made available upon request.*

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**BERLIN MAYOR AND COUNCIL  
COUNCIL MEETING  
AGENDA  
Monday, April 22, 2013**

**6:30 PM EXECUTIVE SESSION - Berlin Conference Room**

**7:00 PM REGULAR SESSION – Berlin Town Hall Council Chambers**

1. Approval of the Minutes for:  
Regular Session of the Mayor and Council on April 8, 2013  
General Fund Worksession minutes of April 15, 2013  
Executive Session minutes of April 15, 2013  
Statement of Closure for Executive Session for April 15, 2013
2. Proclamation 2013-10; Recognizing the Red Hat Society
3. Peter Marx – Update on Bat Boxes in Stephen Decatur Park
4. Presentation by Cole Norman – Eagle Scout Project; Emergency Services House Locator
5. Proclamation 2013-11; Recognizing May 10<sup>th</sup> as WOCM 98.1 Day
6. Worcester County Arts Council – “Paint Berlin” Grant Request
7. Motion to Approve - Waiver of Building Permit Fees – Worcester Preparatory School
8. Approval for Special One Day Permit  
Berlin Fire Company – May 18<sup>th</sup> “Ladies Night” Fundraiser; 6:00 p.m. to 1:00 a.m.
9. Powerpoint Presentation - FY13 Road Renovations and Sidewalk Work
  - a. Motion to Approve – Road Paving
  - b. Motion to Approve – Sidewalk Work
10. Notice of Spring Bulk Pickup – May 1st & May 8th
11. Departmental Reports
  - a. Finance – Lynn Musgrave/Natalie Saleh
  - b. Deputy Town Administrator – Mary Bohlen
  - c. Public Works – Mike Gibbons
  - d. Water Resources – Jane Kreiter
  - e. Electric – Tim Lawrence
  - f. Police – Arnold Downing
  - g. Planning and Zoning - Chuck Ward
  - h. Human Resources – Jeff Fleetwood
  - i. Economic and Community Development – Michael Day

12. Town Administrator's Report
13. Comments from the Mayor
14. Comments from the Council
15. Comments from the Public
16. Comments from the Press
17. Adjournment

MAYOR AND COUNCIL OF BERLIN, MARYLAND  
Regular Session Council Minutes  
Monday, April 8, 2013

The meeting of the Mayor and Council for Monday, April 8, 2013 was called to order by Mayor Williams at approximately 7:04 p.m. Councilmembers Burrell, Hall, Lynch and Purnell were present, as well as Town Administrator Tony Carson, Human Resources Director Jeff Fleetwood, Deputy Town Administrator Mary Bohlen, Finance Director Lynn Musgrave, Town Attorney David Gaskill, Public Works Director Mike Gibbons, Electric Utility Director Tim Lawrence, Water Resources Director Jane Kreiter, Economic and Community Development Director Michael Day, Police Chief Arnold Downing, Planning and Zoning Director Chuck Ward and Administrative Assistant Sharon Timmons. Councilmember Brittingham was absent.

Following the recitation of the Lord's Prayer and the Pledge of Allegiance, Mayor Williams asked for a motion for approval of the Regular Session minutes of March 25, 2013. Councilmember Lynch asked that a correction be made to the minutes indicating whether she had been present at the beginning of the meeting or if she had come in late. Councilmember Burrell made a motion to approve the minutes as corrected and council voted to approve 4-0 with Councilmember Brittingham absent.

Mayor Williams announced Proclamation 2013-07, a proclamation recognizing April as Child Abuse Awareness Month. Two representatives from the Cricket Center came forth and Mayor Williams read the Proclamation before presenting it to them. The representatives thanked the Mayor and Council for their support.

Mayor Williams announced and read Proclamation 2013-08, designating April as Fair Housing Month.

Mayor Williams announced Proclamation 2013-09, designating April 20<sup>th</sup> through April 27<sup>th</sup> as Take Pride in Berlin week. Mayor Williams read the Proclamation and presented it to Deputy Town Administrator Mary Bohlen who coordinates the Take Pride in Berlin week and Berlin Clean-up Day. Ms. Bohlen summarized some of the activities that would occur during the week.

Mr. Ray Thompson representing the Berlin Little League came before the council requesting a donation of \$10,000 towards the building of a new concession stand and restroom facility at the Little League ball fields. Discussion continued. Mayor Williams asked the council if they would consider making the commitment now and decide during the budget worksession whether the monies would be taken from FY13 or split between FY13 and FY14. Councilmember Lynch inquired if water and sewer service was available at the location. Discussion continued. Councilmember Burrell made a motion to commit to a donation of \$10,000 to the Berlin Little League and to determine during the budget worksession which fiscal year(s) and account line item the monies are to be taken from. Council voted to approve the request 4-0 with Councilmember Brittingham absent.

Mayor Williams announced the Request for the Special Event known as Old Fashioned Memorial Day to be held on Monday, May 27<sup>th</sup> from 8:00 a.m. to 6:00 p.m. at Henry Park. Mr. Jesse Turner, coordinator of the Memorial Day parade came before the council and summarized the events for the day. Mayor Williams asked Public Works Director to speak with the contractor regarding the siding project on the Multipurpose Building to see if it could be completed prior to the event. Councilmember Purnell made a motion to approve the Old Fashioned Memorial Day event and council voted to approve 4-0 with Councilmember Brittingham absent.

Mr. Tom Sholtis, representing the Berlin Chamber of Commerce came before the council requesting approval for the Special Event known as the Berlin Jazz and Blues Bash to be held on Saturday, May 4<sup>th</sup> from 12 noon to 8:00 p.m. Mr. Sholtis reviewed the street closures and added that the Beer Garden sponsored by the Chamber would be moved from Jefferson Street to Commerce Street. Councilmember Hall made a motion to approve the Jazz and Blues event and council voted to approve 4-0 with Councilmember Brittingham absent.

Economic and Community Development Director Michael Day came before the council requesting approval for the Special Event known as May Day Play Day to be held on Friday, May 10<sup>th</sup> from 5:00 p.m. to 9:00 p.m. Mr. Day reviewed the street closures and layout of the event. Councilmember Hall made a motion to approve the May Day Play Day event and council voted to approve 4-0 with Councilmember Brittingham absent.

Mr. Sholtiz requested approval for the Special Event known as Spring Cruisers to be held on Saturday, May 18<sup>th</sup> from 10:00 a.m. to 2:00 p.m. Mr. Sholtis reviewed the street closures and timeline of the event. Councilmember Burrell made a motion to approve the Spring Cruisers event and council voted to approve 4-0 with Councilmember Brittingham absent.

Ms. Kate Patton, representing Lower Shore Land Trust came before the council to discuss the update on Walkable/Bikeable Berlin. Ms. Patton stated that she had presented the council with a final draft master concept plan which represented input from the community and stakeholders in Berlin and the surrounding areas and would appreciate their comments. The concept plan would serve as a broad guideline for implementing a network of safe walking and biking routes to schools, parks and shopping, while connecting the town with natural and historic sites. Ms. Patton suggested that the Town pass a Resolution approving the plan in concept which could help secure future state and federal funding. Discussion continued. Town Administrator Tony Carson suggested that Ms. Patton work with Mary Bohlen to establish a Resolution and have Town Attorney David Gaskill review.

Public Works Director Mike Gibbons reviewed the dates for the Spring Yard Waste Pickup. Yard waste will be picked up on Wednesday, April 17<sup>th</sup> for those residents having normal trash collection on Tuesdays or Wednesdays and April 24<sup>th</sup> for those residents having normal trash collection on Thursdays.

Deputy Town Administrator Mary Bohlen presented a powerpoint slideshow and explained the Walking Initiatives implemented by the Town, Worcester County Health Department, Parks Commission and Lower Shore Land Trust since 2008.

Department Head reports began with Finance Director Lynn Musgrave reported on the dates for the Budget Worksessions. The Worksession for the General Fund will take place on Monday, April 15<sup>th</sup> at 6:00 p.m. with the Worksession for the Enterprise Funds taking place on Monday, April 29<sup>th</sup> at 6:00 p.m.

Deputy Town Administrator Mary Bohlen reported that signs had been placed throughout town announcing Take Pride in Berlin week and Clean-up Day. She stated that the green bracelets on the dias would be given out to the volunteers participating with the event and would be their ticket to the lunch donated and prepared by Berlin Area Ministries at Henry Park after Clean-Up Day. Ms. Bohlen also stated that volunteers and teams could sign up on the Town's website.

Public Works Director Mike Gibbons reported that the concrete work on Flower Street should begin in the next few days and should be completed in 2 weeks.

Water Resources Director Jane Kreiter reported that work had begun on the West Street project and should be completed in about 6 weeks. She continued her report announcing that the lagoon at the new spray will soon be able to accept effluent water and the spray fields are being tested.

Electric Utility Director Tim Lawrence reported that the warning lights at the railroad tracks located at Evans Road and West Street had been installed, the repairs on the #1 generator at the Power Plant had been completed and that he would be meeting with the Boy Scouts this Saturday for the installation of the bat boxes in Stephen Decatur Park. He also stated that he was hoping for approval on the emissions tests from MDE tomorrow. Councilmember Lynch asked Mr. Lawrence to investigate the pedestal of a Victorian lamppost near Donaways which seemed to be disintegrating.

Police Chief Arnold Downing reported that he would be attending MML Police Executive training for 4 days and that his department was preparing for the oncoming events.

Economic and Community Development Director Michael Day reported that he would be attending the Tourism and Arts Quarterly meeting, the Berlin Heritage Foundation reception and that Friday would be Paint the Town Purple sponsored by the American Cancer Society. Councilmember Hall stated that she felt that businesses should be established for a certain period of time before being allowed to request grant monies for façade renovations and signage improvements.

Town Administrator Tony Carson requested approval of 6 purchase orders (201302519, 201302477, 201302751, 201302502, 201302404 and 201302786). Councilmember Lynch stated that she would like to see the itemized statement from Worcester Youth and Family regarding PO# 201302751. Councilmember Purnell made a motion to approve the 6 purchase orders as submitted and council voted to approve 4-0 with Councilmember Brittingham absent.

Councilmember Burrell asked Mr. Gibbons to investigate a portion of the roadway around 220 Branch Street which seemed to have deteriorated.

Councilmember Purnell commented that he thought the sidewalk work on Main and Broad Streets looked great.

Mayor Williams asked for comments from the public or the press. There being no further comments or questions, Councilmember Burrell made a motion to adjourn and the meeting ended at 8:20 p.m.

Respectfully submitted

A handwritten signature in cursive script that reads "Sharon Timmons".

Sharon Timmons  
Administrative Assistant

MAYOR AND COUNCIL OF BERLIN, MARYLAND  
GENERAL FUND BUDGET WORKSHOP MINUTES  
APRIL 15, 2013

The General Fund Budget Worksession for Monday, April 15, 2013 was called to order by Mayor Williams at approximately 6:07 p.m. In attendance were Councilmembers Lynch, Purnell, Hall, Burrell and Brittingham as well as Town Administrator Tony Carson, Deputy Town Administrator Mary Bohlen, Finance Director Lynn Musgrave, Planning and Zoning Director Chuck Ward, Public Works Director Mike Gibbons, Human Resources Director Jeff Fleetwood, Police Chief Arnold Downing and Administrative Assistant Sharon Timmons.

Mayor Williams stated that the proposed FY14 budget of \$4,775,731.00 for the General Fund had been reduced 2% from the FY13 Budget of \$4,869,001.00. The major changes in the FY14 budget include a 6.5% decrease or \$172,000.00 in property taxes, increases in the water fund of 16.5% or \$9,000.00 and sewer fund of 15% or \$18,000.00 and a decrease in the electric fund of 23% or \$57,000.00. The FY14 also proposes a 2% salary increase for all town employees. The Capital Improvement Budget of \$182,000.00 comes from the prior years' surplus budget of \$181,000.00. Town Administrator Tony Carson stated that the revenue numbers for FY13 had been budgeted at \$4,750,000.00, but the actual revenues received were \$5,900,000.00 and that the Town was on pace to have increased revenues this year. Some of the projected revenue increases for FY14 were Highway User Fees and State Police Aid.

Finance Director Lynn Musgrave reiterated that the FY General Fund Budget was 2% or \$93,000.00 lower than last year. She stated that revenues in FY13 are currently at 92% of the budget compared to last year at this time. Expenses for FY13 are currently at 70% compared to last year at this time, but she felt that the General Fund expenses would come in a little under budget if not right on target. Revenues for FY14 overall are 2% lower than FY13 and the biggest decrease would be 6% in the real estate tax revenue. The County Liquor Board sales were removed from the budget and had consisted of 2% of last year's budget. Increased revenues would come from the Highway user fees, State Police Aid, State Income tax and grass cutting. Ms. Musgrave stated that the Town was currently on track to collect the budgeted amount of \$200,000.00 from the Local Slots Grants and that the Town's monthly average had been slightly higher this year than at this time last year.

Deputy Town Administrator Mary Bohlen reported on the Elected Officials and Administration budgets. Ms. Bohlen reported that the numbers for Health Insurance, Workers Compensation and Retirement were still in question, but a 10% increase in Health Insurance had been projected. Human Resources Director Jeff Fleetwood stated that he and Mr. Carson would be meeting with insurance broker Atlantic, Smith, Cropper & Deeley on Thursday to discuss rates.

Ms. Bohlen stated that the overall proposed administration budget of \$1,394,180.00 had decreased from last year's budget of \$1,569,761.00, but that the line item for credit card fees had doubled due to an increase in credit card use by residents to pay their bills. Councilmember Lynch inquired about the location of the Special Appropriation line item. Mr. Carson replied that if council chose to support the grant requests from several organizations, council would need to increase the budgeted amount for the Special Appropriation line item and decrease the budgeted amount in the contingency fund. Councilmember Lynch stated that she felt that the costs for events should be taken from the Economic and Development department. Discussion continued on the line item of contracted services.

Ms. Bohlen reported that the Building and Grounds budget was essentially the same as last year with a minor decrease.

Ms. Bohlen continued by reporting that the Parks and Recreation department budget had no changes in the bottom line of the budget from last year.

Finance Director Lynn Musgrave reported that the budget for Finance had no changes from last year's budget other than the increase for salaries and health insurance. She explained that the Customer Service department is reimbursed by the enterprise departments. She explained that she had one capital item which was a new computer for the billing supervisor.

Police Chief Arnold Downing reported that the expenses for his budget would increase about 4.5% from last year. This is due to increases in salaries for position changes for 2 civilian personnel and one officer and increased costs for overtime due to elimination of the CSAFE Grants for events. Mr. Carson suggested that Chief Downing increase his overtime budget line item to \$55,000.00. Chief Downing explained his capital outlay budget as he was requesting a new multi-use vehicle, 2 in-car computers and an E-Tix printer and reader.

Public Works Director Mike Gibbons reported that the budgets for the Public Works, Sanitation and Streets departments were basically flat with the exception of salary increases and anticipated increases in fuel which were based on this year's costs thus far. Discussion continued on the cost for worker's compensation. Mr. Gibbons gave a powerpoint presentation and explained his capital outlay requests which covered road overlay work for Jefferson Street in the amount of \$40,000.00, concrete and sidewalk work for Tripoli Street for \$27,000.00, Maple Street for \$29,000.00 and thermoplastic crosswalks throughout town for \$5,000.00. Mr. Carson stated that he would like council to approve using some of the FY13 contingency funds for some of the future road projects. Mr. Gibbons stated that the requested amount of \$27,000.00 would be for concrete work only on Tripoli Street and that the cost of design work would need to be added. Mr. Carson asked the council to consider giving preliminary approval at the next council meeting so that these projects will be ready to go on July 1<sup>st</sup>.

Discussion continued on sidewalk work to be done from Esham Avenue to Ann Drive in the amount of \$82,800.00. Mr. Gibbons explained that the high cost for the project requires pervious concrete product to be utilized for the sidewalk and impervious curbing due to stormwater requirements in that area. Mr. Carson stated that the contractor has agreed to maintain his price and preliminary discussions with State Highway look promising for them to reimburse the Town 50% of the cost, but they require the Town to have the plans submitted to them in the next 2-3 weeks and that the project be completed by the end of June. Mr. Carson stated that the contractor had confirmed that if he received approval to begin the project by the end of May, he would have the work completed by the end of June. Mayor Williams asked for and received consensus from the council to proceed with the project to ensure its completion by the end of June.

Planning and Zoning Director Chuck Ward reported that the Planning and Zoning department showed no changes in their budget.

Human Resources Director Jeff Fleetwood reported that he did not have concrete numbers at this time, but was expecting to have shy of a 4% increase in the liability insurance, shy of 1% increase on State Retirement and was hoping to have the Health insurance numbers by Thursday.

Councilmember Burrell inquired if the employees were using up their comp time. Mr. Fleetwood stated they were.

Mayor Williams announced that the Utility Budget work session would be held on Monday, April 29<sup>th</sup> at 6:00 p.m.

The General Fund Budget workshop adjourned at 7:54 p.m. and council convened to Executive Session.

Respectfully submitted,



Sharon Timmons  
Administrative Assistant

**TOWN OF BERLIN RESIDENTS  
BULK PICKUP  
Large Item  
Curbside Collection**

The Spring Bulk Clean Up begins with Large item Garbage Collection on Wednesday, May 1 and Wednesday, May 8, 2013.

**Those receiving trash pickup on Tuesday or Wednesday will receive bulk collection on Wednesday, May 1, 2013.**

**Those receiving trash pickup on Thursday will receive bulk collection on Wednesday, May 8, 2013.**

Residents must have items for collection set out by 6:00 a.m. Materials placed for pick up at any other time will not be collected.

**Items to be collected**

Bulky items such as:

Furniture	Toilets and Sinks	Carpet
Tables and Chairs	Mattresses	Washers
Refrigerators & dryers	Televisions	Computer Components

**Regulations**

- ✓ Small items must be placed in a container at the curb and weigh no more than 100 lbs
- ✓ Collection is for improved, occupied residential properties only
- ✓ Collection is on Wednesday, May 1<sup>st</sup> & May 8<sup>th</sup>, 2013 and material must be out by 6:00 a.m.

**Regular household garbage is not part of the fall clean up collection.**

**Commercial and Industrial properties are not included in the collection program.**

**Items not collected**

Hazardous Waste	Construction materials	Tires
Yard waste/brush	Paint	Propane Tanks

FOR FURTHER INFORMATION REGARDING ACCEPTABLE TYPES OF DEBRIS, PLEASE CALL THE DEPARTMENT OF PUBLIC WORKS AT 410-641-4001.

## TOWN ADMINISTRATOR'S REPORT

April 22, 2013

### Purchase Orders

PO# 201302849 in the amount of \$12,659.20 to Maryland and Delaware Railroad for licenses for FY13. (10-4210-4094) (20-4310-4091) (24-4360-4091)

PO# 201302858 in the amount of \$3,600.00 to East Coast Underground for boring of 4 inch conduit at Rayne's property for Wind Turbine project. (10-4230-4060)

PO# 201302890 in the amount of \$4,325.00 to Digital-Ally for in car camera for police department. (01-4110-4080)

PO# 201302899 in the amount of \$2,012.50 to Applied Concepts for radar for police department. (01-4110-4080)

PO# 201302866 in the amount of \$1,790.00 to Special Fleet Services for Phase Tell Tool. (10-4210-4080)

PO# 201302871 in the amount of \$26,750.00 to Vermeer Mid Atlantic for Drum Chipper. (10-4210-4080)

PO# 201302891 in the amount of \$7,600.00 to Complete Systems for installation of 2 electric motor actuator valves on cooling tower #2 & #4. (10-4220-4092)

PO# 201302888 in the amount of \$1,117.20 to Special Fleet Services for secondary service conductor tester. (10-4210-4080)

PO# 201302870 in the amount of \$7,270.00 to Complete Systems for installation overhead air line to all five generators at Power Plant. (10-4220-4092)

PO# 201302869 in the amount of \$3,200.00 to Complete Systems for installation of exhaust fan over #4 engine at Power Plant. (10-4220-4092)

PO# 201302867 in the amount of \$3,963.75 to Special Fleet Services for 12 ton compression kit. (10-4210-4080)

PO# 201302774 in the amount of \$2,403.84 to HD Supply Power Solutions for current limiting fuse. (10-4210-4080)

PO# 201302868 in the amount of \$2,305.62 to HD Supply Power Solutions for 9 overhead fault indicators. (10-4230-4053)

PO# 201302923 in the amount of \$1,026.50 to How Sweet It Is for planting materials for new rain garden in Stephen Decatur Park. (01-4500-4053)

PO# 201302928 in the amount of \$ 31,980.00 to Chesapeake Paving & Sealing for asphalt overlay for Washington Street, Franklin Avenue and Esham and Quillen. (01-4110-4080)

PO# 201302929 in the amount of \$7,682.28 to Worth Construction for concrete sidewalk work on Jefferson Street. Utilizing price from previous bid. (01-4110-4080)

PO# 201302927 in the amount of \$63,503.13 to Utility Fleet Sales for a 2008, Ford 550, 43' working height bucket truck. (10-4210-4080)

PO# 201302930 in the amount of \$45,750.00 to Ditch Witch of Virginia for a RT45 Compact Trencher. (10-4210-4080)

PO# 201302916 in the amount of \$7,436.00 to Ermco for a replacement transformer for transclosure located at Worcester Preparatory School. (10-4210-4080)

PO# 201302931 in the amount of \$2,193.35 to Sears Commercial One for various hand tools and supplies for Power Plant.

PO# 201302939 in the amount of \$1,030.00 to Southern Utility Repair for H Tap remover and shipping.

### Updates