



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, AUGUST 12, 2013

Deputy Town

Administrator

Mary Bohlen

COUNCIL CHAMBERS – BERLIN TOWN HALL

10 WILLIAM STREET

BERLIN, MD 21811

EXECUTIVE SESSION.....6:30 PM

REGULAR SESSION7:00 PM

Anyone having questions about the meetings mentioned above or needing special accommodations should contact Mary Bohlen, Deputy Town Administrator at (410) 641-4314. Written materials in alternate formats for persons with disabilities are made available upon request.

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TTY users outside Maryland dial 1-800-735-2258

**BERLIN MAYOR AND COUNCIL
COUNCIL MEETING
AGENDA
Monday, August 12, 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 July 22, 2013
Executive Session of the Mayor and Council on July 22, 2013
Statement of Closure for Mayor and Council on July 22, 2013
2. Request for Special Event -- Brown Box Theatre Group
Friday, September 13, 2013; 4:00 p.m. to 9:00 p.m.
3. Request for Special Event -- Bike Week Assembly
Friday, September 13, 2013; 9:00 a.m. – 11:00 a.m., Town Hall Parking Lot
4. Resolution 2013-07
A Resolution approving the submission of an application to the Department of Housing and Community Development for a Community Legacy project.
5. Community Parks and Playground Application – Tennis Court Renovation
6. Departmental Reports
 - a. Finance – Natalie Saleh
 - b. Public Works – Mike Gibbons
 - c. Water Resources – Jane Kreiter
 - d. Electric – Tim Lawrence
 - e. Police – Arnold Downing
 - f. Human Resources – Jeff Fleetwood
 - g. Economic and Community Development – Michael Day
7. Deputy Town Administrator's Report
8. Comments from the Mayor
9. Comments from the Council
10. Comments from the Public
11. Comments from the Press
12. Adjournment

MAYOR AND COUNCIL OF BERLIN, MARYLAND
Regular Session Council Minutes
Monday, July 22, 2013

The meeting of the Mayor and Council for Monday, July 22, 2013 was called to order by Mayor Williams at approximately 7:14 p.m. Councilmembers Burrell, Lynch, Hall, Brittingham and Purnell were present, as well as Town Attorney David Gaskill, Human Resources Director Jeff Fleetwood, Deputy Town Administrator Mary Bohlen, Acting Finance Director Natalie Saleh, Police Chief Arnold Downing, Water Resources Director Jane Kreiter, Public Works Director Mike Gibbons, Electric Utility Director Tim Lawrence, Economic and Community Development Director Michael Day and Administrative Assistant Sharon Timmons.

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 July 8, 2013. Councilmember Lynch inquired if the council had approved one table or two tables with two chairs each for Siculi's at the last meeting. Council stated that two tables with two chairs each had been approved and asked that the minutes be revised to show the change. Councilmember Brittingham made a motion to approve the minutes as corrected and council voted unanimously to approve 5-0. Mayor Williams asked for a motion to approve the Executive minutes of July 8, 2013. Councilmember Lynch made a motion to approve the Executive minutes and council voted unanimously to approve 5-0. Mayor Williams stated that the Executive Session was closed for four reasons: (1) to discuss any other personnel that affects one or more specific individuals; (2) to protect the privacy or reputation of individuals with respect to a matter that is not related to public business; (3) to consider the acquisition of real property for a public purpose and matters directly related thereto and (4) to consult with staff, consultants, or other individuals about pending or potential litigation.

Ms. Robin Tomaselli accompanied by Heather Layton, Brian Robertson, Mark Huey and Austin Widdowson came before the council to present an update on the Main Street Arts and Entertainment Committee. Ms. Tomaselli stated that the mission of the committee was to bring back Arts and Entertainment to Berlin and enhance the 2nd Friday Art Stroll by having more merchants participate. The committee displayed a flyer showing the new Arts and Entertainment logo. Discussion continued regarding ideas for various activities to be held during the Art Strolls to help raise awareness not only in this area, but other communities as well.

Mayor Williams announced the request for the motion to approve the tax abatement requests for Property ID#'s 03-034534 and 03-034542, the Berlin Headstart Building and the Berlin Multipurpose Building. Deputy Town Administrator Mary Bohlen explained the request would abate the 2013 Berlin town taxes for property ID 03-034534 in the amount of \$1,516.40 and property ID# 03-034542 in the amount of \$1,232.84. Councilmember Burrell made a motion to approve the abatement of the 2013 Berlin town taxes for properties 03-034534 and 03-034542 and council voted unanimously to approve 5-0.

Mayor Williams announced the motion to approve the purchase of engineered wood fiber from West Recreation in the amount of \$2,095.00. Deputy Town Administrator Mary Bohlen explained its use as a safety surface at the playgrounds at Henry and Stephen Decatur parks. Councilmember Hall made a motion to approve the purchase from West Recreation for the engineered wood fiber in the amount of \$2,095.00 and council voted unanimously to approve 5-0.

Mayor Williams announced the public hearing for Ordinance 2013-5, an ordinance amending Chapter 108, Article X, Section 108-901 of the Town Code. Mayor Williams opened the Public hearing and asked if there were any comments from anyone from the State, County or public. There being no comments, Mayor Williams closed the public hearing. Mayor Williams read the criteria that would need to be met prior to the Director of Planning and Building being able to issue a sidewalk sign permit. Councilmember Brittingham made a motion to approve Ordinance 2013-05 and council unanimously approved 5-0.

Mayor Williams explained that the county was required by State Law to re-district the current voting districts to conform with the 2010 Census. The proposed re-districting would be in place for the next 10 years and would divide Berlin into 3 voting districts instead of the current 2. Those districts would be Central, Sinepuxent and Western. Mayor Williams explained the pros and cons with the proposed re-districting and discussion continued on the locations and availability of polling places. Discussion continued on the use of the Berlin Fire Hall, Berlin Intermediate or Buckingham Elementary School as possible polling locations for the Western district. Mayor Williams stated that his personal conclusion was that the support of the Mayor and Council for the proposed re-districting of county voting districts should be contingent on a guarantee by the County Commissioners that they would make a slight adjustment in the district boundaries (adding the small triangular area from the intersection of the railroad track and Harrison Avenue southward along Main Street to Baker Street and back to Harrison Avenue at the end of Baker Street) and secure the use of a polling place for the Western District voters. Council responded in agreement with the Mayor's conclusion. Mayor Williams stated that he would research three issues: (1) if Berlin Fire Hall qualifies as a polling location, (2) if Buckingham Elementary School is in the district for use as a polling place and (3) could the Town use Berlin Intermediate School as the location for two voting districts.

Department Head reports began with Public Works Director Mike Gibbons reporting that the herbicide treatments had been completed. Mr. Gibbons also reported that the asphalt repair and overlay project on Jefferson Street had been completed and that he anticipated the completion of the Phase II Broad Street sidewalk project by Wednesday or Thursday of this week. Councilmember Brittingham questioned the gap between the new sidewalk and the roadway on Flower Street. Mr. Gibbons stated that there were purchase orders in the Deputy Town Administrator's report addressing the patching and striping work.

Water Resources Director Jane Kreiter reported that the Route 818 project, Spray Site project and Branch Street wellhouse project were nearing completion with only punch list items left to fulfill. Councilmember Burrell inquired about the roadway on Maple Avenue. Ms. Kreiter stated that the repair of the road would be included in the Request for Proposal for the sidewalk work to be done on that street.

Electric Utility Director Tim Lawrence reported that the first coat of painting on all of the downtown Victorian lights had been completed. Mr. Lawrence stated that the department had installed another 38 electric meters in the downtown area bringing the total to 94 and would begin installation of the water meters tomorrow. Mr. Lawrence spoke about the upcoming training by Nexgrid to take place the first or second week of August. Mr. Lawrence concluded his report by announcing that the town had run the generator seven times since June 24th, five of those times being last week.

Police Chief Arnold Downing reported that many of the officers would be in Salisbury tomorrow for mandated service training. He announced the PFC Jessica Collins had become certified in 1st responder AED and CPR and would be assisting with the training of many of the town employees. Chief Downing expressed his thanks to the Mayor and Council for the concern shown to the two officers involved in an accident on Friday. Chief Downing then spoke to the council regarding consideration of an open purchase order not to exceed \$19,000.00 to replace one of the vehicles which was totaled in the accident. Discussion continued. Ms. Bohlen stated that the purchase order would be a part of her report.

Human Resources Director Jeff Fleetwood reported that PFC Jessica Collins would be conducting AED and CPR training for those employees whom are interested and that the insurance adjuster would be at the Town tomorrow regarding the two police vehicles that were involved in the accident Friday.

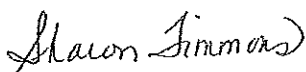
Economic and Community Development Director Michael Day reported that the Bathtub races were a success despite a minor incident and that a strategic safety plan would be in place for next year's race. Mr. Day also announced that the Peach Festival would be held on August 3rd, that the Whimsical Cottage would be closing, but another retailer would be moving into its space and that he would be making a presentation at the Preservation Maryland Conference.

Deputy Town Administrator Mary Bohlen presented 14 purchase orders (201300212, 201303597, 201303539, 201400218, 201400215, 201400231, 201400275, 201400204, 201400299, 201400304, 201400305, 201400209, 201400328 and 201400349) for approval. Councilmember Brittingham made a motion to approve the 14 purchase orders and council voted unanimously to approve 5-0.

Councilmember Lynch inquired if any work would be done on the sidewalk at the corner of Main and Tripoli Streets regarding the issue of accessibility.

Mayor Williams asked for comments from the public or the press. There being no comments from either, Councilmember Lynch made a motion to adjourn the meeting and the meeting ended at 8:42 p.m.

Respectfully submitted



Sharon Timmons
Administrative Assistant



Mayor & Council of Berlin

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RESOLUTION 2013-07

Mayor
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Troy Purnell

Town Attorney
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**Deputy Town
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Mary T. Bohlen

Resolution of TOWN OF BERLIN MAYOR & COUNCIL is approving the application and receipt of financing for a[Community Legacy Project(s)] (the "Project") further described in the Community Legacy Application("The Application"), to be financed either directly by the Department of Housing and Community Development (the "Department") of the State of Maryland or through other departments or agencies of the State of Maryland.

WHEREAS, the TOWN OF BERLIN MAYOR & COUNCIL, recognizes that there is a significant need for reinvestment and revitalization of the communities in WORCESTER COUNTY; and,

WHEREAS, the Department, either through Community Legacy or through other Programs of the Department, or in cooperation with other State departments or agencies, may provide some or all of the financing for the Project (the "Project Financing") in order to assist in making it financially feasible; and

WHEREAS, the Project is located within a priority funding area under Section 5-7B-02 of the Smart Growth Act and the Project will conform to the local zoning code; and

WHEREAS, the applicable law and regulations require approval of the Community Legacy Project and the Project Financing by the TOWN OF BERLIN MAYOR & COUNCIL and, where appropriate, by the chief elected executive official of the local subdivision;

NOW, THEREFORE BE IT RESOLVED THAT, the TOWN OF BERLIN MAYOR & COUNCIL hereby endorses the Project; and,

HEREBY approves the request for financial assistance in the form of a grant, up to the amount of \$150,000; and,

BE IT FURTHER RESOLVED THAT, the chief elected executive official be, and is hereby requested to endorse this Resolution, thereby indicating [his or her] approval thereof; and,

BE IT FURTHER RESOLVED THAT, the MAYOR OF BERLIN is hereby authorized to execute documents and take any action necessary to carry out the intent of these resolutions; and,

BE IT FURTHER RESOLVED THAT, copies of this Resolution are sent to the Secretary of the Department of Housing and Community Development of the State of Maryland.

READ AND PASSED THIS _____ day of _____, 20____.

BY ORDER: _____, I hereby certify that Resolution Number _____ is true and correct and duly adopted by the _____ (Legislative Body) of _____ (City or County).

ATTEST/WITNESS:

TOWN OF BERLIN

By: _____

Name: _____

Title: _____

Approved By: _____

Name: _____

Title: _____

[Chief elected executive official]

Date: _____

DEPUTY TOWN ADMINISTRATOR'S REPORT
August 12, 2013

Purchase Orders

PO# 201303541 in the amount of \$6,721.67 to Hill's Electric Motor Service for emergency repair of effluent motor. (24-4370-4041)

PO# 201303535 in the amount of \$1,485.00 to Envirocorp for monitoring of well at Libertytown spray site for June 2013. (24-4380-4049)

PO# 201400165 in the amount of \$11,200.00 to Intercoastal Trading for soda ash. (20-4320-4049)

PO# 201400337 in the amount of \$7,815.00 to B&G Heating & Air for new air conditioning unit for Mayor/Finance offices. (01-4110-4092) Approved by poll vote on 7/26/13.

PO# 201400408 (Blanket Purchase Order) in the amount of \$3,108.96 to Rochester Midland Corporation for mark v drip units and aire fan units for bathrooms in all departments and public restrooms.

PO# 201400378 in the amount of \$23,400.00 to Pittsville Motors for F150 Truck for water department. (20-4310-4092)

PO# 201400446 in the amount of \$7,293.00 to Beacon Electric for installation of electric in pole barn and heaters in building. (24-4360-4092)

PO# 201400433 in the amount of \$1,524.60 to Sensus for system support program for water department. (20-4310-4060)

PO# 201400449 in the amount of \$1,200.00 to Worth Construction for driveway on Flower Street. (01-4320-4092)

PO# 201400358 in the amount of \$2,684.00 to ABC Printers for brochures for Toth Distribution. (01-4115-4104)

PO# 201400136 in the amount of \$3,590.00 to Goody Hill Groundwork for repair of 10 inch force main from wastewater plant to spray site. (24-4365-4060)

PO# 201400447 in the amount of \$7,500.90 to L/B Water Service for sensus touchread handheld meter reader. (20-4310-4053)

PO# 201400157 in the amount of \$5,200.06 to Cody Computer Service for annual RMS support for police department. (01-4200-4060)

PO# 201400522 in the amount of \$1,788.08 to Wesco Receivables for capacitor controller and current line sensor. To be submitted for bid bond proceeds. (10-4230-4092)

PO# 201400527 in the amount of \$5,400.00 to East Coast Surfacing for repair of rubber surfacing at Stephen Decatur Park. (01-4500-4060)

PO# 201400533 in the amount of \$1,697.50 to Feedwater Treatment System coolant for cooling towers. (10-4220-4049)

Payment Request in the amount of \$2,828.00 to Chesapeake Paving and Sealing for paving at Planning and Zoning office related to emergency bathroom repair. (01-4330-4060)

Updates