



Mayor & Council of Berlin

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Mayor

Wm. Gee Williams, III

Vice President

Elroy Brittingham, Sr.

Council Members

Dean Burrell, Sr.
Lisa Hall
Paula Lynch
Troy Purnell

Town Attorney

David Gaskill

BERLIN, MARYLAND

MAYOR AND COUNCIL MEETING

MONDAY, NOVEMBER 26, 2012

Town Administrator
Anthony J. Carson, Jr.

**COUNCIL CHAMBERS – BERLIN TOWN HALL
10 WILLIAM STREET
BERLIN, MD 21811**

EXECUTIVE SESSION.....NONE SCHEDULED

REGULAR SESSION7:00 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, November 26, 2012

NO EXECUTIVE SESSION

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

1. Approval of the Minutes for:
 Regular Session of the Mayor and Council on November 13, 2012
 Executive Session of the Mayor and Council on November 13, 2012
 Statement of Closure for Mayor and Council on November 13, 2012
2. PKS Audit – Leslie Mikalik
3. Motion to Approve – Proposal from Davis, Bowen & Friedel to record drawings for North Main Street Utility Extension in the amount of \$2,680.00.
4. Motion to Approve – Special Event exception for the consumption of alcohol in non-glass containers within specified closed areas for New Year's Eve Ball Drop on December 31, 2012 from 8:00 p.m. to 12:30 a.m.
5. Motion to Approve – Approval of Extension of License Permit to Public Property for New Year's Eve Celebration – Globe Theatre
6. Departmental Reports
 - a. Finance – Lynn Musgrave
 - 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
7. 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
Tuesday November 13, 2012

The meeting of the Mayor and Council for Tuesday, November 13, 2012 was called to order by Mayor Williams at approximately 7:00 p.m. Councilmembers Hall, Burrell, Brittingham and Lynch were present, as well as Town Administrator Tony Carson, Human Resources Director Jeff Fleetwood, Deputy Town Administrator Mary Bohlen, Town Attorney David Gaskill, Finance Director Lynn Musgrave, Public Works Director Mike Gibbons, Water Resources Director Jane Kreiter, Economic and Community Development Director Michael Day, Police Chief Arnold Downing, Electric Utility Director Tim Lawrence, Planning and Zoning Director Chuck Ward and Administrative Assistant Sharon Timmons. Councilmember Purnell 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 Executive minutes of October 22, 2012. Councilmember Lynch made a motion to approve the minutes and council voted to approve 4-0 with Councilmember Purnell absent. Mayor Williams stated that the Executive Session was closed to consult with staff, consultants or individuals regarding litigation. Mayor Williams then asked for approval of the Regular Session minutes of October 22, 2012. Councilmember Lynch made a motion to approve the minutes as corrected and council voted to approve 4-0 with Councilmember Purnell absent.

Mr. Costa Apostolakis, owner of NexGrid gave a powerpoint presentation regarding remote metering for electric and water. These meters have the capability for real time wireless communication, net metering and alerts for outages, tampering, leaks, disconnects and reconnects. The Town currently has 5-6 meters installed throughout the WIFI area for testing and would require an additional 35 repeaters to cover the entire town. Total investment for the entire deployment would cost the town around \$565,000.00. Nexgrid's software supports net metering and could be implemented into the Town's billing system. Mayor Williams inquired if the investment were to be made, could the system be installed throughout the town in increments and Mr. Apostolakis replied yes. Town Administrator Tony Carson stated that he would be meeting with USDA next week to investigate the possibility of available grant monies. If the purchase order to be presented was approved, the Town could proceed with the pilot program which would include 100 electric and 40 water meters which both departments currently have funds dedicated in their budgets. Mr. Carson asked if the pilot program could be extended to 6 months rather than 4 months and Mr. Apostolakis replied yes. Councilmember Brittingham made a motion to purchase the remote metering associated with purchase order 201301203 and council voted to approve 4-0 with Councilmember Purnell absent. Councilmember Burrell asked to have 3 status reports and any concerns submitted to them.

Economic and Community Development Director Michael Day came before the council requesting approval of the event for the Berlin Christmas Tree lighting ceremony and Holiday Arts night to be held on Friday, November 23, 2012 from 5:30 p.m. to 9:00 p.m. Mr. Day stated that the event had no changes from previous events. Councilmember Burrell made a motion to approve the event and council voted to approve 4-0 with Councilmember Purnell absent.

Mr. Day requested approval of the event known as Berlin New Year's Eve Celebration to be held on Monday, December 31, 2012 from 8:00 p.m. to 12:30 a.m. Mr. Day stated that the

street closures requested were for a longer time frame to allow for vendor set up. Councilmember Brittingham made a motion to approve the Berlin New Year's Eve event and council voted to approve 4-0 with Councilmember Purnell absent.

Mayor Williams announced that Item 5, the motion to approve the special event exception for the consumption of alcohol in non-glass containers within specified closed areas for the New Year's Eve Ball Drop on December 31, 2012 from the hours of 8:00 p.m. to 12:30 a.m. would be moved to the agenda for the meeting on November 26th.

Finance Director Lynn Musgrave reported that the auditors from PKS would be at the next meeting to present the audit report. She told council that she would email a draft copy of the report to them the next day. Ms. Musgrave also reported that she would be attending a fraud conference at Salisbury University on November 16th.

Deputy Town Administrator Mary Bohlen reported that the Just Walk event would be held at Stephen Decatur Park on Saturday, November 17th from 9 a.m. to 11 a.m. She continued her report stating that the public restroom renovations were moving forward and the Town hoped to be receiving construction documents this week.

Public Works Director Mike Gibbons reported that Comcast and Verizon would be completing their work for the Flower Street sidewalk project around the third week in December and then the concrete work can begin. He continued by reporting that the paving on the basketball courts at Henry Park would begin on November 15th with the standards being installed on Thursday. The courts will hopefully be available for use sometime after mid-December. Renovations on Buckingham Lane and milling work on Germantown Road were complete and once Bunting and Murray had completed their portion of Germantown Road, the surface course can be put down.

Water Resources Director Jane Kreiter reported that MDE had been conducting an audit at the Wastewater plant for the last 3 weeks and no non-compliance issues had been found. She continued reporting that the work at the Branch Street wellhouse would resume next week and that the Route 818 Water and sewer expansion would begin on Monday, November 19th. She also reported that repairs would begin next week on the hydrant located on Flower Street which had been hit.

Electric Utility Director Tim Lawrence reported that the town fared well during Hurricane Sandy with only several broken poles and short outages. He also reported on the oxidation catalyst project which would start in January and the completion of the Engine 5 day tank project. Mr. Lawrence stated that his department was in the process of hanging Christmas lights and that the Town Christmas tree would be picked up on Thursday.

Police Chief Arnold Downing thanked all of the residents who heeded the warnings and stayed off the roads during Hurricane Sandy. He also thanked the citizens of Washington Street for their cooperation during Halloween and stated that his department was gearing up for the holiday season.

Planning and Zoning Director Chuck Ward reported that his department was continuing to receive calls regarding property management and code enforcement issues. He also reported that a final draft was being prepared regarding the re-zoning code.

Human Resources Director Jeff Fleetwood reported that he had met with representatives from FEMA last Friday.

Economic and Community Development Director Michael Day reported that Business after Hours would be held on Thursday, November 15th, the new business A Little Bit Sheepish would be opening on Saturday, November 17th, the Tree Lighting would be held on Friday, November 23rd and that the Small Business seminar would be held on Saturday, November 24th.

Town Administrator Tony Carson requested approval of 11 purchase orders (201301085, 201301205, 201301247, 201301263, 201301278, 201300708, 201301291, 201301292, 201300903, 201301306 and 201301086). Councilmember Brittingham made a motion to approve all 11 purchase orders and council voted unanimously to approve 5-0.

Mayor Williams announced that he had received the order from the Public Service Commission approving the 11.48% decrease in non-residential rates which would take effect on November 28th.

Mayor Williams asked for comments from the public. Berlin Fire Company President David Fitzgerald and Fire Chief Marc Brown came before the council requesting a mediation process between the Mayor and Council and the Fire Company to address the issues between them. Mayor Williams acknowledged that any mediation that may happen will have to come from a third party with no interest in the matter, but two conditions must be met prior to any discussion. The first condition is to wait and see if a lawsuit would be filed against the Berlin Fire Company based on the accusations of harassment and second that the elections within the Fire Company needed to provide leadership who are not responsible for the legal issues in question and could lead and follow through with what they say to help regain mutual trust and respect. Councilmember Hall left the meeting at 8:32 p.m. Mr. Joe Moore, attorney representing the Berlin Fire Company stated that the two parties needed to sit down and talk and that the Town could choose any qualified mediator they wanted. Several town residents spoke to the council regarding their thoughts on the matter. Mayor Williams stated that he hoped an initial meeting could take place after the first of the year to discuss the potential for mediation.

There being no further comments, Councilmember Burrell made a motion to adjourn the meeting and the meeting ended at 8:44 pm.

Respectfully submitted



Sharon Timmons
Administrative Assistant

TOWN ADMINISTRATOR'S REPORT
November 26, 2012

Purchase Orders

PO# 201301411 in the amount of \$3,000.00 to Pitney Bowes for postage for postage meter.

PO# 201301433 in the amount of \$22,011.65 to Landsaver Environmental for reimbursement for liner material at new spray site.

PO# 201301271 in the amount of \$1,055.60 to Intercoastal Trading for hypochlorite solution.

PO# 201301296 in the amount of \$1,374.75 to Cato Oil for diesel fuel for generators.

PO# 201301457 in the amount of \$1,842.50 to John D Hynes & Associates for soils testing at Branch Street for emergency oil tank discovery. Required by MDE.

PO# 201301456 in the amount of \$4,730.00 to Goody Hill GroundWork for emergency repair of fire hydrant at Flower Street which was damaged in auto accident.

Updates