



Mayor & Council of Berlin

10 William Street, Berlin, Maryland 21811
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www.berlinmd.gov



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

Town Administrator

Laura Allen

BERLIN, MARYLAND

MAYOR AND COUNCIL MEETING

MONDAY, MARCH 24, 2014

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

EXECUTIVE SESSION.....6:00 PM

REGULAR SESSION7:00 PM

Anyone having questions about the meetings mentioned above or needing special accommodations should contact Laura Allen, 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, March 24, 2014**

6:00 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 March 10, 2014
2. Worcester County Beach Bots Recognition – Michele Kosin
3. Update on Conversion to Natural Gas
4. Request for Special Event – St. Paul United Methodist Church 5K Memorial Walk
Saturday, April 12, 2014; 9:00 a.m. – 5:00 p.m., Flower Street
5. Request for Special Event – Public Works/Utility Day -Touch a Truck Day
Saturday, May 31, 2014; Stephen Decatur Park
6. Proclamation 2014-06; A Proclamation proclaiming April as Fair Housing Month
7. Proclamation 2014-07; A Proclamation proclaiming April 19-27 as Take Pride in
Berlin Week
8. Program Open Space – Annual Allocation Wish List
9. Purchase Power Auction
 - a. Motion to Approve Purchase Power Auction
 - b. Motion to Authorize Mayor's Signature
 - c. Motion to confirm World Energy Contract
10. Departmental Reports
 - a. Deputy Town Administrator – Mary Bohlen
 - b. Water Resources/Public Works – Jane Kreiter
 - c. Electric – Tim Lawrence
 - d. Police – Arnold Downing
 - e. Planning – Dave Engelhart
 - f. Human Resources – Jeff Fleetwood
 - g. Economic and Community Development – Michael Day
11. Town Administrator's Report
12. Comments from the Mayor
13. Comments from the Council
14. Comments from the Public

15. Comments from the Press

16. Adjournment

MAYOR AND COUNCIL OF BERLIN, MARYLAND
Regular Session Council Minutes
Monday, March 10, 2014

The meeting of the Mayor and Council for Monday, March 10, 2014 was called to order by Mayor Williams at approximately 7:00 p.m. Councilmembers Brittingham, Hall, Purnell, Burrell and Lynch were present, as well as Town Attorney David Gaskill, Town Administrator Laura Allen, Planning Director Dave Engelhart, Deputy Town Administrator Mary Bohlen, Finance Director Natalie Saleh, Water Resources and Public Works Director Jane Kreiter, Electric Utility Director Tim Lawrence, Police Chief Arnold Downing, Economic and Community Development Director Michael Day, and Administrative Assistant Sharon Timmons. Human Resources Director Jeff Fleetwood was absent.

Following the recitation of the Lord's Prayer and the Pledge of Allegiance, Mayor Williams asked for a motion to approve the Regular Session minutes of February 24, 2014. Councilmember Brittingham made a motion to approve the minutes and council voted unanimously to approve 5-0. Mayor Williams then asked for a motion to approve the revised Executive Session minutes of February 24, 2014 which had been placed on the dias prior to the meeting. Councilmember Lynch made a motion to approve the revised Executive minutes and council voted unanimously to approve 5-0. Mayor Williams stated that the Executive Session was closed to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction and to also discuss any other personnel matter that affects one or more specific individuals.

Pastor Tim Robinson of SonRise Church came before the council to request approval for their church to hold a backyard vacation bible school open to the public at Henry Park on June 23rd through June 25th from the hours of 5:30 p.m. to 8:00 p.m. Councilmember Burrell asked Mr. Robinson if the church was aware that St. Paul's Methodist Church would be holding their bible school at the same time. Discussion continued. Mayor Williams asked Sonrise Church if they would be willing to change the dates of their bible school as to not conflict with other local churches in the area and come back before the council in two weeks. Council agreed by consensus to approve the basic plan and request, but to come back with revised paperwork showing a new date and a copy of their 501-3C.

Ms. Donna Compher came before the council requesting approval to "Paint the Town Purple" to promote Cancer Awareness for the month of April. Ms. Compher requested that they be allowed to wrap the Victorian street poles with purple ribbons and hang a banner in town from the dates of April 11th through May 11th. Ms. Compher also requested approval of a scavenger hunt named "Request for Hope" to be held on April 11th. Councilmember Burrell made a motion to approve the "Paint the Town Purple" event and council voted unanimously to approve 5-0.

Economic and Community Development Director Michael Day came before council to request approval and town services for the Coolest Small Town in America Party to be held Saturday, March 29, 2014 from the hours of 1:00 p.m. to 6:00 p.m. Mr. Day explained that there would be music, food vendors and a youth parade led by the Stephen Decatur High School Marching Band. Discussion continued. Mayor Williams thanked Ocean City Mayor Meehan for the invitation for the Town of Berlin to participate in the St. Patrick's Day parade.

Mayor Williams spoke on recommendations for future improvements regarding social media. Town Administrator Laura Allen reviewed some of the expenses associated with the event. Discussion continued. Councilmember Hall suggested contacting the Casino for assistance with marketing. Councilmember Purnell made a motion to approve the Coolest Small Town in America Party and the underwriting of expenses associated with the event up to \$5,000. Council voted unanimously to approve 5-0. No action was taken on the request for the budget amendment for marketing.

Berlin Chamber of Commerce Director Joya Matte came before the council to request approval for the event Spring Celebration to be held on Saturday, April 19, 2014 from the hours of 9:00 a.m. to 5:00 p.m. Ms. Matte summarized the events that would be taking place throughout the day. Councilmember Hall made a motion to approve the event Spring Celebration and council voted unanimously to approve 5-0.

Mr. Day spoke on the motion to approve the contract with Peninsula Roofing in the amount of \$37,500 for the replacement of the roof at the Visitor's Center. Mr. Day stated that the scope of work meets with the requirements of the State and that the Town would be receiving \$20,000 towards the cost from a Community Legacy grant. The balance of \$17,500 would come from the contingency fund. Councilmember Purnell made a motion to approve the contract with Peninsula Roofing for replacement of the roof at the Visitor's Center in the amount of \$37,500.00 and council voted unanimously to approve 5-0.

Deputy Town Administrator Mary Bohlen summarized the final numbers associated with the re-districting of the election districts from the Maryland Department of Planning. Ms. Bohlen stated that maps, press releases and service announcements would be posted throughout various locations in town and on the town website to allow residents to view the changes. Councilmember Lynch made a motion to approve Resolution 2014-01 which approves the Meters and Bounds of the restructure of the election district to satisfy the new 2010 census numbers. Council voted unanimously to approve 5-0.

Departmental reports began with Finance Director Natalie Saleh reporting that utility bills had been mailed out and that she was preparing for the FY15 budget and worksessions.

Deputy Town Administrator Mary Bohlen reported that the student entries for the mural would be displayed at the Arts Council building this Friday from 5:00 p.m. to 8:00 p.m. Ms. Bohlen announced that Spring Celebration would be the kick-off for Take Pride in Berlin week.

Public Works Director Jane Kreiter thanked the employees from Public Works for their support as she embarked in her new position.

Water Resource Director Jane Kreiter reported that the leak on William Street had been repaired.

Electric Utility Director Tim Lawrence reported that a transformer on Jefferson Street had been relocated due to a split load issue and an overhead service located at #8 Burley Street had been removed.

Police Chief Arnold Downing reported that he was preparing for the upcoming budget and working on the scheduling of staff for the upcoming events. He also announced that the Police department would be vacating the substation located at Quail Run I.

Planning Director David Engelhart reported that he, Kate Patton and Patricia Dufendach had attended a workshop in Centreville given by the Maryland Department of Transportation, State Highway and the Maryland Department of the Environment. The workshop discussed grant funding for pedestrian and bike projects. Mr. Engelhart also stated that his department had been receiving an increase in calls on enforcement issues and announced that Mr. Andrew Hanson would be making a presentation to the Planning Commission on the Cannery Village project on Wednesday, March 12th.

Economic and Community Development Director Michael Day reported that Main Street had raised \$1,600 at the fundraiser held at Burley Oak. The next fundraiser will be a Yard Sale held on April 12th at the Visitor's Center.

Town Administrator Laura Allen presented 2 purchase orders for approval (201402422 and 201402545). Ms. Allen stated that training dates associated with Purchase Order 201402422 had been changed from March to May. Councilmember Brittingham made a motion to approve the 2 purchase orders as submitted and council voted unanimously to approve 5-0.

Mayor Williams acknowledged that the leadership and dedication of staff is one of the reasons that Berlin has become the cool town that it is.

Mayor Williams asked for comments from the council. Councilmember Hall thanked staff for all of their hard work during the winter regarding the clean up around town and on the roads. She announced that she would be testifying at the Senate on Wednesday regarding the House Bill for highways and crosswalks. Councilmember Burrell expressed how impressed he was regarding the clean up after the snow storm. Councilmember Brittingham expressed the same sentiments. Councilmember Lynch asked Ms. Kreiter to inquire with State Highway on two areas of roadway on South Main Street.

Mayor Williams asked for comments from the public. Jerome Wharton Jr. of 218 Branch Street inquired about the status of the new Police building and community center. Mayor Williams stated that the Town would be concentrating on the design and engineering work first, but the Police building was first on the list for use of slot money and applications for grant funding.

There being no comments or questions from the press, Councilmember Burrell made a motion to adjourn the meeting and the meeting ended at 8:44 p.m.

Respectfully submitted,



Sharon Timmons
Administrative Assistant



Mayor & Council of Berlin, Maryland

March 24, 2014

PROCLAMATION 2014—06

A PROCLAMATION OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN RECOGNIZING FAIR HOUSING MONTH - APRIL, 2014

WHEREAS the Congress of the United States passed the Civil Rights Act of 1968, in which it was declared that the law of the land would guarantee the rights of equal housing opportunity, and

WHEREAS the month of April is recognized by the federal government as Fair Housing Month and realtors, developers, financial institutions, landlords, tenants and the public at-large are reminded that it is illegal to discriminate in housing on the basis of age, race, religion, sex or national origin, and

WHEREAS fair housing groups and the Maryland Department of Housing and Community Development have, over the years, received complaints of alleged illegal housing discrimination, and

WHEREAS the State of Maryland, through the Maryland Department of Housing and Community Development, supports fairness in housing through a variety of programs and working partnerships with the federal government, local governments and private sector businesses to ensure better living conditions for all Marylanders, and

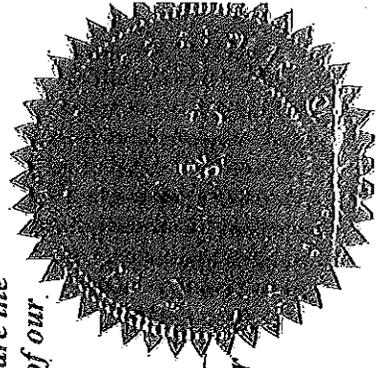
WHEREAS equal housing opportunity is a condition of life in our community that can and should be achieved;

NOW THEREFORE, be it proclaimed that the MAYOR AND COUNCIL OF THE TOWN OF BERLIN hereby declare the month of April 2014 as FAIR HOUSING MONTH in the Town of Berlin and does commend this observance to all of our citizens.

WITNESS MY HAND AND SEAL, THIS 24TH DAY OF MARCH, 2014

Wm. Gee Williams, III - Mayor

Laura Allen - Town Administrator





Mayor & Council of Berlin, Maryland

March 24, 2014

PROCLAMATION 2014—07

A PROCLAMATION OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN RECOGNIZING THE WEEK OF APRIL 19-26, 2014 TAKE PRIDE IN BERLIN WEEK

WHEREAS The Town of Berlin, Maryland embodies the way of life of small town America, while providing a thoroughly modern lifestyle; and

WHEREAS the citizens of Berlin are proud of their community, their neighborhoods and their neighbors; and

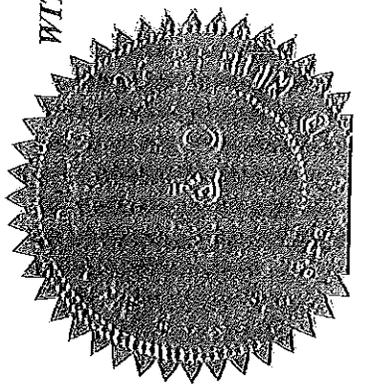
WHEREAS the organizations that call Berlin home are dedicated to maintaining and enhancing the many positive aspects of our community; and

WHEREAS the volunteer spirit of our citizens enables lasting and effective partnerships of people, organizations, commercial ventures and municipal government to make our town a wonderful place to live, work and visit; and

WHEREAS our Town boasts many characteristics that make evident the efforts of past and current generations to uphold the values of our citizens through stewardship of the natural, cultural, and civic environment,

NOW THEREFORE, BE IT KNOWN that I, Wm. Gee Williams, III by the virtue of the authority vested in me as Mayor of the Town of Berlin, Maryland do hereby proclaim the week of April 19-26, 2014 as the 3rd Annual Take Pride in Berlin Week and ask our citizens to demonstrate their pride in whatever means are most representative to them.

WITNESS MY HAND AND SEAL, THIS 24TH DAY OF MARCH, 2014.



Wm. Gee Williams, III - Mayor

Laura Allen - Town Administrator

TOWN OF BERLIN
FY2015 Proposed Program Open Space Projects
Eight Visions Consistency Statement
March 11, 2014

John Howard Burbage Park is an aesthetic park adjacent to the municipal Power Plant/Public Works facility. Stephen Decatur Park is a general use parks offering picnic, playground, and fitness facilities, as well as a nature pond and trail. The Town of Berlin would like to undertake the projects listed on the Annual Program to increase the aesthetics and use of Burbage and Stephen Decatur Parks (at this time there are no projects planned for this year's submission for Henry Park).

The proposed projects are consistent with the Eight Visions in that proposed additional development will occur within or adjacent to areas already used for and suitable for park development. No wetlands or other sensitive areas are being removed or infringed upon. The proposed projects are on land already in use as public parks in existing population centers and the land is protected from undesirable development. No impact to the Chesapeake Bay and/or its tributaries will occur. No consumption of resources will take place and the land resources are being preserved by not allowing development. By increasing the potential for recreational use of these areas, the potential for economic development will increase by offering more to attract visitors and new residents to the Town.

The Town allocates funds each year in its annual budget to the maintenance and development of our park areas which are handled by the Town's Public Works Department. A volunteer Parks Commission oversees project planning and advises and makes recommendations to the Mayor and Council regarding the parks.

DEVELOPMENT PROJECTS:

1. **JOHN HOWARD BURBAGE PARK:** Named for Berlin's longest-serving Mayor, Burbage Park is a small "aesthetic" park located directly in front of the municipal Power Plant and Public Works campus. The Park is within two blocks of Berlin's downtown, on William Street, a main thoroughfare for both vehicle and pedestrian traffic and surrounded by residential neighborhoods and developments. Though long-named a park, the area has never truly been developed into an area for use by citizens or visitors. In 2009, the Town of Berlin, using Program Open Space funds, developed a Comprehensive Parks Plan that made a number of suggestions for the improvement and development of Burbage Park as a casual-use, as opposed to recreational, park.

The Berlin Parks Commission has recommended to the Mayor and Council that the concept put forth in the Comprehensive Park Plan be explored in depth. The

first priority of this Annual Plan is to contract for detailed design work, including cost estimates for the development of this area. Plans may include landscaping, reading “nooks” and other quiet activities. Once this aspect of the project is complete, the Town can move forward with the actual development of the property.

2. STEPHEN DECATUR PARK: Expansion of the Tot-Lot area of Stephen Decatur Park continues to be a priority. This expansion will include increased square footage to allow for more picnic facilities and improved access particularly for strollers and wheelchairs. This project will not impact any sensitive areas and all work will encompass areas already used as parkland.

TOWN ADMINISTRATOR'S REPORT
March 24, 2014

Purchase Orders

PO# 201402030 in the amount of \$1,495.00 to Envirocorp for monitoring of wells at Lee Road Spray site. (24-4370-4073)

PO# 201402615 in the amount of \$1,876.00 to Ermco for two (2) 37.5 KVA overhead transformers (10-4230-4092)

PO# 201402558 in the amount of \$1,520.00 to Netimpact Inc. for Coolest keychains (01-4110-4076, 01-4115-4057)

PO# 201402692 in the amount of \$6,906.00 to Toth Distribution for Brochure distribution March 2014 through February 2015. (01-4115-4104)

PO# 201402591 in the amount of \$1,288.20 to Wainwright's Tire Center for tires for Truck #33. (01-4310-4031)

PO# 201402642 in the amount \$1,377.50 to Red the Uniform Tailor for uniforms for officers Bragg, Collins and Jerscheid. (01-4200-4047)

PO# 201402643 in the amount of \$2,601.95 to Red the Uniform Tailor for bullet proof vests and shirt carriers for officers Bragg, Carmean and Fisher. (01-4200-4092)

PO# 201402398 in the amount of \$4,448.97 to Atlantic Machinery for emergency repair of vac truck due to oil leak on boom. (24-4380-4092)

PO# 201402703 in the amount of \$14,229.16 to Krenz & Company for cooling fans for transformers at Savage substation. To be submitted for bid bonds (10-4230-4092)

Updates

MINUTES – PARKS COMMISSION
February 4, 2014

A meeting of the Berlin Parks Commission was held on Tuesday, February 4, 2014 at 5:30 PM. Board members Loretta Brown-Bridgell, Patricia Dufendach, Bruce Hyder and Mike Wiley were present as well as Deputy Town Administrator Mary Bohlen. Ann Ashton and Erika Rittling of the Mural subcommittee were also present as well as Kate Patton of the Lower Shore Land Trust.

The Commission reviewed the Minutes of January 7, 2014. Ms. Dufendach moved to approve the Minutes as written and approval was unanimous.

Ms. Hooper had joined the meeting in progress.

Ms. Ashton presented her draft design for the mural. She had used elements of the majority of the students' entries to create an overall design. Discussion of the design followed with several suggestions for minor changes/inclusions. The Board also discussed prizes for the students. Ms. Bohlen reminded the group that the intent had never been to select a 1st, 2nd, or 3rd prize winner and that, with only 9 entries, giving each entrant a small prize should not present a problem. She would look into purchasing art kits of the same type as one Ms. Dufendach had purchased several months prior.

Ms. Bohlen also reminded the Commission that the Worcester County Arts Council would be featuring the entries at the March 4, 2014 2nd Friday Art Stroll as part of their Student Art Month. Ms. Ashton indicated that she would have a mural design ready for display along with the students' art.

Ms. Patton was before the Commission to discuss possible locations for rain gardens and/or pollinator gardens. Possible locations in Burbage and Henry Parks were discussed. Ms. Bohlen also noted that the Town had a number of upcoming stormwater projects that could possibly incorporate rain gardens. Discussion continued.

The Commission also discussed a project idea that Ms. Patton had posted on the Take Pride in Berlin Facebook page regarding the creation of natural play spaces. Ms. Bohlen noted that, while Clean-Up Day in the parks was still planned, the actual clean-up of the parks seems to take less time and effort each year, so focusing more on project-related activities would be a good alternative. She noted that she would begin reaching out for Take Pride Week over the next few weeks, and Ms. Patton indicated that she would explore one of the ideas noted in the natural play spaces blog.

Ms. Bohlen noted that the Maryland Department of Transportation would be holding a bicycle/pedestrian initiatives workshop on February 27th. Ms. Bohlen and Ms. Patton would be attending and she invited the Parks Commission members to attend as well.

Discussion followed regarding the recent Mayor and Council action regarding the conveyance of a portion of Commodore Street. Ms. Bohlen brought their attention to a response to their January 8, 2014 letter from Mayor Williams.

Sponsorship of the landscaping areas in the parks and downtown followed. Mr. Wiley noted that the Arts & Entertainment Committee wanted the downtown areas to have a more consistent look. Ms. Bohlen noted that Main Street and the A&E Committee would work together on that and that the areas in the parks were the only areas under Parks Commission control.

Ms. Dufendach moved to adjourn and the meeting adjourned at approximately 6:55 PM.

Respectfully Submitted,



Mary T. Bohlen
Deputy Town Administrator
Liaison to the Parks Commission