



# Mayor & Council of Berlin

10 William Street, Berlin, Maryland 21811

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

[www.berlinmd.gov](http://www.berlinmd.gov)



## BERLIN, MARYLAND

**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

## MAYOR AND COUNCIL MEETING

**TUESDAY MAY 27, 2014**

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

EXECUTIVE SESSION..... 6:00 PM

REGULAR SESSION .....7:00 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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TTY users outside Maryland dial 1-800-735-2258

**BERLIN MAYOR AND COUNCIL  
COUNCIL MEETING  
AGENDA  
Tuesday, May 27, 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 May 12, 2014  
     Executive Session of the Mayor and Council on May 12, 2014  
     Statement of Closure for Mayor and Council on May 12, 2014
2.    Aerial Vane – If I Were Mayor Book Author
3.    Swearing in of members of Boards and Commissions
4.    Citizen Participation Public Hearing – Community Development Block Grant  
     Application for Hudson Branch Stormwater Project
  - a.    Public Hearing
  - b.    Resolution 2014-04
5.    Request for approval & letter of support – Burley Oak Brewery Explore Berlin  
     Festival – Saturday, September 27, 2014; 2:00 p.m. – 8:00 p.m. (Bryan  
     Brushmiller)
6.    Twisters – Carmello Solito
  - a.    Request for Payment Plan for Financing of Impact Fees over 5 years
  - b.    Request for Phase In of Property Taxes over 5 years
7.    Update from Berlin Pedestrian Safety Committee – Patricia Dufendach.
8.    Introduction of Ordinance 2014-01, FY15 Budget  
     Public Hearing to be held June 9, 2104
9.    Resolution 2014-02; Fiscal Year 2015 Tax Rate
10.   Departmental Reports
  - a.    Finance – Natalie Saleh
  - b.    Deputy Town Administrator – Mary Bohlen
  - c.    Water Resources & Public Works – Jane Kreiter
  - d.    Electric – Tim Lawrence
  - e.    Police – Arnold Downing
  - f.    Planning – Dave Engelhart
  - g.    Human Resources – Jeff Fleetwood
  - h.    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, May 12, 2014

The meeting of the Mayor and Council for Monday, May 12, 2014 was called to order by Mayor Williams at approximately 7:05 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, Finance Director Natalie Saleh, Human Resources Director Jeff Fleetwood, Electric Utility Director Tim Lawrence, Police Chief Arnold Downing, Economic and Community Development Director Michael Day and Administrative Assistant Sharon Timmons. Deputy Town Administrator Mary Bohlen and Water Resources and Public Works Director Jane Kreiter were 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 April 28, 2014. Councilmember Lynch made a motion to approve the Regular session minutes of April 28, 2014 and council voted unanimously to approve 5-0. Mayor Williams asked for a motion to approve the Executive Session minutes of April 28, 2013. Councilmember Lynch made a motion to approve the Executive minutes of April 28, 2014 and council voted unanimously to approve 5-0. Mayor Williams read the Statement of Closure for the April 28, 2014 Executive Session. Councilmember Brittingham made a motion to approve the Utilities Budget worksession minutes of May 5, 2014 and council voted unanimously to approve 5-0. Councilmember Brittingham made a motion to approve the Executive session minutes of May 5, 2014 and council voted unanimously to approve 5-0. Mayor Williams read the Statement of Closure for the May 5, 2014 Executive Session.

Councilmember Brittingham stated that he had been contacted by the American Legion concerning the town services and street closure required for the ceremony honoring Memorial Day. The ceremony will be held on Sunday, May 25<sup>th</sup> at 8:00 a.m. at the Veteran's monument located at the corner of West and Main Streets. Councilmember Hall made a motion to approve the Memorial Day ceremony and council voted unanimously to approve 5-0.

Mr. Bill Badger, Worcester County Economic Development Director appeared before the Mayor and Council to discuss the Excursion Train Opportunity supported by the Strasburg Railroad. Mr. Badger reported that the County Commissioners had approved a Phase I feasibility study be conducted and was asking Snow Hill and Berlin to contribute \$3,000 - \$5,000 to the cost of the study. Mayor Williams stated that he was very supportive of the project. Councilmember Hall made a motion to send a letter of support for the concept and plans for the feasibility study regarding the Strasburg Railroad Initiative and council voted unanimously to approve 5-0.

Human Resources Director Jeff Fleetwood requested a motion to approve the FY15 policy renewal for the Worker's Compensation Insurance as submitted by Chesapeake Employers Insurance. Councilmember Burrell made a motion to approve the FY15 policy renewal for Worker's Compensation and council voted unanimously to approve 5-0.

Mr. Fleetwood requested a motion to approve the FY15 health care proposal through Cigna as submitted by Atlantic, Smith, Cropper and Deeley. Councilmember Brittingham made a motion to approve the FY15 health care proposal and council voted unanimously to approve 5-0.

Mayor Williams read the list of names and terms for those persons recommended for renewal or as new members to fill the vacancies for the various Town boards and commissions. Councilmember Lynch made a motion to approve those persons recommended for the Town's boards and commissions and council voted unanimously to approve 5-0.

Having completed the items on the Regular Agenda, Mayor Williams asked for Departmental Reports. Finance Director Natalie Saleh reported that the Finance Department was working on finalizing the budget and a capitalization policy which would be presented to the Mayor and Council after the budget had been approved in mid-June. She also stated that she was working with Booth and Associates on reports which were required by the Public Service Commission. Ms. Saleh described the GFOA conference that she and Town Administrator Laura Allen would be attending May 16<sup>th</sup> through May 21<sup>st</sup>.

Electric Utility Director Tim Lawrence provided slides of the fan installation on the transformers at the Savage substation. Mr. Lawrence indicated that these fans would help to increase the longevity and capacity of the transformers. Mr. Lawrence also explained the activities surrounding Touch a Truck Day to be held on Saturday, May 31<sup>st</sup> and the various tree trimming throughout town.

Police Chief Arnold Downing reported on the activities of vehicle day at Buckingham Elementary School, Stephen Decatur High School prom and MayDay Play Day.

Planning Director David Engelhart reported an increase in the grass and trash violations throughout town. He also noted the work would begin on the new Tractor Supply next Monday and that the Cannery Village project was moving along well. Councilmembers Brittingham and Hall requested that Mr. Engelhart investigate properties located at 216 Branch Street and a home on Broad Street.

Human Resources Director Jeff Fleetwood reported that the Employee Open Enrollment would be held May 21<sup>st</sup> through 23<sup>rd</sup>.

Economic and Community Development Director Michael Day thanked all of the departments that assisted with the MayDay PlayDay event. Mr. Day also reported that the new roof for the Visitor's Center should be completed in the next few days.

Town Administrator Laura Allen reported that she had spoken with the owner of the leaning tree located on South Main Street regarding its possible removal. Ms. Allen then presented 16 purchase orders to the council for approval. Councilmember Brittingham made a motion to approve the 16 purchase orders as submitted. Council voted unanimously to approve 5-0.

Mayor Williams spoke on an email he had received from the Berlin Little League regarding their long term plans.

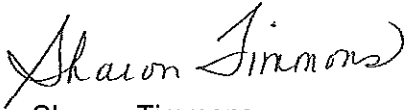
Councilmember Purnell reported that he had spoken with Mr. Ron Cascio of the Planning Commission and Mr. Cascio was interested in being re-appointed even though his term did not end until December. Mr. Purnell then made a motion to re-appoint Mr. Cascio to the Planning Commission for a 5 year term and council voted unanimously 5-0 to approve the re-appointment.

Councilmember Burrell asked about the status of the retaining wall at the entrance of Henry Park. He also noted that the shrubbery seemed to be in bad condition and needed some attention.

Councilmember Brittingham inquired about the removal of trash at the ballpark over the weekends.

Mayor Williams asked for comments from the press and the public. There being no comments or questions from either, Councilmember Burrell made a motion to adjourn the meeting and the meeting ended at 8:21 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Sharon Timmons". The signature is written in dark ink and is positioned above the printed name.

Sharon Timmons  
Administrative Assistant

**TOWN OF BERLIN  
PUBLIC HEARING  
for the purpose of  
CITIZEN PARTICIPATION  
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

**MONDAY, May 27, 2014  
OUTLINE & AGENDA**

The purpose of this Citizen Participation Public Hearing is to review and to obtain citizen input for a proposed CDBG application for SFY15.

**I. PROPOSED APPLICATION: Hudson Branch Stormwater Project**

**1. SUMMARY OF PAST USE OF FUNDS**

Past Block Grant Funds: \$2,620,272

Breakdown by activity:

93%	\$2,425,638	Public Facilities
3%	\$ 76,525	Housing
2%	\$ 59,500	Property Acquisition
1%	\$ 27,709	Administration
<1%	\$ 16,400	Economic Development
<1%	\$ 9,000	Demolition/Clearance
<1%	\$ 5,500	Relocation Assistance

**2. FY15 CDBG FUNDING AVAILABLE**

The allocation of federal funds for Community Development Block Grant for the State of Maryland for State Fiscal Year 15 is as follows:

State Administration	\$ 242,277
Technical Assistance	71,138
Community Development	4,521,955
Special Projects and Planning	500,000
Economic Development (21%)	1,778,457
<b>TOTAL</b>	<b>\$7,113,827</b>

### **3. OBJECTIVES/ELIGIBLE ACTIVITIES**

The primary objectives of the Maryland CDBG program are to provide decent housing and necessary supporting infrastructure, preserve and develop viable communities through the expansion of economic opportunities, and meet the critical needs of Maryland's communities.

Eligible activities assisted under the Maryland Small Cities Block Grant Program may include the following as defined more specifically in 24 CFR Part 570, Subpart C.

A. Acquisition, construction, reconstruction, or installation of public facilities.

INELIGIBLE ACTIVITIES: Improvements to buildings used for the general conduct of government such as city halls and police stations; political activities; equipment purchases; furnishing; and operations, maintenance or repair of public facilities and works.

### **4. CURRENT PLANNED USE OF CDBG**

The Town of Berlin will submit an application for FY15 Community Development Block Grant funding in the amount of \$800,000 for the Hudson Branch Stormwater Project. The funds will be used for the design and engineering and construction of the project. The project will consist of increasing the size, and therefore the capacity, of the culverts on Flower Street and William Street as well as creating some natural attenuating scour pools and bank stabilization, and improvements to some connection stormwater collection piping in the Graham, Grice and Nelson areas. These improvements will reduce backwater effects during significant storm events along with the a beneficial effect on natural water quality.

The budget estimated for this project is as follows:

<b>Overall Hudson Branch Stormwater Project</b>	<b>TOTAL</b>	<b>CDBG</b>	<b>TOWN</b>	<b>FEMA/MEMA DNR</b>
Engineering and Design	\$245,000		\$45,000	\$200,000
Flower Street Construction	\$635,600	\$385,600		\$250,000
William Street Construction	\$364,500	\$40,452		\$324,048
Graham, Grice & Nelson Construction	\$473,948	\$373,948		\$100,000
Administration	\$15,000		\$15,000	
Total	\$1,734,048	\$800,000	\$60,000	\$874,048

## **II. PUBLIC COMMENT**

Citizens interested in commenting on any of the three projects discussed during this Public Hearing can do so at this time or submit written comments to:

Town of Berlin Attn: CDBG Comments 10 William Street Berlin, MD 21811	Or	Email: mbohlen@berlinmd.gov Phone: 410-641-4314 Fax: 410-641-2316
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## **III. MAYOR & COUNCIL DISCUSSION**

## **IV. RESOLUTION 2014-04 (attached)**





# Mayor & Council of Berlin



## RESOLUTION 2014- 04

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN, MARYLAND  
AUTHORIZING THE SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK GRANT  
APPLICATION IN THE AMOUNT OF \$800,000.00 FOR THE PURPOSE OF THE HUDSON  
BRANCH STORMWATER PROJECT IN THE TOWN OF BERLIN.

WHEREAS, State of Maryland through the Department of Housing and Community Development has solicited applications from eligible jurisdictions to apply for funding under the Maryland Community Development Block Grant (CDBG) Program; and

WHEREAS, The Mayor and Council of the Town of Berlin is eligible to apply for funds from the Maryland CDBG program through the Maryland Department of Housing and Community Development; and

WHEREAS, the Mayor and Council of the Town of Berlin have held the required public hearing related to the formulation of the Town of Berlin's Block Grant Application;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Berlin authorize the submittal of an application for Community Development Block Grant funds for the Hudson Branch Stormwater Project in the amount of \$800,000.00; and

BE IT FURTHER RESOLVED, that Mayor Wm. G. Williams, III is authorized and empowered to execute any and all documents required for the submission of the application.

ADOPTED THIS \_\_\_\_\_ DAY OF MAY, 2014 BY THE MAYOR AND COUNCIL OF THE  
TOWN OF BERLIN BY AFFIRMATIVE VOTE OF \_\_\_\_ TO \_\_\_\_ OPPOSED WITH \_\_\_\_  
ABSTAINING.

\_\_\_\_\_  
Wm. G. Williams, III, Mayor

\_\_\_\_\_  
Elroy Brittingham, Sr. Vice President

ATTEST: \_\_\_\_\_  
Laura Allen  
Town Administrator



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## RESOLUTION 2014-02 FISCAL YEAR 2015 TAX RATE

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND, ESTABLISHING THE PROPERTY TAX RATE FOR THE FISCAL YEAR BEGINNING JULY 1, 2014 PURSUANT TO ORDINANCE NUMBER 2014-01, THE OPERATIONAL BUDGET FOR FISCAL YEAR 2015.**

### 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

**WHEREAS**, the Mayor and Council will present Ordinance Number 2014-01, the operational budget for Fiscal Year 2015 for the Town of Berlin, for first reading at a Regular Council Meeting on May 27, 2014; and

**WHEREAS**, the revenues detailed in that Budget Ordinance 2014-01 are based on a property tax rate of \$.68 for each \$100 of assessed valuation;

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Town of Berlin that the property tax rate for Fiscal Year 2015 beginning July 1, 2014, shall be set at \$.68 for each \$100 of assessed valuation and \$1.70 for each \$100 of assessed valuation for corporate and personal property taxes

**ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2014 BY THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN BY AFFIRMATIVE VOTE OF \_\_\_\_ TO \_\_\_\_ WITH \_\_\_\_ ABSTAINING.**

\_\_\_\_\_  
William Gee Williams, III  
Mayor

\_\_\_\_\_  
Laura Allen  
Town Administrator

\_\_\_\_\_  
Elroy Brittingham, Sr.  
Vice President of the Council

APPROVED THIS \_\_\_\_ OF \_\_\_\_\_, 2014.

## **TOWN ADMINISTRATOR'S REPORT**

**May 27, 2014**

### **Purchase Orders**

PO# 201403186 in the amount of \$5,000.00 to NexGrid. \$3,000 for 2014 AMI professional services and License agreement for the Electric department and \$2,000 for 2014 professional services and software license agreement for Waste Resources department.

PO# 201403246 in the amount of \$2,610.83 to Card's Computers for new workstation and IT services for public works department. (01-4300-4053)

PO# 201403247 in the amount of \$1,502.83 to Card's Computers for new workstation, monitor, backups and cabling at new spray site location. (24-4380-4092)

PO# 201403248 in the amount of \$2,045.69 to Card's Computers for backups, firewall appliance, Ethernet switch, 3 year business service and IT services for wastewater department. (24-4360-4020, 24-4360-4050)

PO# 201402969 in the amount of \$2,275.34 to United Rentals for rental of Scissor lift for mural painting for 4 weeks, delivery & pickup charge and renewal of contract for 1 month. (01-4500-4060)

PO# 201403255 in the amount of \$1,400.00 to Wainwright's Tire Center for 4 tires for recycling truck #19. (01-4310-4031)

PO# 201403189 in the amount of \$1,039.41 to Tilghman Oil Company for diesel at Libertytown Spray site. (24-4380-4066)

PO# 201403282 in the amount of \$7,980.00 to Tri Supply & Equipment for light town for night time work. (24-4380-4092)

PO# 201403283 in the amount of \$6,000.00 to Dejana Truck and Utility Equipment for V-blade snow plow for dump truck. Needed for access to water and wastewater stations. (24-4380-4092)

PO# 201403285 in the amount of \$5,500.00 to Dejana Truck and Utility Equipment for salt spreader to help melt ice and snow. (24-4380-4092)

### **Updates**