



# Mayor & Council of Berlin

10 William Street, Berlin, Maryland 21811

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## BERLIN, MARYLAND

### MAYOR AND COUNCIL MEETING

MONDAY, JANUARY 26, 2015

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

**Mayor**

Wm. Gee Williams, III

**Vice President**

Elroy Brittingham, Sr.

**Council Members**

Dean Burrell, Sr.

Lisa Hall

Troy Purnell

Thomas L. Gulyas

**Town Attorney**

David Gaskill

**Town Administrator**

Laura Allen

EXECUTIVE SESSION.....6:30 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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**BERLIN MAYOR AND COUNCIL  
COUNCIL MEETING  
AGENDA  
Monday, January 26, 2015**

**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 January 12, 2015  
Executive Session of the Mayor and Council on January 12, 2015  
Statement of Closure for Mayor and Council on January 12, 2015
2. Request for Special Event – Worcester County Arts Council 5K Run  
Saturday, May 16, 2015; 8:00 a.m. – 10:00 a.m.
3. Annual Presentation – Worcester Youth & Family Counseling Services
4. Presentation – Bike Maryland; Emily Ranson & Matt Wempe
5. Request for Suspension of Open Container Law at Specific Town Events
6. 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 – Ivy Wells
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  
Monday, January 12, 2015

The meeting of the Mayor and Council for Monday, January 12, 2015 was called to order by Mayor Williams at approximately 7:09 p.m. Councilmembers Purnell, Burrell, Hall and Gulyas were present, as well as Town Administrator Laura Allen, Deputy Town Administrator Mary Bohlen, Finance Director Natalie Saleh, Water Resources and Public Works Director Jane Kreiter, Human Resources Director Jeff Fleetwood, Economic and Community Development Director Ivy Wells, Planning Director Dave Engelhart, Electric Utility Director Tim Lawrence and Administrative Assistant Sharon Timmons. Councilmember Elroy Brittingham, Police Chief Arnold Downing and Town Attorney David Gaskill 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 December 22, 2014. Councilmember Gulyas made a motion to approve the Regular session minutes of December 22, 2014 and council voted to approve 4-0 with Councilmember Brittingham absent. Mayor Williams asked for approval of the Executive Session minutes of December 22, 2014 and Councilmember Hall made a motion to approve the Executive Session minutes and council voted to approve 4-0 with Councilmember Brittingham absent. Councilmember Purnell stated that he was abstaining from approval of the Part 1 Executive minutes. Mayor Williams stated that the Executive Session was closed for three reasons: (1) to consider the acquisition of real property for a public purpose and matters directly related thereto, (2) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction, and (3) to consult with counsel to obtain legal advice on a legal matter.

Mr. Michael Franklin, CEO of Atlantic General Hospital came before the Mayor and Council to present his Annual Community presentation and Strategic Plan. Several of the points discussed were the integration of health literacy into the elementary curriculum, reduction of health visits through improved care and creating more access to primary and community care.

Ms. Debbie Darden, Superintendent of the Assateague National Seashore came before the council to discuss the fee increases. The park will be increasing their annual pass fee from \$30 to \$40 per car, weekly fees for cars from \$15 to \$20, weekly fees for motorcycles from \$10 to \$15 and nightly camping fees from \$25 to \$30. Mrs. Darden stated that 80% of the fees collected stay at A Assateague and their use is required to have a direct impact on visitors.

Mayor Williams announced the request for a Special Sunday permit by Duncan Showell American Legion Post 231 to hold a Super Bowl Party on Sunday, February 1, 2015. Councilmember Burrell made a motion to approve the Special Sunday permit requested by Duncan Showell American Legion Post 231 for the Super Bowl Party and council voted to approve 4-0 with Councilmember Brittingham absent.

Attorney Mark Cropper, Property owner Phillip Houck and Mr. Chris Carbaugh from the Atlantic Group came before the council to review the facts associated with the re-zoning recommendation from the Berlin Planning Commission which would allow the parcels (Tax Map 25, Parcel 145) and (Tax Map 25, Parcel 460) to be re-zoned from M-1A industrial to B-2 shopping. Mr. Cropper introduced, distributed and explained six exhibits associated with the timeline of the property beginning with the 1999 annexation into the Town of Berlin up and until the current request for the re-zoning. Mayor Williams opened the Public Hearing and asked for any comments from anyone from the State, County or public. There being no comments, Mayor Williams closed the public hearing and Councilmember Hall made a motion to approve the recommendation from the Planning Commission to re-zone Tax Map 25, Parcels 145 and 460 located at Route 818 Extended and US Route 50 and owned by Phillip and Marie Houck from M-1A to B-2 Shopping and take in consideration the Finding of Facts. Council voted to approve 4-0 with Councilmember Brittingham absent.

Mayor Williams announced the Public Hearing for Ordinance 2014-07, an ordinance which amends Article V, Chapter 108, Section 274 Site Design Guidelines. Planning Director Dave Engelhart explained that the amendment would allow the Planning Commission to process, review and approve all proposed commercial development to ensure it complements and enhances the Town's Historic Architectural Character and Uniqueness. Councilmember Burrell asked under what standards the Planning Commission would use to base their determinations on. Councilmember Hall stated that she felt there was grant monies available to enable the Town to hire a consultant to assist with the writing of the standards. Councilmember Burrell stated that the determinations should be based on a vision and not personal beliefs. Mayor Williams stated he supported the idea, but wanted immediate results on the writing of the standards. Councilmember Gulyas stated that he felt the statement was too open ended and he could not support it. Mayor Williams asked Mr. Engelhart for recommendations and Mr. Engelhart stated that he felt the council should adopt the ordinance as written so that you have something in place. Mayor Williams opened the Public Hearing and asked for comments from anyone from the State, County or public. Jerome Wharton Jr. asked how Town Attorney Gaskill felt about the Ordinance and Mr. Engelhart said he was in agreement with the proposed Ordinance until standards and guidelines were in place. Mayor Williams closed the Public Hearing and asked for comments from the council. Councilmember Purnell stated that he felt he could work with this as an interim. Councilmember Burrell said that he was ok with it, but to develop standards with haste and not drag this out for years. Mr. Engelhart stated that the Planning Commission was capable of starting the groundwork on the standards. Councilmember Purnell made a motion to accept Ordinance 2014-07 and council voted to approve 3 to 1 with Councilmember Gulyas opposed.

Town Administrator Laura Allen announced Resolution 2015-01 which adopts the Public Works Mutual Aid Agreement. This agreement allows municipalities to join together to assist one another in the event of a disaster. Councilmember Hall made a motion to adopt the Public Works Mutual Aid Agreement and council voted to approve 4-0 with Councilmember Brittingham absent.

Having completed the items on the Regular Agenda, Mayor Williams asked for Departmental Reports. Finance Director Natalie Saleh reported that the Finance department, Jane Kreiter, Laura Allen and Tim Lawrence had traveled to Seaford that morning to analyze the finance software that they had been using. The next step would be to discuss their findings with a representative from GFOA to assist them with making a selection for the new financial software.

Deputy Town Administrator Mary Bohlen reported that CodeRed notification testing would be taking place on Thursday, January 15<sup>th</sup> at 2 p.m.

Water Resources and Public Works Director Jane Kreiter reported that they had received about 10 calls regarding frozen pipes and announced that the last Christmas tree pickup would be this Wednesday.

Electric Utility Director Tim Lawrence reported that his department had assisted Public Works with the tree pickups and that a conference call had taken place on the AMI Smart Grid Metering System. He also reported that they were preparing for the installation of the new transformer at the Atlantic Hotel, had installed a new service at 117 Branch Street and gave the proposed dates for the change-over of the phone system from Verizon to Comcast.

Human Resources Director Jeff Fleetwood reported that he was working on W-2's and speaking with insurance vendors regarding rates for the upcoming year.

Economic and Community Development Director Ivy Wells reported that she was in the process of overhauling the Main Street website, working on the re-designation for Main Street, completing the event schedule and working with Berlin Chamber Director Jim Volk on the new look for the Welcome Center. Ms. Wells announced that the Art Stroll for February would be an Arts and Chocolate Stroll and that she was working on plans to celebrate Black History month at the Welcome Center.

Town Administrator Laura Allen presented 3 purchase orders (201501617, 201500625 and 201501684) to the council for approval. Councilmember Gulyas made a motion to approve the 3 purchase orders as submitted and council voted unanimously to approve 4-0.

Councilmember Burrell expressed his thanks and appreciation to the various departments which repaired a water problem at his home.

There being no comments from the public or press, Councilmember Burrell made a motion to adjourn and the meeting ended at 9:11 p.m.

Respectfully submitted,

Sharon Timmons  
Administrative Assistant

## TOWN ADMINISTRATOR'S REPORT

January 26, 2015

### Purchase Orders

PO# 201501658 in the amount of \$2,034.28 to Worcester Youth & Family Counseling for balance of 2<sup>nd</sup> quarter expenses and expenses for 3<sup>rd</sup> quarter (Jan 1 – March 31, 2015) (01-4500-4113)

PO# 201501499 in the amount of \$1,734.52 to Hill's Electric Motor Service for Emergency repair to decant pump. (24-4370-4041)

PO# 201501766 in the amount of \$1,821.78 to Maryland Unemployment Insurance Fund for unemployment insurance. (01-4310-4011, 20-4330-4011, 24-4380-4011)

PO# 201501754 in the amount of \$2,450.00 to A.C. Schultes of Delaware for trouble shooting of pumps #1 and #2. (24-4380-4041)

PO# 201501530 in the amount of \$2,000.00 to Middle Department for blanket purchase order for inspection services from January 2015 through June 30, 2015 (01-4400-4060)