



**BERLIN MAYOR AND COUNCIL
MEETING AGENDA
Monday, June 22, 2015**

- 6:00PM EXECUTIVE SESSION - Berlin Town Hall Council Chambers**
Pursuant to Section §3-305(b)(7) of the Annotated Code of the State of Maryland, to consult with counsel to obtain legal advice on a legal matter
- 7:00 PM REGULAR SESSION – Berlin Town Hall Council Chambers**
1. Approval of the Minutes for:
 - a. Regular Session of June 8, 2015
 2. Special Event Presentations:
 - a. Homes at Berlin Summer Event (6/27/15) – Doretta Williams
 - b. Berlin Sidewalk Sale (8/14 & 8/15/15) – Economic and Community Development Director, Ivy Wells
 - c. Back to School Block Celebration (8/22/15) – Nathan Marshall
 - d. Shakespeare Play (9/5/15)- Economic and Community Development Director, Ivy Wells
 3. Annual Contract Renewals:
 - a. Berlin Youth Program (Worcester Youth and Family Counseling)
 - b. Card's Technology
 - i. Town of Berlin
 - ii. Town of Berlin Police Department
 - c. D3 Corp
 4. Application for HEAL grant program 2015 - Administrative Services Director, Mary Bohlen
 5. Introduction of Ordinance 2015-04; FEMA Floodplain adoption - Planning Director, Dave Engelhart. Public Hearing to be held July 13, 2015
 6. Introduction of Ordinance 2015-05; Amending Chapter 6, "BUILDING AND BUILDING REGULATIONS" – Planning Director, Dave Engelhart. Public Hearing to be held July 13, 2015
 7. Service Agreement for NITS (Network Integration Transmission Services)
Town Administrator, Laura Allen
 8. Motion to Approve Tax Abatements FY2015/2016 – Finance Director, Natalie Saleh

9. Departmental Reports

- a. Finance – Natalie Saleh
- b. Administrative Services Director – Mary Bohlen
- c. Water Resources/Public Works – Jane Kreiter
- d. Electric – Tim Lawrence
- e. Police – Arnold Downing
- f. Planning – Dave Engelhart
- g. Managing Director – Jeff Fleetwood
- h. Economic and Community Development – Ivy Wells

10. Town Administrator's Report

11. Comments from the Mayor

12. Comments from the Council

13. Comments from the Public

14. Comments from the Press Adjournment

Council Meeting Minutes
 Town Hall
 10 William Street, Berlin, MD 21811
 June 8, 2015
 7:00 PM

CALL TO ORDER – 7:00 PM

Mayor Gee Williams called the Regular Meeting of the Town Council to order at 7:03p.m.

Council Present – Mayor Gee Williams, Councilmembers Elroy Brittingham, Troy Purnell, Thom Gulyas, Dean Burrell, Lisa Hall

Staff Present – Town Administrator Laura Allen, Finance Director Natalie Saleh, Administrative Services Director Mary Bohlen, Electric Utility Director Tim Lawrence, Planning Director Dave Engelhart, Economic Development Director Ivy Wells, Police Chief Arnold Downing, Managing Director Jeff Fleetwood

1. Approval of Minutes for Utilities Fund Work Session of the Mayor and Council on May 4, 2015.

On the motion of Councilmember Hall, the minutes were approved by the following vote:

Name	Counted toward Quorum			Present but recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Lisa Hall	X				
Troy Purnell	X				
Thom Gulyas	X				
<i>Voting Tally</i>	5	0			

Approval of Final Budget Review Work Session of the Mayor and Council on May 18, 2015.

On the motion of Councilmember Gulyas, the minutes were approved by the following vote:

Name	Counted toward Quorum			Present but recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Lisa Hall	X				
Troy Purnell	X				
Thom Gulyas	X				
<i>Voting Tally</i>	5	0			

Approval of Minutes for Executive Session of the Mayor and Council on May 26, 2015.

On the motion of Councilmember Brittingham, the minutes were approved by the following vote:

Name	Counted toward Quorum			Present but recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Lisa Hall	X				
Troy Purnell	X				
Thom Gulyas	X				
<i>Voting Tally</i>	5	0			

Mayor read Statement of Closure for May 26, 2015 Session

The session was closed pursuant to General Provisions Article §3-305(b)

(3) To consider the acquisition of real property for a public purpose and matters directly related thereto.

(7) To consult with counsel to obtain legal advice on a legal matter.

Approval of Minutes for Regular Council Session of the Mayor and Council on May 26, 2015.

On the motion of Councilmember Burrell, the minutes were approved, with the following correction. * Page five of minutes, Item #6 - The online convenience fee of \$1 (as well as other costs will be absorbed by the Town), by the following vote:

Name	Counted toward Quorum			Present but recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Lisa Hall	X				
Troy Purnell	X				
Thom Gulyas	X				
<i>Voting Tally</i>	5	0			

Special Presentation: Chesapeake Utilities – Steve Ashcraft and Charles Russell

At the request of Councilmember Burrell, Chesapeake Utilities gave a presentation on their safety and maintenance procedures. The presentation included an actual leak detector with a range of approximately 300 feet. The other handout was a scratch and sniff brochure. Mr. Russell offered numerous safety tips including the website www.safegasmd.org.

According to Chesapeake Utilities, the best thing to do if you smell gas or a suspected gas odor is leave the premises immediately and call 911. There will be a leak survey conducted by Chesapeake Utilities in the summer months in the Town of Berlin. Chesapeake will coordinate information with Administrative Services Director Mary Bohlen so that Town merchants can be aware of survey and Chesapeake’s presence in the Town. Mayor Williams noted that Berlin just had its second annual Touch-a Truck day, and Chesapeake would be a welcome exhibitor for public awareness. Tim Lawrence, Electric Utility Director will follow-up with Mr. Russell for Touch-a-Truck day 2016.

3. Public Hearing: Approval of Ordinance 2015-01; FY16 Budget Adoption

See attached Mayor’s budget statement.

At 7:25pm the Mayor opened the Public Hearing for proposed FY16 Budget Adoption. There were no representatives from State or County agencies. There being no input from the State, County or Public, the budget public hearing was closed at 7:27pm. Financial Director, Natalie Saleh pointed out a few updates in the budget.

On the motion of Councilmember Purnell, the proposed FY2016 budget as presented was approved by the following vote:

Name	Counted toward Quorum			Present but recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Lisa Hall	X				
Troy Purnell	X				
Thom Gulyas	X				
<i>Voting Tally</i>	5	0			

The Mayor thanked all department directors, staff and everyone who had input with the budget for their hard and diligent work.

4. Public Hearing 2015-02; refinancing of Electric 2004A series Infrastructure Bonds.

Councilmember Gulyas inquired as to why the bonds could not be paid off with a low interest loan from a local bank, much discussion followed summarized by Finance Director Ms. Saleh. She stated that the research shows this is the best time to refinance the bonds, with a savings of over \$250,000 over 19 years. Councilmember Gulyas moved to table the refinancing. Council discussed the advantages and disadvantages with Ms. Saleh pointing out the next opportunity would be in six months and interest rates may go up by then.

At 7:40 p.m. Mayor Williams opened the public hearing for Resolution 2015-02 for refinancing of the bonds. There were no representatives from State or County agencies. There being no input from the State, County or Public, the public hearing was closed at 7:42pm.

On the motion of Councilmember Burrell, Ordinance 2015-02 to refinance Electric 2004A series infrastructure series bonds was approved by the following vote:

Name	Counted toward Quorum			Present but recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Lisa Hall	X				
Troy Purnell	X				
Thom Gulyas		X			
<i>Voting Tally</i>	4	1			

5. Resolution 2015-08 (Healthy Eating Active Lifestyle)

Mayor Williams summarized Resolution 2015-08. Ms. Bohlen explained that this program recognizes the Town’s efforts to have a viable/healthy transportation system, access to healthy foods and workplace wellness, and describes additional initiatives being planned.

On the motion of Councilmember Hall, Resolution 2015-08 was approved by the following vote:

Name	Counted toward Quorum			Present but recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Lisa Hall	X				
Troy Purnell	X				
Thom Gulyas	X				
<i>Voting Tally</i>	5				

6. Dr. William Henry Memorial Funding Decision – Administrative Services Director, Mary Bohlen

The Mayor and Council are tasked with the decision of waiting for grant possibilities in Spring 2016 or putting expense in FY2015 budget and moving forward now with Memorial to Dr. William Henry to be installed at Henry Park on Flower Street.

On the motion of Councilmember Burrell, the Council voted to move forward now.

Name	Counted toward Quorum			Present but recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Lisa Hall	X				
Troy Purnell	X				
Thom Gulyas	X				
<i>Voting Tally</i>	5	0			

DEPARTMENT REPORTS

Finance Department – Natalie Saleh

Ms. Saleh reported that The Town had been assigned a Project Manager with Tyler Technologies (new financial system). Audit dates with PKS will be 7/29/15 & 7/30/25, the second part of the audit will be 9/9/15 thru 9/11/15. In May, Ms. Saleh accompanied Town Administrator to the GFOA (Government Finance Officers Association) meeting in Philadelphia; she shared that there was a lot of information and opportunities to learn. Ms. Saleh thanked the Council for the opportunity to attend.

Administrative Services Director – Mary Bohlen

Ms. Bohlen stated that Friday 6/12/15 was the deadline for Spring newsletter and there would be lots of information on the upcoming ‘Beat the Peak’ program.

Electric Utilities – Tim Lawrence

The Cannery Village Construction Trailer has been put in place. Mr. Lawrence noted that there was a power outage on 6/4/15; a tree fell due to loose and wet soil. Power was restored in approximately two hours. The Touch-a-Truck event was a huge success for the 2nd year. The attendee numbers were higher than last year. Highlights of the event were the recently purchased Power-Town display and the K-9 demonstration. Mr. Lawrence highlighted three photos in the PowerPoint presentation that were taken of the Power Plants 26-year-old asphalt yard that is in need of repair. These photos are supporting documentation to PO#201502751 for \$40,100.00 to be addressed in the Town Administrators report.

Police Department – Chief Arnold Downing

Chief Downing reported that there had been several special events with no incidents. He encouraged people to keep an eye out for your neighbors and watch for children playing near the streets. The Chief reminded the public that if you see a speed or traffic violation, immediately call the Police Department and let them take care of the issue.

Planning – Dave Engelhart

Mr. Engelhart reported that new home permits are up; there have been six new ones in the last three weeks. There has been a change in the fire code that affects one and two family dwellings that you could 'opt out' to having sprinkler systems. That will be illegal as of 7/1/15. Mr. Engelhart updated that there had been no written notice or updates on The Dollar General notices. At this point, Town Attorney David Gaskill summarized the rebuttal process.

Managing Director- Jeff Fleetwood

Seasonal help will be fully staffed by 7/1/15. Mayor Williams complimented the paint job within the hallway and back stairs.

Economic Development – Ivy Wells

Ms. Wells had several updates, including the Jazz and Blues Festival. Weather dampened the outdoor celebration some, however some businesses reported the busiest day on record. Bruder Hill is the only store in Berlin to take advantage of the Mission Main Street Grant; the store needs 250 votes to qualify to apply for this grant. Ms. Wells encouraged everyone to take to social media outlets and help Bruder Hill get votes. There was a grant applied for and received from the Worcester County Arts Council. This grant will allow for more musicians along Main Street during the second Friday Art Strolls. This was the first year for the Health Fair in conjunction with the High Heel Race, there is room for improvement, but this did offer a co-mingling of vendors. The Crush and Crab is scheduled to open in the next two weeks. Leaky Pete's has opened their doors in Berlin, and they will be closing their Cambridge location. Ms. Wells and Ms. Bohlen noted that the Town would be applying for the HEAL grant for bicycle racks. They would also be working with the historic commission to come up with a suitable design. Mayor Williams interjected at this point that The Town of Berlin does not want 'clone' type bicycle racks, but 'Safety First' would be major consideration. Town Administrator Laura Allen and Ms. Wells discussed the 'Façade Grants', it was suggested that businesses that have applied for and received the Façade Grant be awarded a plaque to be placed on their buildings. Lastly, Ms. Wells explained to the Mayor and Council that Economic Development was working on a caricature of the 'Runaway Bride' and Mayor with a top hat for adults, and Mr. & Mrs. Peach for the children. This would be the type of photo opportunity that you see at fairs and carnivals that you can put your head in a circle and be the face on a painted type body.

Town Administrators Report – Laura Allen

The Rt. 818 sewer work has been completed; paving is set to be finished by the end of the week. State Highway is doing sidewalk work in the Town, working North down Main Street. Tripoli Street site work has been completed. Ms. Allen presented nine purchase orders for approval. On the motion of

Councilmember Brittingham, all purchase orders (201502064, 201502381, 201502536, 201502553, 201502555, 201502724, 201502725, 201502737, 201502751), were approved by the following vote:

Name	Counted toward Quorum			Present but recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Lisa Hall	X				
Troy Purnell	X				
Thom Gulyas	X				
<i>Voting Tally</i>	5				

Comments from the Mayor:

In regards to The Bay Club, there is no proposal or agreement. It is an idea only, in the very early stages of discussion. This would be a process over time, at least eighteen months.

Comments from the Council:

Thom Gulyas – No comments

Lisa Hall – Parking at Buckingham Elementary and West Street continues to be a problem.

Elroy Brittingham – Please continue radar on Flower Street.

Dean Burrell – No comments

Troy Purnell – No comments

Councilmember Burrell made the motion at 8:35pm that the meeting be adjourned; the meeting was adjourned at 8:35pm.

Minutes respectfully submitted,



Vicki Magin
Administrative Assistant

ORDINANCE NO. 2015-04

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN, MARYLAND, A MARYLAND MUNICIPAL CORPORATION, REPEALING AND REPLACING IN ITS ENTIRETY CHAPTER 102 "FLOODPLAIN MANAGEMENT" BY ADOPTING THE MARYLAND MODEL FLOODPLAIN MANAGEMENT ORDINANCE (NONTIDAL) AS ATTACHED.

THIS ORDINANCE was introduced and read at a meeting of the Town Council held on the _____ day of _____, 20_____, and thereafter a statement of the substance of the Ordinance was published as required by law.

A PUBLIC HEARING was held and this Ordinance was adopted this _____ day of _____, 20_____, by the Mayor and Council of the Town of Berlin, Maryland, by affirmative vote of _____ in favor to _____ opposed, with _____ abstaining.

Elroy Brittingham, Vice President

This Ordinance was approved this _____ day of _____, 20_____, by the Mayor of the Town of Berlin and was therefore effective twenty (20) calendar later on _____ day of _____, 20_____.

Wm. G. Williams, III, Mayor

ATTEST:

Laura Allen, Town Administrator

ORDINANCE NO. 2015-05

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN, MARYLAND, A MARYLAND MUNICIPAL CORPORATION, AMENDING CHAPTER 6, "BUILDINGS AND BUILDING REGULATIONS", SECTION 6-23, "INTERNATIONAL RESIDENTIAL CODE AMENDMENTS".

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN THAT CHAPTER 6, ARTICLE II, SECTION 6-23 BE AMENDED AS FOLLOWS:

Eliminate the final deletion contained in Section 6-23 as follows:

~~Section R313.2. Single family dwellings automatic fire systems. Automatic residential fire sprinkler systems shall not be required to be installed in one and two family dwellings. Notwithstanding, the foregoing, such systems may be installed at the option of the property owner of a single family dwelling. For all other residential dwellings, including multi family dwellings, automatic residential fire sprinkler systems shall be required.~~

~~Section R313.2.1. Design and installation. Where applicable, automatic residential fire sprinkler systems shall be designed and installed in accordance with Section P2904 or NFPA 13D.~~

THIS ORDINANCE was introduced and read at a meeting of the Town Council held on the _____ day of _____, 20_____, and thereafter a statement of the substance of the Ordinance was published as required by law.

A PUBLIC HEARING was held and this Ordinance was adopted this _____ day of _____, 20_____, by the Mayor and Council of the Town of Berlin, Maryland, by affirmative vote of _____ in favor to _____ opposed, with _____ abstaining.

Elroy Brittingham, Vice President

This Ordinance was approved this _____ day of _____, 20_____, by the Mayor of the Town of Berlin and was therefore effective twenty (20) calendar later on _____ day of _____, 20_____.

Wm. G. Williams, III, Mayor

ATTEST:

Laura Allen, Town Administrator

TOWN ADMINISTRATOR'S REPORT

June 22, 2015

Purchase Orders (numeric order)

<u>201502693</u> Cross Match Technologies, Inc. Mixer motor for digester (Emergency) 24-4370-4041	\$6,658.00
<u>201502718</u> Terra Firma 01-4320-4043 Patching along Tripoli Street	\$7,486.00
<u>201502727</u> Mid-Atlantic Waste Systems Rear Load Container 01-4310-4060	\$1,162.00
<u>201502787</u> Worcester County Sheriffs Office Range Fees FY15 01-4200-4076	\$1,050.00
<u>201502814</u> Affordable Business System Blue Print Scanner Various Accounts	\$7,977.00
201502816 American Municipal Power Inc. AMP Services for March, April, May 2015 10-4210-4020	\$1,836.24
<u>201502821</u> Schweitzer Engineering Laboratories Inc. Interface/Control equipment for voltage regulator reduction at Savage Station 10-4260-4053	\$1,159.00