



**BERLIN MAYOR AND COUNCIL  
MEETING AGENDA  
Monday, August 24, 2015**

**6:00 PM EXECUTIVE SESSION - Berlin Town Hall Conference Room**

- a. 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.
- b. Pursuant to Section §3-305(b)(3) of the Annotated Code of the State of Maryland, to consider the acquisition of real property for a public purpose and matters directly related thereto.
- c. Pursuant to Section §3-305(b)(8) of the Annotated Code of the State of Maryland, to consult with staff, consultants, or other individuals about pending or potential litigation.

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

1. Approval of the Minutes for:
  - a. Executive Session of 8/10/15
    - i. Part 1
    - ii. Part 2
  - b. Statement of Closure of 8/10/15
  - c. Regular Session of 8/10/15
2. Resolution 2015-10- In support of Habitat for Humanity's funding application to the Maryland Department of Housing and Community Development
3. Resolution 2015-12 – Resolution of the Mayor and Council supporting Maryland Department of Housing and Community Development, Neighborhood Businessworks Program Financing to Carmella Silito.
4. Departmental Reports
  - a. Finance – Natalie Saleh
  - b. Water Resources/Public Works – Jamey Latchum
  - c. Electric – Tim Lawrence
  - d. Police – Arnold Downing
  - e. Planning – Dave Engelhart
  - f. Managing Director – Jeff Fleetwood
  - g. Economic and Business Development – Ivy Wells
5. Town Administrator's Report
6. Comments from the Mayor

7. Comments from the Council
8. Comments from the Public
9. Comments from the Press
10. Adjournment



**BERLIN MAYOR AND COUNCIL  
MEETING MINUTES  
Monday, August 10, 2015**

**6:00 PM EXECUTIVE SESSION - Berlin Town Hall Conference Room**

- a. 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.
- b. Pursuant to Section §3-305(b)(3) of the Annotated Code of the State of Maryland, to consider the acquisition of real property for a public purpose and matters directly related thereto.

**Present:** Mayor Gee Williams, and Councilmembers Thom Gulyas, Lisa Hall, Elroy Brittingham, Dean Burrell, and Troy Purnell

**Staff present:** Laura Allen Town Administrator, Jeff Fleetwood Managing Director, Jane Kreiter Water Resources and Public Works Director, Natalie Saleh Finance Manager, Dave Engelhart Planning Director, Time Lawrence Utilities Director, Arnold Downing Chief of Police, Mary Bohlen, Administrative Services Director, Ivy Wells, Economic and Business Development Director

**Absent:** Dave Gaskill Town Attorney.

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

**1a. Approval of Minutes for Executive Session Minutes of the Mayor and Council on July 27, 2015**

On the motion of Councilmember Gulyas, the minutes for July 27, 2015 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			

**b. Statement of Closure of 7/27/15**

Mayor read the statement of closure.

**c. Approval of Minutes for Regular Session Minutes of the Mayor and Council on July 27, 2015**

On the motion of Councilmember Gulyas, the minutes for July 27, 2015 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			

**2. Request for Special Event**

- a. Berlin Fall Cruisers: Berlin Chamber of Commerce: 10/10/15 7:00 a.m.-3:00 p.m.  
 Chamber Director Ms. St. Amant presented the Berlin Fall Cruisers event with no changes from the prior year. Ms. Amant said the Chamber is looking for judges for the event, and anyone can contact her if they are interested.

On the motion of Councilmember Hall, the Fall Cruisers Special Event for 10/10/15 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			

- b. Octoberfest: Berlin Main Street: 10/17/15 12:00 p.m.-6:00 p.m.  
 Community and Economic Development Director Ivy Wells passed out newly designed Christmas rack cards prior to discussing Octoberfest. In addition to the festival, parts of this event will be a fund-raiser for AIA (Assateague Island Alliance). There will be a 'Born to be Wild' Hobby Horse Steeple Chase. There will be added activities for children. Food and a beer garden will be available. Mayor Williams noted as with many Berlin events they have become multi-generational and fun for the entire family. Council agreed this sounded like a fun event.

On the motion of Councilmember Gulyas, the Fall Octoberfest on 10/17/15 Special Event 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			

**3. Purchasing Policy**

- a. Resolution 2015-11, Repealing and re-enacting section C7-23 of the Town Charter titled "Purchasing and Contracts"

Ms. Allen, Town Administrator highlighted the major changes: purchasing threshold for items requiring Council approval is increased from \$1,000 to \$10,000. The \$1,000 threshold dates back at least twenty- eight years on record.

- a) All purchases require prior approval of the Department Director.
- b) Additional approval authority is required as follows:
  - i. Purchases valued at \$5,000 or less – Department Director
  - ii. Purchases valued at \$5,000.01 to \$10,000 – Town Administrator
  - iii. New purchases or purchases valued at \$10,000.01 and higher - Town Council.
  - iv. Requires weekly reporting to the Mayor and Council
  - v. A check run register to be in Council Packet and on Agenda

Steve Farr said that this allows the Town of Berlin to adopt a green purchasing policy. However, this does not bind The Town to buy more expensive products.

Councilmember Hall questioned if a formal bid process was required for purchase ranges of \$5,000.00 to \$10,000. Ms. Allen said a formal bid process was not required under this policy for these amounts. A formal bid process will be required for items or services over \$10,000.

Resolution 2015-11, Repealing and re-enacting section C7-23 of the Town Charter titled "Purchasing and Contracts" the Charter Amendment was read at 7:15pm.

Mayor Williams thanked the Administration, Finance staff and Council Liaison Burrell for their hard work in working on the proposed new purchasing policy. This proposal will take effect fifty days after this reading on September 29, 2015.

On the motion of Councilmember Burrell, Resolution 2015-11 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			

On the motion of Councilmember Burrell, the new Purchasing Policy as explained by the Town Administrator and included in the packet, 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			

**4. Motion to Approve authorizing a contract with EDSA to complete Feasibility Study and Land Use Study of the Tyson Property.**

Councilmember Purnell recused himself and left the meeting, due to being a principal in Berlin Properties North, the owner of the Tyson Property. Several steps have surrounded the purchase of this property: the initial decision to consider the purchase of the sixty acres, entering a feasibility study contract, hiring a contractor to look at all ideas. The Mayor is very happy to have a community full of ideas. The cost of the study that will be starting very soon and be completed within six weeks will be \$34,500. The result of the study will help the Council decide the best uses for the property.

On the motion of Councilmember Brittingham, the contract with EDSA was approved by the following vote.

Name	Counted toward Quorum			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	

Comment from Audience: Barbara Stack, owner of Design Resources questioned the Council about where the RFP was advertised. Ms. Allen said that all RFP/RFQ's were advertised thru a clearinghouse called DemandStar, a few direct mails, advertised in a local paper, and posted on the website.

Steve Farr: Mr. Farr questioned if there would be an interim report on suggested use. Mayor Williams assured there would be a report (hopefully in the fall) in accordance to the Strategic Plan, as to what will make a difference to The Town twenty years from now. Looking to see how many possible things we can do with the resources we have now and in the future.

## 5. Departmental Reports

- a. **Finance – Natalie Saleh:** The first portion (2.5 days) of the audit with PKS went well; they would be returning September 9<sup>th</sup>-11<sup>th</sup>, for the main week of audit. We are working with Logics to get information need for data transfer to the new Financial Management System. A fifty percent deposit has been made to Tyler. Mailed customer disconnects on 8/9/15. Working on refinancing 2004 Electric Bonds.
- b. **Water Resources/Public Works – Jane Kreiter:** On 8/12/15, Ms. Kreiter will be attending the Healthy Waters meeting with The Mayor; this is the first of many meetings. Other Councilmember will be there as they can. The department and Ms. Saleh will be traveling to Smyrna to look at AMI metering. The department is working on fencing around items at Henry Park. (Monument, horseshoe pit)
- c. **Administrative Services- Mary Bohlen:** Parks Commission is working on permanent restroom options. Running water and sewer seem to be the best option, not a chemical based unit. This requires that the restroom be located in the correct area. An estimate for both parks will be approximately three-hundred thousand dollars (\$300,000).
- d. **Electric – Tim Lawrence:** The Main Street – SHA sidewalk replacement project is mostly finished. Most business owners seem happy. Peak Shaving: we have hit

five for five. At AMP's direction, we have called for Peak Shaving and we have hit those peak numbers.

- e. **Police – Arnold Downing:** Peach Festival was a smooth event. The National Night Out was a huge success with partnerships from up to ten other local non-profit agencies. It was a matter of asking for a small amount of help and very generous amounts of help and volunteers pouring in from all Community Partners and Town's staff. A special Thank-You to Claude Holland who was the head organizer of this event; he was there along with his son from long before the event started until the last person and clean up was done, There was a kick-off meeting and site-review of the new Berlin Police Station
  - f. **Planning Director – Dave Engelhart:** The Board of Appeals has approved the signage plan for Arbys and Royal Farms so they can move ahead for the Planning Commission meeting on 8/12/15 for final site plan approval. On that same night, the Ocean's East Development on Seahawk Road will be seeking final site plan approval. There will be a text amendment regarding the twelve-unit wide requirement except where best practices prevail. Ms. Duffy, Permits Coordinator will be attending the MACO conference as part of MML.
  - g. **Managing Director – Jeff Fleetwood:** Mr. Fleetwood and Mr. Lawrence worked together on a formal succession plan for the Electric Utilities Department. Upcoming events include a Worker's Compensation Audit, Cyber-Security Training and an Ethics Training Class.
  - h. **Economic and Community Development Director – Ivy Wells:** Ms. Timmons (Department Assistant) and Ms. Wells have been working on Octoberfest and the Christmas parade. Ms. Wells did an interview with the Baltimore Sun that should be published 8/26/15. The Town is currently running a contest to replace the slogan 'Beat the Peak'. Submissions are encouraged. Little Mr. and Miss Peach will be crowned during the second Friday Art Stroll. Art in the Fields Ribbon Cutting is 8/28/15. Ms. Wells is working with Councilmember Hall about a sign on Broad Street.
6. **Town Administrator's Report – Laura Allen:** The Town is applying for a RP3 designation; this means The Town of Berlin is meeting the best practices Electric Utility. All eight Purchase Orders submitted were approved. Councilmember Hall confirmed that under the new Purchasing Policy, there would have only been two purchases orders for approval. Councilmember Brittingham asked if Cannery Village was a reimbursement. Water Resources Director Ms. Kreiter said, no the Town always pays for first installation.

On the motion of Councilmember Brittingham, the eight purchase orders 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			

7. **Comments from the Mayor:** None

8. **Comments from the Council:**

**Thom Gulyas:** Councilmember Gulyas hopes that the new purchasing policy encourage local purchasing. A special Thank You to Chief Downing for extra speeding coverage on Rt. 113. There has been a large improvement with big trucks parking on Main Street.

**Lisa Hall:** Councilmember Hall thanked staff, Police Department and Parks Commission for National Night Out contributions. She reminded people to register for Mr. and Miss Peach contest. Next year the contest will be in conjunction with the Peach Festival.

**Elroy Brittingham:** Councilmember Brittingham noted how much traffic control there was on Flower Street with the new Cannery Village construction. People are not complaining, trucks are being responsible driving down streets. Mayor Williams noted this was a sign of Berlin growing and was a definite positive and not a negative. Public Works Director Jane Kreiter was asked by Councilmember Brittingham if someone could check the weeds/grass growing between the curbing at Flower and Branch Street. Ms. Kreiter said the department has started on one end and was working its way to the other.

**Dean Burrell:** No comment

**Troy Purnell:** No comment

9. **Comments from the Public:** Ivory Smith, President of the NAACP, noted the NAACP had rented the Stephen Decatur Park on Saturday 9/19/15. This is the first year and expected crowd is not going to be a large one.

10. **Comments from the Press**

11. **Adjournment:** On the motion of Councilmember Burrell at 8:10 p.m.

Respectfully submitted,

Vicki Magin  
Administrative Assistant



# Mayor & Council of Berlin

10 William Street, Berlin, Maryland 21811

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

www.berlinmd.gov



## RESOLUTION 2015-10

2014 Winner  
Berlin, MD

Resolution of the Berlin Town Council has approved the [a Sustainable Communities Plan and] application and receipt of financing for a [Community Legacy, Community Legacy-Neighborhood Intervention, Strategic Demolition and Smart Growth Impact Fund, Baltimore Regional Neighborhoods Initiative or other State Revitalization Programs Project(s)] (the "Project") further described in the Application dated July 15, 2015 ("The Application") either directly by the Department of Housing and Community Development (the "Department") of the State of Maryland or through other departments or agencies of the State of Maryland.

**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

WHEREAS, the Berlin Town Council recognizes that there is a significant need for reinvestment and revitalization of the communities in Worcester County; and,

WHEREAS, Habitat for Humanity of Worcester County, Inc. proposes to develop 305 Washington Street (the "Project") as further described in the Application, the purpose of which will be to contribute to the reinvestment and revitalization in the Sustainable Community Area; and,

WHEREAS, the Department, either through Community Legacy, Community Legacy-Neighborhood Intervention, Strategic Demolition and Smart Growth Impact Fund, Baltimore Regional Neighborhoods Initiative or other State Revitalization Programs or through other programs of the Department, or in cooperation with other State departments or agencies, may provide some or all of the financing for the Project (the "Project Financing") in order to assist in making it financially feasible; and

WHEREAS, the Project is located within a priority funding area under Section 5-7B-02 of the Smart Growth Act and the Project will conform to the local zoning code; and

WHEREAS, the applicable law and regulations require approval of the Project;

NOW, THEREFORE BE IT RESOLVED THAT, Berlin Town Council hereby endorses the Project in concept; and, HEREBY supports Habitat for Humanity's request for financial assistance from the State of Maryland in the form of a grant or loan up to the amount of \$209,000; and

BE IT FURTHER RESOLVED THAT, the chief elected executive official be, and is hereby requested to endorse this Resolution, thereby indicating his approval thereof; and,

BE IT FURTHER RESOLVED THAT, copies of this Resolution are sent to the Secretary of the Department of Housing and Community Development of the State of Maryland.

READ AND PASSED THIS \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

BY ORDER: \_\_\_\_\_, I hereby certify that Resolution Number \_\_\_\_\_ is true and correct and duly adopted by the \_\_\_\_\_ (Legislative Body) of \_\_\_\_\_ (City or County).

**ADOPTED, made this \_\_\_\_ day of \_\_\_\_\_, 2015, by THE MAYOR & COUNCIL OF BERLIN, WITNESSETH:**

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

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

\_\_\_\_\_  
Attest: Laura Allen, Town Administrator



RESOLUTION NO. 2015-12

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN, MARYLAND SUPPORTING MARYLAND DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, NEIGHBORHOOD BUSINESSWORKS PROGRAM FINANCING TO CARMELLA SILITO.

WHEREAS, the Town of Berlin, Maryland is interested in promoting the revitalization of our community by encouraging the development and/or expansion of for-profit and nonprofit small businesses; and

WHEREAS, Carmella Silito applied to the Neighborhood BusinessWorks Program for financing to construct the Berlin Activities Depot in Association with Twisters Inc. at 10008 Old Ocean City Boulevard, Berlin, Maryland, 21811; and

WHEREAS, this project is located in a State-approved locally designated revitalization area and conforms to the local zoning code; and

WHEREAS, Carmella Silito agrees to use this funding to pay the outstanding EDU balance owed to the Town; and

WHEREAS, the regulations of the Neighborhood BusinessWorks Program require that all projects receiving financing be approved and supported by the appropriate governing body of the locality in which the project is situated; now, therefore,

BE IT RESOLVED that the Town of Berlin, Maryland hereby endorses the financing to Carmella Silito; and

BE IT FURTHER RESOLVED that copies of this Resolution be sent to Mayor William Gee Williams III and to Cheivelle Hill, Neighborhood BusinessWorks Program at Maryland Department of Housing and Community Development, 100 Community Place, 1.253, Crownsville MD 21032.

THE ABOVE RESOLUTION was introduced and duly passed at a meeting of the Town of Berlin, Maryland held on the \_\_\_\_ day of \_\_\_\_\_, 2015.

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

ATTEST:

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

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

## TOWN ADMINISTRATOR'S REPORT

August 24, 2015

### Purchase Orders (numeric order)

<u>201600190</u> Mid-Atlantic Waste Systems Emergency Parts, Recycle truck #19 01-4310-4031	\$1,034.21
<u>201600342</u> Pittsville Motors 2016 Ford Interceptor (Police Package) 01-4200-4092	\$50,502.00
<u>201600357</u> Gran Turk Equipment Co. 12,000lb drum Winch Assembly 01-4310-4060	\$11,500.00
<u>201600392</u> Applied Concepts, Inc. Speed Radar for # 6733 01-4200-4092	\$2,012.50
<u>201600396</u> Terra Firma Repair Street Patches Multiple accounts	\$8,875.00
<u>201600397</u> Aqua-Aerobic Systems Filter socks for disc filter 24-4370-4092	\$8,958.00
<u>201600398</u> Envirep, Inc. Maintenance on influent pumps 24-4370-4041	\$1,365.00
<u>201600399</u> The Stage Depot. Portable stage to attach to stage 01-4300-4092	\$3,277.97
<u>201600409</u> Radian Research, Inc. Misc equipment 10-4230-4092	\$28,740.00

201600415

Curtis Engine

Emergency Repair to radiator to generator

24-4365-4041

\$3,100.23