



# Mayor & Council of Berlin

10 William Street, Berlin, Maryland 21811  
Phone 410-641-2770 Fax 410-641-2316  
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 10, 2014**

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

**NO EXECUTIVE SESSION**

**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, March 10, 2014**

**NO EXECUTIVE SESSION**

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

1.      Approval of the Minutes for:  
        Regular Session of the Mayor and Council on February 24, 2014  
        Executive Session of the Mayor and Council on February 24, 2014  
        Statement of Closure for Mayor and Council on February 24, 2014
2.      Request for Special Event – Sunrise Church, Backyard Vacation Bible School  
        June 23 – 25<sup>th</sup>; 5:30 p.m. to 8:00 p.m. at Dr. William Henry Park
3.      Request for Special Event – Paint the Town Purple for month of April
4.      Request for Special Event – Coolest Small Town in America Party  
        Saturday, March 29<sup>th</sup>; 1:00 p.m. to 6:00 p.m. on Main Street
  - a.      Approval of Budget
5.      Request for Special Event – Spring Celebration, Main Street  
        Saturday, April 19<sup>th</sup> – 10:00 a.m. to 4:00 p.m.
6.      Motion to Approve – Contract with Peninsula Roofing for Replacement of Roof  
        at Visitor's Center
7.      Resolution 2014-01; Approval of Election Districts.
8.      Departmental Reports
  - a.      Finance – Natalie Saleh
  - b.      Deputy Town Administrator – Mary Bohlen
  - c.      Public Works – Jane Kreiter
  - d.      Water Resources – Jane Kreiter
  - e.      Electric – Tim Lawrence
  - f.      Police – Arnold Downing
  - g.      Planning – Dave Engelhart
  - h.      Economic and Community Development – Michael Day
9.      Town Administrator's Report
10.     Comments from the Mayor
11.     Comments from the Council
12.     Comments from the Public
13.     Comments from the Press
14.     Adjournment

MAYOR AND COUNCIL OF BERLIN, MARYLAND  
Regular Session Council Minutes  
Monday, February 24, 2014

The meeting of the Mayor and Council for Monday, February 24, 2014 was called to order by Mayor Williams at approximately 7:15 p.m. Councilmembers Brittingham, 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 Director Jane Kreiter, Electric Utility Director Tim Lawrence, Public Works Director Mike Gibbons, Human Resources Director Jeff Fleetwood and Administrative Assistant Sharon Timmons. Economic and Community Development Director Michael Day, Police Chief Arnold Downing and Councilmembers Lisa Hall and Troy Purnell were absent.

Following the recitation of the Lord's Prayer and the Pledge of Allegiance, Mr. Steve Frene and Ms. Stephanie Fowler came forth and entertained the Mayor and Council with the song and video produced by them for the Coolest Small Town in America contest. Mr. Frene thanked Ms. Stephanie Fowler of Salt Water Media for her assistance with the production of the video.

Mayor Williams asked for a motion to approve the Regular Session minutes of February 10, 2014. Councilmember Lynch made a motion to approve the minutes and council voted to approve 3-0 with Councilmembers Hall and Purnell absent. Mayor Williams then asked for a motion to approve the Executive Session minutes of February 10, 2014. Councilmember Lynch made a motion to approve the minutes and council voted to approve 3-0 with Councilmembers Hall and Purnell absent. Mayor Williams stated that the Executive Session was closed to discuss three issues: 1) to consider the acquisition of real property for a public purpose and matters directly related thereto; 2) to consult with counsel to obtain legal advice on a legal matter; and 3) to consult with staff, consultants, or other individuals about pending or potential litigation. Mayor Williams then asked for approval of the worksession minutes from February 19, 2014. Councilmember Lynch made a motion to approve the minutes and council voted unanimously to approve 3-0 with Councilmembers Hall and Purnell absent.

Mr. Ernest Gerardi came before the Mayor and Council requesting approval to transfer one (1) EDU from the Tex-Mex Restaurant located at 119 North Main Street to 122 Branch Street, a newly subdivided residential lot also owned by him. The Tex-Mex restaurant currently has 10 EDUs allocated to the property, but is only utilizing 4. Discussion continued. Councilmember Lynch made a motion to allow Mr. Gerardi to transfer 1 EDU from the Tex-Mex owned by M&G Rental Property to the residential lot located at 122 Branch Street. Council voted to approve 3-0 with Councilmembers Hall and Purnell absent.

Mr. Darl Kolar of EA Engineering, Science and Technology presented a powerpoint slide show which explained the history of the flooding problems in Berlin. Mr. Kolar summarized the study conducted by the University of Maryland Environmental Finance Center which assisted in identifying major problem areas throughout town. Mr. Kolar spoke on the past projects of the Channel Improvements at West Street and the Flower Street Submerged Gravel Wetland which have helped to alleviate flooding in those areas. Mr. Kolar then reviewed each of the 4 phases of current projects which the Town has submitted grant applications to assist with funding. Those phases are: Phase 1 – Flower Street; Phase 2 – Hudson Branch near William Street and Berlin Electric Plant; Phase 3 – Hudson Branch along Cedar, Pine, Franklin, Maple, Grice and Nelson Streets and Phase 4 – Bottle Branch Tributary near West Street and Abbey Lane.

Ms. Carmella Solito of Twisters Gymnastics came before the council to request approval of three items associated with the building of their new facility: (1) Financing of the 8 EDUs or special connection fees of \$92,800 over five (5) years; (2) Financing of the impact fees of \$34,000 over 5 years; and (3) a phase in of property taxes over 5 years. Town Administrator Laura Allen told council that staff would need more time to investigate Items 2 & 3. Water Resources Director Jane Kreiter stated that the Council had approved Item #1, the financing of EDUs over a 3 year or 5 year period in the past. Town Attorney Gaskill stated that the Council did not have the authority to grant the request regarding Item #2, the impact fees without amending the pertinent Ordinance. Mayor Williams replied that he wanted to wait for the entire council to be present for discussion before any decisions to be made on Item #2. Mayor Williams told Ms. Solito not to be optimistic regarding the request on the property tax issues and then explained the reasoning. Councilmember Brittingham made a motion to approve the request of Ms. Solito on Item #1, to finance the balance of the cost of the 8 EDU's over a five year period, after she has paid the 10% deposit and council voted to approve 3-0 with Councilmembers Hall and Purnell absent.

Mayor Williams explained the motion to approve for the Town to participate in the Mosquito Control work with the Maryland Department of Agriculture with the Town's estimated share to be \$6,000.00. Councilmember Brittingham made a motion to approve the request and council voted to approve 3-0 with Councilmembers Hall & Purnell absent.

Public Works Director Mike Gibbons explained the motion to approve the contract with Dovetail Cabinetry, who was the lowest bidder in the amount of \$5,023.00 for cabinetry work to be completed in the Customer Service area. Discussion continued. Councilmember Burrell made a motion to approve the contract with Dovetail Cabinetry and council voted to approve 3-0 with Councilmembers Hall and Purnell absent.

Departmental reports began with Finance Director Natalie Saleh reporting that she had been working on reports for the Public Service Commission. She also reported that she, Mr. Lawrence and Ms. Allen had met with an IT employee from Worcester County regarding the new phone system. Worcester County is currently in the process of updating their phone system and was extremely helpful.

Deputy Town Administrator Mary Bohlen informed council that they would be receiving two emails regarding the election districts showing updated maps and numbers and that she would be meeting with Planning Director Dave Engelhart to confirm the revised boundary lines. Ms. Bohlen announced that students would be displaying their artwork for the Mural Contest at the Worcester County Arts Council during the next 2<sup>nd</sup> Friday Art Stroll.

Public Works Director Mike Gibbons reported that the bids for the roof replacement at the Visitor's Center would be opened tomorrow and would be in the next council meeting packet for approval.

Water Resource Director Jane Kreiter reported that spray irrigation season would be starting up at both sites and that her department had been cleaning up the area and building at the Rayne's Property.

Electric Utility Director Tim Lawrence reported that the Electric department had installed two new underground services and a new pole had been replaced on Harrison Avenue due to a hit and run.

Planning Director David Engelhart reported that he had received a call from Mr. Andrew Hanson of Osprey announcing that funding had been received from the Department of Housing and Community Development for the Cannery Village project.

Human Resources Director Jeff Fleetwood reported he would be holding a worksession with Atlantic, Smith, Cropper and Deeley to go over FY15 Health benefits renewals. Mr. Fleetwood reminded everyone of the get together on Thursday, February 27<sup>th</sup> at 2:00 p.m. to say farewell and good luck to Mike Gibbons.

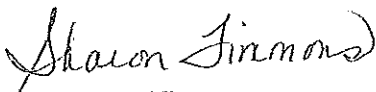
Town Administrator Laura Allen presented 5 purchase orders for approval (201402306, 201402372, 201402401, 201402403 and 201402408). Councilmember Lynch made a motion to approve the 5 purchase orders as submitted and council voted unanimously to approve 3-0 with Councilmembers Hall and Purnell absent.

Mayor Williams announced that on February 18<sup>th</sup>, the Worcester County Commissions had unanimously approved the request made for the issuance of a Class D Beer/Wine/Liquor license within the Town of Berlin. The issue will still need to be passed by both the House and the Senate. Mayor Williams thanked Mr. Gibbons for his service to the town.

Mayor Williams asked for comments from the council. Mayor Williams asked for comments from the public or the press. There being no comments from either, Mayor Williams reminded everyone of the Berlin Main Street Fundraiser being held at Burley Oak Brewery from 6:00 p.m. to 9:00 p.m. After 9:00 p.m. the festivities would continue as a countdown for the Coolest Small Town in America contest which ends at midnight. Berlin continues to lead the contest.

Councilmember Burrell made a motion to adjourn the meeting and the meeting ended at 9:00 p.m.

Respectfully submitted,



Sharon Timmons  
Administrative Assistant

RESOLUTION NO. 2014-01

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN, MARYLAND, A MARYLAND MUNICIPAL CORPORATION, PURSUANT TO ARTICLE VI, §C-9.A. OF THE BERLIN TOWN CHARTER DESIGNATING A MAP OF THE ELECTION DISTRICTS.

WHEREAS, The Mayor and Council of the Town of Berlin, upon the advice and recommendation of the duly appointed members of the Board of Supervisors of Elections for the Town of Berlin, have determined the election districts should reflect current populations based on 2010 Census Data; and

WHEREAS the Board of Supervisors of Elections, in consultation with the Maryland Department of Planning, have drafted changes to the election districts of the Town of Berlin, Maryland for the approval by the Mayor and Council; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Berlin that the attached "Metes and Bound" (Attachment A) and the attached map (Attachment B) of election districts on file in the office of the Town Administrator of the Town of Berlin is hereby approved for elections in the Town of Berlin.

THE ABOVE RESOLUTION was introduced and duly passed at a meeting of the Town of Berlin, Maryland held on the \_\_\_\_ day of \_\_\_\_\_, 2014.

ATTEST:

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

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

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

**TOWN ADMINISTRATOR'S REPORT**  
**March 10, 2014**

**Purchase Orders**

PO# 201402422 in the amount of \$1,795.00 to Int'l Academy of Merchandising & Design for Home Energy Certification Training for Tim Lawrence. (10-4210-4021)

PO# 201402545 in the amount of \$4,343.36 to Somerset Well Drilling for emergency repair to geothermal system. (01-4100-4060, 01-4110-4060, 01-4120-4060, 01-4125-4060 & 01-4200-4060)

**Updates**