



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

BERLIN, MARYLAND

MAYOR AND COUNCIL MEETING

Town Attorney

David Gaskill

MONDAY, OCTOBER 22, 2012

Town Administrator

Anthony J. Carson, Jr.

COUNCIL CHAMBERS – BERLIN TOWN HALL

10 WILLIAM STREET

BERLIN, MD 21811

EXECUTIVE SESSION.....6:00 PM

REGULAR SESSION7:00 PM

Anyone having questions about the meetings mentioned above or needing special accommodations should contact Tony Carson, 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
Monday, October 22, 2012**

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

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

1. a) Swearing in of Mayor Williams by Steve Hales, Clerk of Court
b) Swearing in of Councilmembers Brittingham and Hall by Mayor Williams
2. Approval of the Minutes for:
Executive Session of the Mayor and Council on October 10, 2012
Statement of Closure for Mayor and Council on October 10, 2012
Regular Session of the Mayor and Council on October 10, 2012
3. Presentation of Sustainable Maryland Certified Award to Mayor and Council by Joanne Throwe
4. Presentation by Stormwater Study by Joanne Throwe – University of Maryland Environmental Finance Center.
5. Request for Special One Day Event – Berlin Fire Company
Sunday, November 11, 2012; 12 noon to 7 pm; Cornhole Tournament Fundraiser
6. Berlin Chamber of Commerce – Request to move Berlin Farmer’s Markets to Town of Berlin Parks
7. Request for Special Event – Berlin Parks Commission
Just Walk Berlin – November 17, 2012
8. Proclamation 2012-18
A Proclamation proclaiming November to be Municipal Government Works Month
9. Motion to Approve Contract with Utility Lines Construction Services for conduit borings for electrical service to Rayne’s Building and Tyson Property Storage Building.
10. Departmental Reports
 - a. Finance – Lynn Musgrave
 - b. Deputy Town Administrator – Mary Bohlen
 - c. Public Works – Mike Gibbons
 - d. Water Resources – Jane Kreiter
 - e. Electric – Tim Lawrence
 - f. Planning and Zoning - Chuck Ward
 - 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
Wednesday, October 10, 2012

The meeting of the Mayor and Council for Wednesday, October 10, 2012 was called to order by Mayor Williams at approximately 7:08 p.m. Councilmembers Purnell, Hall, Brittingham and Lynch were present, as well as Town Administrator Tony Carson, Human Resources Director Jeff Fleetwood, Deputy Town Administrator Mary Bohlen, Town Attorney David Gaskill, Finance Director Lynn Musgrave, Water Resources Director Jane Kreiter, Public Works Director Mike Gibbons, Electric Utility Director Tim Lawrence, Police Chief Arnold Downing, Planning and Zoning Director Chuck Ward and Administrative Assistant Sharon Timmons. Councilmember Burrell and Economic and Community Development Director Michael Day were absent.

Following the recitation of the Lord's Prayer and the Pledge of Allegiance, Mayor Williams asked for approval of the regular minutes of September 24, 2012. Councilmember Lynch stated that the spelling of the word "Radcliffe" should be changed to Rackcliffe. Councilmember Brittingham made a motion to approve the minutes as corrected and council voted to approve 4-0 with 1 absent.

Joann Unger, Assistant to the Mayor and Sharon Timmons, Administrative Assistant came before the council requesting approval for the Berlin Christmas Parade to be held on Thursday, December 6th at 7:00 p.m. Ms. Unger explained the circumstances in which the Town would be taking on the responsibilities from the Berlin Lions Club for the event and explained what has transpired during meetings held with the committee. Ms. Timmons reviewed the services which will be needed from the Town and Ms. Unger explained expenses associated with the parade. Town Administrator Tony Carson requested that the committee contact all department heads the week of the event to finalize all requests for services. Councilmember Hall made a motion to approve the event and council voted to approve 4-0 with 1 absent.

Teresa Fields, Executive Director and Melanie Windsor, Youth Project Coordinator of Worcester Youth and Family Counseling Services presented a recap of the Summer Youth Program while showing a slide show of the various activities. They announced that Chief Downing had been honored for a decade of service to WYFCS. Ms. Windsor reported that 54 children ages 3-11 had attended the summer program and described the different activities and field trips. She continued her report by stating that they were hoping to offer field trips to the children on days that schools were closed and start a program to tie in with the 2nd Friday Art Stroll events. Their long term goals are to implement service learning projects and mentoring components. Ms. Windsor thanked all of the businesses and volunteers for their support.

Deputy Town Administrator Mary Bohlen spoke on the motion to approve the contract with Terra Firma in the amount of \$49,333.00 for the removal and replacement of the basketball courts at Henry Park and installation of the standards for the goal posts and nets. Ms. Bohlen stated that the costs including installation of the goals posts and nets had increased from \$12,000 to \$18,000. She continued that 2 grants had been submitted for funding, one to the Program Open Space for \$37,000 which includes a \$4,000 match from the town and one to Community Parks and Playgrounds for \$66,000 which would complete the project. The Program Open Space monies have already been allocated to the Town, but the project use must be approved. DNR had concurred that they are accepting our project start date of July 1, 2012 which means

any monies we are currently spending will be reimbursed if the Town is awarded the grant. The grant for \$66,000 is a competitive process and the Town will not know if funding has been awarded or be able to draw those funds until July 1st, 2013. She stated that there was an opportunity to apply for CDBG funds, but we could not spend those funds until the award is official which may be in the spring. Ms. Bohlen asked the council to decide rather to commit on the project hoping for the grant monies or wait and apply for the CDBG grant with the understanding that no spending on the project can occur until grant award. Discussion followed and Councilmember Brittingham made a motion to approve the contract with Terra Firma for \$49,333.00 for the removal and replacement of the basketball courts and council voted to approve 4-0 with 1 absent. Ms. Bohlen stated that since the council had decided to approve the contract with Terra Firma, Item 5 on the agenda did not need to be discussed.

Mayor Williams spoke on the motion to approve the architectural and engineering design of the public restrooms in the amount of \$7,500.00. Water Resources Director Jane Kreiter explained the problems regarding the sewer line and Mr. Carson stated that the Town had received a grant for the design, engineering and construction of the renovation of the public restrooms and that this contract was covered in the grant. Councilmember Purnell made a motion to approve the contract with Beacon Engineering & Consulting in the amount of \$7,500.00 and council voted to approve 4-0 with 1 absent.

Ms. Jill Barker, an attorney with Betts and Holt representing the Town and Dwight Davis of Booth and Associates came before the mayor and council to speak about the settlement stipulation agreement with the Public Service Commission regarding the request from the Town for a decrease in its non-residential electric rates throughout town. Ms. Barker stated that the Public Service Commission and Office of People's Counsel had agreed to the application with the conditions that the Town increase the monies designated to the Energy Assistance Fund and Energy Audit Fund. The combined increased total for these two funds would be \$3,000 for the first year and \$1,000 for the next 3 years. At the end of each year fiscal those monies not spent in those two funds would be placed in a restricted account. At the end of three years if \$20,000 has been accumulated in that account, it would be refunded back to the residential electric customers. If after the 4th year, the amount of \$20,000 is remaining, it will be refunded back to the residential electric customers. Ms. Barker stated that there would be an evidentiary hearing tomorrow at Town Hall at 3:00 p.m. and a public hearing that evening at 7:00 p.m. Mayor Williams inquired as to the timeline when the Town could incorporate the decrease in rates and Ms. Barker responded sometime in November this year.

Mr. Davis summarized the decreases in rates for the 3 types of non-residential metering systems. A 10% decrease or an average of \$180 annually would be seen by the electric only customers, a 16% or an average of \$1,900 annually for those customers with demand meters and a 2.5% decrease or an average of \$3,500 annually for the 4 largest customers. Councilmember Lynch inquired what the total revenue decrease would be and Mr. Davis responded \$270,000.00. Mr. Carson thanked Electric Utility Director Tim Lawrence and Finance Director Lynn Musgrave for their assistance in this effort. Councilmember Purnell made a motion to approve the stipulation and settlement agreement with the Public Service Commission relating to Case 9300 for the decrease in non-residential rates and council voted to approve 4-0 with 1 absent.

Mayor Williams announced the motion to approve the Halloween hours of 5:00 p.m. to 7:00 p.m. for October 31st. Councilmember Hall made a motion to approve the hours and date and council voted to approve 4-0 with 1 absent.

Mayor Williams announced the motion to approve the proposed schedule for Town Holidays and Mayor and Council meetings for 2013. Councilmember Hall made a motion to approve the 2012 Town Holiday and Mayor and Council meeting schedule and council voted to approve 4-0 with 1 absent.

Departmental reports began as Deputy Town Administrator Mary Bohlen reported on the elections results and statistics.

Public Works Director Mike Gibbons reported that the demolition of the structure located at 210 Flower Street was completed on October 5th. He reported that the paving project on Buckingham Lane would begin on October 15 with the paving project for Germantown Road to be completed sometime before November. He continued and reported that 3 panels of sidewalk would need to be replaced on Broad Street and that he was working with the Electric department on the removal of poles on Flower Street for the sidewalk project.

Electric Utility Director Tim Lawrence reported that his department would continue trimming trees throughout March, work on the installation of the low pressure sodium lights throughout town was 90% complete, lightning rods were being installed in the substation and that the department was working with State Highway on pole removal for the continuation of the Broad Street sidewalk project. He also reported that General Refrigeration would begin work on the #5 tank replacement at the Power Plant and explained the cause for the power outage which occurred on Tuesday, October 2nd.


Planning and Zoning Director Chuck Ward reported that construction was beginning on 3 new homes in town and code enforcement phone calls and issues seem to be shifting from grass cutting to property maintenance.

Town Administrator Tony Carson stated that Rocktober and Octoberfest would be held this Friday and Saturday. He then requested approval of 3 purchase orders (20130974, 201301032 and 201301034). Councilmember Brittingham made a motion to approve all 3 purchase orders and council voted to approve 4-0 with 1 absent.

Mayor Williams, Councilmembers Hall and Brittingham stated that they were happy to be back on the council for another 4 years.

Mayor Williams asked for comments from the public and the press. There being no comments from either, Councilmember Lynch made a motion to adjourn the meeting and the meeting ended at 8:45 pm.

Respectfully submitted


Sharon Timmons
Administrative Assistant



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PROCLAMATION 2012-18

A PROCLAMATION OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN, MARYLAND PROCLAIMING NOVEMBER TO BE MUNICIPAL GOVERNMENT WORKS MONTH.

The Mayor and Council of the Town of Berlin does hereby proclaim November to be Municipal Government Works Month.

WHEREAS, the Town of Berlin was incorporated in 1868; and

WHEREAS, Maryland is home to 156 other municipalities; and

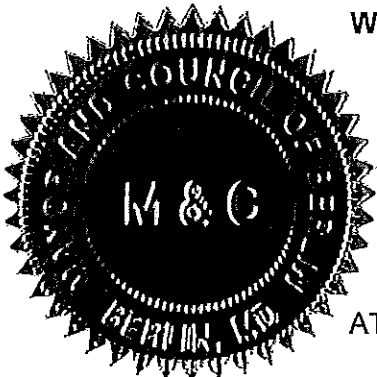
WHEREAS, municipal government represents the most responsive level of government, allowing citizens to have direct access to elected officials; and

WHEREAS, in an effort to educate citizens about municipal government and the importance of their participation, the Town of Berlin is proud to promote municipal government awareness; and

WHEREAS, municipalities have enhanced the quality of life for their respective residents maintaining natural and historic sites and structures and helping to make Maryland a great place to live, work, play and explore.

NOW, THEREFORE, BE IT PROCLAIMED that the Mayor and Council of the Town of Berlin, Maryland hereby joins the Maryland Municipal League in declaring November to be Municipal Government Works Month in the Town of Berlin.

WITNESS MY HAND AND SEAL, THIS 22TH DAY OF OCTOBER, 2012.



Wm. Gee Williams, III, Mayor

Elroy Brittingham, Sr.
Vice President

ATTEST: _____
Anthony J. Carson, Jr.
Town Administrator

TOWN ADMINISTRATOR'S REPORT
October 22, 2012

Purchase Orders

PO# 201301057 in the amount of \$1,408.00 to Brekford AKA Pelican Mobile to printer & carrier for K9 vehicle and service agreement.

PO# 201301112 in the amount of \$3,018.00 to McEnroe Voice & Data for Tier 2 Maintenance Support.

PO# 201301058 in the amount of \$2,000.00 to Worcester Youth and Family Counseling for 2nd quarter FY13 Expenses from October 1, 2012 to December 31, 2012.

PO# 201301099 in the amount of \$2,380.55 to 3D Environmental for removal of contaminated soils from Branch Street.

PO# 201301108 in the amount of \$2,000.00 to MacIntosh for structural design of water facility at Branch Street.

PO# 201301119 in the amount of \$1,731.60 to Wainwright's Tire Center for rear tires for Vehicle #17 Tractor.

PO# 201301162 in the amount of \$5,699.94 to Zee Medical for 3 AED's and cabinets for the three locations for the Water Resources departments.

PO# 201301167 in the amount of \$119,674.00 to ETSI for materials and supervision for installation oxidation catalyst on four engines at the Power Plant. To be submitted for bid bond proceeds.

PO# 201301184 in the amount of \$14,100.00 to Reliant Assembly LLC for purchase and installation of six (6) goal standards for renovation of the basketball courts at Henry Park. To be reimbursed by POS/CPP grants(s) upon award.

Updates