



Mayor & Council of Berlin

10 William Street, Berlin, Maryland 21811

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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

Anthony J. Carson, Jr.

BERLIN, MARYLAND

MAYOR AND COUNCIL MEETING

MONDAY, SEPTEMBER 24, 2012

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

NO EXECUTIVE SESSION SCHEDULED

REGULAR SESSION7:00 PM

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**BERLIN MAYOR AND COUNCIL
COUNCIL MEETING
AGENDA
Monday, September 24, 2012**

NO EXECUTIVE SESSION SCHEDULED

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

1. Approval of the Minutes for:
 Regular Session of the Mayor and Council on September 10, 2012
 Executive Session of the Mayor and Council on September 10, 2012
 Statement of Closure for Mayor and Council on September 10, 2012
2. Request for Special Event – Women Supporting Women -Paint the Town Pink
 Friday, October 12, 2012; 6:30 p.m.
3. Presentation – Teresa Owens, Director of Emergency Services for Worcester County
4. Motion to Approve – Services for Route 818 Water and Sewer Extension Project
 - a. Contract with David Bramble for Construction in the amount of \$1,235,403.00.
 - b. Contract with Davis, Bowen & Friedel for Contract Administration in the amount of \$19,980.00
 - c. Contract with Beacon Engineering and Consulting for RPR Services at \$50.00 an hour for approximately 520 hours.
5. 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. Police – Arnold Downing
 - g. Planning and Zoning - Chuck Ward
 - h. Human Resources – Jeff Fleetwood
 - i. Economic and Community Development – Michael Day
6. Town Administrator's Report
7. Comments from the Mayor
8. Comments from the Council
9. Comments from the Public
10. Comments from the Press
11. Adjournment

MAYOR AND COUNCIL OF BERLIN, MARYLAND
Regular Session Council Minutes
Monday, September 10, 2012

The meeting of the Mayor and Council for Monday, September 10, 2012 was called to order by Mayor Williams at approximately 7:06 pm. Councilmembers Lynch, Purnell, Hall, Brittingham and Burrell 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, Planning and Zoning Director Chuck Ward, Economic and Community Development Director Michael Day and Administrative Assistant Sharon Timmons. Electric Utility Director Tim Lawrence was absent and Chief Downing arrived at 7:12 p.m.

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 August 27, 2012. Councilmember Brittingham stated that in the meeting of August 27th, it was Councilmember Lynch who had stated that Councilmember Purnell's name had been omitted and then made a motion to approve the minutes as corrected. Council voted unanimously to approve 5-0. Mayor Williams then asked for a motion to approve the Executive Session minutes of August 27, 2012 and Councilmember Lynch made a motion to approve and council voted unanimously to approve 5-0. Mayor Williams stated that the Executive Session was closed to consult with counsel on legal advice regarding a legal matter.

Aaren Collins, Executive Director of the Berlin Chamber of Commerce came before the council requesting approval of the event known as Fall Cruisers. This event will be held on Saturday, October 6, 2012 on Main Street from the hours of 10 a.m. to 2 p.m. Ms. Collins was requesting that the street be closed from 7:00 a.m. to 4:00 p.m. Mayor Williams spoke to Ms. Collins and asked her to be conscientious of the parking situation and suggested that she try and have the vehicles cleared out as quickly as possible after the event. Councilmember Burrell made a motion to approve the Fall Cruisers event and council voted unanimously to approve 5-0.

Stephanie Gordy of Worcester Youth & Family Counseling came before the council requesting use of the Farmer's Market Parking Lot for a staging area for concessions and photos for the Haunted Hallway to be held on Saturday, October 27th from 6:30 p.m. to 9:30 p.m. Ms. Gordy stated that the lot would be needed from 9 a.m. to 9 p.m. in order to set up for the event. Councilmember Brittingham asked what type of food would be sold and Ms. Gordy stated only sodas, packaged chips and candy. Discussion continued about the loss of the parking area for the entire day and that it is greatly needed to accommodate the businesses and restaurants in town. Mayor Williams stated that he is not comfortable with the event being geared towards teens on a night which is not Halloween and that the mobility and safety of the children is very important. Discussion continued. Mayor Williams asked Ms. Gordy to re-think their plan to coordinate with Halloween night. No action was taken from council on the matter.

Mayor Williams announced the Public Hearing for Ordinance 2012-09, an ordinance amending Chapter 6, Building and Building Regulations and Sprinklers. This ordinance states that fire sprinklers are not required in one or two family dwellings. Mayor Williams asked for any comments from the State or County. There being none, Mayor Williams asked for comments from anyone from the public. Andrea Gilbertson of Jamestown Place stated that they currently

have sprinklers systems in their condos and asked if this Ordinance would affect them. Councilmember Purnell stated that this ordinance would only affect new construction. Mayor Williams closed the Public Hearing and asked for comments from the council. Councilmember Lynch inquired about the number 2000 which had been blacklined, but 2012 had not been inserted in some sections and if a resolution would still need to be passed. Mr. Ward stated that it refers only to the International Building Code, but does not affect the intent and had been included in the ordinance. Councilmember Brittingham made a motion to approve Ordinance 2012-09 and council voted unanimously to approve 5-0.

Mayor Williams introduced the proposal submitted by Davis, Bowen & Friedel in the amount of \$6,800.00 for the evaluation of the Lift Station located at 346 West for the sewer capacity and the Route 818 Water and Sewer Extension Project. Mayor Williams explained that the extension of the Town's water and sewer capacity along North Main Street beginning at Cheers up to and under Route 50 would allow that area to develop commercially once service is provided. The short term loan that was arranged with the Bank of Ocean City would be paid off by the new water and sewer hookups before the loan is owned. Water Resources Director Jane Kreiter explained that the study completed in the 1990's on the lift station showed that it was sized to accommodate some growth, but may need new pumps and piping. Councilmember Purnell made a motion to approve the proposal from Davis, Bowen & Friedel in the amount of \$6,800.00 for the 346 West Lift Station evaluation and council voted unanimously to approve 5-0.

Public Works Director Mike Gibbons explained the motion to approve the proposal from Royal Plus Inc. for the removal of asbestos at 210 Flower Street in the amount of \$2,970.00. Mr. Gibbons stated that per MDE and EPA requirements, all asbestos must be removed from buildings before demolition. After the asbestos is removed, MDE will inspect the building and deem it safe for demolition. The removal of the asbestos should take about 3 days and MDE would inspect with the next week or two. The Public Works department will be performing the demolition due to the cost savings versus hiring an outside contractor. Councilmember Burrell inquired how the removal of the asbestos would impact the surrounding properties and Mr. Gibbons explained the removal process. Town Attorney Gaskill stated that the surrounding property owners had been notified. Councilmember Lynch made a motion to approve the proposal from Royal Plus Inc. for the removal of asbestos at 210 Flower Street in the amount of \$2,970.00 and council voted unanimously to approve 5-0.

Departmental reports began with Finance Director Lynn Musgrave reporting that the auditors would be here for most of the week and was hoping for a good report. She also told council that they should have their June numbers at the next meeting.

Deputy Town Administrator Mary Bohlen reported that the Community Newsletter was on the website. She also stated that advertising will begin for the removal and reconstruction of the basketball courts at Henry Park and would be in the paper this week. She continued her report by stating that they were gearing up for the elections and that they were accepting applications for absentee voting, that voter registration had closed on Friday and that candidate filing ended today at 5:00 p.m. Councilmember Brittingham asked if the courts would need to be closed for construction and Ms. Bohlen responded that the options would be examined at the bid opening on October 2nd.

Councilmember Lynch inquired as to whom has filed for the upcoming election. Ms. Bohlen stated that the Mayor had filed for re-election, District 2 filings were Councilmember Hall and

Ronald Marney and District 3 was Councilmember Brittingham. The election is October 9th from 7:00 a.m. to 7:00 p.m.

Public Works Director Mike Gibbons reported that the Broad Street pervious concrete work being done up to 214 Broad Street should be completed in a week with State Highway completing the remainder of Broad Street. He also stated that the masonry work at Town Hall should be completed tomorrow. Councilmember Hall inquired about work being done on the ditches in Franklin Knoll and the cutting of a property on the corner of Ann Court and Esham Drive. Mr. Gibbons stated that the department had been cutting the ditch between Franklin Knoll and Ann Court.

Mr. Michael Mihalik of 208 West Street spoke of a dangerous incident which occurred on Saturday evening. Mr. Mihalik was cutting his grass next to the ditch when part of the ditch bank gave way and both he and the tractor ended up in the ditch. He presented photographs to the council. Discussion continued. Town Administrator Tony Carson gave an update on the West Street ditch project stating that the culvert at that location would be replaced and the banks of the ditch would be reinforced with the assistance of grant monies from Grow Berlin Green. Mr. Gibbons stated that the new culvert would be ordered by the end of the week, but the Town was still waiting for MDE to sign off on the permit. Mayor Williams stated that he would call MDE and any other agencies needed to expedite the approval of the permit once the culvert had been ordered. Mr. Mihalik also asked the Town to investigate a hole at his mailbox which is about three feet deep and has a utility box underneath. Mr. Gibbons stated he would check it out the next day. Mayor Williams then asked the public to offer other comments at this time since the subject of stormwater was being discussed.

Ms. Marie Velong of 400 West Street inquired that once the culvert was fixed, would the flooding which occurs at the other end of the street be eliminated. Mr. Carson stated no. Ms. Velong asked who owns the ditch by the railroad tracks. Discussion continued.

Mayor Williams explained the need for a stormwater utility and how it would work using dedicated funds to help solve the problems and maintain them. Mr. Randy Walter of West Street asked how the Governor's office had responded to the request to declare Berlin a disaster area after the 13 ½ inch rainfall. Mayor Williams summarized the letter from Teresa Owens stating that the Town of Berlin did not suffer enough significant damage to qualify. Ms. Owens will be at the next meeting to explain how FEMA works. Mayor Williams stated that he highly recommends obtaining flood insurance.

Human Resources Director Jeff Fleetwood gave a powerpoint presentation on the basics regarding flood insurance and stated that he had spoken with several brokers. Flood insurance costs are regulated by FEMA.

Jerome Wharton of Hudson inquired if he were to purchase the property at 210 Flower Street, what the zoning would be and Mr. Ward stated R-4.

The meeting returned to the reports from the Department Heads.

Police Chief Arnold Downing reported that he was attending the Maryland Sheriff's Conference this week and that Bike Week had started.

Planning and Zoning Director Chuck Ward reported that the Planning Commission was close to finalizing revisions on the rezoning. Councilmember Lynch complimented Mr. Ward on the clean-up of several properties in town concerning the overgrowth of shrubbery.

Economic and Community Development Director Michael Day reported that the Town would be having events for the next five weeks and that he had spoken with Buckingham Church regarding parking.

Mayor Williams complimented Mary Bohlen and the department heads on their involvement in the Community Newsletter.

Water Resources Jane Kreiter reported on the demolition and construction of the wellhouse on Branch Street and stated that the bid opening for the Route 818 project would be September 11th.

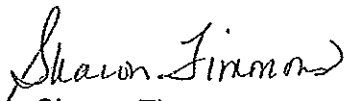
Town Administrator Tony Carson requested approval of 3 purchase orders (201300656, 201300659 and 201300633). Councilmember Brittingham made a motion to approve all 3 purchase orders and council voted unanimously to approve 5-0.

Mayor Williams thanked those citizens in attendance for their participation.

Councilmember Brittingham stated there were several potholes on Flower Street beginning from the Habitat Homes to 522 Flower Street. Councilmember Purnell remarked on the great job being done on Broad Street and Mr. Carson stated that the Town had saved 20,000 dollars by staff assisting with the flagging duties. Councilmember Burrell and Brittingham inquired if bicycles were allowed on the sidewalks. Police Chief Downing stated no.

Mayor Williams asked for comments from the public and the press. There being no comments, Councilmember Lynch made a motion to adjourn the meeting and the meeting ended at 8:54 pm.

Respectfully submitted



Sharon Timmons
Administrative Assistant

TOWN ADMINISTRATOR'S REPORT
September 24, 2012

Purchase Orders

PO# 201300758 in the amount of \$9,718.00 to Goody Hill Groundwork for water and sewer connection at 209 North Main Street. Will be reimbursed back to town by property owner.

PO# 201300707 in the amount of \$1,500.00 to Mid-States Oil Refining for waste oil & water.

PO# 201300769 in the amount of \$7,786.00 to Ermco for one 150KVA transformer to be paid for by Progressive MRI to be installed at 314 Franklin Ave, Suite 406.

PO# 201300747 in the amount of \$2,390.00 to HD Supply Utilities for 1000 feet of underground cable for inventory.

PO# 201300779 in the amount of \$1,420.00 to Stuart Irby for 100 feet of underground cable for inventory.

PO# 201300789 in the amount of \$6,700.00 to Goody Hill Groundwork Inc. for installation of hydrants at Broad and West Streets and 517 Flower Street. \$5,600 will be reimbursed back to the Town by State Highway.

PO# 201300854 in the amount of \$1,165.04 to Meadow Hydraulics for additional costs for body work completed on tool compartment box on vehicle for electric department. Council originally approved PO# 201300200 for \$2,943.25.00.

Updates