



Mayor & Council of Berlin

10 William Street, Berlin, Maryland 21811

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BERLIN, MARYLAND

MAYOR AND COUNCIL MEETING

MONDAY, AUGUST 11, 2014

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

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

NO EXECUTIVE SESSION

REGULAR SESSION7:00 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, August 11, 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 July 28, 2014
2. Presentation of Ribbons to Officers Merle Bragg & Edward Carmean
3. Pam Hay – Concern with off leash Dogs
4. Request for Special Event – Unity in the Community, Pastor Robert Brooks, Jr.
 Saturday, September 27, 2014; 8:30 a.m.- 3 p.m.
 Dr. William Henry Park and Stephen Decatur Parks
5. Request for Special Event – Marvin Smith & Curtis Mercer
 Saturday, September 13; 10 a.m. – 7 p.m. at Dr. William Henry Park
6. Request for Alcohol Permit – Jeep Jam; Amanda Cropper
 Saturday, August 23, 2014; 7 a.m. – 10 p.m.
7. Departmental Reports
 - a. Finance – Natalie Saleh
 - b. Deputy Town Administrator – Mary Bohlen
 - c. Water Resources & Public Works – Jane Kreiter
 - d. Electric – Tim Lawrence
 - e. Police – Arnold Downing
 - f. Planning – Dave Engelhart
 - g. Human Resources – Jeff Fleetwood
 - h. Economic and Community Development – Michael Day
8. Town Administrator's Report
9. Comments from the Mayor
10. Comments from the Council
11. Comments from the Public
12. Comments from the Press
13. Adjournment

MAYOR AND COUNCIL OF BERLIN, MARYLAND
Regular Session Council Minutes
Monday, July 28, 2014

The meeting of the Mayor and Council for Monday, July 28, 2014 was called to order by Mayor Williams at approximately 7:04 p.m. Councilmembers Brittingham, Burrell, Purnell and Lynch were present, as well as Town Attorney David Gaskill, Town Administrator Laura Allen, Deputy Town Administrator Mary Bohlen, Human Resources Director Jeff Fleetwood, Finance Director Natalie Saleh, Water Resources and Public Works Director Jane Kreiter, Planning Director Dave Engelhart, Electric Utility Director Tim Lawrence, Police Chief Arnold Downing, Economic and Community Development Director Michael Day and Administrative Assistant Sharon Timmons. Councilmember Hall was absent.

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 July 14, 2014. Councilmember Lynch made a motion to approve the Regular session minutes of July 14, 2014 and council voted to approve 4-0 with Councilmember Hall absent. Mayor Williams asked for a motion to approve the Executive Session minutes of July 14, 2013. Councilmember Lynch made a motion to approve the Executive minutes of July 14, 2014 and council voted to approve 4-0 with Councilmember Hall absent. Mayor Williams read the Statement of Closure for the July 14, 2014 Executive Session which closed the meeting to discuss 3 items: (1) to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employee, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals; (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.

Mr. Tom Sholtis, representing the Berlin Chamber of Commerce came before the council to request approval of the event Berlin Fiddler's Convention to be held Friday, September 19, 2014 through Sunday, September 21, 2014. Councilmember Burrell made a motion to approve the Berlin Fiddler's Convention event and council approved 4-0 with Councilmember Hall absent.

Mayor Williams read correspondence regarding the recommended changes in the operating of the fire sirens as requested by the Berlin Fire Company chiefs to Worcester County Emergency Services and a letter of support from the Mayor and Council to only operate the sirens during the hours of 7:00 a.m. to 10 p.m. Councilmember Brittingham made a motion to approve the letter of support and council voted to approve 4-0 with Councilmember Hall absent.

Mr. Joseph Moore, Attorney for Mr. and Mrs. Steven Black came before the council to request the allocation of payment of EDU fees over a period of 5 years for the property located at the north westerly corner of the intersection of US Route 50 and MD Route 452 which is contiguous with the Town boundaries. Mr. and Mrs. Black have the potential of reaching an agreement with Royal Farms Stores for the purchase/lease of a portion of this property and wish to annex with the Town of Berlin. Mr. Moore stated that it is envisioned that four or five EDU's would be required. The deferral of the EDU fees would be a prerequisite by Royal Farms for the consideration of moving forward with the agreement with the Blacks. Planning Director Dave Engelhart stated that the EDU's would not be transferrable and could only be used for the intended use.

Discussion continued. Councilmember Purnell made a motion "if the property were to be annexed then the Town would grant the 5 year deferral of the EDU fees based on Jane's criteria if the use of the property is as initially intended and presented. Council voted to approve the motion 4-0 with Councilmember Hall absent.

Mayor Williams announced the Public Hearing for Ordinance 2014-4, an Ordinance amending Chapter 8 of the Town Code regarding the peddling, solicitation or distribution of prepared food items unless exempted under §8-53, without the prior approval of the Mayor and Council. Mayor Williams opened the Public Hearing and asked for any comments from anyone from the State, County or public. There being no comments, Mayor Williams closed the Public Hearing and asked for comments from the council. Councilmember Purnell inquired if the purpose of this ordinance was to keep the ice cream truck out of town and if the owner would be required to come before the council for approval to operate. Chief Downing stated that the ice cream truck currently has the necessary permits to operate in the town and the county. Councilmember Purnell made a motion to adopt Ordinance 2014-4 as amended and council voted to approve 4-0 with Councilmember Hall absent.

Having completed the items on the Regular Agenda, Mayor Williams asked for Departmental Reports. Finance Director Natalie Saleh presented pictures displaying the newly remodeled Customer Service area and Jeff Fleetwood displayed the swatches for the new carpeting that would be installed beginning Thursday, July 30th. Ms. Saleh also reported that they had reviewed another presentation from a software representative. Ms. Saleh finished her report by announcing that the auditors would be at Town Hall July 30th – July 31st for their preliminary work.

Deputy Town Administrator Mary Bohlen reported that the new website had gone live and that the dates and deadlines regarding the upcoming election had been incorporated on the website and public access channel.

Water Resources and Public Works Director Jane Kreiter reported that the Water Resources department was reading meters and the Public Works department was in the process of washing and cleaning the trash cans along Main Street. Ms. Kreiter also reported that she was working on a Request for Proposal for the East Branch Street sidewalk project and working with Ms. Bohlen on a grant for bleachers at Henry Park.

Electric Utility Director Tim Lawrence reported on the continued installation of in-line disconnects throughout town, the scheduled outage at Berlin Intermediate School for a pole replacement, the installation of two Smart Walk Banners and that the Town peak shaved on July 22nd.

Police Chief Arnold Downing reported that the Berlin Police Department had received an honorable mention from the Highway Safety Office in the Law Enforcement Challenge and would be receiving a grant for \$1,000.00. Pfc Collins spearheaded the efforts. Chief Downing reported no incidents during the Bathtub races. Chief Downing stated that the department was down 2 vehicles and would be asking for approval of the purchase order for the Tahoes this evening.

Planning Director Dave Engelhart reported on the Training Association Floodplain Manager's conference he had attended and a meeting at the County that he and Town Administrator Allen had attended. Mr Engelhart presented an update on the Cannery Village project.

Human Resources Director Jeff Fleetwood reviewed the upcoming schedule for the carpet installation at Town Hall and the Planning building. He commented on the painting that was taking place on the overhang at the Planning building.


Economic and Community Development Director Michael Day reported that new merchants would be occupying 14 Broad Street on September 1st. Mr. Day also reported that he would be meeting with consultants regarding the Excursion Train Project and that the Peach Festival would be taking place this Saturday, August 2nd at the Taylor House Museum.

Town Administrator Laura Allen presented 16 purchase orders to the council for approval. Sam Card of Cards Computer summarized the charges associated with purchase order 201500342. Councilmember Brittingham made a motion to approve the 16 purchase orders as submitted and the council voted unanimously to approve 4-0.

Councilmember Burrell commended Public Works and Water Resources for the outstanding job of the replacement of the retaining wall at Henry Park. He also inquired about the status for the new bushes on the sidewalk. Ms. Bohlen stated that re-planting was recommended to take place in the fall. Councilmember Brittingham commented that his recycling had been missed last week, but the situation was rectified in a timely manner. Councilmember Lynch was pleased with the removal of the tree on South Main Street, but stated that now grass and weeds in sidewalks was becoming a problem. Ms. Kreiter stated that her department had begun working on that issue. Councilmember Burrell inquired about the status of the sidewalk on Tripoli Street. Ms. Kreiter stated that she was still waiting on two rights of entry and Mayor Williams asked Attorney Gaskill to assist with the process. Councilmember Lynch commented that conditions at 214 Broad Street had improved, but attention was needed at a house on Washington Street.

Mayor Williams asked for comments from the press and the public. There being no comments or questions from either, Councilmember Burrell made a motion to adjourn the meeting and the meeting ended at 8:20 p.m.

Respectfully submitted,


Sharon Timmons
Administrative Assistant

TOWN ADMINISTRATOR'S REPORT

August 11, 2014

Purchase Orders

PO# 201500466 in the amount of \$1,800.00 to Cues for software enhancement support plan. (24-4360-4060)

PO# 201500474 Blanket Purchase Order in the amount of \$45,000.00 to Intercoastal Trading Inc. for soda ash and sodium hypro. (20-5320-4049)

PO# 201500416 in the amount of \$5,352.45 to Precision Concrete Cutting for repair of 85 sidewalk tripping hazards throughout town. (01-4320-4060)

PO# 201500406 in the amount of \$3,079.98 to Ray Allen Manufacturing for sedan cruise transport insert for K-9 for the Tahoe. (01-4200-4092)

PO# 201500485 in the amount of \$1,950.00 to Shore Utilities for piping and boring under Franklin Avenue for new business in Maccari building. (20-4320-4053)

PO# 201500065 Blanket Purchase Order in the amount of \$6,000.00 to ABC Printers for brochure printing. (01-4115-4104)

PO# 201500490 Blanket Purchase Order in the amount of \$1,500.00 to GE Capital for annual rental costs for copier in Planning department. (01-4115-4060, 01-4400-4060)

PO# 201500238 Blanket Purchase Order in the amount of \$1,200.00 to Affordable Business Systems. (01-4115-4060)