



**BERLIN MAYOR AND COUNCIL  
Meeting Agenda**

**Berlin Town Hall  
10 William Street  
Monday, July 24, 2017**

**7:00 PM          REGULAR SESSION – Council Chambers**

1. Approval of the Minutes for:
  - a. Executive Session of 07/10/17
  - b. Statement of Closure for Executive Session of 07/10/17
  - c. Regular Session of 07/10/17
2. Motion 2017-20: Motion approving West St. Paving Project Change Orders – Town Administrator Laura Allen
3. Motion 2017-21: Motion approving the Program Open Space Grant Application for Stephen Decatur Park Tennis Courts – Administrative Services Director Mary Bohlen
4. Departmental Reports:
  - a. Finance Director – Natalie Saleh
  - b. Administrative Services Director – Mary Bohlen
  - c. Water Resources/Public Works – Jane Kreiter
  - d. Electric – Tim Lawrence
  - e. Chief – Arnold Downing
  - f. Planning – Dave Engelhart
  - g. Economic and Community Development – Ivy Wells
  - h. Managing Director – Jeff Fleetwood
5. Town Administrator's Report:  
Requisition 201800111 – 2017 Chevrolet Tahoe – Chriswell Chevrolet – 01-5200-5255 Capital Outlay Equipment
6. Comments from the Mayor
7. Comments from the Council
8. Comments from the Public
9. Comments from the Press
10. Adjournment

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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*TTY users outside Maryland dial 1-800-735-2258*



**BERLIN MAYOR AND COUNCIL**  
**Meeting Minutes**  
**Monday, July 10, 2017**

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

**Present:** Mayor Gee Williams, Vice-President Elroy Brittingham, Councilmembers Thom Gulyas, Zackery Tyndall, Dean Burrell, and Troy Purnell.

**Staff Present:** Town Administrator Laura Allen, Managing Director Jeff Fleetwood, Administrative Services Director Mary Bohlen, Water Resources/Public Works Director Jane Kreiter, Police Chief Arnold Downing, Electric Utility Director Tim Lawrence, Planning Director Dave Engelhart, Economic and Community Development Director Ivy Wells, Town Attorney David Gaskill, and Administrative Assistant Kelsey Jensen.

Following the Lord’s Prayer and Pledge of Allegiance, Mayor Williams called the meeting to order at approximately 7:10 PM.

1. Approval of the Minutes for:

a. Executive Session of 06/26/17:

On the motion of Councilmember Gulyas, the Executive Session minutes of June 26, 2017 were approved by the following vote:

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas	X				
Zackery Tyndall	X				
<i>Voting Tally</i>	5				

b. Statement of Closure for Executive Session of 06/26/17:

Mayor Williams read the Statement of Closure.

c. Regular Session of 06/26/17:

On the motion of Councilmember Gulyas, the Regular Session Minutes of June 26, 2017 were approved by the following vote:

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas	X				
Zackery Tyndall	X				
<i>Voting Tally</i>	5				

2. Special Event Request:

a. Heroes Never Forget 5K – Chris Klebe and Jimmy Corran

Chris Klebe with OC Tri-Running Sports, Inc., presented information on the event. Councilmember Burrell asked who the sponsor was; Mr. Klebe said it is the Berlin Fire Company. Councilmember Burrell said the paperwork needs to be changed to reflect that the Berlin Fire Company is the sponsor, not OC Tri-Running. Vice President Brittingham asked if they have a contract agreement with the Berlin Fire Company; Mr. Klebe said they do not yet, but they will, they wanted to be sure that the event was approved first. Town Administrator Laura Allen said there was a hold up getting the paperwork on the agenda because the original date requested interfered with another event, and they wanted a 10K, which was not possible. Mayor Williams stated that next year they will need to have event paperwork in by September 2017 for all 2018 events.

On the motion of Councilmember Purnell, Special Event Heroes Never Forget 5K was approved by the following vote:

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas	X				
Zackery Tyndall	X				
<i>Voting Tally</i>	5				

b. National Night Out – Police Chief Arnold Downing

Chief Downing presented information on the event.

On the motion of Councilmember Burrell, Special Event National Night Out was approved by the following vote:

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas	X				
Zackery Tyndall	X				
<i>Voting Tally</i>	5				

3. Berlin Residents Special Needs Alert Program – Police Chief Arnold Downing

Chief Downing explained the program and said it was PFC. Aaron Titerence’s idea. Mayor Williams asked if this program allows for families to contact the Police Department about a relative in the Berlin area; he replied yes, it will allow them to have the information necessary to understand the needs of an individual, and allow the police to contact an emergency contact. Vice President Brittingham asked if they will be reaching out to different group homes in the area; he said they will, and they will meet with the homes to explain the program. Councilmember Burrell asked if they will then share the information with other agencies; he said they would. Councilmember Tyndall asked if it will be shared with the Computer-aided Dispatch (CAD) System so the County and State can utilize it; he said they are not compatible, but he will share the information and try to get them on board with the program. Councilmember Gulyas said he thinks it is a great program and will print the forms for free. Chief Downing said he needs contacts for groups that would be interested in the program like Cedar Chapel to get information out about the program. Jack Orris asked if this would violate any HIPAA laws; Chief Downing said it would not because all of the information is given voluntarily.

On the motion of Councilmember Gulyas, the Berlin Residents Special Needs Alert Program was approved by the following vote:

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas	X				
Zackery Tyndall	X				
<i>Voting Tally</i>	5				

Mayor Williams asked Chief Downing to get the information out to the press, and once the program is underway he would like a report of its progress. Councilmember Tyndall asked the Chief to tell PFC. Aaron Titerence that he did a great job.

4. Ordinance Public Hearing/Adoption – Administrative Services Director Mary Bohlen:

a. 2017-03 – Amending Chapter 22, “Parks and Recreation”:

Ms. Bohlen explained the changes in Chapter 22. Mayor Williams opened the Public Hearing at 7:33PM. Mike Wiley, Chairman on the Parks Commission stated that they’ve reviewed the changes and agree to them. Mayor Williams closed the Public Hearing at 7:35PM.

On the motion of Vice President Brittingham, Ordinance 2017-03 was approved by the following vote:

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas	X				
Zackery Tyndall	X				
<i>Voting Tally</i>	5				

b. 2017-04 – Amending Chapter 32, “Vehicles and Traffic”, Article III, Division 2 “Bicycles”, Section 32-72:

Ms. Bohlen explained the changes in Chapter 32. Mayor Williams opened the Public Hearing at 7:36PM, and with no comment, closed it at 7:37PM.

On the motion of Vice President Brittingham, Ordinance 2017-04 was approved by the following vote:

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas	X				
Zackery Tyndall	X				
<i>Voting Tally</i>	5				

5. Departmental Reports:

a. Administrative Services Director – Mary Bohlen

Ms. Bohlen had nothing to report. Councilmember Tyndall asked if the Town owns the parking behind Town Hall including the Police Department spots; she stated that we do. Councilmember Tyndall asked if we can look into grant funding and reserving the police spots for electric car charging stations when the police department moves. Town Administrator Laura Allen stated that

Ms. Wells has been looking into funding for that purpose, but they are unsure of a location at this time.

b. Water Resources/Public Works Director – Jane Kreiter

Ms. Kreiter stated that they have begun work on Hudson Branch along Showell Street doing some softening and putting riprap in. They will repair a failing sewer line on Flower Street tomorrow by the Head Start and Multi-Purpose Building; there will be a one lane closure, but it will remain open for traffic. Councilmember Burrell asked if the side opposite of where the houses are on Flower Street will look the same as the house side; she said it will not, they can consider a fence, but the gabions were not part of the original plan. Mayor Williams said it was more of a safety issue to put the gabions on one side, but thinks it is a good idea to consider a fence on the other.

c. Electric Utility Director – Tim Lawrence

Mr. Lawrence reported that over the past two weeks they had demand and meter reads. On Walnut Hill, they installed two temporary services for new construction. On Schooner Lane, they are undergrounding an overhead line between Decatur Farms and Gull Creek because the boring company is doing work there and a tree hit the lines. Tomorrow they will be installing the back feed to the police department. They received notification from AMP that they are likely going to generate from the 11<sup>th</sup> to the 13<sup>th</sup>. Mayor Williams asked how many times we have generated this summer; he replied once or twice.

d. Police Chief – Arnold Downing

Chief Downing stated that the MML's Top Cop was Rondell Redding from Princess Anne, and the Chief was appointed as secretary this year. On Wednesday, they will be taking approximately 50 Worcester Youth children to Jolly Rodgers; he thanked Baked Desserts, Main Street Deli, and Jolly Rodgers for helping with the event. In August they will be going to Stratosphere Trampoline Park with Worcester Youth children. Chief Downing stated that the fireworks were a success, they had a lot of people in attendance, and will ask Maryland State Police for their help next year. Ms. Wells thanked the Police Department for their help. Mike Wiley said the fireworks were above the tree line and looked great. Chief Downing said they received one call all night, but it was taken care of within five minutes. Councilmember Tyndall stated that Corporal Braggs did a great job with the crowds. Councilmember Burrell said people cannot impede traffic; Chief Downing said that is why they want more assistance from other agencies.

e. Planning and Zoning Director – David Engelhart

Mr. Engelhart had nothing to report.

f. Economic and Community Development Director – Ivy Wells

Ms. Wells stated that she requested the fireworks to be over the trees, she streamed it on Facebook and had a lot of positive feedback. At the bathtub races Larnet with the Chambers added a hula-hoop intermission for the kids. Ms. Wells said she has Jury Duty this month, and on Wednesday and Thursday she will be at the Old-Line State Summit meeting in Annapolis for Preservation Maryland. Darin Engh from Opposite Direction will do the lunchtime concert this month on July 20<sup>th</sup>. Councilmember Tyndall asked about the Billboard in the Town Administrator's Report, he wanted to know if we ask people how they find out about Berlin, and if we notify the media of all of the events. She said she asks people all year, she always notifies the media, and knows the Chambers does too. Vice President Brittingham said he does not think the arrow on the billboard should go right, he thinks it is confusing and should be straight.

g. Managing Director – Jeffrey Fleetwood

Mr. Fleetwood stated that with the new fiscal year, employees should look over their checks to be sure the information is correct. Next Tuesday he will be attending an Opioid Symposium meeting at Salisbury University that is sponsored by the Governor.

11. Town Administrator’s Report – Laura Allen

Ms. Allen presented Requisition 201800036 in the amount of \$18,000 for the Billboard Rental. On the motion of Councilmember Tyndall, Requisition 201800036 was approved by the following vote:

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas	X				
Zackery Tyndall	X				
<i>Voting Tally</i>	5				

12. Comments from the Mayor:

Mayor Williams stated that two very different events took place last week and both were very nicely done.

13. Comments from the Council:

Councilmember Gulyas had no comments.

Councilmember Tyndall had no comments.

Vice-President Brittingham had no comments.

Councilmember Burrell asked when they can expect to hear from David Deutsch as to what he is doing and what his plans are; Town Administrator Laura Allen stated that he is waiting on some reports and will then make a presentation to the Council. Councilmember Burrell stated that the new Police Facility looks great and Town Hall needs to start thinking about how they will utilize the space.

Councilmember Purnell had no comments.

14. Comments from the Audience – none.

15. Comments from the Press – none.

16. Adjournment:

On the motion of Councilmember Burrell, the Mayor and Council meeting was adjourned at approximately 8:05PM.

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas	X				
Zackery Tyndall	X				

Voting Tally	5				
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Respectfully Submitted,



Kelsey Jensen  
Administrative Assistant



**MOTION OF THE MAYOR AND COUNCIL No. 2017- 20**

A Motion of the Mayor and Council of the Town of Berlin approving the change orders for the West St. project for an amount not to exceed \$90,503.

Approved this \_\_\_\_ day of \_\_\_\_\_, 2017 by the Mayor and Council of the Town of Berlin, Maryland by affirmative vote of \_\_\_\_ to \_\_\_\_ opposed, with \_\_\_\_ abstaining and \_\_\_\_ absent.

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

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

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



# STAFF REPORT

**To:** Mayor and Members of the Town Council  
**From:** Town Administrator Laura Allen   
**Date:** July 24, 2017  
**Subject:** West St. Project Change Orders

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## RECOMMENDATION

Staff recommends the Council approve a motion authorizing Change Orders 2 (water and sewer services) and 3 (paving) for a net increase of approximately \$90,503 dollars.

## EXECUTIVE SUMMARY

The Town has been working to repair and increase the piping in the stormdrain conveyance system in West Street from Broad Street to Bottle Branch. While the project is ready for final paving, staff has been working with EA Engineering to determine the best approach because of the concrete down the center of the road. Staff recommends Paving Option 3 because it includes the installation of paving fabric, which is expected to ensure a smooth surface and increase the life expectancy of the pavement.

## FISCAL IMPACT

A combination of the water and sewer services along with the paving costs increase the budget for this project by approximately \$90,503. Funding will come from the contingency accounts in the Water and Wastewater Funds.

## BACKGROUND

The Mayor and Council authorized \$335,900 to repair and increase the piping from 18" to 30" for the storm drain conveyance system in West. St. on September 14, 2015. It took several months for the construction to start because of utility conflicts that were discovered when the road was opened. During construction, the Town discovered several water and sewer connections needed to be replaced because they were in bad shape and some of the sewer line was in the storm drain pipe (Attachment A).

## ANALYSIS

### Reasons For Recommendation

While the bulk of the project is complete, the final paving presented its own challenges because cement runs down the center of the road and cutouts were made to replace the water and sewer connections. Staff has been working with EA Engineering and the contractor to determine the best paving approach to ensure the road is smooth and lasts a long time.

The staff recommendation includes purchasing and installing paving fabric similar to what the Town used for Jefferson St. The application of the fabric is essential to ensuring a smooth surface. A detailed description Paving Option 3 is attached for your review (Attachment B).

Alternatives:

Paving Options 1 and 2 are attached to this staff report. The primary difference between these options and the recommendation is the application of the paving fabric, which increases the cost by approximately \$20,000.

The table below shows all three paving options in relation to the project budget:

	<b>Paving Option 1</b>	<b>Paving Option 2</b>	<b>Paving Option 3</b>
Original Contract Amount	\$ 279,120.00	\$ 279,120.00	\$ 279,120.00
Change Order No. 1 - Valves	\$ 42,779.00	\$ 42,779.00	\$ 42,779.00
Unused Change Order No. 1	\$ (15,828.23)	\$ (15,828.23)	\$ (15,828.23)
Change Order No. 2 - Water/Sewer Services	\$ 78,339.00	\$ 78,339.00	\$ 78,339.00
Change Order No. 3 - Paving	\$ 18,262.00	\$ 22,282.41	\$ 41,992.41
<b>Subtotal</b>	<b>\$ 402,671.77</b>	<b>\$ 406,692.18</b>	<b>\$ 426,402.18</b>
Less Council Approved Budget	\$ 335,900.00	\$ 335,900.00	\$ 335,900.00
<b>Additional Funding Request</b>	<b>\$ (66,771.77)</b>	<b>\$ (70,792.18)</b>	<b>\$ (90,502.18)</b>

- Attachments: A. Change Order #2  
 B. Pavement options

PCO #2



GOODY HILL GROUNDWORK, INC.  
 9539 Goody Hill Road  
 Berlin, Maryland 21811  
 410.629.0966  
 410.629.0967 Fax

Town Of Berlin  
 10 William Street  
 Berlin, MD 21811

DATE: May 12, 2017 R07.06.17, R2 07.10.17  
 JOB NUMBER : 1470404  
 JOB NAME: West Street Stormdrain Replacement  
 ADDRESS: West Street  
 CITY/STATE/ZIP: Berlin, MD 21811

PHONE: FAX:

We hereby submit specifications and Time and Materials backup for the additional work as required to install new water and sewer services as well as water main realignment to effect the installation of the new stormdrain replacement. Pricing includes, sawcut, demo, and disposal of asphalt and concrete paving across West Street for each service as well as temporary restoration including compacted aggregate in trenches. Pricing includes materials and labor to install each new service from the main to property line of each as well as removal and abandonment of the existing services.

1. 126 Broad street - water service: \$3,500.00; sewer service: \$3,500.00
2. 103 West Street - water service: \$3,500.00; sewer service: \$3,500.00
3. 105 West Street - water service: \$3,500.00; sewer service: \$3,500.00
4. 107 West Street - water service: \$3,500.00; sewer service: \$3,500.00
5. 109 West Street - water service: \$3,500.00; sewer service: \$3,500.00
6. 111 West Street - water service: \$3,500.00; sewer service: \$3,500.00
7. 113 West Street - water service: \$3,500.00; sewer service: \$3,500.00
8. 115 West street - water service: \$3,500.00; sewer service: \$3,500.00
9. 210 Washington Street - Not Required
10. 211 Washington Street - Not Required
11. 205 West Street - Partial sewer lateral replacement: N/C
12. 207 West Street - Not Required
13. 209 West Street - Not Required
14. Washington St Intersection water main realignment T&M 3/22, 3/23, 3/24: \$34,367.78

TOTAL ADD: 90,367.78  
 CREDIT 10" REALIGNMENT: <del>\$12,028.78</del>  
 NET ADD: \$78,339.00

## EXCLUSIONS

1. Asphalt restoration.
2. Water meter(s) furnish or install, connection to house side

We hereby propose to furnish labor and materials—complete in accordance with the above specifications, for the sum of Seventy-Eight Thousand Three Hundred Thirty-Nine Dollars (\$78,339.00) with payments to be made as follows: Progress payments.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accident, weather, or delays beyond our control. This proposal subject to acceptance within 30 days and it is void thereafter at the option of the undersigned.

Authorized Signature \_\_\_\_\_ Scott A. Savage

ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

ACCEPTED:

BY: \_\_\_\_\_

NAME \_\_\_\_\_  
TITLE \_\_\_\_\_

DATE \_\_\_\_\_

Town of Berlin CONSTRUCTION COST ESTIMATE WEST STREET EMERGENCY STORMDRAIN REPLACEMENT (OPTION 1) June 2017					
	Description of Work Item	Quantity	Units	Unit Price	Total Cost
<b>Washington St. to Valley Gutter</b>					
1	Remove Concrete and Grade Road	1	LS	\$1,250.00	\$ 1,250.00
2	Furnish and Install 6-Inches CR-6	22	CY	\$ 72.45	\$ 1,593.90
3	Furnish and Install Base and Surface Asphalt Course	124	SY	\$ 23.75	\$ 2,945.00
				Subtotal	\$ 5,788.90
<b>Washington St. Water Realignment Area</b>					
1	Furnish and Install 6-Inches CR-6	12	CY	\$ 72.45	\$ 869.40
2	Furnish and Install Base and Surface Asphalt Course	67	SY	\$ 23.75	\$ 1,591.25
				Subtotal	\$ 2,460.65
<b>Area of Utility Trenches</b>					
1	Furnish and Install Base and Surface Asphalt Course	266	SY	\$ 23.75	\$ 6,317.50
2	Furnish and Install 6-Inches CR-6	51	CY	\$ 72.45	\$ 3,694.95
				Subtotal	\$ 10,012.45
				<b>Total</b>	<b>\$ 18,262.00</b>

<b>Area of Storm Drain Trench (In Contract)</b>			
1	Furnish and Install 6-inches CR-6	100	CY
2	Furnish and Install Base and Surface Asphalt Course	600	SY

Town of Berlin CONSTRUCTION COST ESTIMATE WEST STREET EMERGENCY STORMDRAIN REPLACEMENT (OPTION 2)					
	Description of Work Item	Quantity	Units	Unit Price	Total Cost
<b>Washington St. to Valley Gutter</b>					
1	Remove Concrete and Grade Road	1	LS	\$1,250.00	\$ 1,250.00
2	Furnish and Install 6-Inches CR-6	22	CY	\$ 72.45	\$ 1,593.90
3	Furnish and Install Base and Surface Asphalt Course	124	SY	\$ 23.75	\$ 2,945.00
Subtotal					\$ 5,788.90
<b>Washington St. Water Realignment Area</b>					
1	Furnish and Install 6-Inches CR-6	12	CY	\$ 72.45	\$ 869.40
2	Furnish and Install Base Asphalt Course	67	SY	\$ 18.00	\$ 1,206.00
Subtotal					\$ 2,075.40
<b>Area of Utility Trenches</b>					
1	Furnish and Install Base Asphalt Course	266	SY	\$ 18.00	\$ 4,788.00
2	Furnish and Install CR-6	51	CY	\$ 72.45	\$ 3,694.95
Subtotal					\$ 8,482.95
<b>Area from Water Realignment to Broad Street</b>					
2	Furnish and Install 1" Milling and Overlay Surface Asphalt Course - NOT IN CONTRACT	700	SY	\$ 13.25	\$ 9,275.00
2	Surface Course Credit from Bid Item No. 8	375	SY	\$ 8.91	\$ (3,339.84)
Subtotal					\$ 5,935.16
<b>Total</b>					<b>\$ 22,282.41</b>

<b>Area of Storm Drain Trench (In Contract)</b>			
1	Furnish and Install Base and Surface Asphalt Course	600	SY
2	Furnish and Install CR-6	100	CY

**Town of Berlin**  
**CONSTRUCTION COST ESTIMATE**  
**WEST STREET EMERGENCY STORMDRAIN REPLACEMENT**  
**(OPTION 3)**

	Description of Work Item	Quantity	Units	Unit Price	Total Cost
<b>Washington St. to Valley Gutter</b>					
1	Remove Concrete and Grade Road	1	LS	\$1,250.00	\$ 1,250.00
2	Furnish and Install 6-Inches CR-6	22	CY	\$ 72.45	\$ 1,593.90
3	Furnish and Install Base and Surface Asphalt Course	124	SY	\$ 23.75	\$ 2,945.00
				Subtotal	\$ 5,788.90
<b>Washington St. Water Realignment Area</b>					
1	Furnish and Install 6-Inches CR-6	12	CY	\$ 72.45	\$ 869.40
2	Furnish and Install Base Asphalt Course	67	SY	\$ 18.00	\$ 1,206.00
				Subtotal	\$ 2,075.40
<b>Area of Utility Trenches</b>					
1	Furnish and Install Base Asphalt Course	266	SY	\$ 18.00	\$ 4,788.00
2	Furnish and Install CR-6	51	CY	\$ 72.45	\$ 3,694.95
				Subtotal	\$ 8,482.95
<b>Area from Water Realignment to Broad Street</b>					
1	Furnish and Install 1" Milling and Overlay Surface Asphalt Course - NOT IN CONTRACT	700	SY	\$ 13.25	\$ 9,275.00
2	Surface Course Credit from Bid Item No. 8	375	SY	\$ 8.91	\$ (3,339.84)
3	Furnish and Install Paving Fabric (Just past Concrete Edge)	1,800	SY	\$ 10.95	\$ 19,710.00
				Subtotal	\$ 25,645.16
				<b>Total</b>	<b>\$ 41,992.41</b>

<b>Area of Storm Drain Trench (In Contract)</b>					
1	Furnish and Install Base and Surface Asphalt Course	600	SY		
2	Furnish and Install CR-6	100	CY		



MOTION OF THE MAYOR AND COUNCIL 2017-21

A MOTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN TO APPROVE APPLICATION TO PROGRAM OPEN SPACE IN THE AMOUNT OF \$20,000.00 FOR THE STEPHEN DECATUR PARK TENNIS COURTS PROJECT.

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017 BY THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN, MARYLAND BY AFFIRMATIVE VOTE OF \_\_\_\_\_ TO \_\_\_\_\_ OPPOSED, WITH \_\_\_\_\_ ABSTAINING.

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

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2017 by the Mayor of the Town of Berlin.

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

ATTEST: \_\_\_\_\_  
Laura Allen  
Town Administrator



# STAFF REPORT

TO: Mayor and Members of the Town Council

FROM: Administrative Services Director Mary Bohlen *mrb*

VIA: Town Administrator Laura Allen *JA*

MEETING DATE: July 24, 2017

SUBJECT: Program Open Space Grant - Stephen Decatur Park Tennis Courts Project

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## RECOMMENDATION

Staff recommends application to Program Open Space (POS) in the amount of \$20,000 for the Stephen Decatur Park Tennis Courts Project.

## EXECUTIVE SUMMARY

The Town is eligible for \$20,000 in POS Grant funding for the first time in many years. The grant requires this allocation to be spent by July 2018. As previously discussed, the Tennis Courts project has turned out to be more complicated than expected because of the thickness of the playing surface. Staff is scaling the project back, as directed by the Council. Staff recommends applying for the POS Grant for the Tennis Courts because this additional funding will help produce a better final product and the funding can be spent within the grant deadline.

## FISCAL IMPACT

The County has indicated \$20,000 is available to the Town from Program Open Space. Typically, the grant requires 10% in match, however no match will be required if the funding is added to the Tennis Court Project. Other components of that project will meet the match requirement.

## BACKGROUND

POS allocations are based upon the annual "wish list" submitted by the Town each spring. Funds are allocated by the Department of Public Works to the counties, which can then re-allocate funds or not to the municipalities. For the first time in many years, Worcester County was able to allocate \$20,000 to Berlin.

Ideally, an allocation of POS funds by the county is to be applied to the next project on the list, which is in order of priority. However, the next priority projects submitted on Berlin's wish list

are for considerably more than \$20,000 and would not be completed by the July 2018 POS deadline.

In May, 2017 the Mayor and Council reviewed the engineers' proposed project, which had an initial estimate of \$372,000 and directed staff to reduce the scale and try to work within the original budget of \$236,500.00. At that time, DBF amended the specifications and reduced the cost estimate by approximately \$50,000.

To date, a total of \$80,320.00 was drawn on the CPP grant in May 2017 (\$68,500.00 for lighting and \$11,820.00 for engineering)

As of this writing, USTA is reviewing the current plans and specifications for industry standards and potential grant funding.

The only way to determine what the true cost of the project will be would be to open it for bidding. DBF is ready to proceed once we receive confirmation from USTA that the plans are acceptable. The bid documents are designed to allow certain items to be alternates or reduced in scale in an effort to enable the Town to keep the contract award within the budget as directed by the Mayor and Council.

## **ANALYSIS**

One of the primary factors affecting this project as relates to the proposed POS grant application is timing:

- a. The allocation is for \$20,000, which is a relatively low amount for a park project.
- b. The \$20,000 must be used by July, 2018; therefore the application needs to be submitted quickly as past experience has been that it can take 2-3 months for approval.
- c. No other project is in place for completion by July, 2018 or for \$20,000.00 or less.
- d. If we do not apply for this funding, it will be lost; "banking" of POS funds will no longer be allowed.

## **Alternatives**

1. Approve the application for \$20,000.00 to POS at this time for the Stephen Decatur Park Tennis Courts project.
2. Proceed with bidding the project at this time to get a true cost, and then determine how to proceed with the POS application. Bidding could be accomplished by late August.
3. Move to the next viable project on the wish list which would be the purchase of amenities for Berlin Falls. The wish list estimate was \$45,000.00; however, the project could be reduced in scale to \$20,000 or less.
4. Do not apply for POS funds at this time and forfeit the allocation – Not Recommended.

**NEXT STEPS**

Submit application for FY18 POS funds in the amount of \$20,000.00 for the Stephen Decatur Park Tennis Courts project.

**CONCLUSION**

Staff recommends application to Program Open Space (POS) in the amount of \$20,000.00 for the Stephen Decatur Park Tennis Courts Project.

**ATTACHMENTS**

Development and Capital Renewal Application and Project Agreement

Maryland Department of Natural Resources  
 Capital Grants and Loans Administration  
 Program Open Space

**Development & Capital Renewal Application  
 and Project Agreement**

1. APPLICANT'S NAME Town of Berlin POS # \_\_\_\_\_  
 2. PROJECT TITLE Stephen Decatur Park Tennis Courts Renovation  
 3. Worcester/Berlin Individual Project  or part of a Consolidated Project \_\_\_\_\_  
 (County/Municipality)

4. LEGISLATIVE DISTRICT 38 Last POS/CP&P Grant Issued # \_\_\_\_\_ CPP #6430-23-  
 (on this site) 238 Amount \$ 215,000.00  
 5. PROJECT LOCATION Street Address: Tripoli Street & Rt. 113  
 City, Town, or Community: Berlin, Maryland

County Tax Map # 302 Grid \_\_\_\_\_ Parcel # 873 ADC Road Map Edition # 6 Map # 7 Grid Ltr E Grid # \_\_\_\_\_

a. Number of residents currently served: 4500 b. Existing annual attendance: 8000 Visits/Yr.  
 c. Number of residents projected to be served: 4500 d. Projected annual attendance: 8500 Visits/Yr.  
 6. PROJECT DESCRIPTION: (this is the information that gets written into the agenda item that is presented to the Maryland Board of Public Works for approval. Be specific, explain the proposed project, why is it being done, how does it relate to local recreation needs, is it new development or does it build upon an existing facility? Provide all of the information that you feel is necessary to explain and justify the project and to convince the approving agencies that it is a worthwhile project). Attach additional 8 1/2" x 11" paper if necessary.

This application is intended to provide additional funding for the existing Stephen Decatur Parks Tennis Courts Project being funded by the CPP #6430-23-238. Based on budget estimates provided by the Town's Engineering Consultant vs. the budget submitted with the CPP grant application, the project is facing a shortfall of approximately \$84,000.

The Town also intends to seek grant funding from the United States Tennis Association.

This project will remove the top 1 1/2" of the existing courts and include removal of fencing and accessories, grading, asphalt, coating and painting. The initial project concept included the use of pervious material for the court surface, however, subsequent testing of the existing courts revealed that this will not be possible. The project will also include the removal of existing fencing and replacement in a new configuration as well as purchase of accessories including complete nets, benches and lighting.

7. TOTAL DEVELOPMENT COST	\$	<u>319,594.00</u>	_____	%
a. LOCAL FUNDING (This request)	\$	_____	_____	%
b. OTHER FUNDING	\$	<u>299,594.00</u>	<u>94</u>	% CPP/Town/USTA (pending)
c. L&WCF FUNDING	\$	_____	_____	%
d. <b>AMOUNT REQUESTED</b> (This Request)	\$	<u>20,000.00</u>	<u>6</u>	% <b>Total State Funding Requested</b>
e. GRAND TOTAL	\$	<u>319,594.00</u>	_____	%

8. LOCAL PROJECT COORDINATOR:  
Mary Bohlen Admin. Services Director 410-641-4314  
 (Print Name) (Print Title) (Telephone Number)

10 William Street Berlin MD 21811 410-641-2316  
 (Address) (City) (State) (Zip) (Fax Number)

9. PROJECT PERIOD: From: \_\_\_\_\_ (Date of Letter of Acknowledgement/Concurrence)  
 To: \_\_\_\_\_ (When project will be completed)

10. DETAILED COST ESTIMATE: (Round all estimates to nearest even dollar)

Item No.	Item	Contract Cost	Force Account Costs	Total Estimated Costs
1	Mobilization, Erosion & Sediment Control	\$8,000.00		
2	Mill Existing Surface Course & Dispose of material, Furnish & install bituminous base course after repairing cracks, Furnish & Install Surface Coating, Furnish & Install Line Striping, Furnish & Install Stone Spreader Strip	\$99,940.00		
3	Demolish Existing Fence & Posts, Furnish & Install Proposed Fence & Posts	\$58,425.00		
4	Furnish & Install Net, Benches, Signage, Bike Racks	\$10,000.00		
5	Purchase and install lighting	\$115,489.00		
6	Engineering Costs	\$27,740.00		
<b>Total Development Costs</b>		<b>\$319,594.00</b>		

11. LOCAL GOVERNMENT AUTHORIZATION

As the authorized representative of this Political Subdivision, I have read the terms of the "Project Agreement and General Conditions" of the Program Open Space (POS) Grant Manual and I agree to perform all work in accordance with the Manual, POS Law and Regulations, and with the attachments included herewith and made a part hereof.

Wm. Gee Williams, III

Mayor

(Signature)

(Print Name)

(Print Title)

(Date)

12. STATE CLEARINGHOUSE REVIEW

DATE \_\_\_\_\_

Number \_\_\_\_\_

13. ON-SITE INSPECTION

DATE \_\_\_\_\_

BY \_\_\_\_\_

14. POS FUND SOURCE ASSIGNED \_\_\_\_\_

AMOUNT \$ \_\_\_\_\_

15. DEPARTMENT OF NATURAL RESOURCES – PROGRAM OPEN SPACE APPROVAL

\_\_\_\_\_  
(Director's Signature)

\_\_\_\_\_  
(BPW Approval Date)

\_\_\_\_\_  
(Agenda Item No.)

**TOWN ADMINISTRATOR'S REPORT**  
**July 24, 2017**

**Requisitions (numeric order)**

Requisition 201800111	\$33,522
CHRISWELL CHEVROLET	
2017 Chevy Tahoe	
01-5200-5255 Capital Outlay Equipment	

Vendor Name: CRISWELL CHEVROLET  
Vendor Number: 0002543  
Vendor Set: 01  
Approval Status: Waiting for Approval

503 QUINCE ORCHARD  
GAITHERSBURG, MD 20878-  
U.S.A.

[Change Business Address](#)

Amount: \$33,522.00

General	Number	201800111 <input type="button" value="Next Number"/>
Item Entry	Description	2017 Chevy Tahoe
Shipping Entry	Department	POLICE - POLICE DEPARTMENT
Items Distributions	Issue Date	7/10/2017
Item Approvals	On Hold	<input type="checkbox"/>
Item Approval History	Requested By	ROBERT FISHER
Items Transferred	Auto Approve	<input checked="" type="checkbox"/>
Notes	Ship To	Police Department - Town of Berl
PO Notices	Vendor	0002543 • CRISWELL CHEVR
TCM		

Detailed Description

Vendor Name: CRISWELL CHEVROLET      503 QUINCE ORCHARD      [Change Business Address](#)      Amount: \$33,522.00  
 Vendor Number: 0002543      GAITHERSBURG, MD 20878-  
 Vendor Set: 01      U.S.A.  
 Approval Status: Waiting for Approval

- General
- Item Entry**
- Shipping Entry
- Items Distributions
- Item Approvals
- Item Approval History
- Items Transferred
- Notes
- PO Notices
- TCM

Commodity:  [Load Commodity Defaults](#)

Item Description:

Ship To:

Vendor:

Units	Price	Amount
Ordered: 1.000000	33,522.000000	33,522.00
Shipping: 0.00		0.00
Sales Tax: 0.00		0.00
<b>Total Item</b>		<b>\$33,522.00</b>
Trade Discount		\$0.00

Account:  [CAPITAL OUTLAY EQUIPMENT](#)      Vendor Part Number:

Project Account:

     Need By Date:

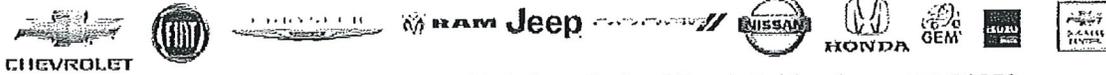
Special Instructions:

Sequence	Commodity Code	Item Description	Vendor	Transferred Fro	Is Taxed	Units	Price	Amount	Shipping	Tax
1	GOODS	2017 Chevy Tahoe	CRISWELL CHEVROLET			1.00	33,522.00	33,522.00	0.00	0.00

<b>Totals:</b>								\$33,522.00	\$0.00	\$0.00
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Automatically Add Rows

# CRISWELL AUTO.COM



Criswell Chevrolet Fleet Sales 503 Quince Orchard Road, Gaithersburg, MD 20878  
 Phone: (301)948-5460 Fax: (301) 948-1381 Email: fleet-man@msn.com

## QUOTE REQUEST

### 2017 Chevrolet Tahoe Police SUV

Requested By:  
 Robert Robert  
 Town Of Berlin  
 10 William Street  
 Berlin MD 21811  
 Phone: 410-641-1333

Contract Price:	\$31,610.00
Total with Options:	\$33,522.00
Order Total (with Quantity):	\$33,522.00

Code	Option Description	Option Price
6J3	Wiring, Grill Lamps and Siren Speaker	\$92.00
K7X6LED	LH LED Spotlamp	\$845.00
KT6J7PK	Head and tail light flasher with separate front and rear triggers and automatic front wig wag OFF when the vehicle is placed in park. Will not affect other options that also use the park kill NOTE: do NOT order SEO 6J7	\$495.00
2WD	2 Wheel Drive Pursuit Certified 9C1	\$0.00
AJ1	Deep Tinted Glass	\$295.00
UE0	Bluetooth for Phone	\$185.00
GAZ	White	\$0.00
RD6	17" x 8" Painted Steel Standard on all Pursuit Models - No Optional Wheels on Pursuit Certified	\$0.00
AZ3	40/20/40 Split Bench 3-Passenger Seat	\$0.00
9U3	Delete center portion of split bench seat so that emergency equipment console can be installed	\$0.00
5T5	Front Cloth and Rear Vinyl Seats	\$0.00
1LR	Modified "City Brake Package" 9C1 Only	\$0.00