

# Mayor & Council of Berlin

10 William Street, Berlin, Maryland 21811

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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**

Anthony J. Carson, Jr.

## BERLIN, MARYLAND

### MAYOR AND COUNCIL MEETING

**MONDAY, JULY 26, 2010**

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

EXECUTIVE SESSION .....NONE SCHEDULED

REGULAR SESSION .....7:00 PM

*Anyone having questions about the meetings mentioned above or needing special accommodations should contact Tony Carson, Town Administrator at (410) 641-4144*

*TTY users dial 7-1-1 in the State of Maryland*

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

**BERLIN MAYOR AND COUNCIL  
COUNCIL MEETING  
AGENDA  
Monday, July 26, 2010**

**NO EXECUTIVE SESSION TO BE HELD**

**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 12, 2010  
      Executive Session of the Mayor and Council on July 12, 2010  
      Statement of Closure for Mayor and Council on July 12, 2010  
      Executive Session of the Mayor and Council on July 19, 2010  
      Statement of Closure for Mayor and Council on July 19, 2010
2.    Special Event Request – Emily Karnbauer  
      “Turn the Town Pink” – October 8, 2010 4-9 PM
3.    Special Event Request – 2<sup>nd</sup> Friday Art Stroll  
      August 13<sup>th</sup> and September 10<sup>th</sup>, 2010
4.    Calvary Pentecostal Church – Curtis Mercer  
      Requested update on “Praise in the Park” Event for September 25, 2010  
      Council approved on May 24, but asked for update prior to August
5.    Approval of General Orders for Police Department
  - a.    No. 100 B1: General Order Manual
  - b.    No. 100 D-2: Commendation Board
  - c.    No. 200 F-1: Use of Force and Reporting Use of Force
  - d.    No. 800 U-1: Use of Departmental Physical and Electronic Equipment
6.    Departmental Reports
  - a.    Finance
  - b.    Deputy Town Administrator
  - c.    Public Works
  - d.    Water Resources
  - e.    Police
  - f.    Planning and Zoning
  - g.    Human Resources
  - h.    Economic and Community Development
7.    Town Administrator's Report
8.    Comments from the Mayor
9.    Comments from the Council

10. Comments from the Public
11. Comments from the Press
12. Adjournment

MAYOR AND COUNCIL OF BERLIN, MARYLAND  
Regular Session Council Minutes  
Monday, July 12, 2010

The meeting of the Mayor and Council for Monday, July 12, 2010 was called to order by Mayor Williams at approximately 7:17p.m. Vice President Brittingham, Council Members Lynch, Purnell, Burrell and Hall were present, as well as Town Administrator Tony Carson, Director of Community and Economic Development Michael Day, Deputy Town Administrator Mary Bohlen, Administrative Assistant Sharon Timmons, Director of Water and Wastewater Jane Kreiter, Finance Director Lynn Musgrave, Planning and Zoning Director Chuck Ward, Human Resources Director Rachel Bomar, Public Works Director Mike Gibbons and Police Chief Arnold Downing. Town Attorney David Gaskill was absent.

Following the recitation of the Lord's Prayer and the Pledge of Allegiance, Mayor Williams asked for approval of the Regular Minutes of June 28, 2010. Vice President Brittingham made a motion to approve the minutes and council voted unanimously to approve 5-0. Mayor Williams asked for approval of the Executive Minutes from June 28, 2010. Vice President Brittingham made a motion to approve the minutes and council voted unanimously to approve 5-0. Mayor Williams stated that the Executive Session of June 28, 2010 was closed to discuss the acquisition of real property, to obtain legal advice from our attorney and a personnel matter.

Chief Arnold Downing came before the council requesting approval for the National Night Out Special Event to be held at Henry Park on August 3, 2010 from the hours of 4 pm to 7 pm. The theme for the event is "Giving Crime and Drugs a Going Away Party". Chief Downing stated that all of the food was being donated and prepared by the Berlin Area Ministries group. Councilmember Burrell made a motion to approve the event and council voted unanimously to approve 5-0.

The Public Hearing for Ordinance 2010-05 was announced. The ordinance amends Chapter 107 concerning the definition of residential day care. The change would increase the number of children allowed from 6 to eight. Mayor Williams opened the Public Hearing. There being no comments from anyone from the State, County or public, Mayor Williams closed the public hearing. Councilmember Burrell made a motion to approve Ordinance 2010-05 and council voted unanimously to approve 5-0.

Mayor Williams introduced Resolution 2010-13, a resolution for the purpose of making a declaration of official intent pursuant to the U.S. Treasury regulation Section 1.150-2 regarding the Town's intention to reimburse prior expenditures made in connection with the Town's effluent storage and irrigation system project, together with related costs and financing costs, from the proceeds of one or more obligations to be issued by the Town. Town Administrator Tony Carson stated that this resolution applies to the new spray site and will be called the "Effluent Storage and Irrigation System Project". He continued in explaining that the applications will be submitted in two phases to enhance the likelihood of the Town receiving more grant funding. Councilmember Hall made a motion to approve Resolution 2010-13 and council voted unanimously to approve 5-0.

Mayor Williams introduced a motion to approve the authorization of the Mayor to sign the engagement letter from Funk and Bolton as bond counsel for the project known as the "Effluent Storage and Irrigation System". Discussion regarding associated costs followed. Councilmember Purnell made a motion to approve authorization of the Mayor to sign the engagement letter and council voted unanimously to approve 5-0.

Departmental reports began with Finance Director Lynn Musgrave reporting that the Logics representatives would be coming on July 20<sup>th</sup> to begin their site visit to review our processes on the new software system. Public Works Director Mike Gibbons reported that the wood fiber has been installed at the playgrounds at both of the parks, that Public Works was working with Grow Berlin Green to prep the area at 99 Graham Avenue for a rain garden, the milling and paving of Stephen Decatur High School parking lot had begun and they were preparing for the Ben Tate event on July 17<sup>th</sup>. Water Resources Director Jane Kreiter reported that about 1/3 of the lagoon liner had been replaced and that the project would probably be finished ahead of schedule. Mayor Williams asked about the schedule on the Wastewater Treatment Plant and Ms. Kreiter replied that it should be on schedule by this fall. Councilmember Lynch inquired if the fire hydrant on Main Street was operational and Ms. Kreiter stated it was. Mrs. Lynch also asked about the barricades located on the corner of Tripoli and Main

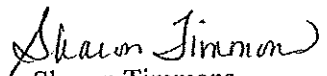
Street. Ms. Kreiter stated there had been a water leak and the area had not been patched yet. Police Chief Arnold Downing reported they were working on the end of the year grant work on C-Safe and had received the maximum amount of \$28,000. The Police department is also getting ready for the parade for Ben Tate on Saturday. Planning and Zoning Director Chuck Ward reported that there was additions to the Planning and Zoning meeting agenda for the meeting to be held on July 14<sup>th</sup> for discussions on renewable energy sources and also pods and storage containers. Economic and Community Development Director Michael Day reported that the new billboard on Route 50 had been installed and work was still being done on the billboard on Route 611. He continued in reporting that the 2<sup>nd</sup> Friday Art Stroll on July 9<sup>th</sup> had been the most successful thus far, applications for façade work were coming in, the Farmer's Market began opening on Wednesdays this week, and that on July 20<sup>th</sup>, he and Brian Brushmiller would be appearing before the County Commissioners to thank them for their support regarding the micro-brewery.

Town Administrator Tony Carson presented 12 purchase orders (55720, 56729, 56724, 56731, 56628, 56704, 56804, 56664, 56748, 56749, 56757, and 56570) for approval. This report will be included as part of the minutes. Discussion continued. Vice President Brittingham made a motion to approve the 12 purchase orders as presented and council voted unanimously to approve 5-0.

Mayor Williams asked for comments and/or questions from the council. Councilmember Hall wished Mayor Williams good luck on his run for a delegate seat. She stated her disappointment with the county on the lack of information given to rate payers regarding tax bills due to the Homestead Credit Act. Vice President Brittingham spoke on the success of the MML convention. Councilmember Lynch inquired about the status of the Bruce house on South Main Street. Mr. Ward explained that the initial issue had been resolved, but other issues will require the assistance of Mr. Gaskill. Councilmember Hall inquired about the two rental homes on Broad Street. Mr. Ward stated that he had met with the owner over violations which were issued last week and that those issues had been corrected.

Mayor Williams asked for comments and/or questions from the public. Gerry Mortenson expressed his appreciation to Mike Gibbons and Chief Downing on their prompt response to an issue he had presented to them. Mark Rush of 300 Esham Avenue approached the council regarding the flooding of his property due to the rainstorm on Saturday. Discussion followed. Mayor Williams requested Town Administrator Tony Carson to have Darl Kolar, our Storm Water engineer to investigate the area for a corrective action or solution, time frame and costs. There being no other questions or comments, Mayor Williams asked for questions from the press. There being no comments, Councilmember Burrell made a motion to adjourn and the meeting ended at 8:20 p.m.

Respectfully submitted,

  
Sharon Timmons  
Administrative Assistant

**TOWN ADMINISTRATOR'S REPORT**  
**07-26-10**

**Purchase Orders**

PO# 56711 in the amount of \$16,020.00 to Cato Oil for 7500 gallons of #2 low sulfur fuel oil.

PO# 56508 in the amount of \$1,505.58 to American Public Power Association for membership dues for 2010-2011.

PO# 56509 in the amount of \$2,304.00 to Maysteel for 6 Trinetics oil switches and mounting hardware for installation of 2 more capacitors on Town's electric grid.

PO# 56510 in the amount of \$1,870.00 to Wesco Receivables for 2 Capacitor Controllers to help reduce power losses on 210 and 230 circuits.

PO# 56821 in the amount of \$1,280.00 to J & M Generator Service for repair to Unit #4 at Power Plant.

PO# 56823 in the amount of \$2,563.00 to West Recreation. Original PO# 53938 approved on May 11, 2009 for \$2,452.00. Invoice received was \$111.00 additional for freight.

PO# 56766 in the amount of \$7,200.00 to Berlin LLC, Quail Run Apartments for annual rental of C-Safe and C-Tess offices.

PO# 56852 in the amount of \$18,717.20 to Pittsville Motors for 2010 F150 Truck for Electric Department. In FY11 Budget.

PO# 56899 in the amount of \$16,417.20 to Pittsville Motors for 2010 F150 Truck for Electric Department. In FY11 Budget.

PO# 56632 in the amount of \$1,337.10 to Intercoastal Trading for 735 gallons of Hypochlorite Solution.

PO# 56631 in the amount of \$1,001.00 to Intercoastal Trading for 550 gallons of Hypochlorite Solution.

PO# 56430 in the amount of \$4,656.00 to Tramfloc Inc. for Ortec Polymer Feed system which was an emergency replacement for belt filter press at Wastewater Plant.

**Updates**