



**BERLIN MAYOR AND COUNCIL**  
**Meeting Agenda**

**Berlin Town Hall**  
**10 William Street**  
**Monday, April 9, 2018**

**6:00 PM EXECUTIVE SESSION – Conference Room**

- a. Pursuant to Section §3-305(b) (1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals.
- b. Pursuant to Section §3-305(b)(7) – To consult with counsel to obtain legal advice on a legal matter.
- c. Pursuant to Section §3-305(b)(10) – To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans.

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

1. Approval of the Minutes for:
  - a. Regular Session of 03/26/18
2. Swearing in of New or Reappointed Boards and Commission Members – Mayor Williams
3. Motion 2018-07: Motion Approving the Electric Service Agreement between The Town of Berlin and SonRise Church  
Staff Contact: Town Administrator Laura Allen
4. Proclamation 2018-08: Designating April as Fair Housing Month  
Staff Contact: Administrative Services Director Mary Bohlen
5. Proclamation 2018-09: Designating April 21-28, 2018 as Take Pride in Berlin Week  
Staff Contact: Administrative Services Director Mary Bohlen
6. Departmental Reports:
  - a. Administrative Services Director – Mary Bohlen
  - b. Electric – Tim Lawrence
  - c. Chief – Arnold Downing
  - d. Planning – Dave Engelhart
  - e. Economic and Community Development – Ivy Wells
  - f. Managing Director – Jeff Fleetwood

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

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.

*TTY users dial 7-1-1 in the State of Maryland.  
TTY users outside Maryland dial 1-800-735-2258*



**BERLIN MAYOR AND COUNCIL**  
**Meeting Minutes**  
**Monday, March 26, 2018**

**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, Finance Director Natalie Saleh, Water Resources/Public Works Director Jane Kreiter, Police Chief Arnold Downing, Electric Utility Director Tim Lawrence, and Planning Director Dave Engelhart. Administrative Assistant Kelsey Jensen, Economic and Community Development Director Ivy Wells and Town Attorney David Gaskill were absent.

Following the Lord's Prayer and Pledge of Allegiance, Mayor Williams called the meeting to order at approximately 7:05 PM.

1. Approval of the Minutes for:

a. Executive Session of 03/12/18:

On the motion of Councilmember Gulyas, the Executive Session minutes of March 12, 2018 were approved by the following vote:

Name	Counted toward Quorum				
	Aye	No	Abstain	Recused	Absent
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 03/12/18:

Mayor Williams read the Statement of Closure.

c. Regular Session of 03/12/18:

On the motion of Councilmember Gulyas, the Regular Session Minutes of March 12, 2018 were approved by the following vote:

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

2. Sewer Billing Credit – Christine Anderson

Ms. Anderson, of 501 Flower Street explained that she had had a problem with a pipe freezing and leaking earlier in the winter and, because it was an exterior leak, she had requested a credit to her sewer bill, which was applied. She thanked the Mayor and Town staff for their assistance.

3. Motions to Approve:

a. Motion 2018-07: Motion Approving the Electric Service Agreement between the Town of Berlin and SonRise Church.

Ms. Allen explained the request for an extension to the agreement. With no representative of SonRise present, and following brief discussion, Councilmember Burrell moved to table the discussion to a future meeting and the motion was approved as follows:

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

b. Motion 2018-08: Motion Approving the Mayor's Appointee Recommendations for the Boards and Commissions Members.

Mayor William presented his nominations to the Board of Appeals, Historic District Commission, Planning and Zoning Commission and Election Board of Supervisors. Councilmember Brittingham moved to approve the appointments as presented and the motion was approved as follows:

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

c. Motion 2018-09: Motion Approving the Public Safety Mutual Aid Agreement

Chief Downing explained that the agreement was between the Worcester County Sheriff's Department and the Berlin Police Department and had been reviewed by both David Gaskill and the County Attorney. In response to a question from Councilmember Tyndall, Chief Downing explained that the Maryland State Police does not enter into such agreements. Councilmember Burrell moved to approve the Agreement as presented and the motion was approved as follows:

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

d. Motion 2018-10: Approval of the FY19 Program Open Space Annual Development Program



Ms. Bohlen explained that this is the annual parks “wish list” and that the project remained unchanged from previous years. Councilmember Purnell moved to approve the Program as presented and the motion was approved as follows:

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

4. Recommendation of Award – Gay Street Watermain Improvements

Ms. Kreiter explained that after the commercial development on Gay Street was started, it was discovered that the existing water line was inadequate, but that the funding was available in the Water Resources contingency budget. Josh Taylor of Davis, Bowen & Friedel presented the bids received and recommended award to Goody Hill in the amount of \$178,550, which was within the engineer’s estimate for the project. Discussion regarding the impact on residences and business; Mr. Taylor indicated that the contractor would work to minimize the negative impact. Following brief discussion, Councilmember Brittingham moved to approve the contract as presented and approval was as follows:

Name	Counted toward Quorum				
	Aye	No	Abstain	Recused	Absent
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. Finance Director – Natalie Saleh

Ms. Saleh indicated that she had been working with Department Heads to review and enter their proposed FY19 budgets and reminded the Mayor & Council that the budget work sessions were scheduled for April 16<sup>th</sup> for the General Fund, with exception of the Police Department, and for April 30<sup>th</sup> for the Enterprise Funds, with the Police Department. She also thanked the Mayor and Council for allowing her and Ms. Allen to attend the GFOA Financial Sustainability Training in Chicago the previous week.

b. Administrative Services Director – Mary Bohlen

Ms. Bohlen indicated that the tennis court project had begun with Public Works having removed the fencing.

c. Water Resources/Public Works Director – Jane Kreiter

Ms. Kreiter indicated that the Electric Department had assisted with the removal of the tennis court fencing. The Baker Street project was on hold, pending warmer temperatures. The Cedar Avenue (area) project had begun that day. Lane closures were to be expected throughout the project; however the streets would be temporarily repaired at the end of each day to permit traffic flow.

In a response to a question from Councilmember Burrell, Dave Engelhart provided an update on the William Henry Park Restrooms, indicating that some punchlist items remained, as well as filling & covering the access holes in the maintenance room. Wet weather was delaying final completion. Councilmember Burrell asked about the grading and seeding around the project and Ms. Kreiter indicated that the ground was currently too wet. Mr. Engelhart also indicated that the water fountains needed to be replaced, however that would not impede opening for warm weather.

Councilmember Tyndall also asked Mr. Fleetwood about problems noted in the William Street public restrooms.

d. Electric Utility Director – Tim Lawrence

Mr. Lawrence noted that, in addition to assisting with fence removal at the tennis courts, the Electric Department had also trimmed and removed trees in the same location and that the crane company would start setting poles later in the week, with boring for the electric lines to follow.

Mr. Lawrence noted that a new Victorian street light had been installed at the bus stop on Pitt Street, and that lights for Intrepid Lane had been ordered.

e. Police Chief – Arnold Downing

Chief Downing noted that event season is getting ready to start back up. He had discussed parking at the schools and options. The keys to the William Street Police Department had been turned in. Councilmember Brittingham noted that Chief Downing had presented a safety seminar at St. Pauls United Methodist and recommended that other churches reach out to him regarding this.

f. Planning and Zoning Director – David Engelhart

Mr. Engelhart had nothing to report other than the status of the restrooms as noted earlier.

g. Managing Director – Jeffrey Fleetwood

Mr. Fleetwood reminded all that there would be a meeting regarding Medicare on April 4<sup>th</sup> at 9 AM and that it was open to staff and their spouses.

6. Town Administrator's Report – Laura Allen

Ms. Allen also noted that she and Ms. Saleh had attended a GFOA Financial Sustainability Training in Chicago the previous week and that the Town was one of 25 towns participating in a Financial Sustainability Pilot.

7. Comments from the Mayor:

Mayor Williams had no comments.

8. Comments from the Council:

Councilmember Gulyas indicated that he had been contacted regarding loitering at Bay and Branch Streets and asked Chief Downing to increase patrols. Chief Downing also reminded all that it is very important to call when activities are happening.

Councilmember Tyndall had no comments.

Councilmember Brittingham noted that the Branch and Flower Street area had recently had phone problems with Comcast. He asked that anyone with problems let the Town know, but noted that the Town cannot actually facilitate repairs.

Councilmembers Burrell and Purnell had no comments.

9. Comments from the Audience – none.

10. Comments from the Press – none.

Mr. Engelhart noted that the owner of the Blacksmith had complimented the Electric Department and were grateful for the new light.

11. Adjournment:

On the motion of Councilmember Burrell, the Mayor and Council meeting was adjourned at approximately 7:50PM.

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

Respectfully Submitted,



Mary Bohlen  
Administrative Services Director





# 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

March 26, 2018

## Vice President

Elroy Brittingham, Sr.

## MEMORANDUM

## Council Members

Dean Burrell, Sr.

Lisa Hall

Paula Lynch

Troy Purnell

To: All Council Members

From: Gee Williams, Mayor

Subject: Appointments – Boards & Commissions

## Town Attorney

David Gaskill

I wish to recommend the following appointments or reappointments to the following Boards and Commissions to fill expired terms or vacancies. I have reached out to the folks who I am nominating and I have confidence they will serve our community with integrity and uncommon, common sense.

## Town Administrator

Anthony J. Carson, Jr.

### Board of Zoning Appeals (3 year term)

Woody Bunting – 201 Ann Drive (Reappointment)

Joe Moore – 319 S. Main Street (Reappointment)

Jay Knerr – 102 Kenwood Court (Reappointment)

Doug Parks – 7 Baker Street (Reappointment)

### Historic District Commission (3 year term)

Mary Moore – 218 Broad Street (Reappointment)

Norman "Nornie" Bunting – 201 Pitts Street (New Member)

Allen Palmer – 307 William Street (New Alternate)

### Planning & Zoning Commission (5 year term)

Phyllis Purnell – 412 Flower Street (Reappointment)

David "D.J." Lockwood – 527 Flower Street (New Alternate)

### Board of Supervisors of Elections (4 year term)

Tony Bowen\*\* – 522 Flower Street (Appointment/Returning Member)

\*\*Tony served the Bd. of Supervisors of Elections with distinction, but stepped aside about four years ago to concentrate his efforts on recovering from a serious illness. I am very pleased to report he has made a great recovery and is very pleased to be considered for reappointment.

Thank you for your consideration.





**MOTION OF THE MAYOR AND COUNCIL 2018-07**

A MOTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN APPROVING THE ELECTRIC SERVICE AGREEMENT BETWEEN THE TOWN OF BERLIN AND SONRISE CHURCH.

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2018 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

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2018 BY THE MAYOR OF THE TOWN OF BERLIN.

\_\_\_\_\_  
WM. GEE WILLIAMS, III, MAYOR

ATTEST: \_\_\_\_\_

LAURA ALLEN  
TOWN ADMINISTRATOR



March 14, 2018

Town of Berlin  
10 William Street  
Berlin, MD 21811

Re: 10026 Main Street

Dear Mayor Williams and Town Council Members,

On behalf of the SonRise Church family, I want to thank you for your continuing service to our Town of Berlin. I hope that this letter finds both you and your families doing well.

Due to a number of changes to our earlier site development plans and related project schedule adjustments, we would like to respectfully request your approval of a short extension (7 months) for the planned purchase of equipment and conversion to electrical service for our new church property located at 10026 Main Street to take place by no later than November 1<sup>st</sup> of this year (2018).

Thank you for your consideration of this request. Know that you remain in our ongoing prayers.

Sincerely,

A handwritten signature in blue ink, which appears to read 'Keith W. Hammer', is written over a horizontal line.

Keith Hammer  
Executive Pastor  
Cell: 443-994-9897

ELECTRIC SERVICE AGREEMENT

THIS ELECTRIC SERVICE AGREEMENT, entered into this 15<sup>th</sup> day of MARCH, 2018, by and between the Mayor and Council of the Town of Berlin (Service Provider), and Sunrise Church (Customer).

WHEREAS Customer is the owner of real property located at Route 818 and Route 50 in Berlin, Maryland and being more particularly designated as Map 0025, Parcel 0050; and

WHEREAS Customer acknowledges that said real property is contained in Service Provider's electric service territory pursuant to Maryland Public Service Commission (MPSC) Order No. 77826, Case 8800; and

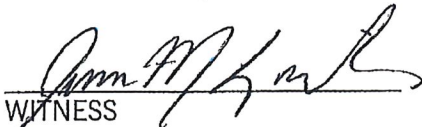
WHEREAS Customer recognizes Service Provider's exclusive right to provide electric service to Customer's real property; and

WHEREAS Customer's real property is currently being provided electric service by Delmarva Power, and Customer recognizes that it is legally required to switch equipment and service to Service Provider; and

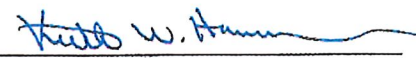
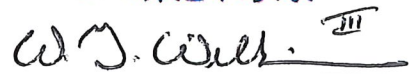
WHEREAS Customer has requested that Service Provider grant it a delay in switching over to equipment and service provided by Service Provider.

NOW THEREFORE, it is agreed by the Parties hereto as follows:

1. Service Provider agrees that Customer may delay purchasing equipment and service from Service Provider until November 1, 2018.
2. Customer agrees that it has been advised that its current electric equipment provided by Delmarva Power is old and may fail.
3. Customer agrees that in the event it sub-divides its property, those sub-divided parcels shall remain in Service Provider's electric service territory.
4. The Parties agree that this Agreement may be extended by mutual written agreement of the Parties hereto.

  
WITNESS

\_\_\_\_\_  
WITNESS

  
\_\_\_\_\_  
SONRISE CHURCH  
Keith Hammer  
Executive Pastor  
  
\_\_\_\_\_  
MAYOR AND COUNCIL





# Mayor & Council of Berlin, Maryland

April 9, 2018

## PROCLAMATION 2018-08

### A PROCLAMATION OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN RECOGNIZING FAIR HOUSING MONTH - APRIL, 2018

*WHEREAS the Congress of the United States passed the Civil Rights Act of 1968, in which it was declared that the law of the land would guarantee the rights of equal housing opportunity, and*

*WHEREAS the month of April is recognized by the federal government as Fair Housing Month and realtors, developers, financial institutions, landlords, tenants and the public at-large are reminded that it is illegal to discriminate in housing on the basis of age, race, religion, sex or national origin, and*

*WHEREAS fair housing groups and the Maryland Department of Housing and Community Development have, over the years, received complaints of alleged illegal housing discrimination, and*

*WHEREAS the State of Maryland, through the Maryland Department of Housing and Community Development, supports fairness in housing through a variety of programs and working partnerships with the federal government, local governments and private sector businesses to ensure better living conditions for all Marylanders, and*

*WHEREAS equal housing opportunity is a condition of life in our community that can and should be achieved;*

*NOW THEREFORE, be it proclaimed that the MAYOR AND COUNCIL OF THE TOWN OF BERLIN hereby declare the month of April 2018 as FAIR HOUSING MONTH in the Town of Berlin and does commend this observance to all of our citizens.*

*WITNESS MY HAND AND SEAL, THIS 9th DAY OF APRIL, 2018*

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*Wm. Gee Williams, III - Mayor*

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*Laura Allen - Town Administrator*



# Mayor & Council of Berlin, Maryland

April 9, 2018

## PROCLAMATION 2018-09

### A PROCLAMATION OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN RECOGNIZING THE WEEK OF APRIL 21-28, 2018 AS TAKE PRIDE IN BERLIN WEEK

*WHEREAS The Town of Berlin, Maryland embodies the way of life of small town America, while providing a modern lifestyle; and*

*WHEREAS the citizens of Berlin are proud of their community, their neighborhoods and their neighbors; and*

*WHEREAS the organizations that call Berlin home are dedicated to maintaining and enhancing the many positive aspects of our community; and*

*WHEREAS the volunteer spirit of our citizens enables lasting and effective partnerships of people, organizations, commercial ventures and municipal government to make our town a special place to live, work and visit; and*

*WHEREAS our Town boasts many characteristics that make evident the efforts of past and current generations to uphold the values of our citizens through stewardship of the natural, cultural, and civic environment,*

*NOW THEREFORE, be it proclaimed that the MAYOR AND COUNCIL OF THE TOWN OF BERLIN hereby declare the week of April 21-28, 2018 as the 5h Annual Take Pride in Berlin Week.*

WITNESS MY HAND AND SEAL, THIS 9TH DAY OF APRIL, 2018

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Wm. Gee Williams, III - Mayor

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Laura Allen - Town Administrator