



BERLIN MAYOR AND COUNCIL

Meeting Agenda

Berlin Town Hall
10 William Street
Monday, January 13, 2020

6:00 PM EXECUTIVE SESSION – Conference Room

- a. Pursuant to Section §3-305(b)(14) Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

7:00 PM REGULAR SESSION – Council Chambers

1. Approval of the Minutes for:
 - a. Regular Session of 12/09/19
2. Motion of the Mayor and Council 2020-01 Approving the Purchase and Financing Request for Two (2) Additional Equivalent Dwelling Units (EDU), 305 Washington Street
3. Introduction of Ordinance 2020-01 Amending Chapter 24; Solid Waste
Public Hearing to be held January 27, 2020
Jeff Fleetwood, Town Administrator and Dave Wheaton, Public Works Superintendent
4. Discussion – Re-opening Heron Park
5. Discussion - Pitt Street Loading/Unloading Zone
Ivy Wells, Director of Economic and Community Development and Arnold Downing, Chief of Police
6. Departmental Reports
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 Town Administrator Jeffrey Fleetwood at (410) 641-4002. 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, December 9, 2019

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

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

Absent: Councilmember Thom Gulyas.

Staff Present: Town Administrator Jeffrey Fleetwood, Deputy Town Administrator Mary Bohlen, Finance Director Natalie Saleh, 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, and Town Attorney David Gaskill.

Following the Lord's Prayer and Pledge of Allegiance, Mayor Williams called the meeting to order at approximately 7:00 PM.

1. Approval of the Minutes for:

a. Executive Session of 11/25/19:

On the motion of Councilmember Tyndall, the Executive Session minutes of November 25, 2019 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>	4				1

b. Statement of Closure for Executive Session of 11/25/19:

Mayor Williams read the Statement of Closure.

c. Regular Session of 11/25/19:

Councilmember Tyndall said he received a request that more detail be added to the PKS section of the minutes from November 25, 2019.

On the motion of Councilmember Tyndall, with the condition of more detail, the Regular Session Minutes of November 25, 2019 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>	4				1

2. Nomination for a new Planning and Zoning Commission Member

Mayor Williams recommended Matt Stoeher to fill Barb Stack's vacancy on the Planning and Zoning Commission. Mr. Stoeher introduced himself.

On the motion of Councilmember Burrell, the recommendation for the Planning and Zoning Commission member 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>	4				1

3. Departmental Reports:

a. Finance Director – Natalie Saleh

Ms. Saleh said she will be attending the Public Service Commission Hearing in Baltimore on Monday, December 16, 2019.

b. Water Resources Director – Jamey Latchum

Mr. Latchum said they are still working on Graham Avenue, but the weather is slowing things down; they need two-three days of good weather to complete the project. Mr. Fleetwood mentioned that the engineers said it is at 95% completion.

c. Electric Utility Director – Tim Lawrence

Mr. Lawrence said they've spent the last few weeks prepping for the parade, doing meter reads, replacing rotten utility poles, and installing services. They are ready for the new engine at the plant. Councilmember Tyndall commended the Electric Department on their quick response when a street light was out; and Councilmember Burrell commended them on the recent planned outage on Showell.

d. Police Chief – Arnold Downing

Chief Downing thanked the local Law Enforcement Officers for their assistance with the parade. He mentioned that they have upcoming re-certification trainings for their dogs. This Saturday is Shop with a Cop for local families in need. Lastly, Officer Kerr was recognized as an Everyday Hero and will get to travel to New York City as the Maryland Representative.

e. Planning and Zoning Director – David Engelhart

Mr. Engelhart said the Planning Commission will meet this Wednesday to discuss an annexation, if it is recommended then it will come to the Mayor and Council in January. So far for 2019, they have issued 10 single family home permits, and 236 permits in total. Vice-President Brittingham asked if the annexation that will be discussed had any development plans at this point, he said the McDonalds may become an AutoZone and Myers would not change, both parcels would need water and sewer.

f. Economic and Community Development Director – Ivy Wells

Ms. Wells thanked everyone that helped with the parade. She said tomorrow will be a trail run for the "Berlin Foodie Tour". She and Permits Coordinator Carolyn Duffy will be collecting donations for Worcester GOLD. Mayor Williams asked how many volunteers the Town had, she said over 40. Councilmember Burrell asked if we can televise the parade; she said WBOC does; the Council asked about doing it on the Public Access Channel; Ms. Bohlen said it is not setup in

that capacity; they said they would like to see about making the Public Access Channel capable of that in FY2021.

4. Town Administrator's Report – Jeffrey Fleetwood

Mr. Fleetwood said he will be attending a flood seminar in Salisbury on Thursday with the Mayor and Mr. Engelhart. The Holiday Lunch will take place on Friday and the press is invited. Councilmember Tyndall mentioned that Public Works cut the ditch bank on West Street as requested a few meetings ago.

5. Comments from the Mayor:

Mayor Williams said he is very grateful for the past year, and all of the events this year.

6. Comments from the Council:

The Council wished everyone a happy holiday season and said the parade was a huge success.

7. Comments from the Public:

Jim Hoppa of Henry's Mill asked about the Dispatch article that discussed the purchase of a new snow plow; Ms. Wells said between Hotel contributions and proceeds from the Corn Hole Tournament, there was no cost to the Town. He said the papers should update that information then.

8. Comments from the Press – none.

9. Adjournment:

On the motion of Councilmember Burrell, the Mayor and Council meeting was adjourned at approximately 7:27 PM.

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>	4				1

Respectfully Submitted,



Kelsey Jensen
Administrative Manager



MOTION OF THE MAYOR AND COUNCIL 2020-01

A MOTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN APPROVING BRAN JESS, LLC TO PURCHASE AND FINANCE TWO (2) EQUIVALENT DWELLING UNITS (EDUS) FOR 305 WASHINGTON STREET.

APPROVED THIS ____ DAY OF _____, 2020 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 _____, 2020 BY THE MAYOR OF THE TOWN OF BERLIN.

WM. GEE WILLIAMS, III, MAYOR

ATTEST: _____
JEFFREY FLEETWOOD
TOWN ADMINISTRATOR

WATER AND SEWER USE AND ALLOCATION AGREEMENT

Made this 7 day of Jan, 2020 by and between DURKE MADDY hereinafter referred to as "Owner", and the Town of Berlin, hereinafter referred to as "Berlin or "Town of Berlin".

WITNESSETH:

Whereas, the Owner is the owner in fee simple of certain property located in Worcester County, Maryland and known as Strawberry Fields, Berlin, MD., Tax Map 0300, Parcel 1148; hereinafter referred to as the "Property"; and

Whereas, the Property consists of a SINGLE commercial building. ("Building"). The Building contains 3 unit ("Unit"); and

Whereas, Berlin Standards and Specifications require the following:

Whereas, the Property is allocated under policies and procedures of Berlin a Water and Sewer allocation of three (3) Equivalent Dwelling Unit ("EDU) equal to 750 gpd; and

Whereas, the Owner may in the future desire to subdivide the Property, or divide the Property by metes and bounds or by other means for the purpose of sale or otherwise change the permitted uses or intensify or increase a previously permitted use on the Property so as to modify the water and sewer usage attributable to the Property; and

Whereas, this Agreement is not intended and shall not be construed as authorizing any EDU's in addition to the one (1) EDU(s) allocated to the Property; and

Whereas, this Agreement is intended only to authorize the specific uses so as to assure the Town of Berlin that the use of the Property does not utilize in excess of three (3) EDU(s), not to exceed 750gpd.

Now, Therefore, in consideration of permission granted by the Town of Berlin to allow Owner or Owner's successors, personal representatives and assigns, a water and sewer allocation from the Town of Berlin equal to three (3) EDU(s) or 750 gpd for the Project, the Owner does hereby covenant and agree for itself, and for all its purchasers, lessees, successors and assigns, to and with the Town of Berlin, as follows:

1. Historical metered flows were determined by the master meter on the Property from 24 months of continuous usage immediately prior to the

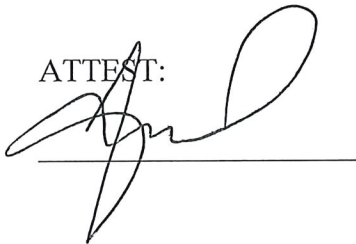
approval date of this agreement and these flows were used in the allocation of N/A EDU(s) or _____ gpd.

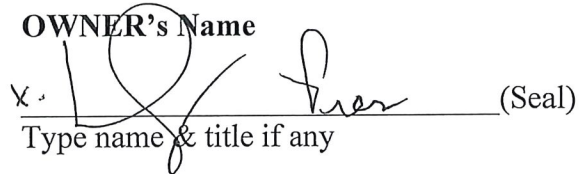
2. Owner specifically acknowledges and agrees that any changes to the approved use including any increase to or enhancement of a previously approved use may not be made without the prior express written approval of the Town of Berlin.
3. The Property is only approved for three (3) EDU(s), Owner is to notify the Town of Berlin for approval of any change in use or ownership. The Owner further agrees and understands that a Zoning Permit shall be required for any change of use.
4. The Town shall monitor water consumption as an indication of actual sewer flow to a non-residential unit or project for a period of twenty-four months following completion of the entire project. If the flow exceeds the established EDU's allocated to the property, the owner of the non-residential unit or project will be assessed additional Special Connection Charges as appropriate, at the rate previously paid by the owner to reflect the additional flow in excess of the previously allocated number of EDU's. Any fractional portion shall be rounded to the next highest whole number. The owner agrees that it is required to purchase additional EDU'S if the actual flow exceeds the established EDU'S allocated to the property, and understands and agrees that the failure to purchase additional EDU'S may result in the termination of water and sewer service to the property at the discretion of the Town of Berlin.
5. Flow projections for the Property shall be calculated by the Town utilizing the flow projections provided in the Guidance Document, titled Wastewater Capacity Management Plans, 2006, published by the State of Maryland Department of the Environment, as amended, ("Guideline") except for medical office use.
6. Effective December 31, 2006, when the proposed use is for medical office space, flow projections for such use shall be calculated by the Town by multiplying the gross square footage of such medical office space times 0.10 to determine the projected flow in gallons per day ("Medical Office Guideline".)
7. Effective February 25, 2008, when the proposed use is for carry-out only, flow projection for such use shall be calculated by the Town by multiplying the gross square footage, to include all seating and food preparation area, including non-public space behind the counter but not a walk in refrigerated space if within the footprint of the building, times 0.5 gpd to determine the projected flow in gallons per day. If seating is planned the numbers of seats are multiplied by 25 gpd and the greater flow of the seating or square foot flow will be used. ("Carry -out Guideline".)
8. The Town shall review each request for a change in use, expansion of the use, or intensification of the use and, within 45 days of submission, calculate the projected flow pursuant to the Guidelines and Medical Office Guideline. Uses, which result in projected or actual flows in excess of the EDU allocated hereunder, shall not be permitted. The Town may extend

the 45-day period provided that it notifies the Owner in writing that it requires additional time to calculate the projected flow.

9. The foregoing covenants shall be deemed to run with and bind the Property and shall inure to the benefit of and be enforceable by the parties hereto and their respective successors and assigns. Enforcement by the Town may include but not be limited to injunctive relief, the application of use surcharges or other fees or any other remedy deemed appropriate by the Town.

IN WITNESS WHEREOF, the parties hereto set their hands and seals as of the day and year first above written.

ATTEST:


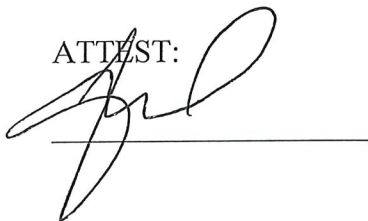
OWNER's Name
X  (Seal)
Type name & title if any

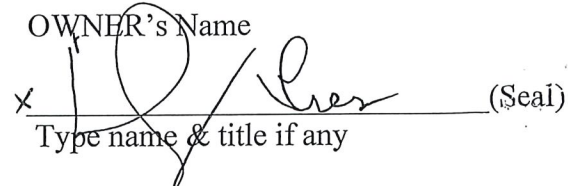
STATE OF MARYLAND, WORCESTER COUNTY, TO WIT:

I HEREBY CERTIFY that on this 7 day of JAN, 2020, before me, a Notary Public of the State and County aforesaid, personally appeared Dennis Maany and acknowledged the foregoing agreement to be his/her respective act/

AS WITNESS my hand and Notarial Seal.

 11/4/2022
Notary Public
My commission expires:

ATTEST:


OWNER's Name
X  (Seal)
Type name & title if any

STATE OF MARYLAND, WORCESTER COUNTY, TO WIT:

I HEREBY CERTIFY that on this 7 day of JAN, 2020, before me a Notary Public of the State and County aforesaid, personally appeared DIANE WADSWORTH and acknowledged the foregoing agreement to be his/her respective act.

AS WITNESS my hand and Notarial Seal.

Caralyn Duffy 11/4/2022
Notary Public
My Commission expires:

Lien Holder Consent

The undersigned is joining in the execution of this Water and Sewer Allocation Agreement, solely for the purposes of (a) consenting to the terms hereof, and (b) agreeing that this Agreement shall not be terminated or affected in any manner by a foreclosure or other transfer of the Property under the Deed of Trust recorded in Liber 07399 Folio 00042

WITNESS

[Signature]

[Signature]

By: _____
Name: DIANE WADSWORTH
Title: _____

Town of Berlin

ATTEST:

MAYOR

STATE OF MARYLAND, WORCESTER COUNTY, TO WIT:

I HEREBY CERTIFY that on this 7 day of JAN, 2020, before me,
a Notary Public of the State and County aforesaid, personally appeared
Jeff Hestwood and acknowledged himself to be the Town Administrator of the
Town of Berlin, and that he, as such Town Administrator, being authorized
so to do, executed the foregoing agreement for the purposes therein contained.

AS WITNESS my hand and Notarial Seal.

Candice Duff 11/4/2022
Notary Public
My commission expires:

TOWN OF BERLIN

WATER & SEWER ALLOCATION APPLICATION

DATE: 1/7/2020

The undersigned hereby makes application under the provisions of Ordinance 2009-02 Water and Sewer Allocation for the Town of Berlin. Fill in all applicable blanks.

APPLICANT DATA

Name: Bran Jess Holdings, LLC

Mailing Address: 10441 Racetrack Road, Unit 4

Berlin, MD 21811

Telephone: 443-513-4614 (home) _____ (office)

Name of Agent/Engineer: _____ Phone: _____

PROPERTY DATA

Project Name: Strawberry Fields

Street Address: 305 Washington St Town: Berlin

Tax Map: 0300 Parcel: 1148 Lot: 1 Other: _____

Acreage: 13,512 SF Zoning: M-1 Account No. _____

Current Master Water and Sewerage Plan Designation: W- S-

Existing Use: Storage

Existing Allocation: sewer: 250 gpd water: 250 gpd

Zoning: M-1

PROJECT DATA

Description: Mixed Use

Application is for: sewerage: 500 water: 500

Total EDU's Required: 2

Amount Due: \$3337.20

Balance Due: \$30,034.80

(Balance of EDU charge must be paid in full prior to the issuance of a Building Permit for structures that are being built.)



Mayor & Council of Berlin

10 William Street
Berlin, MD 21811
410-641-2770
www.berlinmd.gov



EQUIVALENT DWELLING UNIT (EDU) FINANCING REQUEST

Applicant:

Contact Person: Duane Maddy
Company Name (if applicable): Bran Jess Holdings, LLC
Mailing Address: 10441 Racetrack Road, Unit 4
Berlin, MD 21811
Phone: 443-513-4614 Alt. Phone:
Email:

Project:

Name (if applicable): Strawberry Fields
Property Address: 305 Washington St.; Berlin, MD 21811
Map, Grid, Parcel: 0300/1/1148
Number of EDU's to be financed (up to five): 2
Amount to be financed: \$30,034.80

Description of Project/Services

Deposit required: 10%=\$3,337.20
Balance due after deposit: \$30,034.80

Deposit paid: 1/7/2020
(date)

By my signature below, I acknowledge that I will pay the total amount of the equivalent dwelling units within five (5) years. I will be billed monthly during the period where there is a balance. I will be charged an annual financing fee of 3%. If my application is denied, I am able to appeal in writing to the Mayor and Council within thirty (30) days of the denial. There shall be no appeal to any court and there shall be no right to review of appeal by any person other than the applicant. I will provide the Town Administrator with any requested documentation before my approval. I understand that the property owner's balance shall be paid in full upon transfer of the property. I understand that I will be responsible to pay any construction inspection fees and charges, and they shall be added to the final agreement.

Signed:

Name/Title [Signature]

Name/Title [Signature]

Town of Berlin [Signature]

Date: 1-7-2020

Date: _____

Date: 1/7/2020

Public Works Agreement construction inspection fees and charges paid: 2/18

01/30/17

Ord. '20-01; Chapter 24 "Solid Waste"



ORDINANCE NO. 2020-01

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN, MARYLAND,
A MARYLAND MUNICIPAL CORPORATION, AMENDING CHAPTER 24 "SOLID WASTE".

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN THAT CHAPTER 24 "SOLID
WASTE" SHALL BE AMENDED AS FOLLOWS:

Chapter 24 - SOLID WASTE^[1]

ARTICLE I. - IN GENERAL

Sec. 24-1. - Word usage; definitions.

(a) For the purpose of this article, the following terms, phrases, words and their derivatives shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future tense, words used in the plural include the singular and words in the singular include the plural. The word "shall" is always mandatory and not merely discretionary. The use of a masculine pronoun shall be assumed to include the feminine.

(b) The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Automated collection containers means any containers for refuse having a capacity of 95 gallons and purchased, owned and provided by the town, equipped with wheels and a lifting bar for use in a semiautomated or totally automated collection process.

Building or Construction materials means any material such as lumber, brick, block, stone, plaster, concrete, asphalt, roofing shingles, gutters and other substances accumulated as the result of repairs or additions to existing buildings or structures, construction of new buildings or structures, or the demolition of existing buildings or structures. The list contained in this definition may not be considered to be all inclusive.

~~*Bulk waste means any waste items not considered to be normal household trash/refuse to include, but not necessarily limited to, appliances, building materials, electronics, such as computers, household furnishings, and items associated with automotive repair and the like.*~~ *Bulk waste means any waste items not considered to be normal household trash/refuse including recyclables or yard waste. Bulk waste includes, but is not necessarily limited to, appliances, electronics, such as computers and household furnishings and any such other items that by their nature or size are not reasonably considered to be general refuse, recyclable material or yard waste, or as shall be designated by the Mayor and Council or their designated representative from time to time.*

Business/commercial establishment means any retail, wholesale, motel, hotel, and institutional, religious, governmental or nonresidential establishment.

Business/commercial trash means any waste/refuse associated with the operation of a business establishment. Home-occupied businesses may be subject to this definition. A determination of whether a home-occupied business is to be considered to generate waste/refuse under this definition shall be made by the ~~director of public works~~ *Director of Public Works*.

Curb/curbside means the sidewalk or lawn or other area of a property or building fronting on a public street or road.

Garbage (also refuse and trash) means the waste materials from normal household living conditions, including waste foodstuffs of vegetable or animal origin, paper products, fabrics, plastic and metal containers, bottles, crockery and other similar materials, free of hazard of explosion, conflagration or

hazard to collection personnel. Items designated as "recyclables" under article III of this chapter shall be excluded from this definition as are items designated by the ~~director-of-public-works~~ Director of Public Works as "bulk waste" or "yard waste."

Garbage container means any container for refuse with a tightfitting lid and intended for the placement of trash/waste/refuse.

Hazardous refuse means materials such as poisons, acids, caustics, harmful or dangerous chemicals, infected materials, offal, fecal matter, explosives, highly flammable material and parts of the human anatomy, including pathological specimens and includes, but is not necessarily limited to, household chemicals such as paint, yard or garden chemicals, insecticides and other pest controls, automotive fluids, cleaning chemicals and the like.

Household garbage/trash/refuse. See *Garbage*.

Industrial waste means all waste, including solids, semisolids, sludges and liquids, created or generated by factories, plants or other manufacturing enterprises.

~~Multiple dwelling unit means a building or portion thereof used or designed as a residence for three or more families living independently of each other and doing their own cooking therein, including apartment houses.~~

Commented [MB1]: Types of dwellings are not really relevant to this chapter.

Person means any individual, firm, company, corporation or association.

Public containers means any container owned by the town, located on public property or on property publicly controlled, to be used for the deposit of public trash by the general public. The term "general public" is not taken to mean a local resident and/or business owner/operator or employee of same and shall not be interpreted to permit regular depositing of household and/or business trash.

~~Public-works department~~ *Public Works Department* means the ~~Public-works department~~ *Public Works Department* of the town; the term "sanitation department" (a division of ~~public-works~~ *Public Works*) may also be used.

~~Recyclable materials~~ means those materials and items which shall be designated as such by regulations adopted from time to time by the Mayor and Council or their designated representative ~~and further defined in article III of this chapter.~~

~~Sanitation department~~ means the division of the town ~~Public-works department~~ *Public Works Department* responsible for trash and recycling collection.

~~Single residential unit means any dwelling place occupied by one family.~~

Commented [MB2]: Same as previous

Town means the Town of Berlin, Maryland.

Yard waste means tree and shrubbery trimmings, grass or weed trimmings and other waste associated with the cleanup and/or maintenance of lawns and yards. Parts of trees including stumps, provided that such parts of trees, or stumps do not weigh more than 50 pounds, shall be included in this definition. Separate collection days for this type of refuse shall be scheduled by the ~~Public-works department~~ *Public Works Department* and announced via local media, the town website and other applicable public announcement venues.

(Code 1977, § 55-1; Ord. No. 1976-1, 4-5-1976; Ord. No. 2009-05, 3-23-2009)

Sec. 24-2. - Scavenging.

It is unlawful for anyone to disturb any refuse containers or to remove their covers or any contents thereof, except the occupants of the premises on which the containers are placed or their duly authorized agents or the duly authorized employees or agents of the town.

(Code 1977, § 55-7; Ord. No. 2009-05, 3-23-2009)

Sec. 24-3. - Administration.

The administration of the provisions of this article shall be the duty and responsibility of the ~~director of public works~~ Director of Public Works.

(Code 1977, § 55-3; Ord. No. 2009-05, 3-23-2009)

~~Sec. 24-4. — Notice of violation; correction.~~

Commented [MB3]: Moved to end of chapter.

~~Any person violating the provisions of this article shall be notified in writing by registered mail, return receipt requested, of said violation. Said notice shall describe the violation and notify the violator to correct same within five days or, for cause shown, a greater length of time. In the event that the violation is not corrected, the Mayor and Council may, at their option and on the recommendation of the director of public works, refuse to make collection of the refuse, trash, garbage, etc., of said violator.~~

~~(Code 1977, § 55-8; Ord. No. 2009-05, 3-23-2009)~~

~~Sec. 24-5. — Violations and penalties.~~

~~Any person who shall violate any provisions of this article shall be guilty of a municipal infraction and shall be fined the sum of \$50.00 for any single initial violation and the sum of \$100.00 for each repeat or continuing violation.~~

~~(Code 1977, § 55-9; Ord. No. 2009-05, 3-23-2009)~~

Secs. 24-~~64~~—24-28. - Reserved.

ARTICLE II. - GARBAGE, RUBBISH AND REFUSE COLLECTION^[2]

Sec. 24-29. - General regulations for storage and collection.

- (a) It shall be unlawful for any person to cause or allow unsightly litter, foul or offensive odors or potentially dangerous materials to remain on or emanate from any property under his control or to discard, abandon or cause the same on any public or private property within the corporate limits of the town.
- (b) Every residence and commercial establishment in the town will, at all times, furnish or have available garbage containers, with secure lids, as directed by this article and/or as directed by the ~~director of public works~~ Director of Public Works. No residence or commercial establishment will be occupied without the presence of the correct container(s).
- (c) It shall be the responsibility of the ~~department of public works~~ Public Works Department to protect the property of residents and businesses from unnecessary damage or abuse resulting from any refuse collection activity performed by the Town of Berlin. Claims for damage to premises or containers must be supported by reasonable evidence to receive consideration for replacement or reimbursement.
- (d) The town may, at its option, provide refuse service where residences and/or businesses are concentrated in high-density situations, such as apartment complexes with more than three dwelling units. In these cases, the management, community association, homeowners' or condominium association or the like shall be officially notified of the details of the service to be rendered. It shall be the responsibility of the ~~Public-works department~~ Public Works Department to determine if reasonable arrangements can be made for the placement and collection of acceptably sized collection containers on public, private, or common ownership property. The standard of service shall be sanitary, and containers shall be maintained in a nonoffensive manner.
- (e) Nothing in this article shall prevent a property owner or tenant of a property from entering into an agreement with a private collection service at the expense of the property owner or tenant as opposed to collection by town employees and equipment. Private individuals or firms engaged in the business of refuse collection in the town shall be subject to all federal, state or local laws,

Commented [MB4]: Clarity: adding "performed by the Town of Berlin" clearly establishes that the Town is not responsible for the actions of private haulers.

ordinances, codes or regulations applicable to the operation and maintenance of motor vehicles, including air and noise pollution.

(f) Streets, roads, lanes or other vehicle-accessible travelways not dedicated as public for the purposes of maintenance and other considerations by the town shall not be included in the trash/recycling collection schedule unless the owner of said travelways enters into a written agreement acceptable to the town providing for said services.

(g) Properties which do not receive municipal collection of waste shall adhere to those portions of this article intended to preserve the aesthetic, safe, and healthy maintenance of properties as relates to trash/waste/refuse.

(h) The Director of Public Works shall have the authority to determine if items placed for collection at any time are of a nature or volume to incur additional considerations, such as classification as commercial, bulk or yard waste, and to assess fees for that collection, or refuse collection by the Town.

(i) It shall be unlawful for any person to place household or commercial refuse beyond ordinary litter in any waste receptacle intended for the general use of the public for the disposal of litter and which are provided in public areas such as, but not necessarily limited to, parks or the downtown commercial district.

(Code 1977, § 55-2; Ord. No. 2009-05, 3-23-2009)

Sec. 24-30. - Collection days.

(a) Garbage, trash and refuse for residential and commercial properties shall be collected by the town according to a schedule set by the ~~director-of-public-works~~ Director of Public Works and approved by the Mayor and Council. Said schedule may be changed from time to time as deemed necessary and as necessitated by office closures due to holidays or other events.

(b) Garbage, trash and refuse shall be collected at least weekly by the town.

(c) Recyclables shall generally be collected at least weekly; however, in the event that a holiday or other office closure shall prohibit the regular collection of recyclables, no more than two weeks between collections shall occur.

(d) The Town may elect to offer one or more special collection schedules per year for bulk or yard waste or other items. Scheduling, regulations and requirements, including fees to be assessed for such service for such collections may be established by the Director of Public Works with the approval of the Mayor and Council.

(Code 1977, § 55-4; Ord. No. 2009-05, 3-23-2009)

Sec. 24-31. - Responsibilities of ~~account-holders~~ collection customers.

(a) ~~Residential-accounts~~ collection Residential collection.

(1) It shall be unlawful and a violation of this article for any person to place waste, including but not limited to garbage, recyclables, yard waste or bulk items, on the property of another without the consent of the owner of the property.

(2) Properties that have been supplied automated collection containers must use those containers for all refuse except as specified below. Containers must be placed at the curb or roadside or as otherwise directed, with the handle away from and parallel to traffic. Printed instructions on the container shall be followed.

(3) Properties not provided with automated collection containers, but which will receive collection by municipal employees and equipment shall provide containers no larger than 30 gallons which

shall be equipped with tightfitting lids, which shall be closed at all times, except when refuse is being deposited in said containers. Properties not provided with automated collection containers shall comply with all other standards as set forth in this article.

(4) Plastic trash bags may be used in all town-provided or privately-owned containers.

(5) Refuse containers, whether provided by the town or privately owned, must be maintained in a clean and sanitary condition. They shall not be set out for collection containing free liquids or rainwater. They shall be kept free of dead animals, vermin, lice, maggots or the like and unreasonably offensive odors resulting from the lack of cleanliness, animal feces or items which may be infectious or disease-bearing. Receptacles which have become excessively worn or corroded shall be promptly replaced.

(6) Town-supplied collection containers, supplied at no initial cost to the property owner, shall not exceed one per dwelling unit for residential properties. If town-supplied collection containers are available to a residential property, additional private receptacles will not be picked up. Should a property owner request additional town-supplied collection containers, such shall be provided at a one-time, non-refundable, cost of \$100.00 per container to be paid prior to delivery of the container. All provisions of subsection (a)(12) of this section shall apply to all containers provided to a given property.

(7) Containers shall be placed for collection by 6:00 a.m. on the day of collection and must be removed to the premises by no later than 11:00 p.m. on the day of collection. Containers shall not be kept at the curb or roadside between scheduled collections.

(8) Items too bulky for placement in an approved container, or as further defined, may not be placed for collection except at those times scheduled for special bulk waste or yard waste collection. Special bulk waste or yard waste collections are only available to regular residential and commercial collection account-holders/customers. All recyclable materials shall be separated from all other refuse as more particularly set forth in article III of this chapter.

(9) All properties shall provide a location or locations readily accessible to the town sanitation department. Typically, such location shall be at the curb or roadside at the front of the residence. Sanitation department employees shall not enter private property to collect refuse. Should other arrangements for placement be required, such deviation shall be agreed upon by said resident and the ~~director-of-public-works~~ Director of Public Works or other proper agent of the town.

(10) It shall be the responsibility of the resident to transport the containers to and from the designated area or, as applicable, to transport refuse to the containers.

(11) The town sanitation department shall not be responsible for picking up any garbage, rubbish or refuse from the ground that is not contained in a proper garbage container, plastic trash bag or paper bundle unless the town sanitation department causes a spillage.

(12) Should the automated collection container provided to a given property require replacement due to damage or breakage or loss or theft, it shall be the responsibility of the owner of the property to reimburse the town for the cost of the replacement of the container if it is determined by the ~~director-of-public-works~~ Director of Public Works that such damage or breakage is not in the normal course of use. Such replacement cost shall be determined based on the current retail price paid by the town at the time of replacement and may include an administrative charge not to exceed ten percent of that price.

(13) Town-supplied collection containers shall remain the property of the town. Should ownership or tenancy of a property or unit change, the container assigned to that property or unit shall remain on the property for use by the next owner or tenant. The town reserves the right to remove containers from vacant properties until such time as the property or unit becomes occupied by a new owner/tenant.

(b) ~~Commercial accounts~~ collection.

(1) All conditions as set forth in section 24-29 shall apply.

- (2) A commercial customer shall be permitted to have up to two town-supplied collection containers at no initial cost. Should a commercial customer request more than two town-supplied collection containers, the provisions of subsection (a)(6) of this section shall apply.
- (3) The rate schedule for garbage collection fees for commercial accounts shall be determined by the Mayor and Council annually. The classification of a commercial account within that schedule shall be determined by the ~~director-of-public-works~~ Director of Public Works.
- (4) All fees for commercial accounts shall be due and payable at the time of rendering of the statement by the Mayor and Council, and the Mayor and Council reserve the right to deny collection service when, in their sole judgment, said commercial account is detrimentally in arrears.

(Code 1977, § 55-5; Ord. No. 2009-05, 3-23-2009; Ord. No. 2009-15, 12-28-2009; Ord. No. 2013-02, 3-11-2013)

Sec. 24-32. - Items prohibited for placement for collection.

The following items are prohibited from being placed for collection:

- (1) Motor vehicle tires.
- (2) Building materials.
- (3) Hazardous, radioactive or medical wastes.
- (4) Burning or smoldering materials or any other materials which would create a fire hazard.
- (5) Rocks, dirt, sod, paint or motor oil.
- (6) Dead animals.
- (7) Unbagged animal waste.
- (8) ~~Household appliances to include computer components.~~
- (9) Items defined as recyclable under article III of this chapter.
- (10) Items defined as bulk or yard waste under this chapter, except when a separate and specific collection schedule is established for those items.
- (10) Any other item, disposal of which falls under the regulation of a county, state, or federal agency, such as, but not limited to, the county health department, the state department of the environment, or the environmental protection agency.

Commented [MB5]: We do collect with bulk collection

(Code 1977, § 55-6; Ord. No. 2009-05, 3-23-2009)

Secs. 24-33—24-52. - Reserved.

ARTICLE III. - RECYCLING MANDATORY

Sec. 24-53. - Purpose.

- (a) ~~The Mayor and Council of the town find that the amount of refuse needing landfill disposal can be further reduced by having a recycling program to include the collection of glass bottles and jars, aluminum beverage cans, bimetal cans, newspapers, certain plastics, household appliances and other articles designated by the Mayor and Council or their designated representative.~~
- (b) ~~The Mayor and Council find that it is in the fiscal interest of the town to reduce refuse disposal fees and it is in the interest of sound environmental policy to have a mandatory recycling program within the town.~~

~~(c) The state legislature passed a recycling law in the 1988 General Assembly Session requiring counties in the state to establish recycling programs to reduce their solid waste streams by 15 percent by January, 1994.~~

~~(d) The purpose of this article is to make recycling mandatory.~~

~~(Code 1977, § 81-1; Ord. No. 92-9, 6-22-1992)~~

Commented [MB6]: Preceding language is irrelevant to the Code.

~~Sec. 24-54. Definitions.~~

~~The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~*Bulk or special collection items* means all those large items, including, without limitation, furniture and appliances; yard waste, including, without limitation, stumps, branches, grass clippings and plant trimmings; and any such other items that by their nature or size are not reasonably considered to be general refuse or recyclable material, or as shall be designated by the Mayor and Council or their designated representative from time to time.~~

~~*General refuse* means all trash, debris, garbage and discarded items presented to the town for collection other than those designated as recyclable materials.~~

~~*Recyclable materials* means those materials and items which shall be designated as such by regulations adopted from time to time by the Mayor and Council or their designated representative.~~

~~(Code 1977, § 81-2; Ord. No. 92-9, 6-22-1992)~~

Commented [MB7]: All definitions listed at the start of the chapter.

~~Sec. 24-55. Violations and penalties.~~

~~Any person who shall violate any provisions of this article shall be guilty of a municipal infraction and shall be fined the sum of \$50.00 for any single initial violation and the sum of \$100.00 for each repeat or continuing violation.~~

~~(Code 1977, § 81-5; Ord. No. 92-9, 6-22-1992)~~

Commented [MB8]: Moved to end of Chapter

Sec. 24-5654. - Collection of recyclable material.

(a) All recyclable material to be collected by the town shall be separated by the property owner or resident before collection and shall be presented separately from general refuse, as well as separated from each other type of recyclable material, as those types or categories of material shall be designated by the Mayor and Council.

(b) All recyclable material shall be separated and presented for collection in the manner and at the time or times established by regulations promulgated from time to time by the Mayor and Council.

~~(c) Periodically, but in no event less than once a week, the town shall collect recyclable materials, which collection may either be in conjunction with or separate from the collection of general refuse. Generally, recyclables shall be collected once per week on a schedule determined by the Public Works Department and subject to change. In the event that recyclable collection is cancelled due to office closure or other unforeseen circumstances, collection shall occur no less than once every two weeks.~~

Commented [MB9]: Allows recycling collection to be skipped for one week when necessary.

(d) The Mayor and Council may require that recyclable materials and general refuse be presented for collection in separate specially designated containers, and any person desiring collection of recyclable materials by the town may be required to obtain such designated container or containers, which shall be used for no other purpose.

(e) It shall be unlawful for any person, other than the designated employees of the town or its designated agent, to pick up or collect recyclable materials which are presented for collection by the town pursuant to the provisions of this article and regulations adopted pursuant hereto.

(f) The town shall not collect refuse or garbage which is not separated from recyclable material nor shall it collect recyclable materials that are not properly separated or contained as provided herein or in any regulations promulgated pursuant hereto.

(Code 1977, § 81-3; Ord. No. 92-9, 6-22-1992)

Sec. 24-~~57~~55. - Bulk and special items.

(a) The town will not collect bulk or special items as defined in section 24-54 during the course of its general refuse or recyclable materials collections.

(b) At the recommendation of the Public Works Director the Mayor and Council may establish specific dates for the collection of bulk waste or other special items.

Sec. 24-56. Yard waste.

(a) The Town will not collect yard waste as defined in section 24-1 during the course of its general refuse or recyclable materials collections.

(b) At the recommendation of the Public Works Director the Mayor and Council may establish specific dates for the collection of yard waste.

(Code 1977, § 81-4; Ord. No. 92-9, 6-22-1992)

ARTICLE IV. - VIOLATIONS

Sec. 24-57. - Notice of violation; correction.

Any person violating the provisions of this article shall be notified in writing by registered mail, return receipt requested, of said violation. Said notice shall describe the violation and notify the violator to correct same within five days or, for cause shown, a greater length of time. In the event that the violation is not corrected, the Mayor and Council may, at their option and on the recommendation of the Director of Public Works, refuse to make collection of the refuse, trash, garbage, etc., of said violator.

(Code 1977, § 55-8; Ord. No. 2009-05, 3-23-2009)

Sec. 24-58. - Violations and penalties.

Any person who shall violate any provisions of this article shall be guilty of a municipal infraction and shall be fined the sum of \$50.00 for any single initial violation and the sum of \$100.00 for each repeat or continuing violation.

(Code 1977, § 55-9; Ord. No. 2009-05, 3-23-2009)

Footnotes:

--- (1) ---

Charter reference— Authority to provide for the removal of solid waste, § C5-1B(27).

State Law reference— Solid waste disposal, Md. Environment Code Ann. § 9-204 et seq.

--- (2) ---

Charter reference— Authority to provide for the removal of solid waste, § C5-1B(27).

THIS ORDINANCE was introduced and read at a meeting of the Town Council held on the _____ day of _____, 20_____, and thereafter a statement of the substance of the Ordinance was published as required by law.

A PUBLIC HEARING was held and this Ordinance was adopted this _____ day of _____, 20_____, by the Mayor and Council of the Town of Berlin, Maryland, by affirmative vote of _____ in favor to _____ opposed, with _____ abstaining, and _____ absent.

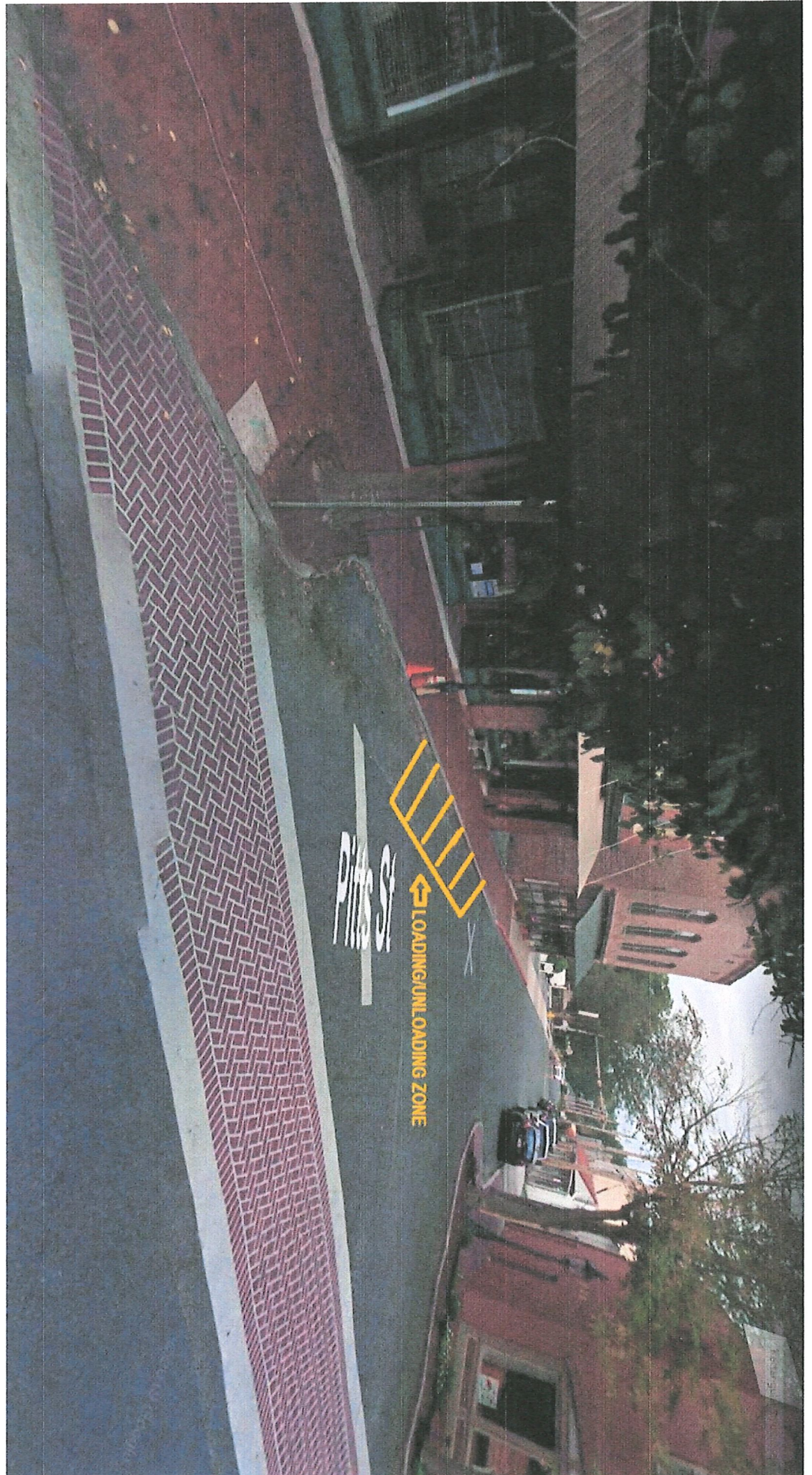
Elroy Brittingham, Vice President

This Ordinance was approved this _____ day of _____, 20_____ by the Mayor of the Town of Berlin and was therefore effective twenty (20) calendar days later on the _____ day of _____, 20_____.

Wm. Gee Williams, Mayor

ATTEST:

Jeffrey Fleetwood, Town Administrator





BERLIN MAYOR AND COUNCIL

Meeting Minutes

Monday, November 25, 2019

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 Jeffrey Fleetwood, Deputy Town Administrator Mary Bohlen, Finance Director Natalie Saleh, Water Resources Director Jamey Latchum, 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 Manager Kelsey Jensen.

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 10/15/19:

On the motion of Councilmember Tyndall, the Executive Session minutes of October 15, 2019 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>	4		1		

b. Statement of Closure for Executive Session of 10/15/19:

Mayor Williams read the Statement of Closure.

c. Regular Session of 10/15/19:

On the motion of Councilmember Tyndall, the Regular Session Minutes of October 15, 2019 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>	4		1		

d. Executive Session of 10/23/19:

On the motion of Vice-President Brittingham, the Executive Session minutes of October 23, 2019 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>	4		1		

e. Statement of Closure for Executive Session of 10/23/19:
Mayor Williams read the Statement of Closure.

f. Regular Session of 11/12/19:

On the motion of Councilmember Gulyas, the Regular Session Minutes of November 12, 2019 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. Town of Berlin FY2019 Audit

Michael Kleger and Leslie Michalik with PKS and Company presented the FY2019 Audit Information. **They indicated that the largest deficit came from the Sewer fund; over the years, the Sewer fund has not generated enough cash and has had to borrow from other funds. The recommendation would be to determine if the Town has the ability to pay the funds back or if they need to write it off, but if it is written off, the Town needs to ensure they make the changes necessary to not continue borrowing.** Discussion ensued about stopping the borrowing and possibly writing off all or some of the deficit **or coming up with a repayment plan.** Mayor Williams said **they will need to see how the changes made in the current budget will affect the borrowing this year and in future years. He also said that after monitoring the FY2020 budget they can determine if any additional changes need to be considered for the FY2021 budget.** Lastly, he mentioned that we need to set a reserve policy **and in doing so determine an appropriate reserve amount for the Town. Councilmember Purnell said they intend to review the budget semi-annually now so they can monitor the budget and determine if the current changes are going as planned. Mr. Kleger said they need to consider expense control as well as the revenue side.** Councilmember Tyndall asked about assigned and unassigned reserves; Ms. Michalik said assigned can become unassigned if the Council votes to re-allocate it. Councilmember Purnell asked why we are losing so much with the Wastewater fund; Mr. Kleger said they have not increased rates in at least 10 years, **so revenue has not increased but expenses have.**

3. Chapter 24: Solid Waste:

Town Administrator Jeffrey Fleetwood explained the purpose of both the Ordinance and the Policy.

a) Public Hearing on Ordinance 2019-05 amending Town Code Chapter 24: Solid Waste

Mayor Williams opened the Public Hearing at 7:34 PM.

Residents Jim Meckley, Marie VeLong, Brittany Palmer, Jason Walter, and Susanne Parks all made remarks on the topic of bulk pick up and expressed their concerns over the proposed policy change.

With no further comments, Mayor Williams closed the Public Hearing at 7:50 PM.

Town Attorney David Gaskill said the Public Hearing is for the Ordinance, not changing the bulk policy; Councilmember Tyndall said the Ordinance makes reference to fees. Deputy Town Administrator Mary Bohlen pointed out that the Ordinance is not setting the fees, only allowing the Council to impose one in the future, she also noted that on page eight, the word dates was left out in section 24-55 item B.

On the motion of Councilmember Tyndall, the Motion to table the Ordinance at this time was 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>	3	2			

b) Motion of the Mayor and Council 2019-35: Approving the Special Waste Collections Policy

On the motion of Councilmember Tyndall, the Motion to table the Policy was 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				

Councilmember Burrell commented that the service is being abused and the Town's hands are tied, he'd like to see something done to those that are abusing the system. Councilmember Purnell said that if we want services to continue, costs will have to go up somewhere. Councilmember Tyndall said he would like to see the Town work with local partners on repurposing the bulk items that are in good condition and he would be happy to help arrange that.

4. Application for Special Sunday Permit – Boggs Disharoon American Legion Post 123 for December 8, 2019

On the motion of Vice-President Brittingham Application for Special Sunday Permit was 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				

5. Departmental Reports:

a. Finance Director – Natalie Saleh

Ms. Saleh said she is working on the budget schedule and hopes to get things going sooner this year and do the tax rate before the budget, she will have the schedule to the Council by the next meeting. She has also been working on some internal control policies and hopes to have those completed by the spring. Councilmember Burrell asked her to share the GFOA best practices for municipalities with the Council. Lastly, Councilmember Tyndall said he would like some more clarity with this budget on assigned reserves, unassigned reserves, and impact fees.

b. Deputy Town Administrator – Mary Bohlen

Ms. Bohlen said today Comcast presented Worcester Youth and Family with a check for \$1689 from the volunteers at clean up day. She also mentioned that the Parks Commission will meet on December 3rd and this will start their every other month meetings schedule.

c. Water Resources Director – Jamey Latchum

Mr. Latchum said they should wrap up Graham Avenue over the next few weeks. They have been installing new water lines in Town and testing meters.

d. Electric Utility Director – Tim Lawrence

Mr. Lawrence said they have been working to remove the #3 engine which failed in 2004. Town Administrator Jeffrey Fleetwood mentioned that the engine that failed most recently was the #2 engine. They have been preparing for Christmas, and plan to turn on the pole lights tomorrow. Lastly, they are doing meter reads this week.

e. Police Chief – Arnold Downing

Chief Downing said they have been preparing for the parade and reaching out to local law enforcement agencies for assistance.

f. Planning and Zoning Director – David Engelhart

Mr. Engelhart said at the next Planning Commission meeting they will be considering the annexation petition for the old McDonalds property, if it is recommended the Council will likely see it in January. Vice-President Brittingham asked if the BBQ place is still happening; he said it is on hold for now. He then asked how many homes have been built in town for this calendar year; he said 10 single family homes so far. They have also issued a total of 226 permits as of today.

g. Economic and Community Development Director – Ivy Wells

Ms. Wells said they decorated the tree this week. The tree lighting will be at 6 PM on Friday, the roads will close at 4:30 PM, caroling will take place at 6:15 PM, the Taylor House Museum will do their candlelight tours, Artisans Green will have vendors set up, and Ocean Downs Casino will sponsor the ice sculpting again. On Saturday Santa will be at the Welcome Center from 11 AM to 2 PM. There is a gingerbread decorating competition for the businesses. There is a Mistletoe on Main Street promotion happening until January 1, 2020. Lastly, she wanted to say that her amount of trash at home has significantly dropped since they put the single stream system in place. Mayor Williams said he is very happy to see the decorating underway and the cleanliness of the Town.

6. Town Administrator's Report – Jeffrey Fleetwood

Mr. Fleetwood mentioned that the Parade will take place on Thursday, December 5th and if you are volunteering, pizza will be served at 4:30 PM. The employee holiday lunch will be on Friday, December 13th at 11:30 AM. Lastly, there will be an identity theft presentation taking place in Town Hall on January 14, 2020 at 10:30 AM and it is open to the public.

7. Comments from the Mayor – none.
8. Comments from the Council – none.
9. Comments from the Public – none.
10. Comments from the Press – none.

11. Adjournment:

On the motion of Councilmember Burrell, the Mayor and Council meeting was adjourned at approximately 8:30 PM.

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,



Kelsey Jensen

Administrative Manager