



**BERLIN, MARYLAND**

**MAYOR AND COUNCIL MEETING**

**MONDAY, JANUARY 23, 2017**

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

EXECUTIVE SESSION .....6:00 PM  
REGULAR SESSION .....7:00 PM

*Anyone having questions about the meetings mentioned above or needing special accommodations should contact Laura Allen, Town Administrator at (410) 641-4144. Written materials in alternate formats for persons with disabilities are made available upon request.*

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

**Berlin Town Hall**  
**10 William Street**

**Monday, January 23, 2017**

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

- a. Pursuant to Section §3-305(b)(7) – 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.

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

1. Approval of the Minutes for:
  - a. Regular Session of 01/09/17
2. Presentation:  
Bunky Luffman, Intergovernmental Affairs, Eastern Shore Liaison, Office of the Governor
3. Event:  
Chamber After Hours at the Taylor House Museum – Carol Rose
4. Donation request for baseball field lighting project - Tripper Heckscher, Berlin Little League
5. EDU Agreements:
  - a. Atlantic General Hospital
  - b. Ocean's East
6. Resolution 2017-01: EDU Financing Policy
7. Departmental Reports:
  - a. Finance Director – Natalie Saleh
  - b. Administrative Services Director – Mary Bohlen
  - c. Water Resources/Public Works – Jane Kreiter
  - d. Electric – Tim Lawrence

- e. Police – Arnold Downing
- f. Planning – Dave Engelhart
- g. Economic and Community Development – Ivy Wells
- h. Managing Director – Jeff Fleetwood

8. Town Administrator's Report

9. Comments from the Mayor

10. Comments from the Council

11. Comments from the Public

12. Comments from the Press

13. Adjournment



**BERLIN MAYOR AND COUNCIL**  
**Meeting Minutes**  
**Monday, January 9, 2017**

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

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

**Staff Present:** Town Administrator Laura Allen, Managing Director Jeff Fleetwood, Finance Director Natalie Saleh, Water Resources/Public Works Director Jane Kreiter, Administrative Services director Mary Bohlen, Town Attorney David Gaskill, Chief of Police Arnold Downing, Electric Utility Director Tim Lawrence, Planning Director Dave Engelhart, Economic and Community Development Director Ivy Wells and Administrative Assistant 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 12/12/16:

On the motion of Councilmember Gulyas, the Executive Session minutes of December 12, 2016 were approved by the following vote:

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas	X				
Zackery Tyndall	X				
<i>Voting Tally</i>	5	0			

b. Statement of Closure for Executive Session of 12/12/16:

Mayor Williams read the Statement of Closure.

c. Regular Session of 12/12/16:

On the motion of Councilmember Gulyas, the Regular Session Minutes of December 12, 2016 were approved by the following vote:

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas	X				
Zackery Tyndall	X				
<i>Voting Tally</i>	5	0			

2. Presentation:

a. Worcester Youth and Family Counseling Services, Berlin Youth Club:

Amanda Chaffee presented on behalf of the Berlin Youth Club. Councilmember Burrell thanked Ms. Chaffee for the organizations work and for recognizing the need for an organization of this kind.

b. Maryland’s Healthiest Business:

Kathy Wool cancelled due to the weather and will now present on the February 13<sup>th</sup> Mayor and Council meeting.

3. Events:

a. Application for Special Sunday Permit requested by Boggs Disharoon American Legion Post 123, Motion 2017-01:

Councilmember Brittingham explained that this event is when the three counties’ American Legions come together here in Berlin.

On the motion of Councilmember Gulyas, Motion 2017-01 was approved by the following vote:

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas	X				
Zackery Tyndall	X				
<i>Voting Tally</i>	5	0			

b. 2017 Proposed Events Schedule, Motion 2017-02:

Mayor Williams advised that we usually approve all special events regardless of who is putting on the event in the beginning of the year to allow the different agencies to prepare for the events and it allows us time to promote the events. Ms. Wells read the proposed events schedule and Mayor Williams asked her to explain the Maker’s Market; Ms. Wells explained that this is where artist can promote and sell their art.

On the motion of Councilmember Burrell, Motion 2017-02 was approved by the following vote:

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas	X				
Zackery Tyndall	X				
<i>Voting Tally</i>	5	0			

c. 2017 Special Event Exception for Consumption of Alcohol, Motion 2017-03:

Ms. Wells read the motion and explained “Small Town Throw Down”. Councilmember Burrell asked if it was necessary for other events not listed to come back in front of the Council if they wish to have alcohol at their event; Mr. Gaskill explained that they would have to come back in front of the Mayor and Council. Mayor Williams stated that because it is town property they would need permission. Councilmember Tyndall asked if the events are pushed out on social media; Ms. Wells stated that she and Ms. Bohlen promote the events on social media and Administrative Assistant Sharon Timmons pushes it out to other organizations. Councilmember Gulyas expressed concerns that he has heard about the use of alcohol at town

events. Chief Downing stated that they post signs about “no outside alcohol”. Mayor Williams and Councilmember Burrell think we should push out “no outside alcohol” on social media when we are promoting the events. Mayor Williams stated that if anyone has any other suggestions to please contact Ms. Wells.

On the motion of Councilmember Purnell, Motion 2017-03 was approved by the following vote:

Name	Counted toward Quorum			Recused	Absent
	Aye	No	Abstain		
Elroy Brittingham, VP	X				
Dean Burrell	X				
Troy Purnell	X				
Thom Gulyas		X			
Zackery Tyndall	X				
<i>Voting Tally</i>	4	1			

#### 4. Departmental Reports:

##### a. Finance Director – Natalie Saleh

Ms. Saleh stated that they have finished Tyler training for budget and project accounting and are finishing implementation for receivables and personal properties project. They have been able to produce personal property tax bills and are almost complete with distributing them. The budget will be a little different this year compared it to other years; each department will be able to put their own figures in Tyler and compare to other years and then submit it. Those figures will be discussed during work sessions. She is planning on starting to look at the general fund revenue with Ms. Allen.

##### b. Administrative Services Director – Mary Bohlen

Ms. Bohlen advised that she previously brought forward the staff recommendations for Henry Park restrooms, but that the bidder made an error, so we cannot move forward with their bid; she received two new bids and will bring those forward at the January 23<sup>rd</sup> Mayor and Council meeting. She will meet with Davis, Bowen and Friedel, Inc. to discuss the tennis courts and the options they have there.

##### c. Water Resources/Public Works Director – Jane Kreiter

Ms. Kreiter reported that it was a very busy weekend with the snow removal, and that the staff did a tremendous job. The water and sewer has been connected at Royal Farms and Arby's, Royal Farms had their ribbon cutting. Flower street is progressing; they are hopeful that they will be complete by the end of the month. They are currently removing sediment out of the ditches around town. Mayor Williams asked if this will help with flooding; Ms. Kreiter stated that it will help with flooding and water quality. Councilmember Brittingham stated that the individuals on Showell Street would like the town to replenish their back yards; Ms. Kreiter said they will be working on that once the culverts are in, which should be completed by the spring. Councilmember Brittingham said Mr. Jarmon is concerned with the plants in Cannery Village; Ms. Kreiter stated that this is the developer's responsibility, and if anyone has any concerns they can reach out to Ms. Kreiter and she will contact the developer. Councilmember Burrell said he is concerned with the homes in Cannery Village, he believes the waterways are too close to the first few homes and the yards may become unstable. Ms. Kreiter said that if the wetland is maintained properly then it should not be an issue, but this is the developer's responsibility.

d. Electric Utility Director – Tim Lawrence

Mr. Lawrence reported that they installed and removed the Christmas tree, prepped for the New Year's celebration, assisted Public Works with snow removal, and completed the installation of LED lights in town. The #1 generator was repaired, installed and is running properly. The oil/water separator and three stage pumping system also function properly. They came close to generating this morning, but it was called off at 8:15am. Mayor Williams asked if all four generators work properly; Mr. Lawrence stated they all work and are able to generate.

e. Police Chief – Arnold Downing

Chief Downing thanked the Maryland State Police and Worcester County Sheriff's Office for assisting with the New Year's celebration. During the weather event there was only one accident so they thanked residents for staying off the roads and the Town Administrator for getting a CodeRed alert out early. Councilmember Tyndall stated that it is Law Enforcement Appreciation Day and thanked the Police Department.

f. Planning Director – Dave Engelhart

Dave Engelhart reported that in 2016 they had 199 total permits issued and ten new single family homes. In 2015 they had 271 total permits issued and 11 new single family homes, not including Cannery Village. In 2014 they had 161 total permits issued and four new single family home permits.

g. Economic and Community Development Director – Ivy Wells

Ivy Wells thanked Public Works, the Police Department and Utilities for helping with events through the year. The Department of Commerce re-designated Berlin as an enterprise zone and there will be a seminar on how this can give businesses a tax break in Town Hall on January 17<sup>th</sup> from 11am-2pm for more information you can contact Ms. Wells. Ms. Wells informed everyone that this week, January 9<sup>th</sup>-15<sup>th</sup>, is restaurant week and you can enter a drawing to win gift cards and a cash prize if you eat out three times this week and get your card stamped. Ms. Wells thanked Councilmember Gulyas for getting the word out about the façade grant; three more have been approved. Saturday, February 11<sup>th</sup> from 12pm-3pm kids can come to the Welcome Center to make Valentine's Day goodie bags and businesses will be handing out valentines. Tuesday night from 4pm-8pm Carriage rides will be available upon reservation for \$30 per couple, contact Ms. Wells for reservations. The Welcome Center façade grant was paid for entirely by DHCD in the amount of \$26,500.

h. Managing Director – Jeffrey Fleetwood

Mr. Fleetwood stated that the #1 generator for the Power Plant will be covered by insurance and they are processing that. W-2's and total compensation statements are currently being prepared. Benefit renewal sit-downs are underway and he will have a schedule together soon.

5. Town Administrator's Report – Laura Allen

Ms. Allen reported that the Flower Street concrete contractor should be back on site on Wednesday to continue work and the roads will be closed another 3-4 weeks. When they know more about the West Street project road closure they will be sure to send out a CodeRed, but they are guessing the roads may be closed about 60 days for that project.

6. Comments from the Mayor:

Mayor Williams had no comments.

7. Comments from the Council:

Councilmember Gulyas had no comments.

Councilmember Tyndall stated that he has been attending Warriors against Opiates meetings and suggests we look into a drug drop box; Chief Downing stated that there is one at the Berlin Maryland State Police Barracks and you can also drop any unused drugs off at the Berlin Police Department and they will take them to the Barracks for you. Ms. Bohlen stated that during Take Pride in Berlin Week they try and promote this.

Councilmember Brittingham thanked Public Works and the other departments that assisted in getting the roads cleared during the storm.

Councilmember Burrell had no comments.

Councilmember Purnell had no comments.

8. Comments from the Audience:

- a. Lisa Hall, 302 Ann Drive, stated that she and others in her development have had concerns with her neighbor's property, they have their family living in their garage and she is worried about how this will affect her properties resale value. She does not want it being sold/rented as a duplex, she wants to be sure it will be sold as a single family home since that is what her development is zoned as. Mayor Williams agrees and will have Mr. Engelhart and Ms. Allen look into what other towns are doing.
- b. Bill Todd stated that he has a petition that has 300 signatures from members of the town to change the name of Berlin Falls Park to James Tingle Park. Councilmember Burrell stated that the concern has been heard and their opinion will be weighed. Councilmember Tyndall makes a Motion to create a committee that will come up with policies on how to name properties that are purchased by the town or donated to the town, the committee would consist of at least the following members: Town Attorney David Gaskill, Town Administrator Laura Allen, Councilmember Zackery Tyndall and Mr. Todd.

On the motion of Councilmember Tyndall, the motion to form a committee to create policies on how to name town properties was approved by the following vote:

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

9. Comments from the Press – none

10. On the motion of Councilmember Burrell, the Mayor and Council meeting was adjourned at approximately 8:55 pm.



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

Respectfully Submitted,

*Kelsey Jensen*  
 Kelsey Jensen  
 Administrative Assistant

## Presentation:

Bunky Luffman, Intergovernmental Affairs,  
Eastern Shore Liaison, Office of the Governor

BERLIN HERITAGE FOUNDATION, INC.  
208 N Main Street  
Berlin, Maryland 21811

January 18, 2017

Mayor & Council of Berlin  
10 Williams Street  
Berlin, Maryland 21811

RE: Calvin B. Taylor House Museum Event

Gentlemen:

The Berlin Heritage Foundation, Inc. will host the Berlin Chamber of Commerce for their April After Hours Event. The event is scheduled for April 27<sup>th</sup> from 5:00 pm to 7:00 pm. The Board of Directors is excited to have the opportunity to have our Chamber members visit and tour the museum.

We are seeking permission to serve beer and wine for this two hour period; thus, our request to appear before you at your January 23<sup>rd</sup> meeting.

Sincerely,

A handwritten signature in cursive script that reads "Jan Quick". The signature is written in dark ink and is positioned to the right of the word "Sincerely,".

Jan Quick, President

JQ:cpr



**MOTION OF THE MAYOR AND COUNCIL No. 2017-05**

A motion of the Mayor and Council of the Town of Berlin approving the town to donate \$13,680 of labor to the Berlin Little League's lighting 6-pole system for the "D" field.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by the Mayor and Council of the Town of Berlin, Maryland by affirmative vote of \_\_\_\_\_ to \_\_\_\_\_ opposed, with \_\_\_\_\_ abstaining.

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

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

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

Tripper Heckscher  
PO Box 514  
Berlin MD 21811

January 16, 2017

Laura Allen, Town Manager  
10 William St  
Berlin MD 21811

Dear Laura,

Berlin Little League has a long and successful history in the community. Our annual participation has grown to more than 500 young boys and girls. As the population of the community increases, so too will demand for the league. We cannot extend the season from its current dates of early April – mid June, so in order to accommodate the increase in participation we must be able to expand the hours in the day during which we can play. To do that, we must install lights on our fields.

In November, I reached out Tim Lawrence, an employee of the town, who met me at the fields to further explore our request. On November 29, he sent me 2 quotes – 1 for a 4-pole system for our “C” field, and 1 for a 6-pole system for our larger “D” field. The quotes consisted of costs for labor (\$13,680), materials (\$4,372), and 3<sup>rd</sup> party costs (\$8,775). The quote did not include the costs of the lights themselves, which will amount to approximately \$72,000 for the 4-pole system and \$87,000 for the 6-pole system. In December, the Board of Berlin Little League voted on, and approved, the decision to move forward with the 6-pole system only at this time.

As a side note, the Intermediate Division (13yr old) of Little League of America has chosen Berlin as one of two finalists for its regional tournament to be held in late July. This tournament would bring boys and their families from the entire Northeast to Berlin annually for a weeklong stay. Such an influx in tourism would certainly be enjoyed by the town, as well as the league.

On behalf of the Board of Berlin Little League, I formally request the Council of Berlin approve our request for donating the labor quoted by Mr. Lawrence for the installation of 1 set of lights for “D” field.

Thank you for your consideration in this matter.

Sincerely,



Tripper Heckscher  
Treasurer  
Berlin Little League

# JOB INVOICE

002079

**BERLIN ELECTRIC**  
 Mayor & Council of Berlin  
 10 William Street  
 BERLIN, MARYLAND 21811  
 410-641-2770

PHONE	DATE OF ORDER <i>11/29/16</i>
ORDER TAKEN BY	CUSTOMER'S ORDER NUMBER
<input checked="" type="checkbox"/> DAY WORK	<input type="checkbox"/> CONTRACT
<input type="checkbox"/> EXTRA	
JOB NAME/NUMBER <i>Field "D"</i>	
JOB LOCATION <i>Little League Baseball Fields</i>	
JOB PHONE	STARTING DATE

TO *Tripper Heckscher*  
*cell 302-853-2657*  
*heckscher@embraceh*

TERMS:

QTY	MATERIAL	PRICE	AMOUNT	DESCRIPTION OF WORK
700'	4/0 Triplex	1.70	1,190.00	Field "D" - Install 6-
130'	1/0 primary	2.00	260.00	60' poles, 22 fixtures,
1	25 kVA Trans	2,000.00	2,000.00	25 kVA transformers,
1	Trans pad	300.00	300.00	130' - 1/0 primary, 700' -
30'	2" primary Riser	24.00	72.00	1/0 secondary,
1	OH Saddle	20.00	20.00	
1	12 Amp CL Fuse	57.00	57.00	→ Accutrench boring - 5,200
1	Cutoff	107.00	107.00	OTHER CHARGES
1	Lightning Arrestor	34.00	34.00	Trencher x 10.00 per foot 6,900.00
1	Driven Ground	14.00	14.00	54 - Bucket Truck x 35 1,875.00
1	Cable Positioner	40.00	40.00	Chap Tank Digger - ?
1	25 kv Termination	40.00	40.00	Chap Tank Bucket - ?
1	200 Amp Elbow	40.00	40.00	Accutrench - Bare - ?
1	Hot Line Clamp	8.00	8.00	TOTAL OTHER 8,775.00
3	Secondary Conductor Blocks	30.00	90.00	LABOR
	Miscellaneous Hardware		100.00	CHIEF LINEMEN
	Log Screws, Tape			CHIEF LINEMEN
				1st Lineman
				Line Apprentice
				Meter Tech
				Line Superintendent
Note: Quote does not include Chap Tank or Accutrench Charges.				
DATE COMPLETED		TOTAL MATERIALS <i>4,372.00</i>		TOTAL LABOR <i>13,680.00</i>
				TOTAL MATERIALS <i>4,372.00</i>
				TOTAL OTHER <i>8,775.00</i>
				TAX
				TOTAL <i>26,827.00</i>

Signature *Tim Lawrence*  
 Work ordered by *Tim Lawrence*  
 I hereby acknowledge the satisfactory completion of the above described work.



**MOTION OF THE MAYOR AND COUNCIL No. 2017-04**

A motion of the Mayor and Council of the Town of Berlin approving the transfer of four (4) equivalent dwelling units (EDUs) from the Barrett Medical Office Building, located at 10231 Old Ocean City Boulevard to Atlantic General Hospital's new cancer center building, located at the corner of Route 113 and Old Ocean City Boulevard, and the hospital's purchase of four (4) new EDUs.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by the Mayor and Council of the Town of Berlin, Maryland by affirmative vote of \_\_\_\_\_ to \_\_\_\_\_ opposed, with \_\_\_\_\_ abstaining.

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

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

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



**MOTION OF THE MAYOR AND COUNCIL No. 2017-06**

A motion of the Mayor and Council of the Town of Berlin approving 9828 Seahawk Rd, LLC to purchase forty-eight (48) new EDUs.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by the Mayor and Council of the Town of Berlin, Maryland by affirmative vote of \_\_\_\_\_ to \_\_\_\_\_ opposed, with \_\_\_\_\_ abstaining.

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

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

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





## RESOLUTION 2017-01

### A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND ESTABLISHING AN EQUIVALENT DWELLING UNIT (EDU) FINANCING POLICY

WHEREAS, the Mayor and Council of the Town of Berlin, Maryland wish to encourage connection to public water and sewer services for existing developed properties which are currently served by private well and/or septic systems where treatment and disposal capacity is available and has been allocated for connection of such properties; and

WHEREAS, the Mayor and Council of the Town of Berlin, Maryland also wish to encourage connection to public water and sewer services for undeveloped properties; and

WHEREAS, the Mayor and Council have determined that it is desirable and serves an important public purpose to enable financing of the Equivalent Dwelling Unit (EDU) charge for properties wishing to connect to Town water and sewer services, and

WHEREAS, the Mayor and Council of the Town of Berlin, recognize the community benefits that come from small, infill projects and wish to encourage more of them, and

WHEREAS, the Mayor and Council of the Town of Berlin, Maryland have periodically approved financing of the Equivalent Dwelling Unit (EDU) charges, and wish to continue to do so subject to this policy.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Berlin, Maryland that the following regulation is hereby established regarding financing of the Equivalent Dwelling Unit charge for developed properties which are currently being served by private well and/or septic systems and undeveloped properties, which are subsequently connected to public water and sewer services.

#### Purpose

The purpose of this resolution is to establish a policy for financing the Equivalent Dwelling Unit charge for developed properties which are currently served by private well and/or septic systems and undeveloped properties, which desire to be connected to public water and sewer services. This policy is intended to apply to both commercial and residential properties. Projects that require more than 5 EDUs are not eligible.

#### Permitted

Financing of the Equivalent Dwelling Unit charge for developed properties which are currently served by private well and/or septic systems and undeveloped properties, which desire to be connected to public water and sewer services.

#### Conditions

Where there is an existing developed property currently served by a private well and/or septic system or an undeveloped property, where by the property owner desires or is required to connect to

the public water and sewer facilities, the property owner may request financial terms to be extended by the Town. The following conditions shall apply:

The property owner must submit a written application to finance the Equivalent Dwelling Unit charge to the Town Administrator, which shall be signed by the legal owner(s) of the property to be served, and provide such other documentation as required by the Town Administrator.

The property owner may ask to finance up to five (5) EDUs per project over a period of up to five (5) years with an annual financing charge of 3%.

The property owner must agree to the condition that any remaining balance shall be paid in full upon transfer of the property.

The property owner is responsible for all costs related to the physical connection of their property to the existing public water and sewer infrastructure and for proper capping and closure or removal of their previous well and/or septic system.

When using a Public Works Agreement (PWA), a property owner pursuing construction of water or sewer lines or facilities must pay actual construction inspection fees and charges. The terms for financing the Equivalent Dwelling Unit charge shall be added to the final Public Works Agreement.

The Town Administrator shall coordinate review of the application by appropriate Town departments and if it is found favorable and in accordance with the conditions of this policy, financing shall be approved. If the application is not in accordance with the conditions of this policy, it shall not be approved.

The Town Administrator shall maintain a registry of all applications for financing of the Equivalent Dwelling Unit charge and all decision made on each application.

Any applicant whose application is denied may request a review of the decision by the Mayor and Council. The request must be in writing and submitted to the Mayor and Council within thirty (30) days of the denial. The Mayor and Council shall have the authority to direct the Town Administrator to approve the application or may let the denial stand. There shall be no appeal to any court and there shall no right to review of appeal by any other person other than the applicant.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2017 by the Mayor and Council of the Town of Berlin by affirmative vote of \_\_\_\_\_ to \_\_\_\_\_ with \_\_\_\_\_ abstaining.

\_\_\_\_\_  
William G. Williams, III, Mayor

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

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