



**BERLIN, MARYLAND**

**MAYOR AND COUNCIL MEETING**

**MONDAY, FEBRUARY 27, 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.*

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 Agenda**

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

**Monday, February 27, 2017**

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

- a. Pursuant to Section §3-305(b)(7) – To consult with counsel to obtain legal advice on a legal matter.
- b. 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**

- A. Proclamation 2017-06 – Honoring Jesse Turner owner of The Shoe Box
1. Approval of the Minutes for:
  - a. Executive Session of 02/13/17
  - b. Statement of Closure for Executive Session of 02/13/17
  - c. Regular Session of 02/13/17
2. Presentation: Atlantic General Hospital – Michael Franklin
3. Park Reservation Form: Blessing of the Wheels – Gussie Sholtis
4. Burley Oak – Explore Berlin Festival – Bryan Brushmiller
5. Motion 2017-08 – Motion to transfer of one (1) equivalent dwelling unit (EDU) from the Worcester County Senior Center to the Berlin Library project located on Harrison Avenue (Tax map 300, Parcel 1287) – Jennifer Ranck, Worcester County Library Director
6. Request for Change Order – Police Facility – Laura Allen
7. Departmental Reports:
  - a. Administrative Services Director – Mary Bohlen
  - b. Water Resources/Public Works – Jane Kreiter
  - c. Electric – Tim Lawrence

- d. Police – Robert Fisher
- e. 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, February 13, 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, 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, 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 01/23/17:

On the motion of Councilmember Gulyas, the Executive Session minutes of January 23, 2017 were approved by the following vote:

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

b. Statement of Closure for Executive Session of 01/23/17:

Mayor Williams read the Statement of Closure.

c. Regular Session of 01/23/17:

On the motion of Councilmember Gulyas, the Regular Session Minutes of January 23, 2017 were approved by the following vote:

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

2. Presentations:

a. Owner of Fins Ale House & Raw Bar – Jeff Hamer

Mr. Hamer thanked the town for their assistance in getting Fins Ale House & Raw Bar up and running so fast. He was very impressed with the employee’s knowledge and willingness to help, especially Carolyn Duffy, Permits Coordinator. Mayor Williams thanked him for

coming to speak and wished him much success with his business. Councilmember Tyndall thanked him for taking a chance on Maryland and Berlin.

b. Maryland’s Healthiest Business – Kathy Wool

Ms. Wool stated that she is the dietitian for the Worcester County Health Department. She explained the Maryland’s Healthiest Business Program and expressed gratitude that the town has joined the program. Mayor Williams thanked her and said he is pleased to be a part of the program.

3. Motion to Approve the purchase of a Prefabricated Outdoor Restroom Building for Dr. William Henry Park. 2017-07 – Mary Bohlen

Ms. Bohlen recommended that the Council approve the prefabricated bathrooms for the cost of \$119,885 and \$15,250 in town services for a grand total of \$135,135. Councilmember Purnell asked if this money was from a grant; Ms. Bohlen stated that they were awarded \$95,895 in grant funds. Councilmember Gulyas asked if this will include the water heater and fountain; Ms. Bohlen stated that it will. Councilmember Burrell stated that he hopes this time next year they will be getting restrooms for Stephen Decatur Park. On the motion of Councilmember Burrell, Motion 2017-07 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				

4. Departmental Reports:

a. Finance Director – Natalie Saleh

Ms. Saleh stated that they are in full swing for the FY18 budget projections and has demonstrated how to use the system for the budget process to the department heads. They will present their budgets to the Council during the budget sessions. They are still polishing up Tyler’s Miscellaneous Receivables but have a phone conference with Tyler every other Tuesday to discuss issues. She is hopeful that they will be 90% set up with Tyler by the end of the fiscal year.

b. Administrative Services Director – Mary Bohlen

Ms. Bohlen had nothing to report.

c. Water Resources/Public Works Director – Jane Kreiter

Ms. Kreiter stated that they are still working on Flower street and are hopeful to be completed in the next two weeks, the gabions arrived last week, but they are the wrong ones. They have been cleaning the drainage areas and have finished most of Hudson Branch. She suggested that people take a look at the offline wetlands soon, they should be blooming with vegetation and it will attract a lot of birds; they are working with Roman to plant plants with the Coastal Bays. Mayor Williams stated that there is plenty of parking around the wetlands if people want to check it out. She stated that they repaired water leaks on Broad and Schoolfield street today. She has been working on the budget. On West Street they are finishing up the redesign to incorporate the State Highway requests.

d. Electric Utility Director – Tim Lawrence

Mr. Lawrence reported that they have been doing a lot of maintenance due to the weather and are currently replacing rotting poles throughout the town. At the new Police Department site, the contractor that is doing the boring has bored in the conduit for the back feed to the police department, he is just waiting on the utility easement so they know where to put the transformer. They assisted the Water Resources Department with ditch cleaning and are downloading information from the regulators and breakers. Mayor Williams asked about the pole replacements; Mr. Lawrence said they have five left and should be done replacing them by the end of the month, they budget for replacements each year.

e. Police Chief – Arnold Downing  
Chief Downing had nothing to report.

f. Planning Director – Dave Engelhart  
Mr. Engelhart reported that he looked further into the duplex/family units issue from the January meeting and cited 108-5 of the Zoning Ordinance and it is not in violation. He is still investigating Mr. Bryan's treehouse on 101 Thomas Court. Councilmember Brittingham asked if we have anything in the code that states a treehouse needs a building permit. Mr. Engelhart said there is no mention of treehouses in the code at all, but they did get a building permit, this was brought to him by a complaint.

5. Town Administrator's Report – Laura Allen

Ms. Allen reported that Valentine's Day event was a huge success and they had over 200 kids in attendance. The Board of Education allowed the schools to distribute handouts to the kids, which contributed to its success. All but three businesses participated and Victorian Charm thanked the town and the Economic and Community Development Director, Ivy Wells for putting on the event.

6. Comments from the Mayor:

Mayor Williams stated that Jesse Turner will be closing the Berlin Shoebox after 30 years of ownership. The Main Street Program and the Chamber of Commerce will be hosting an event at the Welcome Center for him to thank him for his time with the town on Thursday, March 2<sup>nd</sup> from 5pm-7pm and everyone is welcomed to come say goodbye.

7. Comments from the Council:

Councilmember Gulyas thanked the Town Administrator and the Department Heads for their work with grants, he said it does not go unnoticed.

Councilmember Tyndall attended the Taste of the Eastern Shore event in Annapolis last Friday; the Town of Berlin and Worcester County were hosts and Chesapeake Bay Farms was in attendance with cheese and ice cream.

Councilmember Brittingham attended Community Day in Annapolis last Wednesday because he served as the board director for Shore Up which runs the Head Start Program. While he was there he received a lot of positive comments about Berlin.

Councilmember Burrell asked Ms. Kreiter when the Street repair on Branch street would be complete; she said the asphalt plants are down, but when they are back up it is priority number one. He also stated that Showell Street he felt was in the worst shape. Ms. Kreiter has asked Davis, Bowen and Friedel, LLC for a proposal on the worst roads and how often they are travelled; she feels this will be helpful with prioritizing road work. Mayor Williams

asked if she will have this before the budget work sessions; she believes they will and they will try to budget accordingly.

Councilmember Purnell had no comments.

8. Comments from the Audience – none

9. Comments from the Press – none

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

## Presentation:

Atlantic General Hospital – Michael Franklin





## TOWN OF BERLIN PARK RESERVATION FORM



**THIS FORM MUST BE COMPLETED AND DELIVERED TO TOWN HALL WITH DEPOSIT IN ORDER TO CONFIRM RESERVATION. NO VERBAL RESERVATIONS WILL BE ACCEPTED.**

TODAY'S DATE: 2-8-17

EVENT/ACTIVITY DATE: 4-22-17 TIME FROM: 11am TO: 2pm  
Anticipated # of attendees \_\_\_\_\_

NAME: Gussie Sholtis

ADDRESS: 103 Washington St.  
Berlin, Md. 21811

PHONE: (410) 713-2771

EMAIL: gussiesholtis@gmail.com

ORGANIZATION: \_\_\_\_\_  
(IF APPLICABLE)

WILL EVENT INVOLVE SALE OF GOODS OR SERVICES:  YES  NO  
If yes, Business Use of Park Application must be completed and approved by the Mayor and Council. Form must be submitted no less than 60 days prior to the event.

DESCRIPTION OF EVENT/ACTIVITY: Earth Day Blessing of the Wheels

**FACILITY REQUESTED-Check all that apply**

<input type="checkbox"/> <b>Dr. William Edward Henry Park, Flower Street:</b>			Water needed? (hose bib turned on only by request) <input type="checkbox"/> Yes <input type="checkbox"/> No	
Full Use _____ Partial Use _____				
<input type="checkbox"/> Pavilion Deposit of \$50.00 per day required	<input type="checkbox"/> Basketball Courts #1 _____ #2 _____ #3 _____	<input type="checkbox"/> Picnic Tables # needed _____	<input type="checkbox"/> Play Equipment	
<input checked="" type="checkbox"/> <b>Stephen Decatur Park, Tripoli Street:</b>			Water needed? (hose bib turned on only by request) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <u>Fountain</u>	
Full Use <input checked="" type="checkbox"/> Partial Use _____				
<input checked="" type="checkbox"/> Pavilion Deposit of \$50.00 per day required	<input type="checkbox"/> Tennis Courts #1 _____ #2 _____ #3 _____ #4 _____	<input type="checkbox"/> Picnic Tables # needed _____	<input type="checkbox"/> Play Equipment	

Notes/Comments: \_\_\_\_\_

**FEES:**

ELECTRIC: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Electric fee will be \$10.00 per day.	<b>WAIVED</b>	Total Due: _____ Note Deposit of \$25.00 will be returned to user if park is left in good condition after use.
	Pavilion: \$50 X _____ (# of days) = _____	
	Electric: \$10 X _____ (# of days) = _____	

I, the undersigned have been provided with a copy of the Park rules and regulations and I understand that I must adhere to the same rules. If I fail to adhere to the Park rules and regulations, the Town of Berlin reserves the right to refuse to reserve the park in my name in the future. Deposits for use of the pavilion and electric must be paid at time of reservation or date will not be held. I am responsible for collection and removal of all trash associated with my event. I understand that vehicles are not permitted in the parks beyond the parking lots. NO EXCEPTIONS.

Signature: Gussie Sholtis Date: 2-8-17

Office Use:	Date: _____
Clerk: _____ Deposit Pd: \$ _____ Date: \$ _____	Refund: <input type="checkbox"/> YES <input type="checkbox"/> NO PO #: _____

# Burley Oak Brewing Company



presents...

# Explore Berlin Festival

## **\*Festival will be held on Saturday Afternoon\***

### **Event Dates:**

April 22, 2017

May 13, 2017

June 10, 2017

### **Event Time:**

12pm-8pm

### **Event Goals:**

-To introduce Burley Oak customers, from the western shore of Maryland as well as Delaware- to the Town of Berlin as a whole.

-To create a different draw of business to the Town of Berlin, on a date where it otherwise would not exist.

### **Supporters:**

The Berlin Chamber of Commerce is very excited for an additional venue to promote its members.

The Berlin Mayor & Council has been supportive the past four years for the added business in the Town of Berlin.

We have spoken to several community members and have received nothing less than support. There are 6 names and addresses of people who reside on the streets directly behind the Brewery stating their support.

The Waystead Inn and The Hotel Atlantic, both located in Downtown Berlin, will be giving attendees of the festival a discounted rate for the weekend of the event.

The Dispatch, Cropper's, Urban Nectar, and the new Town of Berlin property, all located on Old Ocean City Blvd, have expressed their support and have granted permission for the use of their properties for parking for these events.

## Event Plans:

Burley Oak Brewing Company will conduct business as usual inside the tavern during these events- this means there will be approximately 18 beers on draft indoors.

In the parking lot of our property there will be a beer station with approximately 12 different beers also being poured via kegs, i.e.- no glass bottles.

We will be placing temporary snow-fencing around the perimeter of our property line. This will ensure that no guests will be able to leave the property with alcoholic beverages.

There will be live music that will begin at 12pm and end promptly at 8pm outdoors. The bands will be restricted to a designated area with our storage building behind them and will face toward Old Ocean City Blvd (away from the residential community.)

We will extend an invitation to all downtown Berlin merchants to set up their own tent and sell their product. Some of which have already expressed their interest- i.e. TaDa, Bungalow Love, Atlantic Retreat, Bruder Hill, and others.

We will extend an invitation to all downtown Berlin restaurants to set up their own tent and sell their products. Some of which have already expressed their interest- Fins, BlackSmith, Gilbert's Provisions, Baking Barons, and Baked Desserts.

Age will be regulated and monitored by a paid security staff at the ONLY entrance/exit for the event. No one under the age of 21 will be permitted to take part in the events.

**\*All alcoholic beverages must be purchased on site at Burley Oak Brewing Company\***

# Burley Oak Brewing Company



presents...

Bringing Back Fireworks

to Berlin...

Festival

**\*Festival will be held on Sunday Evening\***

**Event Dates:**

July 3rd

**Event Time:**

11am - 11pm

**Event Goals:**

-To welcome the second annual Independence Day Celebration in Berlin, MD on the North side of Berlin in a family fun, responsible outdoor event.

**Supporters:**

The Berlin Chamber of Commerce is very excited for this added venue on the north side of town to promote its members.

The Berlin Mayor & Council is excited to have a built in audience to be able to see the firework display that will be provided on behalf of Burley Oak Brewing Company.

We have spoken to several community members and have received nothing less than support. There are 6 names and addresses of people who reside on the streets directly behind the Brewery stating their support.

If there are out-of-towners for this event, The Waystead Inn and The Hotel Atlantic, both located in Downtown Berlin, will be giving attendees of the festival a discounted rate for the weekend of the event.

The Dispatch, Urban Nectar, and the new Town of Berlin property, all located on Old Ocean City Blvd, have expressed their support and have granted permission for the use of their properties for parking during these events.

## Event Plans:

Burley Oak Brewing Company will conduct business as usual inside the tavern during this event- this means there will be approximately 18 beers on draft indoors.

In the parking lot of our property there will be a beer station with approximately 12 different beers also being poured via kegs, i.e.- no glass bottles.

We will be placing temporary snow-fencing around the perimeter of our property line. This will ensure that no guests will be able to leave the property with alcoholic beverages.

There will be live music that will begin at 2pm and end promptly at 11pm outdoors. The bands will be restricted to a designated area with our storage building behind them and will face toward Old Ocean City Blvd (away from the residential community.)

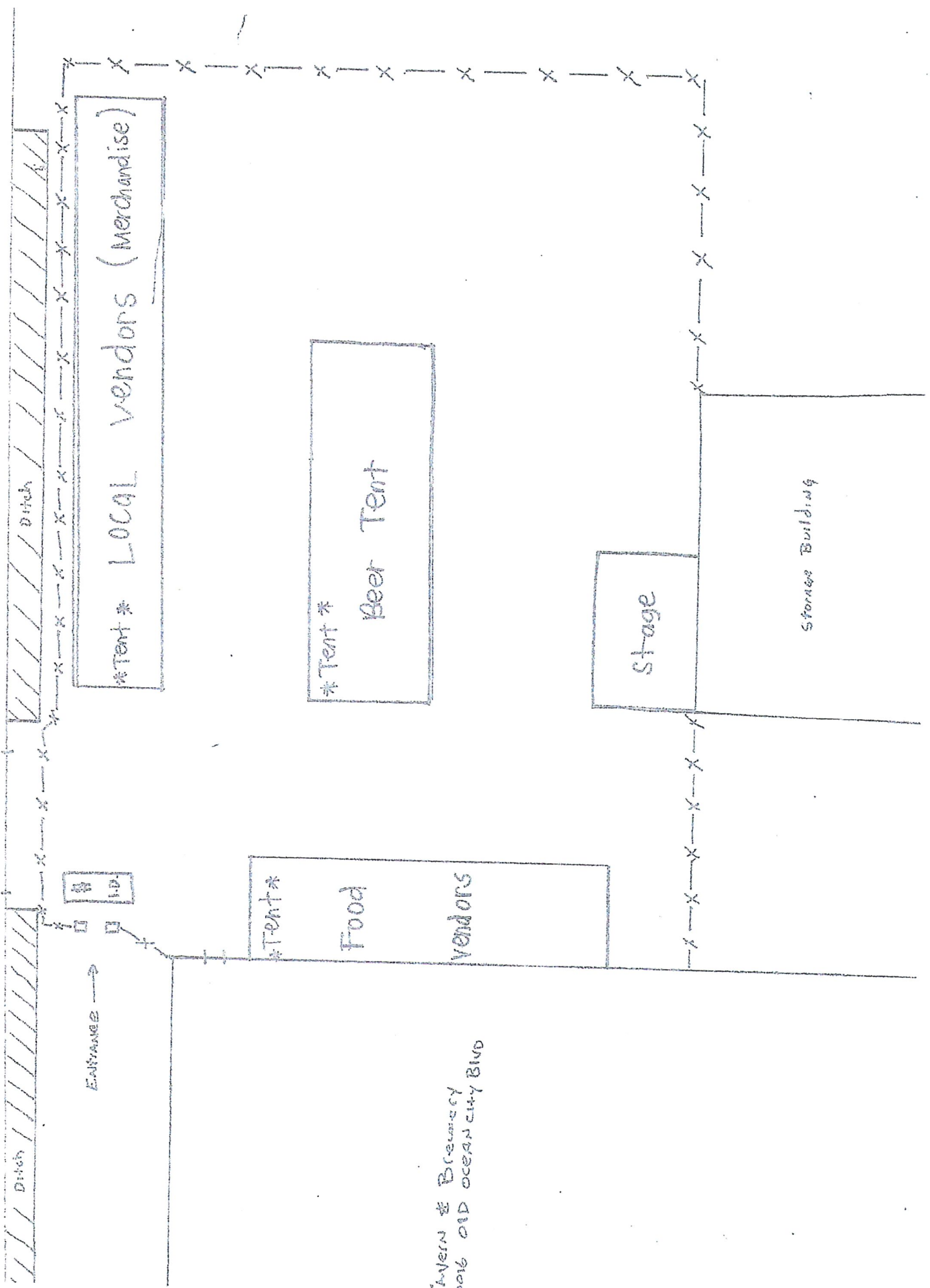
We will extend an invitation to all downtown Berlin merchants to set up their own tent and sell their product. Some of which have already expressed their interest- i.e. TaDa, Bungalow Love, Atlantic Retreat, and others.

We will extend an invitation to all downtown Berlin restaurants to set up their own tent and sell their products. Some of which have already expressed their interest- The Globe, BlackSmith, Gilbert's Provisions, Baking Barons, and Baked Desserts.

Age will be regulated and monitored by a paid security staff at the only entrance/exit for the event. Attendees under the age of 21 will be permitted into the event, but given a different color wristband than attendees who are 21 and older, thus distinguishing who can and who cannot consume alcoholic beverages.

**\*All alcoholic beverages must be purchased on site at Burley Oak Brewing Company\***

Old Ocean City Blvd



Wern & Brewery  
2016 Old Ocean City Blvd





**Feb. 15, 2017**

**Dear Whom It May Concern,**

**As the owner of the Maryland Coast Dispatch property, neighboring Burley Oak Brewing Company in Berlin, I give my permission for the property at 10012 Old Ocean City Blvd. to be used as overflow parking for events hosted by Burley Oak on April 22, May 13, June 10 and July 3.**

**This permission is with the understanding the parking lot will be left as it was found and that any debris left behind by users will be cleaned up by Burley Oak management.**

**Should you have any additional questions, please give me a call at 410-641-4561.**

**Thanks in advance for your consideration in this matter.**

**Yours Truly,  
J. Steven Green  
Publisher**

**Cc://  
File/mcd**

**PO Box 467, Berlin, Md. 21811  
[www.mdcoastdispatch.com](http://www.mdcoastdispatch.com)  
Serving Ocean City Since 1984**

# CROPPERS INC

410-641-1625

February 15, 2016

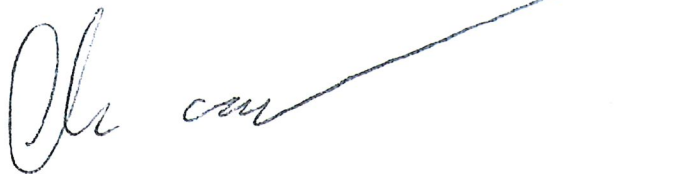
To Whom it may concern,

As the owner of Cropper's Inc., I give permission to Burley Oak Brewing Company for the use of 10013 Old Ocean City Blvd to be used for parking for their outdoor events, occurring on April 22, May 13, and June 10.

We feel that Burley Oak Brewing company will be respectful of our property and won't interfere with business as usual. We understand that Burley Oak will leave our property as it was found and will clean up any garbage left behind.

Any questions or concerns, I will be happy to answer. You can reach me at the numbers listed below.

Thank you,

A handwritten signature in black ink, appearing to read "Chris & Amanda Cropper". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

Chris & Amanda Cropper  
Cropper's Inc.- Owner  
410-641-1625  
CC Customs- Owner  
410-641-3990

# urban nectar

February 15, 2016

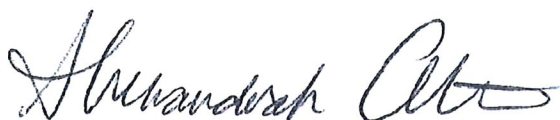
To Whom it may concern,

As the owner of Urban Nectar, I give permission to Burley Oak Brewing Company for the use of 10019 Old Ocean City Blvd to be used for parking for their outdoor events, occurring on April 22, May 13, June 10 and July 3.

We feel that Burley Oak Brewing company will be respectful of our property and won't interfere with business as usual. We understand that Burley Oak will leave our property as it was found and will clean up any garbage left behind.

Any questions or concerns, I will be happy to answer. You can reach me at the numbers listed below.

Thank you,



Shenandoah Cute  
Urban Nectar - Owner  
410-430.2222



410.641.4775 | Berlin Chamber.org

February 16, 2017

On behalf of the Berlin Chamber of Commerce, I would like to extend my support for Burley Oak Brewing Company in their four on site, outdoor festivals on April 22<sup>nd</sup>, May 13<sup>th</sup>, June 10<sup>th</sup>, July 3<sup>rd</sup>.

We feel that these events will give the members of the Berlin Chamber of Commerce a wonderful opportunity to expose themselves to a new variety of customers. It is understood that through the distribution of their beer, Burley Oak can reach a market for the town that the Chamber cannot do alone.

In doing these events, Burley Oak is bringing together members of the Town of Berlin as well as members of the Berlin Chamber of Commerce in more ways than one. We appreciate the opportunity to work together and be able to support one another in our business goals.

We are excited for these events and the Board has given their full approval through quorum.

Harrison Albert

Administrative Assistant

Berlin Chamber of Commerce

410.641.4775

chamberinfo@berlinchamber.org



I would like to say that I am a true supporter of what Burley Oak Brewing Company is striving to do for the community. By hosting events that will invite folks from the entire state of Maryland to our town, they are exposing our town in a way that does nothing but help us grow.

It is exciting to know that Berlin will be the host of several more outdoor events every year. I am happy to support the local community through these events.

I understand that there will be live music outdoors during the dates and times listed below. I trust that Burley Oak will be able to properly regulate the noise level as well as control the use of alcohol during these events.

Explore Berlin Festivals-	2016 - April 22, May 13, June 10	12pm - 8pm
Independence Day Festival-	2016 - July 3	11pm - 11pm

Name	Address	Contact
<u>Jess Berens</u>	<u>8 Nelson St</u>	<u>/</u>
<u>Amanda Shick</u>	<u>105 Graham Ave.</u>	<u></u>
<u>Terri Street</u>	<u>209 Graham</u>	<u></u>
<u>Logan Hall</u>	<u>8 Nelson St.</u>	<u></u>
<u>Dan Baumgardner</u>	<u>209 Graham Ave</u>	<u></u>
<u>Neil Nimrichter</u>	<u>105 Graham Ave</u>	<u></u>



**MOTION OF THE MAYOR AND COUNCIL No. 2017-08**

A motion of the Mayor and Council of the Town of Berlin approving the transfer of one (1) equivalent dwelling unit (EDU) from the Worcester County Senior Center to the Berlin Library project located on Harrison Avenue (Tax map 300, Parcel 1287).

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



DEPARTMENT OF  
DEVELOPMENT REVIEW AND PERMITTING

**Worcester County**

GOVERNMENT CENTER  
ONE WEST MARKET STREET, ROOM 1201  
SNOW HILL, MARYLAND 21863  
TEL: 410-632-1200 / FAX: 410-632-3008  
[www.co.worcester.md.us/drp/drpindex.htm](http://www.co.worcester.md.us/drp/drpindex.htm)

ZONING DIVISION  
BUILDING DIVISION  
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION  
CUSTOMER SERVICE DIVISION  
TECHNICAL SERVICE DIVISION

February 23, 2017

Ms. Laura Allen, Berlin Town Administrator  
Town of Berlin, Maryland  
10 William Street  
Berlin, Maryland 21811

RE: Proposed Worcester County Library Harrison Ave. –EDU Transfer Request

Dear Ms. Allen:

Pursuant to your letter to Ms. Jennifer Ranck, Library Director, Worcester County requests that one EDU is transferred from the Senior Center to the Berlin Library project located on Harrison Avenue (Tax map 300, Parcel 1287). This EDU transfer request was approved by the Worcester County Commissioners on 2/21/17 – see attached transfer request memo.

Thank you for your assistance with this project. If you have additional questions, please contact me at 410-632-1200 ext. 1150 or [bbradshaw@co.worcester.md.us](mailto:bbradshaw@co.worcester.md.us).

Sincerely,

William J. Bradshaw, Jr. P.E.  
Worcester County Engineer

attachment

cc: Harold Higgins, Worcester County Chief Administrative Officer  
Robert Mitchell, Director, Worcester County Env. Programs  
Jennifer Ranck, Director, Worcester County Libraries



5

DEPARTMENT OF  
DEVELOPMENT REVIEW AND PERMITTING

**Worcester County**

GOVERNMENT CENTER  
ONE WEST MARKET STREET, ROOM 1201  
SNOW HILL, MARYLAND 21863

TEL: 410-632-1200 / FAX: 410-632-3008  
www.co.worcester.md.us/drp/drpIndex.htm

ZONING DIVISION  
BUILDING DIVISION  
DATA RESEARCH DIVISION

ADMINISTRATIVE DIVISION  
CUSTOMER SERVICE DIVISION  
TECHNICAL SERVICE DIVISION

### MEMORANDUM

**TO:** Harold L. Higgins, Chief Administrative Officer  
**FROM:** William Bradshaw, County Engineer *WB*  
**DATE:** February 15, 2017  
**SUBJECT:** Worcester County Proposed Berlin Library Construction Water and Sewer Capacity Transfer Request

As the planning and bidding process is progressing the project team has coordinated with the Town of Berlin regarding water and sewer capacity to serve the proposed library building at the Harrison Street location. The Town of Berlin has determined that one equivalent dwelling unit (EDU) of capacity is needed for the library building. Worcester County presently owns inactive EDU capacity assigned to the Northern Worcester Senior Center property. The Town of Berlin is requesting that one EDU is activated and transferred to serve the proposed Library building. A similar transfer was completed from the Northern Worcester Senior Center property when the Dental Clinic was constructed in 2010. There is no charge to transfer one EDU at this time.

Therefore, approval is requested to transfer one equivalent dwelling unit (EDU) of capacity from the existing Northern Worcester Senior Center Property to the proposed Berlin Library property located on Harrison Street. With your approval, I will initiate a transfer request with the Town of Berlin.

If there are question, please contact me. Thank you.

**RECEIVED**  
FEB 15 2017  
WOR CG ADMIN  
DIANE

**APPROVED**  
Worcester County Comm...  
Date *HH* 2/21/17





## Request For Change Order

**Project** [C1622SS] - Berlin Police Department**Date** 2/22/2017

Willow Construction, LLC  
 400 Maryland Ave.  
 PO Box 521  
 Easton, MD 21601  
 Phone: (410) 822-6000  
 Fax: (410) 820-7392

**RCO No.** 019

**Date** 2/22/2017 **Budget Status** Approved

**Cost Event No.** 031

**Description** Building Pad Over-excavation

<b>From</b>	Eric D. Milhollan Willow Construction, LLC 400 Maryland Ave. PO Box 521 Easton, MD 21601 Phone: (410) 822-6000 ext. 139 Fax: (410) 820-7392	<b>To</b>	Laura Allen The Mayor and Council of the Town of Berlin 10 William Street Berlin, MD 21811 Phone: (410) 641-4144 Fax:
-------------	---	-----------	--

**Schedule Change** 7.00 days

**Long Description** As requested we have summarized the cost associated with the removal, replacement and testing of unsuitable soils from the building pad in accordance with the recommendation and report dated February 16, 2017 from John D Hynes & Associates, Inc. This proposal is based on 9,211 square feet of pad at a depth of 24" completed at a unit cost of \$35.00 per cubic yard. The work will completed under observation and recommendation of John D. Hynes & Associates. The final cost will be billed at \$35.00/cy based on the amount of soils that are required to be replaced.

This work will require an additional seven days be added to the project duration.

**cc2:**

<b>Origin of Changes</b>	Field Conditions
<b>Revised Substantial Completion Date</b>	2/8/2018
<b>Sign and Return Date</b>	2/24/2017



**Items**

No.	Budget Code	Contact	Description	Submitted
1		Sean Leatherman (Southside Land Management LLC)	Building Pad Over-excavation	\$23,880.15
2		Eric D. Milhollan (Willow Construction, LLC)	Willow Supervision 40 Hour at \$75.00/hr	\$3,000.00

**Markups**

No.	Budget Code	Description	Rate (%)	Submitted
1		Overhead & Profit	10.00	\$2,688.02

	Submitted
Items	\$26,880.15
Markups	\$2,688.02
<b>Total</b>	<b>\$29,568.17</b>

<b>Willow Construction, LLC</b>	<b>Crosby &amp; Associates, AIA, LLC</b>	<b>The Mayor and Council of the Town of Berlin</b>
<b>Signed:</b> 	<b>Signed:</b> 	<b>Signed:</b>
<b>By:</b> Eric D. Milhollan, Senior Project Manager	<b>By:</b> Alan Brock	<b>By:</b> Laura Allen, Town Administrator
<b>Date:</b>	<b>Date:</b> 2/23/2017	<b>Date:</b>

*SouthSide*



*Land Management, INC.*

Willow Construction

Proposed Change Order #5: Miscellaneous Excavation and Backfill

Price includes excavation, removal of soils in designated areas, back filling with select fill, and compaction testing — \$35 per cubic yard

This will be billed on a monthly basis as work is completed. Designated areas will be agreed upon between Southside Land Management, INC, Willow Construction, and JD Hynes & Assoc. prior to excavation beginning.



---

3447 Ocean Gateway East New market, MD 21631  
**MHIC#127365 Phone: 410.310.6410 Fax:443.225.5623**  
[www.southsidelandmgt.com](http://www.southsidelandmgt.com) [southsidelandmgt@gmail.com](mailto:southsidelandmgt@gmail.com)  
**Certified Marine Contractor**

## David Zarate

---

**From:** Randy Blizzard <rblizzardsslm@gmail.com>  
**Sent:** Wednesday, February 22, 2017 10:59 AM  
**To:** Eric Milhollan; Michael Murphy  
**Subject:** Misc. Excavation

Gentlemen,

I have roughly figured the square footage for the miscellaneous excavation to be 9,211 square feet. This square footage already has the space deducted for the house area. To fill this area of 9211 square feet up to 24" it will take 682.29 cubic yards of select fill @ 35.00cy, which comes out to \$23,870.00. This is based on over excavation of 24", if instructed to dig over 24" than the required amount select fill will increase. Let me know if have any questions.



Randy

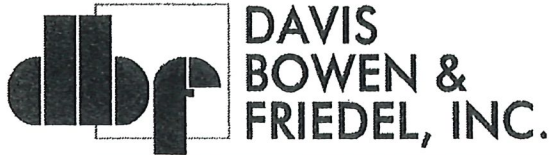
**Southside Land Management, INC**

Excavation - Hardscape - Landscape - Marine Contracting - Snow Removal

3447 Ocean Gateway Phone: 410-310-6410

East New Market, MD 21631 Fax: 443-225-5623

Connect with us: [Facebook](#) | [Our webpage](#) | [Email](#)



ARCHITECTS ENGINEERS SURVEYORS

February 21, 2017

Michael R. Wigley, AIA, LEED AP  
Randy B. Duplechain, P.E.  
W. Zachary Crouch, P.E.  
Michael E. Wheelerton, AIA  
Jason P. Loar, P.E.  
Ring W. Lordner, P.E.

Town of Berlin  
10 William Street  
Berlin, Maryland 21811

ATTN: Ms. Laura Allen  
Town Administrator

RE: Berlin Police Station –  
Unsuitable Soils Recommendation  
Berlin, Maryland  
DBF #050A002.032

Ms. Allen:

This correspondence is in response to the Town's request for Davis, Bowen and Friedel, Inc. (DBF) recommendation regarding the unsuitable soils encountered at the Berlin Police Station. We have received a report of findings and general recommendations from John D. Hynes and Associates, Inc. (Hynes) dated February 16, 2017 for the area of the sally port. We have reviewed the architectural/structural plans for the building along with the site plans by John Salm Engineering, Inc. Our understanding is that the site contractor has requested \$35.00 per cubic yard to excavate and dispose of existing unsuitable soils and import, install, compact and test select fill.

We have reviewed the Hynes report stating that approximately 15" of topsoil has been removed from the area in question, which is where the soft subgrade was encountered. Based on the construction prints, we have determined that approximately 24" – 30" of select fill is required to be provided by the contractor, to bring the existing site up to building subgrade for the floor slab. This figure was derived by adding the 15" that the finished floor is above the existing grade and the 15" that was lost by removal of the topsoil. The cost of installing this 24" - 30" of suitable material would be part of the Contractor's original bid price.

The referenced Hynes report looked specifically at the area of the sally port with regard to recommended soil improvements for the site conditions that are currently present. It is our understanding based on the report that the contractor should remove the 18" - 24" below existing subgrade and place select fill (<15% passing 200 sieve) without loading the area with equipment to establish a subgrade on which additional soil can be placed without contamination from the lower strata being an issue.

We believe that the price of \$35.00 per cubic yard is reasonable for removal and replacement of unsuitable soils with compactive effort and testing. Based on our understanding of the plans and the above stated information, we agree that the recommendations in the referenced Hynes Report should be implemented, under continued Hynes observation. Payment per cubic yard would be limited to the 18" – 24" subgrade depth at the extents evaluated by Hynes. A site plan showing the extents and depths should be submitted for approval of the cubic yard quantity.

Letter: Town of Berlin, Laura Allen  
February 21, 2017  
Page 2

Should there be any questions or comments regarding the information in this letter, please contact this office.

Sincerely,  
DAVIS, BOWEN & FRIEDEL, INC.



Joshua J. Taylor, P.E.  
Associate

N:\00\050A\050A002\0050A002.032 - Police Station\Letters\Allen 022017.jcm.doc

cc: Chief Arnold Downing, Berlin Police Dept.  
Mike Murphy, Willow Construction  
Alan Brock, Crosby & Associates  
John Hynes, J.D. Hynes & Associates, Inc.



# JOHN D. HYNES & ASSOCIATES, INC.

*Geotechnical and Environmental Consultants  
Monitoring Well Installation  
Construction Inspection and Materials Testing*

February 16, 2017

Randy Blizzard  
Southside Land Management, LLC  
3447 Ocean Gateway  
East New Market, Maryland 21631

Via Email: southsidelandmgt@gmail.com  
No. of Pages: 4

Re: Report of Materials Testing and Inspection Services  
Berlin Police Department  
Berlin, Maryland  
Project No. JDH-10/17/120

Dear Mr. Blizzard:

John D. Hynes & Associates, Inc. provided materials testing and inspection services for the referenced project on February 13, 2017. As requested and scheduled, our services included subgrade inspection, and proofroll inspection services.

**February 13, 2017:** A Hynes & Associates technician visited the project site to monitor the proofrolling of the subgrade for the proposed building pad at the locations shown on the attached sketch. The site contractor used a bulldozer to remove approximately 15 inches of topsoil from the building pad location. The subgrades were found to be soft. The technician used a No. 4 rebar to locate soft areas throughout the building pad. The technician contacted a Hynes & Associate's Geotechnical Engineer (Jason Lindsey) for recommendations. Six tests pits were excavated in the building pad area to 2.5 to 3 feet below subgrade at the locations indicated on the attached sketch. Soft material and surface runoff was encountered at the bottom of the test pits. The contractor was informed of the inspection results. Refer to the attached sketch for the subgrade inspection locations.

A Hynes & Associates Geotechnical Engineer visited the project site to inspect portions of the building pad subgrade at the locations indicated on the attached drawing. Approximately 18 to 24 inches of wet, soft soil was encountered at the eastern portion of the building pad area. The contractor was advised to remove the soft material with an excavator without driving on it as not to disturb the subgrades. The contractor was advised to backfill the subgrade with compacted sand (less than 15 percent passing a No. 200 sieve). The sand should be placed directly into the excavation and spread with a bulldozer or the excavator bucket. The contractor was advised to not have equipment directly on the prepare subgrade. The bulldozer should spread the fill while being supported on the fill. The contractor was informed of the inspection results. Refer to the attached sketch for the subgrade inspection locations.



Southside Land Management, LLC  
February 16, 2017  
Page 2

If you have any questions regarding this report or if we may be of further assistance, please contact our office.

Respectfully,  
JOHN D. HYNES & ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read "M F Foret".

Michael F. Foret  
Assistant Testing Manager

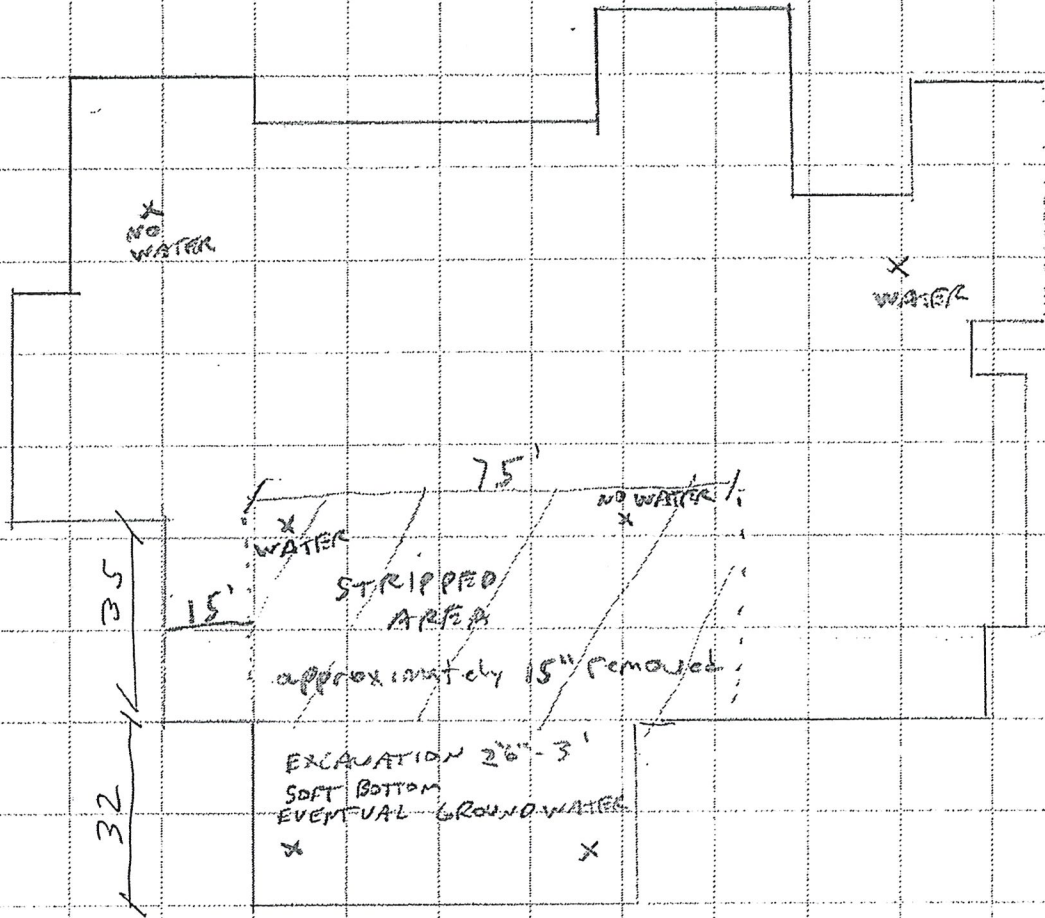
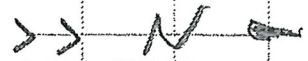
MDF: JDH/laz

Attachments

A handwritten signature in black ink, appearing to read "John D. Hynes".  
John D. Hynes, P.E.  
President



U.S. RT 113



Proposed building Pad outline

x = excavated Test Pits

wood line



JOHN D. HYNES & ASSOCIATES, INC.

32185 Beaver Run Drive • Salisbury, Maryland 21804 • 410-546-6462 • Fax 410-548-5346

DATE: 2-13-2017

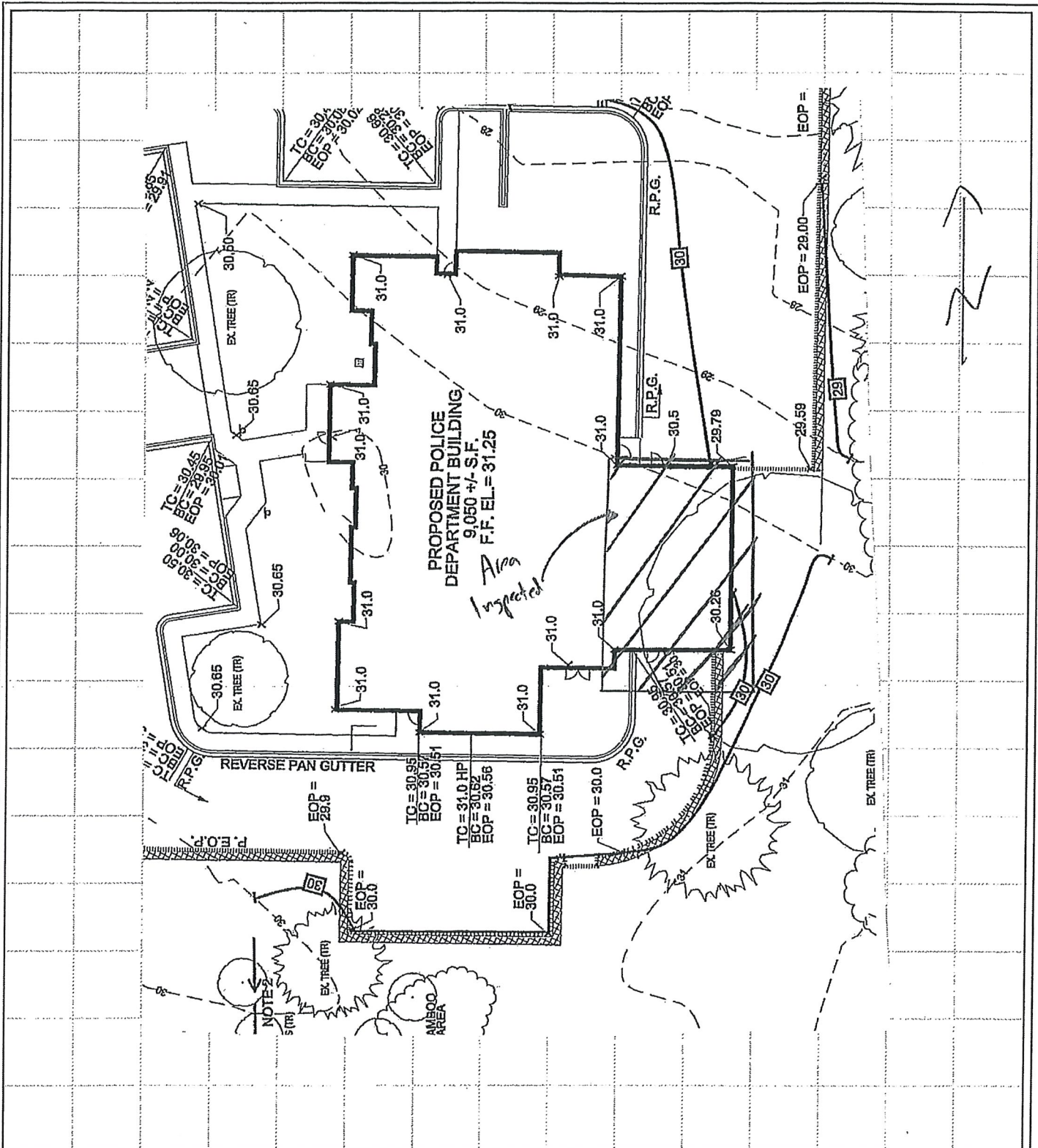
SCALE: NTS

DRAWN: RB

Berlin Police Dept  
Berlin, Maryland

DWG. NO.

1/1



**HYNES**  
**JOHN D. HYNES & ASSOCIATES, INC.**  
 32185 Beaver Run Drive • Salisbury, Maryland 21804 • 410-546-6462 • Fax 410-548-5346

DATE:	2/13/17
SCALE:	N.T.S.
DRAWN:	SAL

Berlin PD.  
 Berlin, Maryland

DWG. NO.  
 1

## David Zarate

---

**From:** Eric Milhollan  
**Sent:** Tuesday, February 14, 2017 11:23 AM  
**To:** 'Alan Brock'; lallen@berlinmd.gov  
**Cc:** Michael Murphy  
**Subject:** RE: Berlin PD Site Conditions

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

I don't know how many yards at this point. If the pad is 9,050 sf and the we improved roughly 1400 sf due to the work at the existing building, that leaves 7750sf. We can budget that no more than 24" of material needs to be replaced, that is about 574 cu yds.

In speaking to Jason Lindsay with Hynes, the more West we go on the building pad the more the soils improve.

The overall yardage will be greater since our building pad is typically five foot out bound of the actual building, so this number will change.

---

**From:** Alan Brock [mailto:abrock@ca-aia.com]  
**Sent:** Tuesday, February 14, 2017 11:00 AM  
**To:** Eric Milhollan ; lallen@berlinmd.gov  
**Cc:** Michael Murphy  
**Subject:** RE: Berlin PD Site Conditions

Eric, is there any idea of how many CY we're talking about?

---

**From:** Eric Milhollan [mailto:eric@willowconstruction.com]  
**Sent:** Tuesday, February 14, 2017 8:49 AM  
**To:** 'lallen@berlinmd.gov'  
**Cc:** Michael Murphy; 'Alan Brock'  
**Subject:** Berlin PD Site Conditions

We started excavation and building pad prep yesterday to areas of the building outside the footprint of the existing building. The first area was in the vicinity of the Sally Port. As the existing topsoils were removed it was determined that the subgrade was pumping, similar to what was experienced in the paved areas. John Hynes probed areas of the building pad and determined that up to 3 to 4 feet of existing soils may need to be removed and replaced. We expect the conditions to vary at different locations on the building pad and recommend having a geotechnical engineer on-site to make recommendation during the excavation.

Our site contractor has proposed to excavate and dispose of existing soils, backfill, compact and inspect new soils at a unit cost of \$35.00 per cubic yard.

We can proceed in this fashion for a select portion of the building to help determine the overall financial impact.

**TOWN ADMINISTRATOR'S REPORT**  
**February 27, 2017**

**Requisitions (numeric order)**

Requisition 201701204	\$73,985
Iron Source	
Excavator	
30-5030-5255 Capital Outlay Equipment \$42,000	
24-5830-5255 Capital Outlay Equipment \$16,985	
20-5710-5255 Capital Outlay Equipment \$15,000	

## MEMORANDUM

TO: MAYOR AND COUNCIL

FROM: WATER RESOURCES/ JAMEY LATCHUM 

DATE: February 22, 2017

SUBJECT: MINI EXCAVATOR

Town of Berlin Water Resources has been renting a mini-excavator to be used for ditch maintenance. The rental fee associated with this is \$3,150 per month; we have already accrued over \$9,000 in rental fees.

We would like to purchase a mini-excavator. The cost associated with this would be \$73,985. The purchase of a new one would entail a 5-year 5,000 hour bumper to bumper warranty; as opposed to the purchase of the used one that we have been renting, which would only be warrantied for one year and/or 1,000 hours.

There is funding in the Stormwater department's Capital account available to make this purchase, a total of \$42,000.

There is also funding available in Wastewater as a result of purchasing a lesser expensive tractor in 2016, a total of \$16,985.

There is also funding available in the Water department, a total of \$15,000.

This would bring us to the total purchase price of \$73,985. The purchase of this piece of equipment would benefit each department in various tasks and would be a benefit to Water Resources as a whole.



# Sales Quote

www.ironsource.com

DATE: 2/21/2017

25113 Dupont Blvd  
Georgetown, DE 19947

(302)856-7545 | Phone  
(302)856-7546 | Fax  
(888)733-5119 | Toll Free  
info@ironsource.com | email

Quotation is Good Through: 3/23/2017

To:	
TOWN OF BERLIN WATER RESOURCES	WACKER
[Company Name]	[Make]
JAMES LATCHUM	ET65
[Contact Name]	[Model]
10 WILLIAM STREET	PAL00221
	[Serial Number]
BERLIN, MD	50
[City, ST ZIP Code]	[Hours]
21801	[Payment Type]
P.O # 201701204	

QTY	MAKE	MODEL	SERIAL/PART #	DESCRIPTION	LINE TOTAL
1.00	WACKER	ET65	PAL00221	13000, LB MINI EXCAVATOR	\$77,385.00
				59 HP TIER 4 FINAL PERKINS ENG	
				FULLY ENCLOSED CAB HVAC	
				24" & 36" BUCKETS	
				HYDRAULIC THUMB INSTALLED	
				QUICK ATTACH BUCKET COUPLER	
				AUXILIARY HYDRAULICS ON STICK	
				RUBBER TRACKS	
MUNICIPAL DISCOUNT					\$3,400.00
5 YEAR 5000 HOUR BUMPER TO BUMPER WARRANTY					
Payment Terms: CASH PRICING APPLIES.					
APR:					
SUBTOTAL					\$73,985.00
					\$
Quotation prepared by: <u>                    </u> JOBY LEWIS					
					TOTAL \$73,985.00

To accept this quotation, sign here and return: \_\_\_\_\_



Vendor Name: IRON SOURCE 25113 DUPONT BLVD Change Business Address Amount: \$73,985.00  
Vendor Number: 0001081 GEORGETOWN, DE 19947  
Vendor Set: 01 U.S.A.  
Approval Status: Waiting for Approval

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

Number: 201701204

Description: EXCAVATOR

Department: UT-STWA - UTILITY STORMWATEI

Issue Date: 2/22/2017

On Hold:

Requested By: JAMEY LATCHUM

Auto Approve:

Ship To: Waste Water Plant - Town of Berl

Vendor: 0001081 • IRON SOURCE

Detailed Description

PURCHASE EXCAVATOR

HP LaserJet 200 color L1102 11276 BCL 6 (HP LaserJet 200 color L1102 (nw))  
Printing document.  
Account Job sent to the printer  
Settings | HP Support | Shop for Supplies | Supplies Details

Vendor Name: IRON SOURCE 25113 DUPONT BLVD Change Business Address Amount: \$73,985.00  
 Vendor Number: 0001081 GEORGETOWN DE 19947  
 Vendor Set: 01 U.S.A.  
 Approval Status: Waiting for Approval

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

Commodity: GOODS - GOODS

Item Description: EXCAVATOR

SHIP To: Waste Water Plant - Town of Be

Vendor: 0001081 - IRON SOURCE

Ordered	Units	Price	Amount
1.000000		42,000.000000	42,000.00
			0.00
			0.00
Total Item			\$42,000.00
Trade Discount			50.00

Account: 30-5030-5255  Vendor Part Number:

Project Account:

Split Distribution:

Need By Date:

Special Instructions:

Sequence	Commodity Code	Item Description	Vendor	Transferred Fro	Is Taxed	Units	Price	Amount	Shipping	Tax	Total	Net
1	GOODS	EXCAVATOR	IRON SOURCE			1.00	42,000.00	42,000.00	0.00	0.00	42,000.00	
2	GOODS	EXCAVATOR	IRON SOURCE			1.00	16,985.00	16,985.00	0.00	0.00	16,985.00	
3	GOODS	EXCAVATOR	IRON SOURCE			1.00	15,000.00	15,000.00	0.00	0.00	15,000.00	

Totals:								\$73,985.00	\$0.00	\$0.00	\$73,985.00
---------	--	--	--	--	--	--	--	-------------	--------	--------	-------------

Automatically Add Rows



Vendor Name: IRON SOURCE      25113 DUPONT BLVD      Change Business Address      Amount: \$73,985.00  
 Vendor Number: 0001081      GEORGETOWN, DE 19947  
 Vendor Set: 01      USA.  
 Approval Status: Waiting for Approval

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

Commodity: GOODS - GOODS     

Item Description: EXCAVATOR

Ship To: Waste Water Plant - Town of Be

Vendor: 0001081 - IRON SOURCE

Units	Price	Amount
1.000000	16,985.000000	16,985.00
		0.00
		0.00

Total Item: \$16985.00  
 Trade Discount: 5000

Account: 24-5830-5255      **CAPITAL OUTLAY EQUIPMENT**      Vendor Part Number:

Project Account:

Split Distribution:       Need By Date:

Special Instructions:

Sequence	Commodity Code	Item Description	Vendor	Transferred Fro	Is Taxed	Units	Price	Amount	Shipping	Tax	Total	Ne
1	GOODS	EXCAVATOR	IRON SOURCE			1.00	42,000.00	42,000.00	0.00	0.00	42,000.00	
2	GOODS	EXCAVATOR	IRON SOURCE			1.00	16,985.00	16,985.00	0.00	0.00	16,985.00	
3	GOODS	EXCAVATOR	IRON SOURCE			1.00	15,000.00	15,000.00	0.00	0.00	15,000.00	

<b>Totals:</b>								\$73,985.00	50.00	90.00	\$73,985.00
----------------	--	--	--	--	--	--	--	-------------	-------	-------	-------------

Automatically Add Rows

Vendor Name: IRON SOURCE 25113 DUPONT BLVD Change Business Address Amount: \$73,985.00  
 Vendor Number: 0001081 GEORGETOWN, DE 19947  
 Vendor Set: 01 USA  
 Approval Status: Waiting for Approval

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

Commodity: GOODS - GOODS Load Commodity Defaults

Item Description: EXCAVATOR

Ship To: Waste Water Plant - Town of Be

Vendor: 0001081 - IRON SOURCE

Ordered	Units	Price	Amount
1.000000		15,000.000000	15,000.00
			0.00
			0.00

Total Item \$15,000.00  
 Trade Discount 5000

Account: 20-5710-5255 CAPITAL OUTLAY EQUIPMENT Vendor Part Number

Project Account: Split Distribution Need By Date

Special Instructions:

Sequence	Commodity Code	Item Description	Vendor	Transferred Fro	Is Taxed	Units	Price	Amount	Shipping	Tax	Total	Net
1	GOODS	EXCAVATOR	IRON SOURCE			1.00	42,000.00	42,000.00	0.00	0.00	42,000.00	
2	GOODS	EXCAVATOR	IRON SOURCE			1.00	16,985.00	16,985.00	0.00	0.00	16,985.00	
3	GOODS	EXCAVATOR	IRON SOURCE			1.00	15,000.00	15,000.00	0.00	0.00	15,000.00	

Totals:								\$73,985.00	\$0.00	\$0.00	\$73,985.00
---------	--	--	--	--	--	--	--	-------------	--------	--------	-------------

Automatically Add Rows