



BERLIN, MARYLAND

MAYOR AND COUNCIL MEETING

MONDAY, MARCH 27, 2017

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

EXECUTIVE SESSION6:00 PM
REGULAR SESSION7:00 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, March 27, 2017

6:00 PM EXECUTIVE SESSION – Conference Room

- a. Pursuant to Section §3-305(b)(1) – To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals;
- b. Pursuant to Section §3-305(b)(7) – To consult with counsel to obtain legal advice on a legal matter.

7:00 PM REGULAR SESSION – Council Chambers

1. Approval of the Minutes for:
 - a. Executive Session of 03/13/17
 - b. Statement of Closure for Executive Session of 03/13/17
 - c. Regular Session of 03/13/17
2. Presentation: Nature Conservancy Spray Site Project Update – Mike Dryden
3. Special Event Request: Stevenson Church Memorial Day Service – Vincent Holloway and Jane King
4. Motion 2017-14 – Motion regarding the electric service agreement with SonRise Church – Pastor Hammer
5. Motion 2017-13 – Stormwater Management Contract Modification – Town Administrator, Laura Allen
6. Motion 2017-12 – Motion restating the Town’s PJM Risk Management Policy and reauthorizing the Town Administrator to represent the Town in hearings before the Maryland Public Service Commission and to take actions there on its behalf related to the proceedings – Town Administrator, Laura Allen
7. Resolution of the Mayor and Council 2017-02: Withholding of permits, licenses and other approvals – Town Administrator, Laura Allen
8. 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 – Robert Fisher
- f. Planning – Dave Engelhart
- g. Managing Director – Jeff Fleetwood

- 9. Town Administrator's Report
- 10. Comments from the Mayor
- 11. Comments from the Council
- 12. Comments from the Public
- 13. Comments from the Press
- 14. Adjournment



BERLIN MAYOR AND COUNCIL
Meeting Minutes
Monday, March 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, Managing Director Jeff Fleetwood, Administrative Services director Mary Bohlen, Finance Director Natalie Saleh, Town Attorney David Gaskill, Police Lieutenant Robert Fisher, 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 7:10 PM.

1. Approval of the Minutes for:

a. Executive Session of 02/27/17:

On the motion of Councilmember Gulyas, the Executive Session minutes of February 27, 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				

b. Statement of Closure for Executive Session of 02/27/17:

Mayor Williams read the Statement of Closure.

c. Regular Session of 02/27/17:

On the motion of Councilmember Gulyas, the Regular Session Minutes of February 27, 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				

2. Berlin Library Project – Jennifer Ranck, Worcester County Library Director and Howard Sribnick, President of the Worcester County Library Foundation

a. Berlin Library Project Update

Jennifer Ranck and Howard Sribnick presented information on the new Worcester County Library- Berlin Branch. Mayor Williams stated that he thinks it is a great mix between architectural charm and functionality and stated that we have had a great need for a community room, so he is happy to see one in the library plans. Ms. Ranck stated that they are hopeful that it will open in Summer 2018. The Council thanked them for the presentation and said it will be a great addition to the town.

- b. Motion 2017-10 – A motion of the Mayor and Council of the Town of Berlin approving the waiver of the permitting fees for the Worcester County Library Project in an amount not to exceed \$23,300 and the labor costs associated with the electric installation in the amount of \$3,427 for a total of \$26,727.

Ms. Ranck and Mr. Sribnick requested that the town approve the motion. Councilmember Burrell asked if they are a non-profit; Mr. Sribnick stated that they are the only institution in the County that can raise money and Ms. Ranck stated that they are a 501(c)3 organization. Town Administrator, Laura Allen stated that per the Public Service Commission we are not allowed to pay for the transformer or any other equipment, only the labor.

On the motion of Councilmember Burrell, Motion 2017-10, 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				

Councilmember Burrell stated that this will bring the Towns total contributions to the library to \$101,727. Councilmember Gulyas asked when they meet with the commissioners; Ms. Ranck said they meet on March 21, 2017. Mayor Williams asked them to express their happiness to the County Commissioners.

- 3. Motion 2017-11 – A motion of the Mayor and Council of the Town of Berlin approving the Jeep Jam Lease Agreement for 2017.

Town Administrator, Laura Allen, read the terms of the agreement. Mayor Williams asked what the dates were; Ms. Cropper replied August 24th through the 27th. Councilmember Burrell asked if they will be responsible for insurance, Ms. Allen advised that it will be the same as last year and LIGT is okay with it. Ms. Cropper stated that they will provide a certificate of insurance upon approval. Mayor Williams asked if they were planning on finding a new location; Ms. Cropper stated that they were. Councilmember Tyndall asked about details of the course; Ms. Cropper invited him out to see the set up days prior to the event. Councilmember Tyndall asked how this relates to events at the other parks and are we setting a precedent; Mayor Williams stated that each park and event is unique and will be reviewed individually, we have no precedents. Councilmember Tyndall asked if this will affect any of the wild life at Berlin Falls Park; Ms. Allen stated that she received a letter from Jim Rapp and Dave Wilson expressing concerns about the habitat there, particularly for Painted Turtles, however, they said if this is the last year then they don't think it will be a problem, but the Cropper's may be able to change the route to help. Ms. Cropper stated that they will be having a 50/50 raffle and the proceeds will go towards the park for habitat restoration costs. Councilmember Burrell stated that he would like to see this event integrated into the park as an annual event.

On the motion of Councilmember Purnell, Motion 2017-11, 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. Special Event Request – Habitat for Humanity – Farm to Table – Andrea Bowland
 Andrea Bowland, Director of Habitat for Humanity explained the event in detail and stated that they have purchased 21 Jefferson Street. Councilmember Gulyas asked if the event required alcohol; Ms. Bowland stated that they do prefer the event have alcohol. Councilmember Gulyas stated that if they need any printing done for the event he will donate the tickets, flyers, or whatever they need.

On the motion of Councilmember Purnell, the Farm to Table Special Event Request 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			

5. Motion 2017-09 – Motion to approve the FY18 Program Open Space Annual Development Program as presented – Mary Bohlen, Administrative Services Director
 Ms. Bohlen explained the motion and how it’s like last year’s motion, but the first two items are new.

On the motion of Councilmember Brittingham, Motion 2017-09 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				

6. Departmental Reports:

a. Finance Director – Natalie Saleh

Ms. Saleh reported that her and Ms. Allen will be meeting with Department Heads throughout the week to go over the departments draft budgets.

b. Administrative Services Director – Mary Bohlen

Ms. Bohlen reported that the Public Service Commission sent her correspondence to share, they will be having a public hearing regarding the offshore wind project on Saturday, March 25th at noon in the Stephen Decatur Middle School Cafeteria and on Thursday, March 30th at 6pm at the Legislative Service Building in Annapolis. She also reported that the Parks Commission met last week to plan spring events, their focus was on the Clean Up Day for Take Pride in Berlin Week; she has been working with Ivy Wells to come up with ways to make the event have a fresh feel and hopefully attract more involvement.

c. Electric Utility Director – Tim Lawrence

Mr. Lawrence reported that they conducted demand and meter reads. At the Power Plant, American Municipal Power has a meter that sends information to them and that was not working properly, so they met and fixed it. At 200 Washington Street, they performed a disconnect and upgrade. At 30 Decatur Street, 118 Austin Circle and 402 West Street they installed new underground service. They replaced two (2) rotting poles on Washington Street and performed a repair on the underground service at 205 West Street. Lastly, they performed an inventory to provide electric service for Intrepid Lane.

d. Police Lieutenant – Robert Fisher

Lieutenant Fisher had nothing to report.

e. Planning Director – David Engelhart

Mr. Engelhart reported that at the new Police Facility, they have completed pouring the foundation and installed the footings, and if the weather cooperates, they will begin laying blocks soon. They also began the footings at Ocean's East on Seahawk Road.

f. Economic & Community Development Director – Ivy Wells

Ms. Wells stated that she was thankful for the participants in the Ocean City St. Patrick's Day parade. She and Sharon Timmons walked with a banner in front of the float in which Mayor Williams and Little Mr. and Little Ms. Peach rode in. On April 8th from 1pm – 5pm, the Town will be participating in Berlin goes pink, shops and businesses will have specials and Fin's Ale House and Raw Bar will be hosting a costume contest with prizes; she will be distributing posters soon. There will be a new event on the third Thursday of May- August, called lunchtime concerts, each month a new performer will come out and perform during lunch. She reported that a few businesses are moving soon, World of Toys will be moving into the Toy Town building, Brooklyn Baking Barons will be moving into Sisters and artists are looking at Brooklyn Bakers spot. Island Creamery is moving slower than they'd hoped, but they are working towards opening, Salvaged will be opening on April 1st and Burley Oak will be opening a Burley Café where the Berlin Coffee Shop was. Lastly, she stated that there are over 9,000 fans on the Main Street Facebook page.

g. Managing Director – Jeffrey Fleetwood

Mr. Fleetwood reported that last week they met with the insurance broker to see where rates stand on the national study. During the first week of April they will meet to discuss preliminary numbers, workers comp and early next week for liability insurance, the Council is invited to sit in on this. On March 20th they will have an employee recognition ceremony in the Council Chambers at noon and the years of service are as of December 31, 2016.

7. Town Administrator's Report – Laura Allen

Ms. Allen reported that Flower Street is open and they are now working on the punch list. They will be repurposing/refinishing the railings, rather than purchasing new ones. Councilmember Burrell stated that they did a nice job cleaning up the property owner's yards;

Ms. Allen stated that Jane’s Department was a lot of help with that as well. Councilmember Brittingham stated that the property owners on Showell Street want the erosion addressed; Ms. Allen stated that MDE needs the have the permit for culvert project closed out first, then they will address Showell and Branch Streets. She stated that an issue we face being a small town is that paving projects are small and therefore need to be bundled for a company to be interested in bidding on the project. They will have a bid out by the end of this month, and hopefully by the end of next month have selected a vendor. Mayor Williams said they have been ensuring that all the bidders meet the qualifications and have high quality work at a reasonable price. Ms. Allen stated that they are working on the punch list for Flower and Mr. Kolar with EA Engineering has been working on the engineering and the permitting on William Street and the offline wetlands that go along with it and the same for Graham, Grice and Nelson. They have also been working with the State Highway Administration to coordinate the project with the roads, which they hope to have completed soon.

8. Comments from the Mayor:

Mayor Williams had no comments.

9. Comments from the Council:

Councilmember Gulyas stated that he is happy to see David Engelhart back.

Councilmember Tyndall had no comments.

Councilmember Brittingham stated that at the last meeting Councilmember Gulyas asked what would be happening to the dirt that was not able to be used at the new Police Facility. Mr. Fleetwood stated that it has been taken to the Worcester County Landfill. Councilmember Brittingham also stated that there is a blank yellow street sign he feels should be removed near Verizon and Berlin Intermediate School.

Councilmember Burrell stated that at the offline wetlands they removed soil and put it in the property owner’s yards and he would like more details on that; Ms. Allen stated that she would send them to him.

Councilmember Purnell stated that he was happy to see the press release about the electric rates and that it was in so many news outlets. He also stated that with flowers starting to bloom, the trees look great with the LED lights.

10. Comments from the Audience – none

11. Comments from the Press – none

12. On the motion of Councilmember Brittingham, the Mayor and Council meeting was adjourned at approximately 8:20 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:
Nature Conservancy
– Mike Dryden

Sharon Timmons
410 641 2316



SPECIAL EVENT
TOWN STREET CLOSURE/REQUEST FOR SERVICES



This form must be completed in order to hold an event in the Town of Berlin on public streets or property. Additional documents from the Town of Berlin, or another entity, may be required. Please provide as much information as possible. Form must be signed and appropriate contact information provided to be considered. "Same as last year" will not be accepted for any category.

FORM MUST BE COMPLETED AND SUBMITTED:
NO LESS THAN 60 DAYS IN ADVANCE OF THE EVENT IF STATE ROADS ARE TO BE CLOSED (SEE PAGE 2)
NO LESS THAN 30 DAYS IN ADVANCE OF ANY OTHER EVENT

Today's Date: 3/9/2017

Event Start time: 8:00 AM Road Closure Start: 7:30 AM

Requested Date(s) of the event: Sun 5/28/2017

End time: 9:00 AM End: 9:30 AM

Name of Event: Memorial Day Service

Location of Event: Main Street *

Estimated number of attendees: 50

*If activity is in a Town park, a Parks Reservation form must be complete.

Applicant Name: Nicole House-Blanc

Applicant Cell Phone: 410 726 9366

Sponsoring Organization or Business Name: Boys - Disharoon American Legion

Email: Nicole.Houseblanc@healthsouth.com

Person(s) to Contact Day of Event: Name: Nicole House Blanc Cell # 410 726 9366

Name: Vince Holloway Cell # 443 880 5490

Description of event: Annual Memorial Day Ceremony

The event sponsor hereby agrees to the following conditions:

1. The Town of Berlin, its representative(s) and/or agent(s) will be held harmless for any loss, damage, or liability incurred in connection with the event.
2. The event sponsor is appropriately insured. Proof of insurance may be required; if the event sponsor does not possess the appropriate insurance, the Town of Berlin may require the purchase of one-time event insurance through the Town of Berlin's insurance carrier.
3. The event sponsor will be responsible for any costs incurred by the Town as a result of damage done during the course of the event to Town-owned, rented, or leased properties.
4. The event sponsor and/or its participating vendors are responsible for obtaining any licenses, permits, rights-of-way, etc. for the event, including any permits required by the Worcester County Health Department, the State Highway Administration or any other agencies as appropriate. Any fees or other conditions associated with such will be the sole responsibility of the event sponsor and/or its participating vendors.
5. Activities must occur within the time frame(s) specified. It is the sponsoring organization's responsibility to ensure that vendors, performers, etc. do not set-up earlier than agreed, and will begin break-down of booths, equipment, etc. promptly. Vendors, etc. must be clear of the street/area within one hour of event ending. Private property remaining beyond one hour will be removed from the street.

By my signature below I identify myself as the representative of the above-named organization and/or the individual responsible for adherence to the conditions as set forth.

Signature: Nicole House Blanc

Date: 3/9/2017

Printed Name: Nicole House Blanc

Approved by the Mayor and Council on the _____ day of _____, 20____. _____ For _____ Opposed _____ Abstain.

DETAILS OF EVENT:

Shaded areas for office use only

Street Closure		Note: Location map is required detailing streets to be blocked. Additionally, a State Highway Administration Request for Road Closure may be required.	
Will event require the closure of street(s)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Barricade locations must be marked on map.	
Blockage/Closure Time:	Start: <u>730</u> End: <u>930</u>	If streets to be closed are Main Street, Bay Street, Broad Street, Old Ocean City Blvd., or William Street, for more than one hour, State Highway Administration Road Closure Form must be completed.	
Will on-street parking need to be cleared?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	State Highway Form submitted if applicable? <input checked="" type="checkbox"/>	
Will parking areas need to be cleared/closed?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Notes: # of barricades <u>6</u> Barricades to be dropped off: <u>5-26-17</u> Time/Date	No Parking signs to be placed: <u>5-25-17</u> Time/date Must be placed 24 hours prior to event.

Electric		Note: The Electric Department will assist with completion of Service Form.	
Will there be vendors or activities requiring access to electricity?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Request for Electric Service form required including information from each vendor/activity requiring electric.	
Will there be banners to be hung?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Request for Electric Form submitted? <input checked="" type="checkbox"/>	
		If yes, Request to Hang Banner form needed. Banner Form submitted? <input type="checkbox"/>	

Other Items/Services:		If applicable, items listed are in addition to those normally in place.	
Trash cans	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	# Required _____	Trash cans to be placed: _____ Time/date _____
Picnic Tables and/or Chairs	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	# Required _____	To be placed: <u>Chairs donated by Church</u> Time/date _____
Stage	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Location must be marked on map	Stage to be placed: <u>5-26-17</u> Time/date _____
Temporary Fencing	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Location must be marked on map	Extensions needed: <u>Parking lot by monument</u> <input checked="" type="checkbox"/> Fencing to be placed: _____ Time/date _____
Porta-potties	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	# Standard <u>2</u> # Accessible <u>1</u>	Porta-potties will be placed in the alley on Pitts Street. Time/date _____
Signs: Other than banners or parking	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Informational signs during the event not applicable	Sign Permit may be required Planning Office review _____ Date _____ Sign Permit needed/submitted? <input type="checkbox"/>
Will there be vendors/individuals selling goods or services as part of the event?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Vendor's Application and Certification for Peddling and Soliciting will be required for EACH vendor participating in the event. If event/activity is in a municipal park a Business Use of Park Application will be required IN ADDITION to Vendor's Application and Certification for Peddling and Soliciting. Vendor's Permit(s) needed/submitted? <input type="checkbox"/>	

Additional Forms Required	Yes	No	Date Rec'd	Initials
State Highway Administration Request for Road Closure	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>3-9</u>	<u>ST</u>
Park Reservation Application and Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Request for Electric Service	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>3-9</u>	<u>ST</u>
Request for Banner Placement	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Sign Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Vendor's Application and Certification for Peddling and Soliciting	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Business Use of Park Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Proof of Insurance	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Other:	<input checked="" type="checkbox"/>	<input type="checkbox"/>		



SPECIAL EVENT
REQUEST FOR ELECTRIC



This form is in addition to the "Town Street Closure/Request for Services form. This form must be completed if electric service is required for any vendor/activity for an event. It is the event organizer's responsibility to coordinate with vendors regarding their electric needs; Berlin Electric Department staff will be glad to assist with any questions. Form must be signed and appropriate contact information provided to be considered. "Same as last year" will not be accepted for any category.

Today's Date: 3/9/2017

Event start time: 8AM

Date(s) of the event: 5/28/2017

Event end time: 9AM

Name of Event: Memorial Day Service

Number of vendors/activities needing electric service: 1-2

Contact Name: Nicole House Blanc

Contact Phone (Day): 410 726 9366

Sponsoring Organization: Boggs Disharon
American Legion

Email: Nicole.Houseblanc@healthsouth.com

Signature: Nicole House Blanc

Date: 3/9/2017

Printed Name: Nicole House Blanc

Side 2 must be completed.

NOTE: Electric service is available only in specific locations.

1. Complete the reverse of this form to determine vendors' electric needs. Your vendors should know their requirements.
2. Contact the Berlin Electric Department to discuss needs and to assist in determining the best location for specific vendors/activities requiring electric service.

Electric Utility Director Tim Lawrence

410-629-1713

tlawrence@berlinmd.gov

Reviewed by the Electric Utility Department: Date: _____ Initials: _____

Comments _____

DETAILS OF EVENT: Please copy this page as needed.

Vendor: American Legion Phone: 410 726 9366

Primary Contact: Nicole House Blanc

Vendor Type: microphone/sound system

Load Information

Lighting _____ KW
 Cooking _____ KW
 Water Heating _____ KW
 Miscellaneous _____ KW
 Specify Unusual Motors _____ KW
 Other: _____ KW
 Total Load _____ KW
 Specify Voltage _____ KW

Location of Service: _____
 (determined w/Electric Department)

Vendor: _____ Phone: _____

Primary Contact: _____

Vendor Type: _____

Load Information

Lighting _____ KW
 Cooking _____ KW
 Water Heating _____ KW
 Miscellaneous _____ KW
 Specify Unusual Motors _____ KW
 Other: _____ KW
 Total Load _____ KW
 Specify Voltage _____ KW

Location of Service: _____
 (determined w/Electric Department)

Vendor: _____ Phone: _____

Primary Contact: _____

Vendor Type: _____

Load Information

Lighting _____ KW
 Cooking _____ KW
 Water Heating _____ KW
 Miscellaneous _____ KW
 Specify Unusual Motors _____ KW
 Other: _____ KW
 Total Load _____ KW
 Specify Voltage _____ KW

Location of Service: _____
 (determined w/Electric Department)

Vendor: _____ Phone: _____

Primary Contact: _____

Vendor Type: _____

Load Information

Lighting _____ KW
 Cooking _____ KW
 Water Heating _____ KW
 Miscellaneous _____ KW
 Specify Unusual Motors _____ KW
 Other: _____ KW
 Total Load _____ KW
 Specify Voltage _____ KW

Location of Service: _____
 (determined w/Electric Department)

Vendor: _____ Phone: _____

Primary Contact: _____

Vendor Type: _____

Load Information

Lighting _____ KW
 Cooking _____ KW
 Water Heating _____ KW
 Miscellaneous _____ KW
 Specify Unusual Motors _____ KW
 Other: _____ KW
 Total Load _____ KW
 Specify Voltage _____ KW

Location of Service: _____
 (determined w/Electric Department)

Vendor: _____ Phone: _____

Primary Contact: _____

Vendor Type: _____

Load Information

Lighting _____ KW
 Cooking _____ KW
 Water Heating _____ KW
 Miscellaneous _____ KW
 Specify Unusual Motors _____ KW
 Other: _____ KW
 Total Load _____ KW
 Specify Voltage _____ KW

Location of Service: _____
 (determined w/Electric Department)



Electric Locations:

REVIEW WITH ELECTRIC DEPARTMENT.
Request for Electric Service must be completed. Circle # where electric is needed

1. West/Main Parking
2. Town Parking (Artisan's Way)
3. Taylor Bank (Commerce)
4. Pitt St. (1st Pole)
5. Broad St. (1st Pole)
6. Jefferson St. (1st Pole)
7. Sign post-Town Center (Main/Bay)
8. Secondary Pedestal feed for hotel tree (only after dark)
Baker St. (1st Pole)

Office Use only:

Comments:

Parking

MAP FOR STREET CLOSURE AND SERVICES

Location of all services dependent on review with appropriate department.

Event:

Memorial Day Service

Event Date:

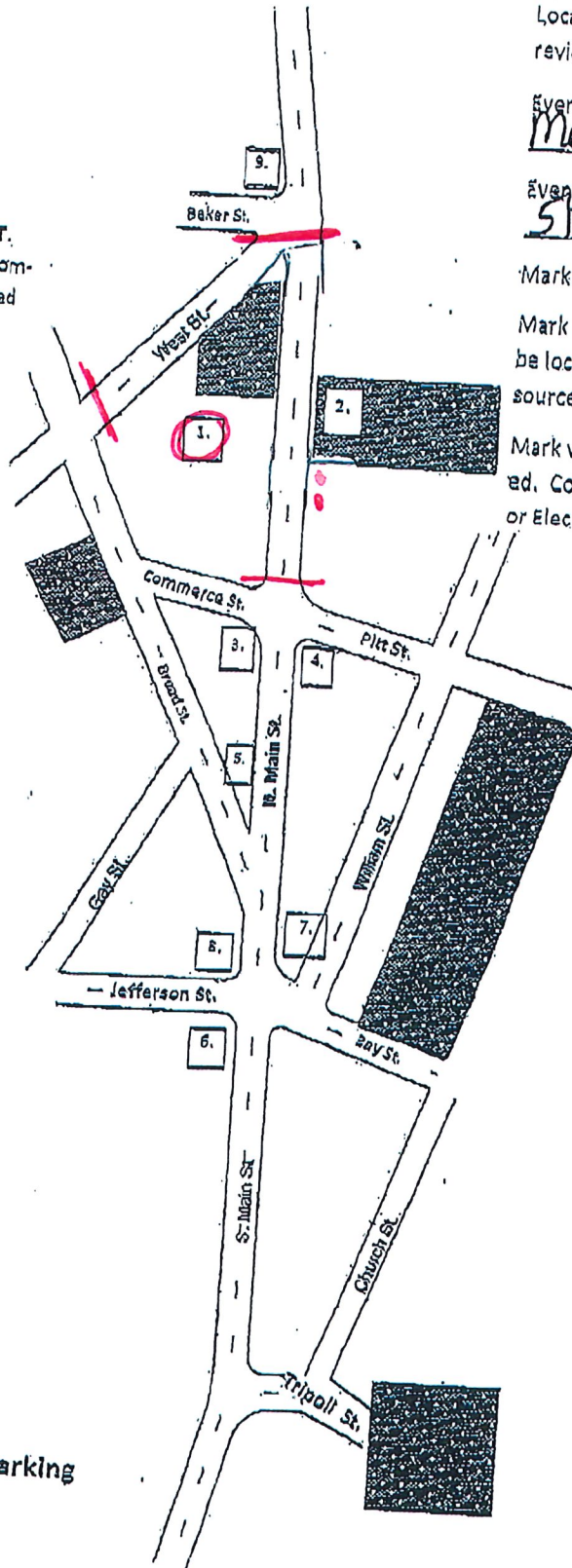
5/28/02

Mark barricade locations with red line.

Mark with "P" where porta-potties are to be located. Coordination with Water Resources will be required.

Mark with "S" where stage is to be located. Coordination with Public Works and/or Electric Department may be required.

- Barricades
- Barrels
- Electric





Maryland State Highway Administration Special Event Permit -- Data Sheet

Event: Memorial Day Service

Start Date: 5/28/2017 End Date: 5/28/2017

Start Time: 5/28/2017 730 End Time: 930

Purpose/Type: Memorial Day Service

Organizer: Boogs Disharoon American Legion

Contact Person Nicole House Blanc Daytime Phone: 410 726 9366

and Address: _____ Evening Phone: Same

Email Address: Nicole.Houseblanc@healthsouth.com

No. of Participants: 50 +/- No. of Vehicles/Units: _____ Rain/Snow Date: _____

Proposed Route (Written Description): Block off Mainst. Berlin MD @ West St

Will you be occupying all or part of a highway travel lane: No Yes

Will you be closing all or part of a roadway: No Yes

If Yes to either of the above, where? Mainst. Berlin, MD

Have you requested Local Police assistance*: No Yes Number: _____

Have you requested Maryland State Police assistance*: No Yes Number: _____

THE EVENT ORGANIZER IS RESPONSIBLE FOR OBTAINING LOCAL AND/OR STATE POLICE ASSISTANCE

CIRCLE OR UNDERLINE THE DISTRICT(S) AND COUNTY(S) YOUR EVENT WILL TAKE PLACE IN

- DISTRICT 1: Dorchester/Somerset/Wicomico/Worcester
- DISTRICT 2: Carolina/Cecil/Kent/Queen Anne's Talbot
- DISTRICT 3: Montgomery/Prince George's
- DISTRICT 4: Baltimore/Hartford
- DISTRICT 5: Anne Arundel/Calvert/Charles/St. Mary's
- DISTRICT 6: Allegany/Garrett/Washington
- DISTRICT 7: Carroll/Howard/Frederick

ATTACH THE FOLLOWING

- Map of affected routes
- Traffic Control Plan (included details of how intersections will be controlled, a detour plan, locations of police officers/volunteers and locations of traffic control devices, as appropriate)
- Complete the attached Lane Closure Permit/Schedule Summary Application and (Follow instructions of this Permit)
- Other event details: _____

(Contact the District Office to determine what, if any, additional information will be required for your event)

*****Submit completed Data Sheet and attached Signature Sheet to SHA no later than 60 DAYS prior to your event.**



Maryland State Highway Administration Special Event Permit - Data Sheet

EVENT: _____

ORGANIZER'S ACKNOWLEDGEMENT: I/We hereby affirm that the ORGANIZER of this EVENT and all PARTICIPANTS will comply with the Laws of the State of Maryland and any applicable county and municipal statutes and ordinances and will adhere to the terms and conditions set forth in the PERMIT. My/Our signature(s) below confirm that the ORGANIZER and all PARTICIPANTS agree to hold harmless from any liability, incurred by them or to others associated with this EVENT, the various government agencies providing assistance for this EVENT. The ORGANIZER may be required to obtain Liability and Property Damage Insurance with limits of at least \$300,000 per incident/\$1,000,000 aggregate.

ORGANIZER: Baggs Disharoon American Legion
PLEASE PRINT NAME

REPRESENTATIVE: Niwe House - Blane
PLEASE PRINT NAME

SIGNATURE: Niwe House Blane
PLEASE SIGN

TERMS AND CONDITIONS:

- 1) The EVENT shall adhere to the route, number of participants and vehicles (not more than 10% higher than the number of this Permit), date(s) and times shown on the attached sheet(s).
- 2) The ORGANIZER shall ensure that the approved TRAFFIC CONTROL PLAN is followed.
- 3) The ORGANIZER shall ensure that the approved Lane Closure Permit/Schedule Summary Application is followed. The ORGANIZER shall activate the Lane Closure Permit before the beginning of the event, and deactivate the Lane Closure Permit at the end of the event.
- 4) In the event of winter weather during the event, SHA will require access to all State Highways for weather related operations. This may require cancellation of the event.
- 5) Immediately following the event, the ORGANIZER shall clean up all litter, temporary signs and other event materials and return the roadway to a condition equal to or better than its condition before the event.
- 6) Additional stipulations: _____

AGENCY APPROVALS

Before signing and giving approval for your agency, consider the following:

- 1) Ensure you have the approval authority to sign for your agency to commit manpower and resources.
- 2) Ensure you have looked over the entire application package, including the Route Map, Traffic Control Plan and Lane Closure Permit. If you identify any problems, have the event organizer address them prior to signing.
- 3) If reimbursement is required, ensure you have mutually agreed upon the amount (in writing) and terms under which payment will be made.

Local Government (_____): _____
AGENCY SIGNATURE PRINTED NAME DATE

Local Government (_____): _____
AGENCY SIGNATURE PRINTED NAME DATE

Local Government (_____): _____
AGENCY SIGNATURE PRINTED NAME DATE

Maryland State Police: _____
SIGNATURE PRINTED NAME DATE

State Highway Administration: _____
SIGNATURE PRINTED NAME DATE



MOTION OF THE MAYOR AND COUNCIL No. 2017-14

A motion of the Mayor and Council of the Town of Berlin approving the electric service agreement with SonRise Church as presented.

Approved this ____ day of _____, 2017 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

ELECTRIC SERVICE AGREEMENT

THIS ELECTRIC SERVICE AGREEMENT, entered into this ____ day of _____, 2017, by and between the Mayor and Council of the Town of Berlin (Service Provider), and Sonrise Church (Customer).

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

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

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

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

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

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

1. Service Provider agrees that Customer may delay purchasing equipment and service from Service Provider for a period not to exceed twelve (12) months from the date of this Agreement.
2. Customer agrees that it has been advised that its current electric equipment provided by Delmarva Power is old and may fail.
3. Customer agrees that in the event it sub-divides its property, those sub-divided parcels shall remain in Service Provider's electric service territory.
4. The Parties agree that this Agreement may be extended by mutual written agreement of the Parties hereto.

WITNESS

SONRISE CHURCH

WITNESS

MAYOR AND COUNCIL



MOTION OF THE MAYOR AND COUNCIL No. 2017-13

A Motion of the Mayor and Council of the Town of Berlin approving the amendment of the contracts with EA Engineering, Science and Technology Inc. as follows: increasing Stormwater Management On-Call Support Services by \$41,500 for the West St. project and Construction Management/Inspection Services by \$68,000 for the William St. culvert project.

Approved this ____ day of _____, 2017 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



STAFF REPORT

To: Mayor and Members of the Town Council
From: Town Administrator Laura Allen *LA*
Date: March 27, 2017
Subject: EA Engineering, Science, and Technology Inc. Contract Modifications

RECOMMENDATION

Staff recommends the Council approve a motion amending contracts with EA Engineering, Science and Technology Inc. as follows: increasing Stormwater Management On-Call Support Services by \$41,500 for the West St. project and Construction Management/Inspection Services by \$68,000 for the William St. culvert project.

EXECUTIVE SUMMARY

EA has worked under a Stormwater Management On-Call Support Services Contract with the Town of Berlin since July 1, 2010. The firm has been instrumental in assisting the Town in implementing the Stormwater Ordinance and obtaining grants for the design and construction of stormwater projects. Town staff has a good working relationship with EA, finding their work to be consistently good and their employees very accessible. Staff recommends increasing this contract by \$34,000 for construction and inspection services for the West St. project.

In addition, staff recommends increasing the Construction Management/Inspection Services Contract by \$68,000 for the William St. culvert project. This grant funded project is moving from the design to the construction phase.

The Contract modification letter is attached.

FISCAL IMPACT

Funding for the On-Call Contract (\$41,500) will come from budgeted contingency in the Water Fund. Funding for the William St. project (\$68,000) will come from grants budgeted in the Stormwater Fund.

ANALYSIS

As a result of the Request For Qualifications (RFQ) process completed in June 2010, the Town executed a Stormwater Management On-Call Support Services Contract with EA on July 1, 2010. The original amount of the contract was \$20,000. Since then, this contract has been modified seven times:

- May 2011 for \$20,000,
- March 2012 for \$40,000,
- March 2013 for \$40,000,
- December 2013 for \$45,000
- October 2014 for \$45,000,
- September 2015 for \$57,500, and
- July 11, 2016 for \$57,000.

Approving the recommended motion would add \$41,500 to the On-Call Contract, bringing the total to \$366,000.

In addition, to support grant funded stormwater projects, the Council approved a contract for approximately \$147,000 with EA for Construction Management/Inspection Services on August 22, 2016. The Williams St. project is moving from the design to the construction stage and the contract needs to be increased to account for construction management and inspection services. Approving this recommendation will increase the contract from \$147,000 to \$215,000. These costs are grant reimbursable.

EA has expertise in stormwater that Town staff does not

EA provides assistance with:

- Stormwater management reviews,
- Grant applications including Maryland Emergency Management Agency and the Department of Natural Resources. The granting agencies typically require water flow analysis (e.g. HEC-RAS model) to measure downstream impacts of proposed projects and a cost/benefit analysis as part of the application,
- FEMA floodplain analysis, and
- General stormwater support services including site reviews, impervious surface calculations, inspections, and construction management.

Work is assigned to EA on an as needed basis when their expertise is required.

Rates remain the same

EA is not proposing a rate increase. The last rate increase occurred in September of 2015.

Attachment:

- Proposed Contract Modification

March 23, 2017

Laura Allen, ICMA-CM, CPFO
Town Administrator
Town of Berlin
10 Williams Street
Berlin, MD 21811

RE: Stormwater Management Support Services – Construction Management and Inspection Services Contract Modification

Dear Ms. Allen:

EA Engineering, Science, and Technology, Inc., PBC (EA) is pleased to submit this contract modification proposal for stormwater management support services for the Town of Berlin to continue on-going work. The Town Council approved the Department of Water Resources recommendation to utilize EA as the On-Call Stormwater Management Engineer in 2010 and EA was contracted for on-call stormwater management services. Over the course of this on-call contract, EA has successfully assisted the Town in obtaining grant funding close to \$2M.

EA recognizes the continued importance of securing funding sources for the needed stormwater management improvements. With EA's assistance, the Town continues to see success through the award of grant funding. Specifically, EA assisted the Town in receiving grant awards from the Federal Emergency Management Administration (FEMA), the Department of Housing and Urban Development (DHCD) and the Department of Natural Resources (DNR). It is under this contract that EA assists the Town with the stormwater related grant applications which has resulted in the establishment of strong relationships with several key funding agencies. This modification proposal includes effort to continue these efforts along with the completion of stormwater management reviews, stormwater design and construction management/inspections. A list of anticipated stormwater related tasks is described below.

Construction Management and Inspection for West Street Stormwater Management Improvements – On behalf of the Town, EA provides periodic inspections of the stormwater components as projects develop within the town. EA attends the preconstruction meeting and provides feedback to the Town, Developer and Engineer regarding the stormwater inspection and notification process. As the Town is aware, the stormdrain replacement project along West Street between Broad Street and Bottle Branch is scheduled to start. This task includes providing construction management and part-time construction inspection services. Attachment A provides a more detailed scope of work for this task. EA understands that this is a Town funded project and will work closely with Town staff to assure construction inspection is completed on an as-needed basis.

EA will continue to provide stormwater management support services on a Time and Materials basis in accordance with the existing hourly rate schedule. **EA proposes that the stormwater management on-call services contract 1470404 dated July 1, 2010 be funded with an additional amount of \$41,500.00.** Please note that this proposal is to increase the current on call contract amount and effort on new tasks will not be expended without the authorization of the Town. Invoicing for this project will continue to be tailored for the Town's preference for procurement purposes as well as accompanied by a



detailed progress report describing the effort authorized and expended for that period.

In addition to the specific tasks outline above, this proposal also includes effort associated with construction management and inspection services for the William Street Near Electrical Plant Project. As the Town is aware, this project is funded through FEMA and DNR grants. Both funding agencies require quarterly reports tracking the design, permitting, construction schedule, payment and general updates. EA has been preparing these reports on behalf of the Town of Berlin for both funding agencies to assure good standing and meeting the grant requirements. The following is a summary of the Williams Street Near Electrical Plant Project. Each grant has specific requirements to maintain compliance. EA will assist the Town with the reporting and tracking required as stipulated in the grant award letters. EA will assist the Town with to adhering to the grant requirements by preparing and submitting quarterly reports. Further the permitting, construction schedule and invoicing will be updated in the quarterly reports. The following is a summary of the Williams Street Near Electrical Plant Project.

Construction Management and Inspection for Williams Street Near Electrical Plant – As the Town is aware, the stormdrains along Hudson Branch under Williams Street are undersized and this area is a high priority area prone to flooding. Further, the importance of this project is its proximity to the Berlin Electric Plant. This modification proposal includes providing construction management and part-time construction inspection services. Attachment A provides a more detailed scope of work for this task. EA understands that funds for this project are reimbursable through the grant funds and will work closely with Town staff to assure construction inspection is completed in accordance with the grant and funding agencies' requirements.

EA understands that these funds for professional services to include design and construction administration, management and inspection are reimbursable through the U.S. Department of Natural Resources and/or the Federal Emergency Management Administration. **This proposal modifies Task 3 – Williams Street near Electrical Plant SWM CM/CI Services in the amount of \$68,000. The work described under this proposal will be performed on a lump sum basis as a modification to EA Project 1470407 dated February 25, 2013 with the Town of Berlin.**

We appreciate the opportunity to continue our long history of partnership with the Town of Berlin in this endeavor and intend, throughout the course of this project, to act as a valuable and reliable extension of your staff. As the Town is aware, EA's close proximity to the Town of Berlin will continue to provide the Town with the added benefit of EA's availability to meet in person with short notice. Feel free to contact me at (410) 641-5341 should you have any questions concerning this proposal.



Sincerely,

Darl Kolar, BCEE, P.E.
Project Manager

ACCEPTANCE: I have reviewed and understand the information contained in this proposal, and by my signature below provide authorization of the modifications to Contracts 1470404 and 1470407 as outlined above and to proceed with the work defined herein.

Signature	Date
Laura Allen – Town Administrator	Town of Berlin, Maryland
Name and Title (printed or typed)	Client Name (printed or typed)
410-641-4144	410-641-2316
Phone Number	Fax Number

Attachments – Attachment A – Scope of Work

CC: Jane Kreiter, Town of Berlin
Mark Gutberlet, P.E. EA Engineering

Enclosures

ATTACHMENT A

SCOPE OF WORK CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES WEST STREET STORM DRAIN REPLACEMENT PROJECT AND WILLIAMS STREET NEAR ELECTRICAL PLANT PROJECT

EA Engineering, Science, and Technology, Inc., PBC (EA) is pleased to submit this contract modification proposal for stormwater management support services for the Town of Berlin to continue on-going work, specifically for the West Street Emergency Storm Drain Replacement Project and the Williams Street Near Electrical Plant Project. This modification proposal includes budget to perform work associated with the construction management and construction inspection services throughout the course of construction. Each of these projects will be separately bid and awarded. EA will complete the following construction management and inspection services for each project independent of each other.

Permits and Approvals

Based on the design improvements, EA will obtain the following permits and approvals required for construction:

- Erosion and Sediment Control permit from Worcester Soil Conservation District
- Wetland permitting – EA will prepare an MDE and USACE Joint Permit Application – Letter of Authorization
- State Highway Administration – EA will coordinate with the Maryland State Highway Administration (SHA) on final project approval as well as involvement during construction.

Construction Management

EA will actively track, process, and manage the flow of the contract documents from the Contractor, and Town, including Request for Information (RFI), Submittals, Correspondence, Meeting Minutes, Change Order (CO) Request, Material Test reports, and other project related items relieving the Town of these duties. EA will continually track the Contractor's progress through review of the construction schedule. Further, EA will coordinate and manage the project meetings including the pre-construction, progress, substantial completion and final walkthrough meetings. EA will also support the Town in the resolution of field problems and prepare non-compliance reports for unsatisfactory work and track the resolution. The detailed approach relating to payment application, CO/RFI's, and meetings is presented here.

Payment Applications – EA will review and assist with resolving any discrepancies in the Contractor's payment requests, and submit the payment request with recommendations and supporting documentation to the Town of Berlin for processing.

Change Orders/RFIs – EA will assist the Town in the negotiation and review of CO requests resulting from variations in the site conditions or discrepancies in the Contract Documents. This will be performed by processing and managing the distribution of CO requests and RFIs. EA will receive, track, and process receive CO/RFIs. EA will organize and maintain an up to date information system that will track the status and approval of shop drawing submittals, RFIs, construction records, quantities,



payment schedules, samples, inspection records, and project schedules. CO requests will be reviewed on conformance to the plans and specification.

Construction Meetings – EA will coordinate a Pre-Construction Meeting at the project site to introduce all team members and establish contacts, communication, schedule, and submittal procedures. EA will also coordinate bi-monthly (2-week intervals) progress meetings, and a pre-final and final inspection meeting. EA will prepare and distribute the meeting minutes to all attendees and appropriate parties. The minutes will track unresolved items and new issues until their final resolution. EA will provide updates on project status, foreseeable delays or difficulties, and the anticipated completion date. The final construction meeting with the Town, EA and a representative of the Contractor will be scheduled upon substantial completion of the work, to conduct a final site inspection project.

Construction Inspection Services

It is important that sufficient and proper oversight and inspection controls are in place during construction activities to monitor Contractor activities. Proper documentation of construction activities and correspondence provides protection for the Town to assure that construction is in conformance with the contract plans and specifications. Further, having a construction inspector associated with the design can provide an additional layer of oversight which we find to be in the best interest of the Owner. EA will provide a part time Construction Inspector for the duration of construction. The Construction Inspector utilized will be competent and experienced in the area of construction oversight of water, sewer, and storm network installation, road re-construction, and associated field activities. The Construction Inspector will serve as the “eyes and ears” for the Town of Berlin throughout these activities. Specifically, EA’s Construction Inspector will provide the following services:

- Attend pre-construction meeting, progress meeting, and pre-final and final walkthrough
- Track and monitor construction costs and quantities, and validation of all Contractor’s payment requests and bid items.
- Maintain a log of materials delivered to the site and the progress of daily work activities for use in the review of progress payment applications submitted to the Town by the Contractor.
- Assist the Town by receiving, tracking, and processing all submittals (i.e. Sub-contractors, independent testing labs, surveys, shop drawings, cut sheets, samples, test results, etc.) for review and approval.
- Prepare daily reports of Contractor activities on the job site, including weather conditions, data relative to questions of extras or deductions: material and equipment deliveries and subsequent installation, men and equipment working at the site, visitors to the site and all testing procedure and results if available.
- Conduct continuous inspections of on-going work for quality control and maintain a photographic record. All photographs will be digital and dated. The photos album will be maintained and provided to the Town at the conclusion of the work via electronically on CD.
- Review the erosion and sediment control provisions and notify the Town and Contractor of non-conformance issues with the approved plan.
- Provide inspection and record keeping for extra work on a time-and-materials basis.

EA will oversee that field conformance tests will be conducted in accordance with the specifications and compared to the required values. Should discrepancies exist, EA will recommend to the Town that the Contractor correct these discrepancies. Further, EA will advise the Town as to the readiness of the



project for substantial and final inspection. Following the completion of construction, EA's Construction Inspector will assist the Town with the coordination of a walk-through inspection to compile a final "punch list" of items remaining to be completed for the Town to review, and prepare a Certificate of Substantial Completion. All required affidavits, guarantees, manuals, keys, record drawings, spare parts, etc. will be collected and transferred to the Town at the completion of the project.

Assumptions

- EA will provide part-time construction inspection sufficient to oversee critical components during the duration of the construction contract (60 calendar days).
- EA's Construction Inspector is not responsible for managing or directing the Contractor and/or the Contractor's schedule and the Contractor will prepare and maintain an up to date schedule.
- EA is not responsible for the Contractor's means or methods or safety for completing the work.
- EA has included 6-hrs per week split between the Project Manager and Project Engineer to visit the site, and/or coordinate work with the Town.
- Project Meetings will include one Pre-Construction Meeting, four progress meetings, one pre-final inspection and one final inspection meeting.



MOTION OF THE MAYOR AND COUNCIL No. 2017-12

A motion of the Mayor and Council of the Town of Berlin restating the Town's PJM Risk Management Policy and reauthorizing the Town Administrator to represent the Town in hearings before the Maryland Public Service Commission and to take actions there on its behalf related to the proceedings.

Approved this ____ day of _____, 2017 by the Mayor and Council of the Town of Berlin, Maryland by affirmative vote of ____ to ____ opposed, with ____ absent/abstaining.

Elroy Brittingham, Sr. Vice President

Wm. Gee Williams, III, Mayor

ATTEST: _____
Laura Allen, Town Administrator



STAFF REPORT

To: Mayor and Members of the Town Council
From: Town Administrator Laura Allen *LA*
Date: March 27, 2017
Subject: PJM Risk Management Policy

RECOMMENDATION

Staff recommends the Council adopt a motion restating the Town's PJM Risk Management Policy, and re-authorizing the Town Administrator to represent the Town in hearings before the Maryland Public Service Commission.

EXECUTIVE SUMMARY

As a PJM¹ member, the Town is required to maintain a Risk Management Policy which covers its transactions in the energy market and its PJM activities. On the advice of the Town's Electric Utility attorney, staff also recommends the Council re-authorize the Town Administrator to serve as the Town's representative at Maryland Public Service Commission hearings and to take actions there on its behalf related to the proceedings.

FISCAL IMPACT

There is no direct fiscal impact associated with this activity.

ANALYSIS

The Policy was revised in 2105 after the Town joined American Municipal Power (AMP) to address the usage of financial transmission rights² (FTRs) to hedge energy congestion³ risk and to include AMP as a possible source of assistance under the Procedure section.

¹ PJM is a Regional Transmission Organization (RTO) in the United States. It is part of the Eastern Interconnection grid operating an electric transmission system serving all or parts of Delaware, Illinois, Indiana, Kentucky, Maryland, Michigan, New Jersey, North Carolina, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia and the District of Columbia

² A Financial Transmission Right (FTR) is a financial instrument awarded to bidders in the FTR Auctions that entitle the holder to a stream of revenues (or charges) based on the hourly Day Ahead congestion price differences across the path.

³ Heavy use of the electricity grid produces congestion, a situation in which the lowest-priced electricity can't flow freely to a specific area. When the lowest-priced electricity can reach all locations, prices are

CONCLUSION

Staff recommends the Council adopt a motion restating the Town's PJM Risk Management Policy, and re-authorizing the Town Administrator to represent the Town in hearings before the Maryland Public Service Commission.

Attachment

- A. Motion to Approve
- B. Revised Policy

the same across the entire PJM grid. When there is heavy use of the transmission system, the lowest-priced energy cannot flow freely to some locations. In that case, more-expensive but advantageously located electricity is ordered to meet that demand. As a result, the locational marginal prices are higher on the receiving end of the congestion and lower on the sending end.

Mayor and Council of the Town of Berlin, Maryland

PJM Risk Management Policy

Revised April 27, 2015

Policy:

Participation on behalf of the Town in PJM markets will be limited to, procurement of financial transmission rights (FTRs) using the annual and monthly auctions with the sole purpose to hedge congestion risk, make arrangements for Network Integration Transmission Service (NITS) and associated Ancillary Service, capacity obligations (Locational Reliability) functions necessary to maintain the Town's membership in PJM in good standing. Such activities will include participation in the annual process for requesting load-serving transmission credits (Auction Revenue Rights) to offset a portion of NITS charges. The Town does not authorize participation on its behalf in any other PJM market activities, unless specifically authorized in writing by the Mayor and Council in advance.

Procedure:

The Town Administrator is authorized to act on the Town's behalf in transactions with PJM within the limits of the Town's Policy. Assistance may be provided under the Town Administrator's direction by the Town's electrical consultant or through the Town's membership in American Municipal Power (AMP). The Town Administrator will report on PJM activities to the Mayor and Council periodically, but not less than quarterly, including a summary of PJM expenses and outstanding commitments.

Control:

The Town does not authorize participation in PJM's energy hedging markets in the normal course of operations under this Policy. PJM activities are limited to those transactions necessary to provide for delivery of energy to the Town, satisfy the Town's capacity obligation to PJM, reduce congestion risk, and maintain the Town's membership in PJM in good standing. Such activities will be conducted by or under the direction of the Town Administrator with regular reporting to the Mayor and Council.

RESOLUTION NO. 2017-02**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN,
A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND,
WITHHOLDING OF PERMITS, LICENSES AND OTHER APPROVALS**

WHEREAS, It is within the Town's duty to ensure that applicants are in good standing with regard to all Town regulations, including but not limited to the applicant's accounts.

WHEREAS, From time to time property owners or residents of Berlin may request the approval of the Mayor and Council for permits, licenses, events or other approvals

WHEREAS, It is within the Town's duty to maintain all Municipal receivables in a current status.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Berlin as follows:

Approvals to be withheld.

When a permit, license, event or other approval is requested and there are overdue taxes, fees, utility charges, miscellaneous billing or related assessments on said property or owed by the property/business owner, or the applicant is not in good standing with other Town regulations, the Town Administrator shall direct the withholding of said permit, license, event or other approvals until applicant is in good standing with the Town.

1. Procedure for Permits and Licenses.

A. Whenever a permit or license is requested for any property or business in the Town of Berlin, the Town Administrator or his/her designee shall make inquiry with the Finance Department to ascertain as to whether or not there are any overdue taxes, fees, utility charges, miscellaneous billing or related assessments on such property or owed by the property/business owner.

B. Once the Town Administrator or his/her designee has made an inquiry regarding a property's status, the Finance Department shall certify this information, in writing to the Town Administrator or his/her designee. Upon receiving certification that there are overdue financial obligations to the Town on a subject property or by the property/business owner, the Town Administrator shall direct the withholding of the permit or license until the overdue account(s) are paid in full and acceptable proof of payment has been given to the Town Administrator or his/her designee, or until a payment schedule for said overdue payments has been agreed to in writing by the Town Administrator.

C. Payment schedule must be consistently met to maintain the permit or license. Failure to make a payment will result in the account becoming due immediately.

Town Administrator is authorized to issue a stop work order or revoke the permit(s).

D. When an overdue property or business owner pays the overdue account(s) the Finance Department shall issue a release within 10 days. Said release shall be considered adequate proof that all overdue taxes, interest, liens, fees, utility charges miscellaneous billing or related assessments concerning said property or business have been paid to the Town.

2. Procedure for Approvals Requiring a Vote of the Mayor and Council.

When an approval is sought that requires a vote of the Mayor and Council, the Town Administrator shall check the applicant's accounts following the procedure outlined in Section 1. If the applicant has overdue accounts, the Town Administrator will not place the request on the agenda for the Mayor and Council's consideration until all accounts are brought current.

In addition, the Town Administrator will not place an applicant's request on the agenda for the Mayor and Council's consideration unless the applicant is in good standing with all Town regulations.

Exceptions.

This Article shall not apply in situations where the property is the subject of a tax appeal and the taxpayer has made the minimum tax payments required by State of Maryland.

Approved this _____ day of _____, 2017 by the Mayor and the Town of Berlin, Maryland, by affirmative vote of _____ to _____ opposed, with _____ abstaining.

Elroy Brittingham, SR., Vice President

Approved this _____ day of _____, 2017 by the Mayor and Town of Berlin.

ATTEST:

Wm. Gee Williams, III, Mayor

Laura Allen, Town Administrator