



BERLIN MAYOR AND COUNCIL
Meeting Agenda

Berlin Town Hall
10 William Street
Monday, January 14, 2019

6:00 PM EXECUTIVE SESSION – Conference Room

- a. Pursuant to Section §3-305(b)(3) To consider the acquisition of real property for a public purpose and matters directly related thereto;
- 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 12/10/18
 - b. Statement of Closure for Executive Session of 12/10/18
 - c. Regular Session of 12/10/18
2. Swearing in Board Member – Housing Board of Review Member Jeff Ricks
3. Berlin Falls Park
 - a. Update – Project Coordinator David Deutsch
 - b. Motion 2019-01: Approving YMCA Feasibility Study - Town Administrator Laura Allen
4. Motion 2019-02: Approving Septage Disposal Rate Increase Effective March 1, 2019 – Town Administrator Laura Allen
5. Departmental Reports:
 - a. Administrative Services Director – Mary Bohlen
 - b. Water Resources/Public Works – Jane Kreiter
 - c. Electric – Tim Lawrence
 - d. Police Department
 - e. Planning – Dave Engelhart
 - f. Managing Director – Jeff Fleetwood
6. Town Administrator’s Report
7. Comments from the Mayor
8. Comments from the Council

9. Comments from the Public

10. Comments from the Press

11. Adjournment

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

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TTY users outside Maryland dial 1-800-735-2258



BERLIN MAYOR AND COUNCIL
Meeting Minutes
Monday, December 10, 2018

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

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

Absent: Vice-President Elroy Brittingham.

Staff Present: Town Administrator Laura Allen, Managing Director Jeff Fleetwood, Administrative Services Director Mary Bohlen, Finance Director Natalie Saleh, Water Resources/Public Works Director Jane Kreiter, Police Chief Arnold Downing, Planning Director Dave Engelhart, Economic and Community Development Director Ivy Wells, Town Attorney David Gaskill, and Town Clerk Kelsey Jensen.

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

1. Approval of the Minutes for:

a. Regular Session of 11/26/18:

On the motion of Councilmember Gulyas, the Regular Session Minutes of November 26, 2018 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>	4				1

2. Swearing in Board Member

Mayor Williams swore in Housing Board of Review Member Mary Moore.

3. Proclamation 2018-14 The Year of the Bird

Mayor Williams presented Dave Wilson with Conservation Community Consulting with Proclamation 2018-14.

4. Presentations:

a. Salisbury University Students’ Fall Sustainability Project Results

Salisbury Students Madison Workman, Dean Keh, Casey King, and Megan Buonpane presented information on their fall sustainability projects. Ms. Allen stated that Ms. Kreiter will be installing the bee boxes during take pride in Berlin week and they will also plan something for pollinator week as well. The Mayor and Council thanked the students for their work with the Town.

b. Town of Berlin FY2018 Audit

PKS representatives Michael Kleger and Leslie Michalik presented information on the FY2018 Audit. Councilmember Tyndall asked what an adequate reserve fund is for a municipality our size;

they said there is no right answer, a lot of factors play into that. Ms. Allen said GFOA has a risk calculator which may help in establishing an appropriate reserve amount which we can look into. PKS recommended that the Town establish a reserve policy to ensure an adequate level of reserves are maintained. PKS also discussed the interfund transfers from the General Fund (GF) to the Sewer and Stormwater funds. These sit as receivables in the GF and should be paid back at some point. Their advice was to discuss the repayment and if the Town chooses not to repay the GF, reflect that decision in the financial statements. Ms. Michalik then discussed other areas in need of improvement and their recommendations.

c. Comcast

Director of Government Affairs Chris Comer presented information on the Comcast Franchise Agreement and said he hopes the Council will consider the renewal in 2019. Ms. Allen said they are hoping to bring in a consultant to look through the agreement. Mr. Comer said the agreements are typically consistent with prior years and he is here to answer any questions.

5. Departmental Reports:

a. Finance Director – Natalie Saleh

Ms. Saleh reported that utility bills go out tomorrow and they will include the energy assistance fund letters and a prepaid envelope addressed to Bank of Ocean City. The Town will match the funds that were contributed and Shore Up will disperse the funds during the colder months. Councilmember Gulyas expressed concerns about prepaid envelopes and asked to see them.

b. Water Resources/Public Works Director – Jane Kreiter

Ms. Kreiter said they are prepared if we get any inclement weather. Councilmember Tyndall asked if she can send a year end summary of the EDUs and Wastewater Information; Ms. Kreiter said she sends that to MDE each January and can send it to the Council as well.

c. Police Chief – Arnold Downing

Chief Downing thanked the fellow law enforcement officers for their assistance with the parade and said it was very successful. He reported that there were no fights and a few accidents which were cleared up quickly. Shop with a Cop will take place on Saturday, they will be assisting 25 kids in need. Lastly, he will be attending the Police Advisory Committee Meeting tomorrow. Mayor Williams said we are very fortunate to have so much assistance with public safety for events.

d. Planning and Zoning Director – David Engelhart

Mr. Engelhart reported that he spoke with SHA regarding Seahawk Road and Oceans East. SHA said it is a Town Road, so they did not review it. He had a meeting today with the site and paving contractors and Jamey Latchum, Wastewater and Public Works Superintendent, and he said the road is unacceptable. They will make some improvements to the road in the spring and if the Town is not satisfied they will mill and overlay. Mayor Williams said curbing is what they want and the only acceptable option. Councilmember Burrell said the developer needs to be sure it is up to Town standards; he promised it would be one way in and one way out. Mayor Williams reiterated that striping is not sufficient.

e. Economic and Community Development Director – Ivy Wells

Ms. Wells thanked everyone for their help with the parade and explained the work that goes into it. She reported that they have received over 100 letters to Santa so far in the Welcome Center. Tomorrow she will be taking all the Welcome Center Volunteers to lunch to show her appreciation. Chesapeake Ghost Tours has a partnership with the Town and the town has received Partner of the Year and a \$1,000 donation. Ms. Wells said the tours are great for the economy and are very in demand. Mayor Williams asked Ms. Wells to thank Allison Early for her work on

the parade; Ms. Wells said Sharon Timmons really set them up and planned out so much in advance, so she thanked her. Ivy explained the New Year’s Eve plans and that it will take place at 6pm; Mayor Williams and Councilmember Gulyas said they will be helping again this year.

f. Managing Director – Jeffrey Fleetwood

Mr. Fleetwood thanked Delmar Pizza for their donation to the parade; they donated about \$1,000 in food. He reminded everyone that the Holiday lunch will be on December 14th and Barry Daniels retirement gathering will be on December 19th. Lastly, he reported that he is working on closing out some yearend reports.

6. Town Administrator’s Report – Laura Allen

Ms. Allen thanked everyone for their help with the parade.

7. Comments from the Mayor – none.

8. Comments from the Council:

Councilmember Gulyas wished staff a Merry Christmas and thanked them for making their jobs so easy and enjoyable.

Councilmember Tyndall asked Ms. Kreiter if she can install a “slow children at play” sign at Powell Circle per a resident’s request. He also echoed the comments of Councilmember Gulyas.

Councilmember Burrell also echoed Councilmember Gulyas and asked Ms. Allen when we would be hearing from Mr. Deutsch about Berlin Falls Park progress; Ms. Allen said at the first January Meeting.

Councilmember Purnell also said he’d like to echo the comments of Councilmember Gulyas.

9. Comments from the Audience – none.

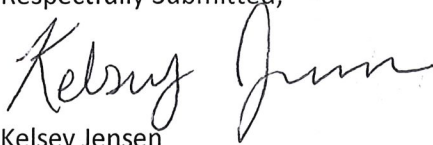
10. Comments from the Press – none.

11. Adjournment:

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

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

Respectfully Submitted,



Kelsey Jensen
Town Clerk



Mayor & Council of Berlin



OATH OF OFFICE

I, Jeff Ricks, do swear and affirm that I will support the Constitution of the United States; and that I will be faithful and bear true allegiance to the State of Maryland, and support the Constitution and Laws thereof; and that I will, to the best of my skill and judgment, diligently and faithfully, without partiality or prejudice, serve as a member of the Town of Berlin **Housing Board of Review** according to the Constitution and the Laws of this State.

SWORN THIS 14th DAY OF JANUARY, 2019

Jeff Ricks


William G. Williams, III, Mayor



STAFF REPORT

TO: Mayor and Members of the Town Council

FROM: David J. Deutsch, Project Coordinator

VIA: Town Administrator Laura Allen 

DATE OF MEETING: January 14, 2019

SUBJECT: Berlin Falls Park Status Report

The Town of Berlin acquired the 60 acre plus property now known as Berlin Falls Park (BFP) in February 2016. In October 2017, the Mayor and Council appointed a volunteer citizen committee, the Berlin Falls Park Advisory Committee (BFPAC) to:

1. Assess various options for the use of the property,
2. Assure a proper balance between active and passive uses of the park,
3. Assure that development of the property and recommended activity on the property are inclusive of the entire Berlin community,
4. Solicit input from the community,
5. Address naming issues at the park

The Committee initially assembled for an introductory meeting in November 2017, and there has been a total of ten (10) meetings of BFPAC. The Committee initially had eleven (11) members, including Councilmembers Purnell and Tyndall. One member had to leave the Committee a few months ago due to personal scheduling issues.

BFPAC has had several presenters at its meeting, including:

1. Mayor Williams (twice)
2. Dave Wilson and Jim Rapp of Community Conservation Consulting (CCC). They provided an overview of the Interpretive Plan which they prepared.
3. Tom Perlozzo, the Worcester County Director of Recreation and Parks
4. Salisbury University students participated in at least two BFPAC meetings, focusing on pollinator gardens, bee boxes and related matters.
5. Robbie Gill, the CEO of YMCA of the Chesapeake (the umbrella organization for the various YMCAs on the Eastern Shore, and Brian Twilley, a long time Board of Directors of the YMCA of the Chesapeake. Gill explained that there is no single approach to a YMCA facility. Each facility is unique, as demonstrated by Gill's humorous comment "when you've seen one Y, you've seen one Y".

All BFPAC meetings are open to the public. Local reporters have attended between one-third and one-half of the meetings. The local weeklies have published a number of articles about BFP and the activities of BFPAC. Staff created an “electronic suggestion box” which offered an opportunity for residents to provide suggestions regarding BFP. About fifteen (15) comments were received, the majority of which related to items that had been under discussion by BFPAC.

Committee Actions

There was BFPAC consensus that the various small buildings on the site, which are mainly Tyson era pump houses, had no future value as part of the park. Those buildings are slated for demolition. A bid package was prepared, and a pre-bid site visit with contractors was held on November 29, 2018. Contractors raised several questions and it was decided to postpone the bid opening to February 8, 2019, instead of the initially established date of December 7, 2018. The responses to the questions will be posted on the Town website as a Bid Addendum.

The Committee voted on the following matters:

1. BFPAC recommended the implementation of the Interpretive Plan

The interpretive signs were installed last summer, and a ribbon cutting was held to celebrate the progress symbolized by the sign installation. BFPACF had extensive involvement in editorial review of the sign’s legends. A \$5,000 grant from the Coastal Bays Foundation assisted in the sign project.

2. Amphitheater

BFPAC recommended that an amphitheater be constructed on the BFP property. Location and design have not been determined.

3. Chicken Processing Plant.

BFPAC recommended that the Town proceed with demolition of the 60,000+ square foot building on site. There have been fairly vigorous conversations on this matter, but the consensus opinion is that the existing building condition and the approximate \$2.1 million estimated by DBF to rehab the facility (exclusive of HVAC, plumbing and electrical) did not represent a wise investment (DBF’s analysis is posted to the Town’s website - <https://berlinmd.gov/park/berlin-falls-park/>). There is the potential for grant support through a Maryland Department of Housing and Community Development (DHCD) program known as Strategic Demolition.

4. YMCA

BFPAC recommended that the Town move forward with a feasibility study regarding the construction of a YMCA at BFP. The study would cost \$20,000 and would take approximately ninety (90) days to complete.

Project Coordinator Activities

The Project Coordinator has been affiliated with the Town since 2017. The Coordinator has been and continues to be engaged in a number of activities related to BFP. The Coordinator serves as

an adjunct to staff, and he has been involved in several related to BFP, including, but not limited to:

1. Outreach to YMCA at YMCA of the Chesapeake headquarters in Easton. Established a rapport with Mr. Gill which facilitated visits to regional facilities, and Gill's visit, along with Mr. Twilley, to the BFPAC meeting in September 2018
2. Liaison with DBF to produce the Condition Study of the former Tyson facility
3. Hosted a meeting at Town hall, and at BFP of DHCD representatives to familiarize them with the property and Town's potential for grant funding
4. Managing the RFP development and bid process for the demolition of the small buildings at BFP
5. Worked with CCC and sign vendor to produce quality signs to implement part of Interpretive Plan
6. Working on ongoing outreach with Worcester County regarding a pedestrian link (small bridge) to connect BFP and Worcester County Senior Center
7. Staff support to BFPAC

This report summarizes the activities of the BFPAC and the Project Coordinator over the past fourteen (14) months that the Committee has existed, as well as non-BFPAC work of the Coordinator. I look forward to the opportunity to present this status report to the Mayor and Council, and I will welcome your questions, comments and suggestions.




MOTION OF THE MAYOR AND COUNCIL No. 2017- 32

A Motion of the Mayor and Council of the Town of Berlin adopting Resolution 2017-08 establishing the Berlin Falls Park Advisory Committee, designating David J. Deutsch, an independent contractor retained by the Town as Project Coordinator, appointing the following residents of the Town of Berlin to the Committee and setting the first meeting on November 16, 2017 at 6:30 p.m.


- 1 – Amy Barra / 10 William St.
- 2 – Amy Field / 8 Brittany Lane
- 3 – Roger Fitzgerald / 282 Powell Circle
- 4 – Kate Gaddis / 277 Powell Circle
- 5 – Bruce Hyder / 206 Esham Avenue
- 6 – Joan Maloof / 4 Grace Street
- 7 – Shaneka Nichols / 518 Flower Street
- 8 – Jack Orris / 210 Broad Street
- 9 – Kate Patton / 10 Washington Street
- 10 – Councilmember Troy Purnell
- 11 – Councilmember Zack Tyndall

APPROVED THIS 10th DAY OF October, 2017 BY THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN, MARYLAND BY AFFIRMATIVE VOTE OF 4 TO 0 OPPOSED, WITH 0 ABSTAINING AND 1 ABSENT.


ELROY BRITTINGHAM, SR. VICE PRESIDENT

APPROVED THIS 10 DAY OF October, 2017 BY THE MAYOR OF THE TOWN OF BERLIN.


WM. GEE WILLIAM, III, MAYOR

ATTEST: 
LAURA ALLEN
TOWN ADMINISTRATOR



RESOLUTION NO. 2017-08

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND, ESTABLISHING A BERLIN FALLS PARK ADVISORY COMMITTEE

WHEREAS, in 2016 the Town of Berlin acquired the 60-acre former Tyson Property at 9943 Old Ocean Boulevard; and,

WHEREAS, the Town intends to use the property for recreational uses, both active and passive; and

WHEREAS, the Town has obtained concept proposals for the development of the property; and,

WHEREAS, the Town, through its consultants, has assessed the potential remediation of the waste lagoons on the property, examined the structural condition of the main building on the property, and received an environmental stewardship report; and

WHEREAS, the Mayor and Council have determined that the advice of a group of citizens would be helpful in assisting the Mayor and Council in focusing on the planning for this important community asset.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Berlin, Maryland that the Berlin Falls Park Advisory Committee is hereby established on the following basis:

Section 1. Purpose and Functions

- (a). To assess various options for the use of the property.
- (b). To assure a proper balance between active and passive uses of the property.
- (c). To assure that the development of the property and the recommended activity on the property are inclusive of the entire Berlin community.
- (d.) To solicit input from the community through public meetings and other forms of outreach
- (e.) Any requests or suggestions for a permanent name for what is currently known as "Berlin Falls Park", or for any open spaces, memorials and other recognitions within the property shall be referred to the Town Administrator. The Town Administrator is responsible for seeing that the provisions within the Town of Berlin's Naming Policy, approved in May 2017, are considered and followed.

Section 2. Membership

The Committee shall consist of eleven (11) residents within the municipal boundaries of Berlin, two (2) of whom must be members of the Town Council. The members shall appoint a chair and a vice-chair of the Committee. Councilmembers appointed to the BFP Advisory Committee are voting members as are all

other members, apart from the BFP Coordinator. Appointment of any Councilmembers to the BFP Advisory Committee in no way restricts or encumbers them from voting on BFP Advisory Committee recommendations or any other matters pertaining to Berlin Falls Park.

Each Committee member will serve an initial term of three years. Members may request re-appointment by the Mayor, with the Town Council consent by majority vote, of any terms of re-appointment that may follow.

Any committee member not attending three consecutive BFP Advisory Committee meetings will be deemed to have resigned and the Mayor is charged with making recommendations at the earliest feasible opportunity for a replacement for the approval of the Town Council at a regularly scheduled session of the mayor and council.

Any member not attending 50 percent of the BFP Advisory Committee meetings in any 12-month period is deemed to have resigned. The Mayor and Council reserve the right to initiate the termination of any BFP Advisory Committee member with the recommendation of the mayor, approved by a majority of Councilmembers.

Section 3. Project Coordinator

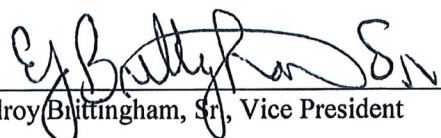
The Committee will meet under the direction and coordination of the Berlin Falls Park Project Coordinator. The Project Coordinator shall report to the Town Administrator and provide reports to the Mayor and Council as needed or upon request.

Section 4. Meetings and Reports.

The Committee will meet as needed, no more frequently than monthly, but at least quarterly, at a day and time of the committee's choosing. The BFP Advisory Committee meetings are an advisory function of the Town and are therefore subject to the Md. Open Meetings Act, meaning that the public is entitled to attend within the same conditions and protocols that apply to work sessions of the Mayor and Council. The BFP Advisory Committee may meet in closed session only in accordance with the criteria set forth in Md. General Provisions Article, Section 3-305.


The Committee will provide periodic reports to the Mayor and Council, with an annual summary of the Committee's activities submitted to the Mayor and Council by December 15th each year.

Approved this 10th day of October, 2017 by the Mayor and the Town of Berlin, Maryland, by affirmative vote of 4 to 0 opposed, with 0 abstaining and 1 absent.



Elroy Brittingham, Sr., Vice President

Approved this 10th day of October, 2017 by the Mayor and Town of Berlin.



Wm. Gee Williams, III, Mayor

ATTEST:



Laura Allen, Town Administrator

BFP ADVISORY COMMITTEE INTRODUCTORY STATEMENT

From Mayor Williams

THE BERLIN FALLS PARK ADVISORY COMMITTEE

I'm recommending the creation of a citizen's advisory committee to consider, study and ultimately recommend a variety of uses over time for the former Tyson Poultry Processing Plant at 9943 Old Ocean City Blvd., Berlin, MD. The BFP Advisory Committee will be composed of 11 citizens who will constitute the voting members of the committee. Two of the 11 citizens will be Berlin Council members serving on the town council. The nine additional voting members are to be residents within the municipal boundaries of the Town of Berlin.

THE PAST--- A FORMER PROCESSING PLANT FOR 60 YEARS

After years of informal discussion followed by months of negotiation the Mayor and Council of the Town of Berlin purchased approximately 63 acres on Old Ocean City Blvd. for \$2.5 million. The property had served as the site of a poultry processing plant under several firms from 1941 to just after the start of the 21st Century (approx. 60 years). Approximately one-half of the property --- the northern portion --- is the site of three former irrigation ponds where natural by products from the chicken processing operation were treated prior to the water being discharged into Kitts Branch that ultimately flows into the Newport Bay. The southern half of the property currently contains the remnants of the large processing plant buildings, a couple of storage buildings, a couple of large water storage tanks, and portions of land partially paved with asphalt and others are primarily large grassy flat area. The western border of the entire property is the railroad tracks and right-of-way owned by the Maryland and Delaware Railroad.

ADVISORY COMMITTEE DUTIES & RESPONSIBILITIES

The most simple and concise way to express this is that this first advisory committee and the people who assume its role in the future are charged with developing numerous practical, and whenever possible, inspiring uses for this public property that will make Berlin Falls Park a unique asset for the citizens of the Town of Berlin for generations into the future.

The vision of the Mayor and Council during the years that led up to its purchase and from informal suggestions from the community after the property became a public asset. Generally, there appears to be agreement that the property be viewed in northern and southern portions, used in different, but not mutually exclusive ways.

The northern half of the property (the ponds and immediately adjacent areas) are seen to have a wide and wonderful potential for multiple passive uses that allow humans of all ages to engage with a beautiful natural habitat, but in a manner, that is both environmentally responsible and safe for residents and guests.

The southern half of the property (buildings, large tanks, asphalt lots and open green space) offer many uses and activities that are not by their nature, or their larger scale, appropriate for our historic downtown or either of our traditional, but certainly contemporary, public parks (Stephen Decatur and Dr. William Henry). The Mayor and Council also recognize that our town is already exceptionally well-

served by outstanding first-class team sport fields used by literally hundreds of local little league baseball players, as well as numerous amateur soccer and lacrosse teams.

The challenge and indeed, the opportunity, of the Berlin Falls Park Advisory Committee is to conceive, investigate and ultimately recommend uses for this new public asset that fill voids never before available to the residents of the Town of Berlin. We trust that while some uses will require significant financial support from the private and non-profit sectors, others will be made possible to host special events and year-round activities for citizens of all ages.

Time is on your side. Please know that while there are some aspects of this opportunity, especially in the passive use activities and attractions that are obtainable in less time and less costs than some other visions, you have an uncommon opportunity to identify uses for today and of others that over time will come to fruition by the imagination, planning and implementation of the generations of Berlin citizens who follow.

THE FUTURE --- LIMITED ONLY BY YOUR DETERMINATION AND IMAGINATION



MOTION OF THE MAYOR AND COUNCIL 2019-01

A MOTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN APPROVING THE YMCA FEASIBILITY STUDY AS RECOMMENDED BY THE BERLIN FALLS PARK ADVISORY COMMITTEE AND AUTHORIZING STAFF TO ENTER INTO A CONTRACT NOT TO EXCEED \$20,000.

APPROVED THIS ____ DAY OF _____, 20____ BY THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN, MARYLAND BY AFFIRMATIVE VOTE OF ____ TO ____ OPPOSED, WITH ____ ABSTAINING AND ____ ABSENT.

ELROY BRITTINGHAM, SR. VICE PRESIDENT

APPROVED THIS ____ DAY OF _____, 20____ BY THE MAYOR OF THE TOWN OF BERLIN.

WM. GEE WILLIAMS, III, MAYOR

ATTEST: _____
LAURA ALLEN
TOWN ADMINISTRATOR



MOTION OF THE MAYOR AND COUNCIL 2019-02

A MOTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN APPROVING A SEPTAGE DISPOSAL RATE INCREASE EFFECTIVE MARCH 1, 2019 FROM \$0.06 TO \$0.07.

APPROVED THIS _____ DAY OF _____, 20____ BY THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN, MARYLAND BY AFFIRMATIVE VOTE OF _____ TO _____ OPPOSED, WITH _____ ABSTAINING AND _____ ABSENT.

ELROY BRITTINGHAM, SR. VICE PRESIDENT

APPROVED THIS _____ DAY OF _____, 20____ BY THE MAYOR OF THE TOWN OF BERLIN.

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
Date: January 14, 2019
Subject: Septage Disposal Rate Increase

RECOMMENDATION

Staff recommends the Council increase the septage disposal rate from 6 cents a gallon to 7 cents a gallon, or approximately 16%, effective March 1, 2019.

EXECUTIVE SUMMARY

The Town's septage disposal fees have not been increased in several years. In fact, the rates were decreased in 2011 from 7 cents to 6 cents because the construction of the new plant was making it a challenge to reach the facility.

Staff recommends an increase in the fee to offset higher operating and maintenance costs at the Waste Water Treatment Plant (WWTP).

FISCAL IMPACT

Most septage haulers bring thousands of gallons per load. The higher recommended rate is equivalent to \$70 per 1,000 gallons. Over the past five years, the Town received an average of \$119,000 per year in revenue from this activity. The higher fee is expected to generate approximately \$19,000 in additional annual revenue, assuming the usage remains the same.

BACKGROUND

The Town decreased septage rates in 2011 when the new treatment plant was being constructed because it was a challenge to access the facility.

The cost of operating and maintaining the plant has increased by 21% from FY 2014 to FY 2019. The Town is examining the need for a water and sewer rate increase for residential and commercial services. The septage hauling fees are set through a separate process.

ANALYSIS

The Town's current septage disposal rates are the lowest in the area.

Municipality	Rate per 1,000 Gallons
Berlin	\$60
Pocomoke	\$65
Princess Anne	\$80
Snow Hill	\$65

An increase from 6 cents per gallon to 7 cents per gallon will move our rates to the mid-range of the amount other communities are charging.

Our operating and maintenance costs have increased, and the septage disposal fee should reflect that. In addition, septage trucks are large, heavy vehicles that have a significant impact on the condition of Bottle Branch Road (which was not constructed to Town standards). The septage disposal fees have been used to help maintain the roadway. Increasing the fee will enable the Town to have ready access to funding for maintaining Bottle Branch Road.