



BERLIN MAYOR AND COUNCIL

Meeting Agenda

Berlin Town Hall
10 William Street

Monday, September 23, 2019

6:30 PM EXECUTIVE SESSION – Conference Room

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

7:00 PM REGULAR SESSION – Council Chambers

1. Approval of the Minutes for:
 - a. Executive Sessions of 09/09/19
 - b. Statement of Closures for Executive Session of 09/09/19
 - c. Regular Session of 09/09/19
2. Motion 2019-27: Final Payments to Chesapeake Environmental Services Requisition 202000377 for the Heron Park Chemical Spill Clean Up totaling \$25,874.79 – Staff contact Managing Director/Public Works Director Jeff Fleetwood
3. Departmental Reports
4. Town Administrator's Report
5. Comments from the Mayor
6. Comments from the Council
7. Comments from the Public
8. Comments from the Press
9. 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, September 9, 2019

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

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

Absent: Councilmember Troy Purnell.

Staff Present: Managing Director/Public Works Jeff Fleetwood, Administrative Services Director Mary Bohlen, Finance Director Natalie Saleh, Police Chief Arnold Downing, Electric Utility Director Tim Lawrence, Planning Director Dave Engelhart, Economic and Community Development Director Ivy Wells, Town Attorney David Gaskill, and 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. Executive Session of 08/26/19:

Councilmember Gulyas noted a correction on the fourth paragraph that the word bond should be changed to loan. Finance Director Natalie Saleh said it was a bond, so the wording is correct; Councilmember Gulyas said that was not his understanding, but if it is then the language needs to remain consistent – he withdrew his correction.

On the motion of Councilmember Gulyas, the Executive Session minutes of August 26, 2019 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

b. Statement of Closure for Executive Session of 08/26/19:

Mayor Williams read the Statement of Closure.

c. Regular Session of 08/26/19:

On the motion of Councilmember Gulyas, the Regular Session Minutes of August 26, 2019 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
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2. Proclamation 2019-12: Recognizing September as National Suicide Prevention Month
Mayor Williams presented the Proclamation to Susan Schwarten, a member of the Governor's Commission on Suicide Prevention.
3. Motion 2019-26: Worcester County Recreation & Parks request for use of the tennis courts at Stephen Decatur Park
Myro Small with the Worcester County Parks and Recreation Department requested that the Council approve the stroke clinic and drop in sessions. He said if you want anymore information you can contact him at 410-632-2144 x2512. Councilmembers Tyndall and Burrell said if children are interested in the event and live on the other side of 113 can they arrange something with the Police Department to ensure they can safely cross the highway.
On the motion of Vice-President Brittingham, Motion 2019-26 was approved by the following vote:

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

4. Departmental Reports:
- a. Finance Director – Natalie Saleh
Ms. Saleh said PKS is performing the audit this week and began today. She is hopeful they will have the draft to her in November and make their presentation to the Mayor and Council in December.
- b. Administrative Services Director – Mary Bohlen
Ms. Bohlen said the website is still not operating properly; Mayor Williams asked if they can get together to discuss it further. Marie VeLong expressed her concerns with the site. Councilmember Tyndall said to see if we can get something on Facebook about the website not working; he also asked Ms. VeLong to let them know if there are still issues once it is up and running. Councilmember Burrell said it is unacceptable and we may need to go out to bid. Mayor Williams asked that she please update us at the next Council Meeting.
- c. Electric Utility Director – Tim Lawrence
Mr. Lawrence said they have been replacing poles, working on the tie point relays, and installing new underground service. He said they had two brief outages recently. Lastly, he reported that they sent three staff members to assist in storm damage repairs in Virginia; Mayor Williams thanked him for that.
- d. Police Chief – Arnold Downing
Chief Downing had nothing to report. Councilmember Burrell said he has noticed a lot of speeding during school times and it is concerning; Chief Downing asked anyone to send information to them about the vehicle, time, and place and they will do their best to catch them; he said most vehicles travel the same path each day.

e. Economic and Community Development Director – Ivy Wells

Ms. Wells said they had two façade grants approved. She also said Small Town Throw Down was a huge success, she thanked John Fager for paying for the bands, the Fire Company for opening parking to the public, and August Wienhold for responding to electrical issues during the event.

f. Managing Director – Jeffrey Fleetwood

Mr. Fleetwood reported that Jamey Latchum is at a Rural Water meeting.

5. Comments from the Mayor:

Mayor Williams explained that as of today, they have spent \$244,133 on clean up at Heron Park. He said they estimate about \$40,000 more in payments. There are no chemicals on the park any longer, but they are doing a thorough cleanup and have replaced the soil.

6. Comments from the Council:

Councilmember Tyndall said with it being suicide prevention month he wanted to mention that we should be kind to everyone and if you know someone is having a rough time reach out; not just this month but always.

Vice-President Brittingham asked if there was a burn date for the house on Flower yet; Mr. Engelhart said there is not a date set yet, but they said it would be completed by the first Monday in October.

7. Comments from the Public:

Resident Marie VeLong asked what the status of the investigation of the cleanup was; Mayor Williams said it was still ongoing and they hope to know more soon. She also said she is unable to hear at most meetings and asked that they speak into the microphones and consider a new system in next years budget. Mayor Williams asked that she continue to remind them.

8. Comments from the Press – none.

9. Adjournment:

On the motion of Councilmember Burrell, the Mayor and Council meeting was adjourned at approximately 7:36PM.

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



MOTION OF THE MAYOR AND COUNCIL 2019-27

A MOTION OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN APPROVING REQUISITION 202000377 TO CHESAPEAKE ENVIRONMENTAL SERVICES, LLC FOR CLEAN UP SERVICES REQUIRED FOR THE HERON PARK CHEMICAL SPILL FOR A TOTAL AMOUNT OF \$25,874.79.

APPROVED THIS ____ DAY OF _____, 2019 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 _____, 2019 by the Mayor of the Town of Berlin.

Wm. Gee Williams, III, Mayor

ATTEST: _____
Laura Allen
Town Administrator

CHESAPEAKE ENVIRONMENTAL SER... P.O. BOX 8040
 02756 SALISBURY, MD 21802-
 U.S.A.

Approved

Commodity	SERVICE
Item Description	CLEAN UP CHEMICAL SPILL HERON PARK
Ship To	Administrative Dep-t
Vendor	CHESAPEAKE ENVIRONMENTAL SERVL...
Ordered	Units Price
Shipping	\$25,874.79
Sales Tax	\$0.00
	\$0.00
	<u>Total Item</u>
	\$25,874.79
	<u>Trade Discount</u>
	\$0.00

Account 01-5100-5255 Vendor Part Number

Project Account Split Distribution Need By Date

Special Instructions

Sort Grid By Commodity Code Sort Grid

Sequence	Commodity Co	Item Description	Vendor	Is Taxed	Override Sales	Units	Price	Amount	Shipping	Ta
1	SERVICE	CLEAN UP CHEMIC	CHESAPEAKE ENVI	<input type="checkbox"/>	<input type="checkbox"/>			25,874.79	0.00	

Req # 0377
 9/9/19
 Chesapeake Environmental
 Services, LLC
 29631 Foskey Lane
 Delmar, MD 21875



25,874.79
 Invoice # 9539B
 9/6/2019

Phone: 410-742-2718
 Fax: 410-742-2838

Billing Address:

Town of Berlin
 10 William St
 Berlin, Maryland 21811

Job Location:

Berlin, MD 21811
 Attn: Jamey Latchum

P.O. Number	Authorized By	Date Completed	Job Number	Terms	
	Jamie Latchum	6/25/2019	9539	Net 30	
Description			Qty	Rate	Amount
June 25, 2019: Provide equipment and labor to properly package hazardous waste for transportation and disposal.					
Unit #2110 - Pick-up Truck			2.5	15.00	37.50
Hazmat Supervisor			2.5	55.00	137.50
Hazmat Technician			2.5	47.00	117.50
Hazmat Cubic Yard Boxes			3	126.50	379.50
Sodium Nitrate Disposal			3	1,667.50	5,002.50
Sulfuric Acid Disposal			1	258.75	258.75
Transportation and Disposal			1	1,092.50	1,092.50
Kyle McConnell - 443-397-2926			Total		\$7,025.75

***** Please mail payments to: P. O. Box 8040 Salisbury, MD 21802 *****

Chesapeake Environmental
 Services, LLC
 29631 Foskey Lane
 Delmar, MD 21875



Phone: 410-742-2718
 Fax: 410-742-2838

Invoice # 9911B

9/4/2019

Billing Address:

Town of Berlin
 10 William St
 Berlin, Maryland 21811

Job Location:

Berlin Falls Park
 10009 Old Ocean City Blvd
 Berlin, MD 21811

P.O. Number	Authorized By	Date Completed	Job Number	Terms	
	Laura Allen	9/3/2019	Multiple	Net 30	
Description			Qty	Rate	Amount
August 29, 2019: Job Duration: 6:00am to 6:15pm. Provide equipment and labor to complete the remediation of the Equipment Pit Area and 2 remaining poly tanks on site.					
Unit # 141 - Spill Response Unit			12	35.00	420.00
Unit #132 Vactor Jetter/Vac Truck - 3,500 cfm - 80 gal / 2,500 psi Jetter.			10.25	125.00	1,281.25
Unit #2120 - Roll-Off Truck			6.5	125.00	812.50
Unit #152 - Vacuum Tractor Trailer			3.75	125.00	468.75
Unit #2118 - Utility Pick-up Truck			11.25	15.00	168.75
Unit #154 - Box Truck			11.25	65.00	731.25
Unit #131 - Ford Pick-up Truck			11.25	15.00	168.75
Report			1	500.00	500.00
Can Rental			1	100.00	100.00
Concrete - per Bag			8	6.50	52.00
Hydraulic Concrete			1	65.00	65.00
Project Management Fee			1	2,600.00	2,600.00
Equipment Rental - Excavator and Chop Saw			1	1,527.14	1,527.14
Genie Boom			1	1,079.76	1,079.76
Transportation of Metal for Recycle			1	767.36	767.36
David Banks - 443-497-2704 Cell Phone. FEIN 27-2021018			Total		

***** Please mail payments to: P. O. Box 8040 Salisbury, MD 21802 *****

Chesapeake Environmental
 Services, LLC
 29631 Foskey Lane
 Delmar, MD 21875



Invoice # 9911B
 9/4/2019

Phone: 410-742-2718
 Fax: 410-742-2838

Billing Address:

Town of Berlin
 10 William St
 Berlin, Maryland 21811

Job Location:

Berlin Falls Park
 10009 Old Ocean City Blvd
 Berlin, MD 21811

P.O. Number	Authorized By	Date Completed	Job Number	Terms	
	Laura Allen	9/3/2019	Multiple	Net 30	
Description			Qty	Rate	Amount
Transportation of Roll-Off Cans			1	530.00	530.00
Sample for Water Pits			1	337.50	337.50
Ground Penetrating Radar			1	850.00	850.00
Provide Confined Space Entry 50 ft package			1	250.00	250.00
Hazmat Supervisor / Kyle McConnell - Regular Hours			8	55.00	440.00
Hazmat Supervisor / Kyle McConnell - Overtime Hours			4	82.50	330.00
Equipment Operator / Nate Waters - Regular Hours			8	47.00	376.00
Equipment Operator / Nate Waters - Overtime Hours			2.25	70.50	158.63
Equipment Operator / Deon Brooks - Regular Hours			6.5	47.00	305.50
Equipment Operator / Michael Shahan - Regular Hours			3.75	47.00	176.25
Environmental Technician / James Maddox - Regular Hours			8	42.00	336.00
Environmental Technician / James Maddox - Overtime Hours			2.25	63.00	141.75
Environmental Technician / CJ Davenport - Regular Hours			8	42.00	336.00
Environmental Technician / CJ Davenport - Overtime Hours			3.25	63.00	204.75
Environmental Technician / Felix Palacio - Regular Hours			8	42.00	336.00
Environmental Technician / Felix Palacio - Overtime Hours			3.25	63.00	204.75
Environmental Technician / Justin Bradford - Regular Hours			8	12.00	96.00
Environmental Technician / Justin Bradford - Overtime Hours			3.25	63.00	204.75
Disposal - Town of Berlin WWTP			15,711	0.00	0.00
Disposal at Worcester Co Landfill - per Ton			8.53	95.00	810.35
David Banks - 443-497-2704 Cell Phone. FEIN 27-2021018			Total		

***** Please mail payments to: P. O. Box 8040 Salisbury, MD 21802 *****

Chesapeake Environmental
 Services, LLC
 29631 Foskey Lane
 Delmar, MD 21875



Invoice # 9911B
 9/4/2019

Phone: 410-742-2718
 Fax: 410-742-2838

Billing Address:

Town of Berlin
 10 William St
 Berlin, Maryland 21811

Job Location:

Berlin Falls Park
 10009 Old Ocean City Blvd
 Berlin, MD 21811

P.O. Number	Authorized By	Date Completed	Job Number	Terms	
	Laura Allen	9/3/2019	Multiple	Net 30	
Description			Qty	Rate	Amount
September 3, 2019: Job Duration: 7:00am to 12:00pm. Provide equipment and labor to complete the remediation of the Equipment Pit Area and 2 remaining Poly Tanks on site.					
Unit #2120 - Roll-Off Truck			5	125.00	625.00
Equipment Operator / Reginald Wright - Regular Hours			5	47.00	235.00
Disposal at Worcester Co Landfill - per Ton			19.34	95.00	1,837.30
Credit for Scrap Metal Recycle			1	-1,015.00	-1,015.00
David Banks - 443-497-2704 Cell Phone. FEIN 27-2021018			Total		\$18,849.04

***** Please mail payments to: P. O. Box 8040 Salisbury, MD 21802 *****