



BERLIN MAYOR AND COUNCIL

Meeting Agenda

**Berlin Town Hall
10 William Street
Monday, July 22, 2019**

7:00 PM REGULAR SESSION – Council Chambers

1. Approval of the Minutes for:
 - a. Executive Session of 07/08/19
 - b. Statement of Closure for Executive Session of 07/08/19
 - c. Regular Session of 07/08/19
2. Approval of Payment: \$107,524.83 to Chesapeake Environmental Services, LLC for equipment and labor provided for the Berlin Falls Park chemical spill – Town Administrator Laura Allen
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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BERLIN MAYOR AND COUNCIL

Meeting Minutes

Monday, July 8, 2019

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/Public Works Director Jeff Fleetwood, Administrative Services Director Mary Bohlen, Water Resources Director Jamey Latchum, 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 06/24/19:

On the motion of Councilmember Gulyas, the Executive Session minutes of June 24, 2019 were approved by the following vote:

Name	Counted toward Quorum				
	Aye	No	Abstain	Recused	Absent
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 06/24/19:

Mayor Williams read the Statement of Closure.

c. Regular Session of 06/24/19:

On the motion of Councilmember Gulyas, the Regular Session Minutes of June 24, 2019 were approved by the following vote:

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

2. Berlin Falls Park Advisory Committee Report

Amy Field and Jack Orris gave updates on the committee. Mayor Williams thanked them and said they have come a long way so far. Jack Orris then provided information about the naming survey results and said the group has suggested Heron Park based on the responses received from the community. Ms. Allen said the next step would be a Public Hearing on August 12th at the earliest due to advertising guidelines. Mayor Williams said with no objections they will hold the Public Hearing on that date. Councilmember Burrell thanked them for their hard work and leadership. Resident Kim Holloway asked if Heron Park would be the final name because it may be confusing because of Herring Park in West Ocean City; Mayor Williams encouraged her to discuss that at the August 12th Public Hearing.

3. Stormwater Fees Increase

Town Administrator Laura Allen explained the recommended Stormwater fee changes and reasoning behind the proposed changes. Councilmember Tyndall asked if the approved FY2020 budget included the Stormwater Fund borrowing from the General Fund; Ms. Allen said she would need to review the budget to confirm that. Director of Maryland Coastal Bays Frank Piorko commended the Town on the efforts they've made so far. Mayor Williams asked him if he thought returning the grant funds would make receiving future grants more difficult; he said in his experience it would. Mayor Williams asked how long we had to decided/discuss the funds for this project; Ms. Allen said the project should be completed by September 1st, but we are considering requesting a three-month extension. Mayor Williams asked if Stormwater fees have been used as leverage for grants; she said they're used for leverage as well as staffing and maintenance. Councilmember Tyndall asked what the timeline on this would be; Ms. Allen said a Resolution would come before them on August 12th, but it would not go into effect until October 1st to allow time for notification and updates to the billing system. Councilmember Tyndall said by the time the fees are in place the grant will have expired; Ms. Allen said it would come from Stormwater in the meantime.

Resident Rose Zollinger asked why there is a larger percentage increase for residents verses commercial; Ms. Allen said dollar wise it is not as large of an increase and there are more residents, but this is only for discussion and the Council can adjust the numbers as they see fit. Resident Marie VeLong said residents already pay the \$50 that was suggested in the study and commercial does not pay \$45. Resident Jason Walter said the engineer said it would not fix the problem, he said the Town needs to look into other options and not hold the water on the east side of town; Ms. Allen stated that he said it would not completely fix the issues, but it would be a piece that would fix it in the long run. Mayor Williams said we needed to start with the east side of town for practical reasons. Mr. Walter then asked if most of the water comes from Commercial or Residential properties; Councilmember Purnell said it would be from impervious surfaces.

Councilmember Purnell thinks this should be discussed at the August 12th meeting. Councilmember Burrell agreed, but thinks a larger increase to commercial should be considered, he further stated that no one thing will fix the problem, it is all the efforts combined. Councilmember Tyndall said he is open to discussing the fees at some point, but not for the purpose of funding this project. Councilmember Gulyas shared his frustration that the project is being discussed again when they already voted on the matter and thinks the Town has already imposed enough increases so did not want to discuss this again. Mayor Williams said his read overall is that the group would like to discuss the fees at a later date and perhaps consider new fees for FY2021.

4. Departmental Reports:

- a. Water Resources Director – Jamey Latchum

Mr. Latchum said they have capped and removed water meters for demolition projects in town, they have been working on rereads, and they helped with peak generation.

b. Electric Utility Director – Tim Lawrence

Mr. Lawrence said they hand delivered the outages notices for the outage last Tuesday when a line was cut, they have generated three times this summer, and lastly, they have a scheduled Town-wide outage on July 10th and 12th from 12:30am-3:00am and have notified users. Councilmember Burrell asked him to be sure he notified the nursing home. Councilmember Gulyas asked who pays for repairs when a main line is cut; Mr. Lawrence said it was done by Miss Utility and they are in discussion over who will pay, he will let them know the outcome.

c. Planning and Zoning Director – David Engelhart

Mr. Engelhart said the Planning Commission will meet on Wednesday to discuss the i.g. Burton Annexation and Board of Appeals will meet the same night to discuss 2 Stevenson Lane and the property setbacks. Councilmember Burrell asked what the status is on the house on the corner of Showell and Flower, he said he has concerns on the maintenance of the property and if they are not maintaining it they should be fined. Mr. Engelhart said there were title issues and the owner has to demolish it with machines; the Fire Company will not be burning the property. Councilmember Burrell also stated that on that corner it is difficult to see at the stop sign because of vegetation; he sees the same issue at the Dunkin Donuts going onto William Street too.

d. Economic and Community Development Director – Ivy Wells

Ms. Wells said at 2 Stevenson Lane they received a call about kittens living in the home and they contacted the Humane Society to have them removed before the property is demolished. She said the fireworks were great and thanked the Police Department and Mr. Latchum for their assistance. She discussed events taking place at the Farmers Market and events in correlation with Runaway Bride's 20th anniversary. There is a Community Development Network meeting on Tuesday and Wednesday that she will be attending. On Friday at 2pm there will be an Opportunity Zone Meeting at the Library. They will be doing an ornament fundraiser again for \$20 personalized ornaments. And lastly, the Street Scape Grant group will be out for a site visit in August.

e. Managing/Public Works Director – Jeffrey Fleetwood

Mr. Fleetwood said open enrollment is complete and he has been working to input all of those changes. On Friday there will be interviews for the Water Resources position. They cleaned the playground equipment at Stephen Decatur Park and Henry Park. They plan to replace the swing and repair equipment at Henry Park at the end of July/beginning of August. Lastly, there were reports of bee stings at Stephen Decatur Park last week and an exterminator came out and took care of the yellow jackets.

5. Town Administrator's Report – Laura Allen – none.

6. Comments from the Mayor – none.

7. Comments from the Council – none.

8. Comments from the Public:

A citizen said the property Councilmember Burrell discussed on Showell has debris falling into the street and needs to be taken care of.

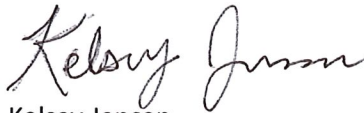
9. Comments from the Press – none.

10. Adjournment:

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

Name	Counted toward Quorum				
	Aye	No	Abstain	Recused	Absent
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

**Chesapeake Environmental
Services, LLC**

 29631 Foskey Lane
 Delmar, MD 21875


Phone: 410-742-2718

Fax: 410-742-2838

Invoice # 9562B

7/2/2019

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	
	Jeff Fleetwood	6/28/2019	Multiple	Net 30	
Description			Qty	Rate	Amount
June 26, 2019: Job Duration: 2:15pm to 7:45pm. Provide equipment and labor to respond to a release of Sodium Hydroxide 50%.					
Unit # 141 - Spill Response Unit			5.25	45.00	236.25
Unit #154 - Box Truck			4	65.00	260.00
Unit #145 - Pick-up Truck			4.5	25.00	112.50
Unit #138 - Excavator			1	450.00	450.00
Acetic Acid			60	19.95	1,197.00
PPE Charge			1	225.00	225.00
Hazmat Supervisor / Kyle McConnell			5.25	112.50	590.63
Equipment Operator / Randy Webb			4	75.00	300.00
Hazmat Technician / Felix Palacio			4	75.00	300.00
Hazmat Technician / Ronnie Spence			4.5	75.00	337.50
June 27, 2019: Job Duration; 7:00am to 7:00pm. Provide equipment and labor for proper remediation of soil contaminated with Sodium Hydroxide.					
Unit # 141 - Spill Response Unit			8.5	45.00	382.50
Unit #129 - Roll-Off Tractor Trailer			12	125.00	1,500.00
Unit #2120 - Roll-Off Truck			8	125.00	1,000.00
David Banks - 443-497-2704 Cell Phone. FEIN 27-2021018			Total		

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

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P.O. Number	Authorized By	Date Completed	Job Number	Terms	
	Jeff Fleetwood	6/28/2019	Multiple	Net 30	
Description			Qty	Rate	Amount
Unit #154 - Box Truck			8.5	65.00	552.50
Unit #2118 - Utility Pick-up Truck			7.25	35.00	253.75
Unit #145 - Pick-up Truck			4	25.00	100.00
Unit #150 - Ford F-350 Pickup Truck			12	25.00	300.00
Unit #138 - Excavator			1	900.00	900.00
Unit #2126 - Skid Steer			1	900.00	900.00
Unit #2124 - Excavator			1	450.00	450.00
Transportation of Equipment			1	1,258.02	1,258.02
Air Compressor			1	558.87	558.87
2" Chemical Pump, Hose and Fittings			1	2,822.40	2,822.40
1,050 Gallon Poly Storage Tank			1	812.50	812.50
550 Gallon Poly Storage Tank			2	585.00	1,170.00
4,900 Gallon Rental Tank and Containment, with Mobilization, Decontamination and Demobilization			1	5,193.72	5,193.72
12, 25 yard Roll Off Containers with Mobilization, Decontamination and Demobilization			1	46,133.64	46,133.64
500' of Silt Fence (Including Installation)			1	1,132.50	1,132.50
Multi Chemical Boom - per Bale			13	269.00	3,497.00
David Banks - 443-497-2704 Cell Phone. FEIN 27-2021018			Total		

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P.O. Number	Authorized By	Date Completed	Job Number	Terms	
	Jeff Fleetwood	6/28/2019	Multiple	Net 30	
Description			Qty	Rate	Amount
6' Fencing Installed to Secure Site (Paid for by the Town of Berlin)			1	0.00	0.00
Crane to set 4,900 gallon Chemical Tank and Place in Containment			1	1,576.80	1,576.80
PPE Charge				450.00	450.00
Hazmat Supervisor / Kyle McConnell			8.5	112.50	956.25
Equipment Operator / David Banks			12	75.00	900.00
Equipment Operator / Reginald Wright			8	75.00	600.00
Equipment Operator / George Thornes			4	75.00	300.00
Equipment Operator / Andrew King			12	75.00	900.00
Hazmat Technician / Ronnie Spence			7.25	75.00	543.75
Hazmat Technician / James Kessler			7.25	75.00	543.75
Hazmat Technician / Felix Palacio			8.5	75.00	637.50
Hazmat Technician / Jay Cooper			8.5	75.00	637.50
June 28, 2019; Job Duration: 6:00am to 8:45pm. Provide and labor to respond for a release of Sodium Hydroxide 50%.					
Unit # 141 - Spill Response Unit			14	45.00	630.00
Unit #2120 - Roll-Off Truck			11	125.00	1,375.00
David Banks - 443-497-2704 Cell Phone. FEIN 27-2021018			Total		

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	Jeff Fleetwood	6/28/2019	Multiple	Net 30	
Description			Qty	Rate	Amount
Unit #129 - Roll-Off Tractor Trailer			13.5	125.00	1,687.50
Unit #154 - Box Truck			12.75	65.00	828.75
Unit #2118 - Utility Pick-up Truck			13.25	35.00	463.75
Unit #150 - Ford F-350 Pickup Truck			6	25.00	150.00
Unit #138 - Excavator			1	900.00	900.00
Unit #2126 - Skid Steer			1	900.00	900.00
Transportation of Equipment			1	1,258.02	1,258.02
Roll Off Liner - each			19	50.00	950.00
Acetic Acid			120	19.95	2,394.00
PPE Charge				450.00	450.00
Obtain and shipping of Soil sample to laboratory for analysis			1	2,133.25	2,133.25
Hazmat Supervisor / Kyle McConnell			14	112.50	1,575.00
Equipment Operator/ Reginald Wright			11	75.00	825.00
Equipment Operator / Andrew King			13.5	75.00	1,012.50
Hazmat Technician / CJ Davenport			12.75	75.00	956.25
Hazmat Technician / Felix Palacio			12.75	75.00	956.25
Hazmat Technician / Ronnie Spence			13.25	75.00	993.75
David Banks - 443-497-2704 Cell Phone. FEIN 27-2021018			Total		

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	Jeff Fleetwood	6/28/2019	Multiple	Net 30	
Description			Qty	Rate	Amount
Hazmat Technician / James Kessler			13.25	75.00	993.75
Project Management			1	5,120.23	5,120.23

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