

**CITY OF SALISBURY, MARYLAND**

**REGULAR MEETING**

**JANUARY 23, 2012**

**PRESENT**

*Council President Terry E. Cohen  
Councilwoman Laura Mitchell  
Councilman Timothy K. Spies*

*Council Vice President Deborah S. Campbell  
Councilwoman Eugenie P. Shields  
Mayor James Ireton, Jr.*

**IN ATTENDANCE**

*City Clerk Brenda Colegrove, MMC, City Administrator John Pick, ICMA-CM, City Attorney Paul Wilber, Police Chief Barbara Duncan, Public Works Director Teresa Gardner, Acting Fire Chief Rick Hoppes, Acting Internal Services Director Gerri Moore, Neighborhood Services and Code Compliance Director Tom Stevenson, Assistant Internal Services Director-Procurement Catrice Parsons, and interested Citizens and Members of the Press.*

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**MEDITATION – PLEDGE OF ALLEGIANCE**

*The City Council met in regular session at 6:00 p.m. in Council Chambers. Council President Cohen called the meeting to order. A moment of silent meditation was held followed by the Pledge of Allegiance led by scouts from Bethesda United Methodist Church Troop 149.*

**PROCLAMATION** – presented by Mayor James Ireton, Jr.

*A Proclamation proclaiming the month of January as “Mentoring Month” was accepted by Jessica Mimms (Director Big Brothers Big Sisters and the Maryland Mentoring Partnership), Darlene Cole-Culver (Wicomico Mentoring Partnership), Jessica Morris (Big Brothers Big Sisters and the Maryland Mentoring Partnership), and George Whitehead (Salisbury’s Promise).*

**ADOPTION OF LEGISLATIVE AGENDA**

*Mrs. Campbell moved and Mr. Spies seconded to adopt the agenda as presented. Mrs. Mitchell moved and Mrs. Shields seconded to remove Resolution No. 2141 (appointing the City Solicitor and the Assistant City Solicitor) from the agenda for discussion at a work session. The motion failed with Mrs. Mitchell and Mrs. Shields voting aye and Mrs. Campbell, Ms. Cohen and Mr. Spies voting nay. The legislative agenda as presented was adopted on a 4-1 vote with Mrs. Mitchell casting the nay vote.*

**CONSENT AGENDA** – presented by City Clerk Brenda Colegrove

*The Consent Agenda, consisting of the following items, was unanimously approved on a motion by Mr. Spies and seconded by Mrs. Mitchell:*

- *January 3, 2012 work session minutes*
- *January 9, 2012 regular meeting minutes*
- *January 9, 2012 work session minutes*
- *Manufacturing exemption request from K & L Microwave requesting an exemption from personal property tax for equipment purchased in 2010 (\$10,388 in personal property tax)*
- *Resolution No. 2137 – approving the appointment of Richard H. Parsons to the Marina Committee for a term ending January 31, 2014*
- *Resolution No. 2138 – approving the appointment of Thomas W. Welsh to the Traffic and Safety Advisory Committee for a term ending July 31, 2014*
- *Resolution No. 2139 – accepting overtime reimbursement funding (not to exceed \$28,000) from the United States Marshals Service for the Salisbury Police Department's investigation, arrest and prosecution of persons who have active state and federal warrants*

**AWARD OF BIDS** – presented by Assistant Internal Services Director-Procurement Catrice Parsons

The following items were unanimously awarded on a motion by Mrs. Mitchell and seconded by Mrs. Shields:

- |  |           |
|--|-----------|
| • <i>Declaration of surplus – handguns</i>   | -0-       |
| • <i>Declaration of surplus – ambulance coolers</i>  | -0-       |
| • <i>Change Order #1 to Contract RFP 13-11<br/>Park WTP Meter and Piping Improvements<br/>GMB<br/>Acct. No. 81080-513020</i>                     | \$18,670  |
| • <i>Change Order #1 to Contract RFP 03-11<br/>Southside Elevated Water Storage Tank<br/>Birdsdall Services Group<br/>Acct. No. 81080-513020</i> | \$27,850  |
| • <i>Award Contract RFP 07-12<br/>Coty Cox Branch Flood Relief and Drainage Improvements<br/>AMT<br/>Acct. No. 12800-546006-70041</i>            | \$109,800 |

**RESOLUTIONS** – presented by City Administrator John Pick

- *Resolution No. 2140 – determining that a sidewalk from Pemberton Drive to Anchors Way, in the Harbor Pointe Planned Residential District, confers special benefits upon that Planned Residential District and determining that a special assessment is appropriate under the circumstances*

*Resolution No. 2140 passed unanimously on a motion by Mrs. Shields and seconded by Mr. Spies.*

- Resolution No. 2141 – appointing the City Solicitor and the Assistant City Solicitor

*Mrs. Campbell moved and Mr. Spies seconded to approve Resolution No. 2141. Following a discussion involving possible conflicts of interest, the Council reached a consensus for a closed session before making a decision on Resolution No. 2141 (two candidates for City Solicitor were standing by in case of questions). The closed session would be held after the public comments portion of the agenda. Following the adjournment of the closed session, Council would reconvene its legislative session for further discussion of Resolution No. 2141.*

**ORDINANCES** – presented by City Attorney Paul Wilber

- Ordinance No. 2184 - 2<sup>nd</sup> reading - amending Section 17.04.150 Procedure of the Salisbury Municipal Code regarding public notice provisions

*On a motion by Mr. Spies and seconded by Mrs. Campbell, Ordinance No. 2184 for second reading passed unanimously.*

- Ordinance No. 2185 - 2<sup>nd</sup> reading - repealing Chapter 15.24 – Towing Companies of the Salisbury Municipal Code in its entirety and reenacting Chapter 5.64 – Towing Companies to include licensing requirements; towing and storage lot operation requirements; authorizing fees for towing and storage; and penalties for violation of Chapter 5.64

*Mrs. Mitchell moved and Mrs. Shields seconded to approve Ordinance No. 2185 for second reading. Mrs. Mitchell moved and Mr. Spies seconded to amend line 442 by striking “from and after the date of its final passage” and inserting “March 1, 2012.” After a brief discussion on the amendment, Mrs. Mitchell offered a friendly amendment, and Mr. Spies concurred, to change the March 1, 2012 date to February 1, 2012. However, after receiving comments/suggestions from Police Chief Duncan (i.e., issue warnings for 30-day period), the amendment failed to pass with all voting nay. Ordinance No. 2185 for second reading passed unanimously.*

- Ordinance No. 2186 - 2<sup>nd</sup> reading - establishing a schedule of fees and charges applicable to vehicles towed as dispatched by the Police Department

*Mrs. Mitchell moved and Mrs. Shields seconded to approve Ordinance No. 2186 for second reading. Mrs. Mitchell moved to amend line 40 by inserting in the blank “from and after the date of its final passage” and strike “2012.” Mrs. Shields seconded and the amendment passed unanimously. Ordinance No. 2186, as amended for second reading, passed unanimously.*

- Ordinance No. 2187 - 2<sup>nd</sup> reading - amending Article XI Definitions of the Property Maintenance Code to provide a new definition of the term “Rubbish”

Ordinance No. 2187 for second reading passed unanimously on a motion by Mrs. Shields and seconded by Mrs. Campbell.

### **PUBLIC COMMENTS**

Comments were received from two citizens relating to 1) elimination of primary elections; 2) mandatory recycling; and 3) hiring of new city solicitor.

### **MOTION TO CONVENE IN CLOSED SESSION**

At 7:54 p.m., Mrs. Campbell moved to convene in closed session for the purpose of speaking with the two attorney firms that responded to the 2010 RFP (Hall & Long and Seidel, Baker & Tilghman) as permitted under the Annotated Code of Maryland Sections 10-508(a)(1)(i)(14). Mr. Spies seconded the motion. Mrs. Campbell, Ms. Cohen and Mr. Spies voted aye. Mrs. Mitchell voted nay and Mrs. Shields abstained.

### **RECONVENE**

Following the adjournment of the closed session at 9:45 p.m., the Council took a break and reconvened in legislative session at 9:55 p.m.

### **RESOLUTION NO. 2141 – Continued discussion**

Mrs. Campbell moved to amend Resolution No. 2141 as follows:

- amend the title (line 5) by striking “the Assistant City Solicitor” and replace with “additional legal counsel”
- amend the third Whereas paragraph (line 17) by striking “Assistant City Solicitor” and replace with “additional legal counsel”
- amend the Now, Therefore, Be It Resolved paragraph (line 33) by striking the semi-colon and replacing with a comma, and inserting following the comma “is appointed as additional legal counsel for such litigation and other legal matters as specifically agreed upon between the law firm and the City Council.”

The amendment passed on a 4-1 vote with Mrs. Shields voting nay.

Mrs. Campbell moved and Mr. Spies seconded to amend the last Whereas paragraph (line 27) by inserting in the blank “Seidel, Baker & Tilghman” and amending the Now, Therefore, Be It Resolved paragraph (line 31) by inserting in the first blank “Seidel, Baker & Tilghman” and “S. Mark Tilghman” in the second blank. The amendment passed with Mrs. Campbell, Ms. Cohen and Mr. Spies voting aye. Mrs. Shields voted nay and Mrs. Mitchell abstained.

Resolution No. 2141, as amended, passed with Mrs. Campbell, Ms. Cohen and Mr. Spies voting aye. Mrs. Shields voted nay and Mrs. Mitchell abstained.

## ADJOURNMENT

The meeting adjourned at 10:15 p.m.

CITY OF SALISBURY, MARYLAND  
CLOSED SESSION  
JANUARY 23, 2012

**TIME & PLACE:** 7:54 p.m., Government Office Building – Council Chambers  
**PURPOSE:** Personnel matter/pre-award of contract (candidates for city solicitor)  
**VOTE TO CLOSE:** 3 – aye; 1 – nay; 1 - abstain  
**CITATION:** Annotated Code of Maryland Sections 10-508(a)(1)(i)(14)  
**PRESENT:** Council President Terry E. Cohen, Council Vice President Deborah S. Campbell, Councilwoman Laura Mitchell, Councilwoman Eugenie P. Shields, Councilman Timothy K. Spies, City Clerk Brenda J. Colegrove, William Hall, Nathan Long, Mark Tilghman

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At 7:54 p.m. during the Council's legislative meeting, Mrs. Campbell moved to convene in closed session for the purpose of speaking with the two attorney firms that responded to the 2010 RFP as permitted under the Annotated Code of Maryland Sections 10-508(a)(1)(i)(14). Mr. Spies seconded the motion. Mrs. Campbell, Ms. Cohen and Mr. Spies voted aye, Mrs. Mitchell voted nay and Mrs. Shields abstained. The Council recessed for a break at 8:00 p.m. and began the closed session at 8:19 p.m.

Mr. William Hall and Mr. Nathan Long from the firm of Hall & Long were questioned first followed by Mr. Mark Tilghman from the firm of Seidel, Baker & Tilghman. No action was taken by Council at this time. At 9:45 p.m., on a motion by Mrs. Shields, seconded by Mrs. Campbell, and by unanimous vote, the Council adjourned the closed session to return to the legislative session.

CITY OF SALISBURY, MARYLAND  
CLOSED SESSION  
JANUARY 30, 2012

**TIME & PLACE:** 12:55 p.m., Government Office Building – Conference Room 306  
**PURPOSE:** Consult with city attorney for legal advice  
**VOTE TO CLOSE:** Unanimous  
**CITATION:** Annotated Code of Maryland Sections 10-508(a)(7)  
**PRESENT:** Council President Terry E. Cohen, Council Vice President Deborah S. Campbell, Councilwoman Laura Mitchell, Councilwoman Eugenie P. Shields, Councilman Timothy K. Spies, Mayor James Ireton, Jr., City Clerk Brenda J. Colegrove, City Administrator John Pick, City Solicitor Mark Tilghman, Police Chief Barbara Duncan

*At 12:55 p.m. during the Council's work session, Mrs. Campbell moved to convene in closed session for the purpose of seeking legal advice from the City Solicitor relating to the enforceability of the Towing Ordinance as permitted under the Annotated Code of Maryland Section 10-508(a)(7). Mr. Spies seconded and the vote was unanimous.*

*City Solicitor Mark Tilghman identified certain areas in the Towing Ordinance which could pose enforceability issues and recommended those be addressed. No action was taken by Council at this time. At 1:39 p.m., on a motion by Mrs. Campbell, seconded by Mrs. Shields, and by unanimous vote, the Council adjourned the closed session to return to the work session.*

*CITY OF SALISBURY, MARYLAND  
CLOSED SESSION  
JANUARY 30, 2012*

*TIME & PLACE: 2:26 p.m., Government Office Building – Conference Room 306  
PURPOSE: Consult with city attorney for legal advice  
VOTE TO CLOSE: Unanimous  
CITATION: Annotated Code of Maryland Sections 10-508(a)(7)  
PRESENT: Council President Terry E. Cohen, Council Vice President Deborah S. Campbell, Councilwoman Laura Mitchell, Councilwoman Eugenie P. Shields, Councilman Timothy K. Spies, Mayor James Ireton, Jr., City Clerk Brenda J. Colegrove, City Administrator John Pick, City Solicitor Mark Tilghman*

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*At 2:26 p.m. during the Council's work session, Mrs. Campbell moved to convene in closed session for the purpose of seeking legal advice from the City Solicitor as to whether or not council members had an obligation to serve in a legal matter as permitted under the Annotated Code of Maryland Section 10-508(a)(7). Mr. Spies seconded and the vote was unanimous.*

*Councilwoman Campbell referenced a particular incident that was brought to her attention and questioned whether council members had a legal obligation under the circumstances. City Solicitor Mark Tilghman rendered his opinion on the issue. No action was taken by Council. At 2:50 p.m., on a motion by Mr. Spies, seconded by Mrs. Shields, and by unanimous vote, the Council adjourned the closed session to return to the work session.*

CITY OF SALISBURY, MARYLAND  
CLOSED SESSION  
FEBRUARY 2, 2012

*TIME & PLACE:* 4:20 p.m., Government Office Building – Conference Room 306  
*PURPOSE:* Personnel matter – interview candidate for Fire Chief position  
*VOTE TO CLOSE:* Unanimous (Mrs. Shields not present during vote to close)  
*CITATION:* Annotated Code of Maryland Sections 10-508(a)(1)(i)  
*PRESENT:* Council President Terry E. Cohen, Council Vice President Deborah S. Campbell, Councilwoman Laura Mitchell, Councilwoman Eugenie P. Shields (arrived 4:32 p.m.; left 6:45 p.m.), Councilman Timothy K. Spies, City Clerk Brenda J. Colegrove, Rick Hoppes

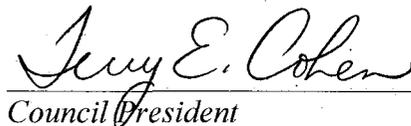
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*The Council convened in open session at 4:02 p.m. in Conference Room 306 of the Government Office Building. Mrs. Campbell moved and Mrs. Mitchell seconded to convene in closed session for the purpose of interviewing the candidate put forth by Mayor Ireton for Fire Chief as permitted under the Annotated Code of Maryland Section 10-508(a)(1)(i). After a discussion concerning the job description, the advertisement for the position and a memo distributed by Administration, the Council convened in closed session at 4:20 p.m.*

*Following the conclusion of the interview and reaching a decision on the candidate, Mr. Spies moved to adjourn the closed session at 6:46 p.m. Mrs. Campbell seconded and on unanimous (Mrs. Shields was not present) vote the Council adjourned the closed session to return to open session to announce the results.*

*In open session, Council President Cohen reported that the vote was 3-2 against providing advice and consent for the candidate.*

  
City Clerk

  
Council President

# City of Salisbury



MARYLAND

Salisbury



2010

125 NORTH DIVISION STREET  
SALISBURY, MARYLAND 21801

Tel: 410-548-3190

Fax: 410-548-3192

GERRI L. MOORE  
ACTING DIRECTOR OF INTERNAL  
SERVICES  
PROCUREMENT DIVISION

JAMES IRETON, JR.  
MAYOR

JOHN R. PICK  
CITY ADMINISTRATOR

LORÉ L. CHAMBERS  
ASSISTANT CITY ADMINISTRATOR

## COUNCIL AGENDA

January 23, 2012

- |    |   |              |
|----|---|--------------|
| 1. | Declaration of Surplus-Handguns   | \$0.00       |
| 2. | Declaration of Surplus-Ambulance Coolers  | \$0.00       |
| 3. | Change Order #1 to Contract RFP 13-11 Park WTP Meter and Piping Improvements                  | \$18,670.00  |
| 4. | Change Order #1 to Contract RFP 03-11 Southside Elevated Water Storage Tank                   | \$27,850.00  |
| 5. | Award Contract RFP 07-12 Eng. Svc. for Coty Cox Branch Flood Relief and Drainage Improvements | \$109,800.00 |

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ASSISTANT CITY ADMINISTRATOR

## COUNCIL AGENDA

January 23, 2012

To: Mayor and City Council

Subject: Surplus Items-Service Handgun

The City of Salisbury Internal Services Department-Procurement Division received a request from the Salisbury Police Department to declare the following handguns surplus:

Department	Make	Model	Serial #
Police Department	Glock	21-45 caliber handgun	WG634
Police Department	Glock	21-45 caliber handgun	CGU964

Upon declaration of surplus, and as approved by the Council, the aforementioned handguns will be given to retired captain; Mark Tyler and retired police officer; Steven Dickerson. Additional details are noted in the department memo.

Thank You,

  
Catrice L. Parsons

Assistant Director Internal Services-Procurement and Parking

# City of Salisbury



147th

**POLICE DEPARTMENT**

**BARBARA DUNCAN**

*Chief of Police*



45th

699 W. SALISBURY PARKWAY  
SALISBURY, MARYLAND 21801

410-548-3165

December 5, 2011

**TO:** Catrice Parsons  
Assistant Director Internal Services - Procurement

**FROM:** PFC Danny Parsons  
Quartermaster – Salisbury Police Department

**SUBJECT:** INVENTORY (WEAPONS)

The Salisbury Police Department has a history of giving retired Police Officers their duty weapon as a retirement gift. With Chief Duncan's approval, I am requesting the Salisbury City Council declare as surplus, one Glock, Model 21, 45 caliber handgun with a serial number of WG634. This weapon will be given to Captain Mark Tyler. Captain Tyler retired from the Salisbury Police Department the first week of December 2011.

I am also requesting, with Chief Duncan's approval, the Salisbury City Council declare as surplus, one Glock, Model 21, 45 caliber handgun with a serial number of CGU964. This weapon will be given to Police Officer Steven Dickerson. Police Officer Dickerson retired from the Salisbury Police Department the last week of November 2011.

Respectfully Submitted,

PFC Danny Parsons 0194  
Quartermaster  
Salisbury Police Department

# City of Salisbury



MARYLAND



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SALISBURY, MARYLAND 21801  
Tel: 410-548-3190  
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MAYOR

JOHN R. PICK  
CITY ADMINISTRATOR

LORÉ L. CHAMBERS  
ASSISTANT CITY ADMINISTRATOR

## COUNCIL AGENDA

January 23, 2012

To: Mayor and City Council

Subject: Surplus Items-Ambulance Coolers

The City of Salisbury Internal Services Department-Procurement Division received a request from the Salisbury Fire Department to declare the following ambulance coolers surplus:

Department	Make	Description	Serial #
Fire Department	Engle	Fridge/Freezer-12 Volt Coolers 15 Qts. 20" x 14" x 17" Gray Fridge/Freezer	MD14F

Upon declaration of surplus, and as approved by the Council, the Delmar, Delaware's Fire Department will be given first consideration in procuring these coolers. Additional details are noted in the department memo.

Thank You,

 1/18/12

Catrice L. Parsons

Assistant Director Internal Services-Procurement and Parking



*From the  
Office of the  
Chief*

**To:** Catrice Parsons  
Assistant Director Internal Services  
Procurement Division

**Date:** 4 January 2012

**From:** Jeff Simpson, Chief of the Department 

**Subject:** Declaration of Surplus Property – Ambulance Cooler

The Salisbury Fire Department (SFD) has identified the following items that are available to be declared as surplus property. SFD's new ambulances have the cooling capability integrated into the design making this equipment redundant.

Cooler – Qty 2

Engel MD14F Fridge / Freezer - 12 Volt Coolers  
15 Qts. 20"x14"x17" Gray Fridge / Freezer Engel

Delmar EMS has expressed an interest in procuring the aforementioned coolers for use in their ambulances. SFD requests Council's approval to declare the coolers surplus property and for the coolers to be sold to Delmar EMS. Thank you, should you have any questions or require additional information please feel free to contact me immediately.

**cc:** Mr. John Pick, City Administrator  
File

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JAMES IRETON, JR.  
MAYOR

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ASSISTANT CITY ADMINISTRATOR

GERRI L. MOORE  
ACTING DIRECTOR OF INTERNAL  
SERVICES  
PROCUREMENT DIVISION

## COUNCIL AGENDA

January 23, 2012

TO: Mayor and City Council

SUBJECT: Change Order #1 to Contract RFP 13-11  
Park WTP Meter and Piping Improvements

The City of Salisbury Internal Services Department, Procurement Division, received a request from Salisbury Public Works (SPW) to process Change Order #1 for Contract 13-11 *Park WTP Meter and Piping Improvements* in the amount of \$18,670.00. This Change Order proposes to incorporate a chlorine scrubber into the design of the aforementioned project; the fee also includes construction administration services and forty (40) hours of inspection services. The addition of the chlorine scrubber reduces the risk of harmful gases being released during the exchange process; performed by the water treatment plant personnel. Additional details are noted in the department memo.

Funds are available in the Project Account 81080-513020 "*Engineering/Architecture*". The Department of Internal Services-Procurement Division requests Council's approval to approve Change Order #1 as noted above to GMB in the amount of \$18,670.00.

Thank you,

 1/18/12

Catrice L. Parsons  
Assistant Director Internal Services-Procurement and Parking

# City of Salisbury



JAMES IRETON, JR.  
MAYOR

JOHN R. PICK  
CITY ADMINISTRATOR

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MARYLAND

PUBLIC WORKS  
TERESA GARDNER, P.E.  
DIRECTOR

**TO:** Catrice Parsons-Assistant Director of Internal Services, Procurement Division  
**FROM:** Jana Potvin, Project Engineer  
**DATE:** January 10, 2012  
**SUBJECT:** Change Order No. 1  
RFP 13-11  
Purchase Order No. 02110427-00  
Park WTP Meter and Piping Improvements

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As part of the upgrades in the Park WTP Meter and Piping Improvements contract, SPW requested a proposal from GMB to incorporate a chlorine scrubber into the project (see attached proposal).

Currently operators at the Park Water Treatment plant are required to exchange chlorine gas cylinders several times a week. If there is a release of chlorine gas during the exchange, operators are not protected. Chlorine gas is harmful if inhaled and has the potential to cause burns, lung damage, even death. The scrubber will prevent the release of chlorine by cleaning the harmful fumes before they are exhausted into the atmosphere.

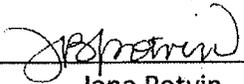
It is anticipated that the scrubber would be located adjacent to the chlorine room. Since the Park WTP is located within a Maryland Historical Preservation Easement, special screening will be required for the equipment to be installed. The design and construction of this scrubber is currently scheduled for FY 13 in the CIP.

In addition to the safety benefit the chlorine scrubber will provide, the City of Salisbury should realize a cost savings by tying this project together with the construction of the water meter and piping improvements project. Duplication of such services as advertising, bidding, and construction administration and inspection will be avoided. Also, by moving the design forward into FY 12, we will assured that the project will be bid ready by FY13.

The cost to provide the additional design for the chlorine scrubber by GMB is listed below:

		<u>Change Order 1</u>
Task 100	Design Services	\$11,800.00
Task 300	Construction Administration Services	\$ 4,470.00
Task 400	Inspection Services (40 hours)	<u>\$ 2,400.00</u>
		\$18,670.00

Funds to accomplish these tasks are available 81080-513020 Engineering/Architecture as a result of the Park WTP Evaluation project coming in under budget.

  
\_\_\_\_\_  
Jana Potvin  
Project Engineer

  
\_\_\_\_\_  
Approved: Teresa Gardner, P.E.

■ ■ ■ ■

ARCHITECTS  
ENGINEERS

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SALISBURY  
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SEAFORD

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■ ■ ■ ■

JAMES H. WILLEY, JR., PE  
PETER A. BOZICK, JR., PE  
JUDY A. SCHWARTZ, PE  
CHARLES M. O'DONNELL, III, PE  
W. BRICE FOXWELL, PE  
A. REGGIE MARINER, JR., PE  
JAMES C. HOAGESON, PE  
STEPHEN L. MARSH, PE  
MICHAEL D. MCARTHUR, AIA

JOHN E. BURNSWORTH, PE  
MICHAEL G. KOBIN, PE  
AMANDA H. POLLACK, PE  
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W. MARK GARDOCKY, PE  
DAVID A. VANDERBEEK, PE  
ROLAND E. HOLLAND, PE  
JASON M. LYTLE, PE  
JERRY KOTRA

January 5, 2012

City of Salisbury  
Department of Public Works  
125 N. Division Street  
Salisbury, MD 21801-4940

Attn: Ms. Jana Potvin  
Project Engineer

Re: Park Effluent Meter and Piping Improvement  
RFP 13-11  
**Engineering Services – Chlorine Scrubber**  
GMB Job No: 110102

Dear Ms. Potvin:

Per your request, we hereby submit for your review and approval a change order for engineering services for the design, contract administration and inspection for a chlorine scrubber at the Park WTP.

### **UNDERSTANDING OF THE PROJECT**

#### **Chlorine Scrubber**

The City of Salisbury Public Works Department would like to incorporate into the Park Effluent Meter and Piping, Improvement project a chlorine scrubber. The scrubber will provide protection to plant personnel during the event of a chlorine gas leak by exhausting the harmful fumes within the chlorine room through a "scrubber" unit that will clean the air and exhaust it into the atmosphere.

The scrubber is to be located adjacent to the chlorine and fluoride room. The Maryland Historical Trust will need to approve any aesthetic changes to the site such as any modifications the existing chemical building or any proposed screening of the proposed equipment.

### **SCOPE OF SERVICES**

We propose to provide the following scope of services:

#### **Design Services**

1. GMB will prepare the necessary design drawings for the chlorine scrubber, inclusive of a site plan and appropriate details and specifications, for the installation of a chlorine scrubber.

2. Review the existing ventilation and electrical system in the chlorine room as it relates to code requirements. Incorporate necessary modifications, if necessary, into the construction documents.
3. Provide construction cost estimates.

**Contract Administration Services**

1. Provide contract administration as it relates to our current contract with the City of Salisbury, i.e. review shop drawings, consultation with the contractor and SPW, conduct final inspection, preparation of punch list and preparation of as-built drawings.

**Inspection Services**

1. Provide part-time onsite inspection for the installation and connection of the chlorine scrubber.

*For the purpose of this proposal, we have assumed forty (40) hours of inspection @ \$60 / hr.*

**EXCLUSIONS**

1. Bidding Services.
2. Any permit fees.
3. Any item not specifically defined in the Scope of Services.

**PROPOSED FEES AND EXPENSES**

We propose the following lump sum increases and new task:

1.	Task 100 - Design Services	\$	11,800.00
2.	Task 300 - Construction Administration Services	\$	4,470.00
3.	Task 400 - Inspection Services (40 hrs @ \$60/hr)	\$	<u>2,400.00</u>
	Total Items 1-3	\$	18,670.00

**SCHEDULE**

Based on the above-described Scope of Work, we believe the following schedule is feasible:

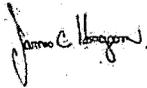
1. **Design** – Complete within eight (8) weeks of execution of the proposal.

We thank you for this opportunity to be of continued service to the City of Salisbury on this project.

If upon review, you find this proposal acceptable, please forward the appropriate purchase order documentation.

If you have any questions, please do not hesitate to call.

Sincerely,



James C. Hoageson, P.E.  
Sr. Project Manager

JCH/cs

# City of Salisbury



MARYLAND

Salisbury



2010

125 NORTH DIVISION STREET  
SALISBURY, MARYLAND 21801  
Tel: 410-548-3190  
Fax: 410-548-3192

GERRI L. MOORE  
ACTING DIRECTOR OF INTERNAL  
SERVICES  
PROCUREMENT DIVISION

JAMES IRETON, JR.  
MAYOR

JOHN R. PICK  
CITY ADMINISTRATOR

LORÉ L. CHAMBERS  
ASSISTANT CITY ADMINISTRATOR

## COUNCIL AGENDA

January 23, 2012

TO: Mayor and City Council

SUBJECT: Change Order #1 to Contract RFP 3-10  
Southside Elevated Water Storage Tank

The City of Salisbury Internal Services Department, Procurement Division, received a request from Salisbury Public Works (SPW) to process Change Order #1 for Contract 3-10 *Southside Elevated Water Storage Tank* in the amount of \$27,850.00. This Change Order proposes to increase the contract administration and inspection services from six months to fifteen months. The increased time in the aforementioned items are a result of the previously established time being an estimate and now that the design and contract are completed a more accurate time frame can be established.

Funds are available in the Project Account 81080-513020 "*Engineering/Architecture*". The Department of Internal Services-Procurement Division requests Council's approval to approve Change Order #1 as noted above to Birdsall Services Group in the amount of \$27,850.00.

Thank you,

 1/15/12

Catrice L. Parsons  
Assistant Director Internal Services-Procurement and Parking

# City of Salisbury



JAMES IRETON, JR.  
MAYOR

JOHN R. PICK  
CITY ADMINISTRATOR

LORÉ CHAMBERS  
ASSISTANT CITY ADMINISTRATOR

125 NORTH DIVISION STREET  
SALISBURY, MARYLAND 21801  
Tel: 410-548-3170  
Fax: 410-548-3107

MARYLAND

PUBLIC WORKS  
TERESA GARDNER, P.E.  
DIRECTOR

**TO:** Catrice Parsons-Assistant Director of Internal Services, Procurement Division  
**FROM:** Jana Potvin, Project Engineer  
**DATE:** January 11, 2012  
**SUBJECT:** Change Order No. 1  
RFP 3-10  
Purchase Order No. 02100433-00  
Southside (Milford Street) Elevated Water Storage Tank

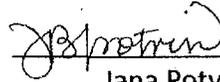
When the Southside (Milford Street) Elevated Water Storage Tank design contract was bid in September 2009, SPW provided a time frame of six months for contract administration and inspection services. At that time, SPW knew that the six months was an estimate and could change based upon the final design. However, it was necessary to provide a specific time so that all bidders would be bidding to provide the same service.

Now that the design is complete and the construction contract has been awarded, it is necessary to increase the contract administration and inspection services to fifteen months to match the construction contract duration. In addition, the engineering contract needs to be extended 731 days to May 15, 2013, to include the additional inspection time as well as time to complete as-builts. The original contract only included a completion date of May 15, 2011 for the design; a completion date for inspection services was not included.

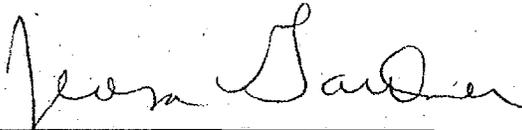
The costs to provide the additional contract administration and inspection services are listed below:

	<u>Original Bid</u>	<u>Requested Increase</u>
Task 004 Contract Administration	\$ 9,000.00	\$22,500.00
Task 005 Inspection Services	\$50,000.00	\$ 5,350.00
	\$59,000.00	\$27,850.00

Funds to accomplish these tasks are available 81080-513020 Engineering/Architecture as a result of the Park WTP Evaluation project coming in under budget.



Jana Potvin  
Project Engineer



Approved: Teresa Gardner, P.E.

# City of Salisbury



MARYLAND



125 NORTH DIVISION STREET  
SALISBURY, MARYLAND 21801  
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JAMES IRETON, JR.  
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GERRI L. MOORE  
ACTING DIRECTOR OF INTERNAL  
SERVICES  
PROCUREMENT DIVISION

## COUNCIL AGENDA

January 23, 2012

TO: Mayor and City Council

SUBJECT: Award to Contract RFP 07-12

Eng. Svc. for Coty Cox Branch Flood Relief and Drainage Improvements

The City of Salisbury Internal Services Department-Procurement Division, received a request from Salisbury Public Works ("SPW") to solicit bids for engineering services for RFP 07-12. Under RFP 07-12, the Procurement Division requested bids for this project. The Procurement Division followed standard bid practices by advertising in the Daily Times, on the City of Salisbury's website, utilizing the City's vendor list, and advertising on the State of Maryland's website; eMaryland Marketplace. A total of thirty (30) vendors were sent bid packages with twelve (12) vendors submitting bids by the due date and time, December 28, 2011 at 2:30 p.m., ranging from a score of 3.41 to 1.53, as noted below.

<u>Vendor</u>	<u>Rating</u>	<u>Bid Price</u>
AMT	3.41	\$89,000.00
GMB	3.38	\$108,309.00
URS	3.37	\$47,200.00
GWS	2.85	\$111,000.00
DMW	2.77	\$137,500.00
Pennoni	2.76	\$124,295.00
DBF	2.76	\$129,100.00
Brudis	2.61	\$156,430.00
Lane	2.51	\$79,535.00
David Myers	2.07	\$85,300.00
AWB	2.01	\$107,950.00

Prime

1.53

\$202,700.00

SPW has reviewed the bids in accordance with the contract documents, reviewed references, and the evaluation criteria and has chosen to award to A. Morton Thomas & Associates, Inc. ("AMT"), who was the highest scoring, responsive and responsible vendor.

After review of the submitted bids, the Department of Internal Services-Procurement Division requests Council's approval to accept the bid as noted above from AMT. Additional details are noted in the department memo.

Thank you,

A handwritten signature in cursive script that reads "Catrice L. Parsons" followed by the date "1/18/12".

Catrice L. Parsons

Assistant Director of Internal Services-Procurement & Parking

# City of Salisbury



MARYLAND

JAMES IRETON, JR.  
MAYOR

JOHN R. PICK  
CITY ADMINISTRATOR

LORÉ L. CHAMBERS  
ASSISTANT CITY ADMINISTRATOR

Salisbury



2010

125 NORTH DIVISION ST., RM 202  
SALISBURY, MARYLAND 21801  
Tel: 410-548-3170  
Fax: 410-548-3107

PUBLIC WORKS  
TERESA GARDNER, P.E.  
DIRECTOR

**TO:** Catrice Parsons – Assistant Director of Internal Services-Procurement Division  
**FROM:** Bruce Horne – Project Engineer-Salisbury Public Works  
**SUBJECT:** Award of Bid Recommendation for RFP 07-12  
Engineering Services for Coty Cox Branch Flood Relief and Drainage  
Improvements  
**DATE:** January 17, 2012

Bids were opened on Wednesday, December 28, 2011 at 2:30 p.m. for RFP 07-12 "Engineering Design for Coty Cox Branch Flood Relief and Drainage Improvements". The City received twelve (12) responses to RFP 07-12. Salisbury Public Works ("SPW") has reviewed the bids in accordance with the contract documents, evaluation criteria, reviewed references and has chosen to award the project to A. Morton Thomas and Associates, Inc. (AMT).

AMT's extensive experience with watershed modeling and hydraulic engineering makes the firm the most responsive and responsible choice for this project. All of AMT's references were quick to respond with very high praise for the firm's ability to provide quality municipal engineering design and construction management.

Listed below are the twelve firms and their rankings, highest to lowest.

<u>Vendor</u>	<u>Ranking</u>
AMT	3.41
GMB	3.38
URS	3.37
GWS	2.85
DMW	2.77
Pennoni	2.76
DBF	2.76
Brudis	2.61
Lane	2.51
David Myers	2.07
AWB	2.01
Prime	1.53

SPW recommends including 320 hours of construction inspection time with the project at the rates listed under Inspection Services at a cost of \$20,800.00. The supplemental construction inspection will allow SPW to augment the City's own inspection forces with additional personnel that have technical expertise and that will be able to aid the City in evaluating the construction progress and technical submittals for the storm water culverts, sanitary sewer pipe replacement and various other items on the project.

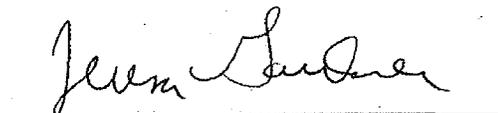
The total cost for this contract is \$109,800.00. Funds are available in account number 12800-546006-70041.

Prepared by:

Approved by:



Bruce Horne, P.E.  
Project Engineer



Teresa Gardner, P.E.  
Director, Salisbury Public Works

**STATEMENT FOR CLOSING A MEETING**

Location: Govt Office Bldg,

Date: Jan. 23, 2012  
 Time: 7:54 pm

Motion: Campbell

Seconded By: Spies

Vote to Close Session:

	AYE	NAY	ABSTAIN	ABSENT
Deborah S. Campbell	{✓}	{ }	{ }	{ }
Terry E. Cohen	{✓}	{ }	{ }	{ }
Laura Mitchell	{ }	{✓}	{ }	{ }
Eugenie P. Shields	{ }	{ }	{✓}	{ }
Timothy K. Spies	{✓}	{ }	{ }	{ }

**STATUTORY AUTHORITY TO CLOSE SESSION**

State Government Article §10-508(a):

- (1) To discuss:
- {✓} (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or
  - { } (ii) Any other personnel matter that affects one or more specific individuals.
- (2) { } To protect the privacy or reputation of individuals with respect to a matter that is not related to public business.
- (3) { } To consider the acquisition of real property for a public purpose and matters directly related thereto.
- (4) { } To consider a preliminary matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State.
- (5) { } To consider the investment of public funds.
- (6) { } To consider the marketing of public services.
- (7) { } To consult with counsel to obtain legal advice on a legal matter.
- (8) { } To consult with staff, consultants, or other individuals about pending or potential litigation.
- (9) { } To conduct collective bargaining negotiations or consider matters that relate to the negotiations.

- (10) {} To discuss public security, if the public body determines that public discussions would constitute a risk to the public or public security, including:
  - (i) the deployment of fire and police services and staff; and
  - (ii) the development and implementation of emergency plans.
- (11) {} To prepare, administer or grade a scholastic, licensing, or qualifying examination.
- (12) {} To conduct or discuss an investigative proceeding on actual or possible criminal conduct.
- (13) {} To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.
- (14)  Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

TOPICS TO BE DISCUSSED:

*Discuss confidential questions w/ attorney candidates for city solicitor*

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REASON FOR CLOSING:

*Appointees (10-508(a) 1)*

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*Pre award of contract (10-508(a) 14)*

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*Terry E. Cohen*  
 Terry E. Cohen  
 Council President  
 City of Salisbury

STATEMENT FOR CLOSING A MEETING

Location: Govt. Office Bldg Rm. 300

Date: Jan. 30, 2012

Time: 12:55 pm

Motion: Campbell

Seconded By: Spies

Vote to Close Session:

	AYE	NAY	ABSTAIN	ABSENT
Deborah S. Campbell	{✓}	{ }	{ }	{ }
Terry E. Cohen	{✓}	{ }	{ }	{ }
Laura Mitchell	{✓}	{ }	{ }	{ }
Eugenie P. Shields	{✓}	{ }	{ }	{ }
Timothy K. Spies	{✓}	{ }	{ }	{ }

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TOPICS TO BE DISCUSSED:

Enforceability of Towing Ordinance or portions thereof.

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REASON FOR CLOSING:

Consult w/attorney for legal

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Terry E. Cohen  
Council President  
City of Salisbury

STATEMENT FOR CLOSING A MEETING

Location: Govt. Office Bldg.

Date: 2:26 pm. 5  
Time: 1-30-12

Motion: Debbie Campbell

Seconded By: Tim Spies

Vote to Close Session:

	AYE	NAY	ABSTAIN	ABSENT
Deborah S. Campbell	{✓}	{ }	{ }	{ }
Terry E. Cohen	{✓}	{ }	{ }	{ }
Laura Mitchell	{✓}	{ }	{ }	{ }
Eugenie P. Shields	{✓}	{ }	{ }	{ }
Timothy K. Spies	{✓}	{ }	{ }	{ }

STATUTORY AUTHORITY TO CLOSE SESSION

State Government Article §10-508(a):

(1) To discuss:

*J* {✓}

(i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or

*J* {✓}

(ii) Any other personnel matter that affects one or more specific individuals.

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TOPICS TO BE DISCUSSED:

Legal advice on whether or not council members had an  
obligation to serve in a legal matter... not under the  
circumstances.

REASON FOR CLOSING:

Consult w/ legal counsel on a legal matter.

  
Terry E. Cohen  
Council President  
City of Salisbury

**STATEMENT FOR CLOSING A MEETING**

Location: Rm. 306 - GOB

Date: 2-2-12

Time: 4:20 p.m.

Motion: D. Campbell

Seconded By: L. Mitchell

Vote to Close Session:

	AYE	NAY	ABSTAIN	ABSENT
Deborah S. Campbell	{ <input checked="" type="checkbox"/>	{ }	{ }	{ }
Terry E. Cohen	{ <input checked="" type="checkbox"/>	{ }	{ }	{ }
Laura Mitchell	{ <input checked="" type="checkbox"/>	{ }	{ }	{ }
Eugenie P. Shields	{ }	{ }	{ }	{ <input checked="" type="checkbox"/>
Timothy K. Spies	{ <input checked="" type="checkbox"/>	{ }	{ }	{ }

**STATUTORY AUTHORITY TO CLOSE SESSION**

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TOPICS TO BE DISCUSSED:

*Candidate for Fire Chief position*

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REASON FOR CLOSING:

*Interview candidate*

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*Terry E. Cohen*  
Terry E. Cohen  
Council President  
City of Salisbury