

**MAYOR AND COUNCIL OF FEDERALSBURG
REGULAR MONTHLY MINUTES
MONDAY, AUGUST 4, 2008 @ 6:00 P.M.**

The Mayor and Council of Federalsburg held their regular monthly meeting on Monday, August 4, 2008 at 6:00 p.m. in the Mayor and Council Meeting Room. Those in attendance were Mayor Ballas and Councilmembers Gasser, Gutkin and Fluharty. Also in attendance were local media, staff, and citizenry. Councilmember Willis was excused because he was on vacation.

The meeting was called to order by Mayor Ballas who led the group in reciting the Pledge of Allegiance.

CLOSED SESSION

The Mayor and Council held a Closed Session from 5:30 p.m. to 5:58 p.m. in the Town Manager's Office to discuss a real estate matter with possible litigation.

MINUTES

A motion by Councilmember Gasser seconded by Councilmember Gutkin and passed by a vote of four to zero approving the minutes of the July 7th Regular Public Meeting and Public Hearing with corrections.

GUESTS

Tom Duncan – Discussion Easton Memorial Hospital

Richard Colburn introduced Mr. Tom Duncan, of the Talbot County Council. Mr. Duncan requested letters of support from the Mayor and Council and citizens of Federalsburg, encouraging the Memorial Hospital at Easton stay at its current location. Federalsburg and Tilghman Island are currently the furthest cities from Easton Memorial, and relocation of this hospital could mean an increase in mileage to more than 1/3 of the current distance.

A draft letter was given to the Mayor including all contact information. This letter will be posted and shared with the citizens of Federalsburg.

Bart Johnson questioned the possibility of locating a Diagnostic Center in Federalsburg to assist with the growing needs of these services in Federalsburg. The delay at the hospital has created many difficulties

for patients, resulting in patients seeking these services elsewhere. Mr. Duncan reported that the hospital is controlled by the University of Maryland, even though the name is Easton Memorial.

The Mayor and Council were in support of Mr. Duncan's request and will send a letter to Joe Ross addressing these concerns.

Danny Phillips – Presentation of Soap Box Derby Winner

Danny Phillips, local soap box derby Director thanked the Mayor & Council for allowing the derby to use West Central Avenue and the triangle for the Soap Box Derby. Mr. Phillips introduced Ms. Caitlin Smith, daughter of Kenny & Sandy Smith of Academy Avenue; and granddaughter of George & Patsy Smith of Federalsburg and Richard & Hilda Rodzinski of Ocean View, DE. Caitlin competed in Akron, Ohio at the All American Soap Box Derby, and won 1st place in the Rally Super Stock Division representing Region 8 in Federalsburg, Maryland. She is now the World Rally Racing Super Sport Champion. Mayor Ballas presented Caitlin with a proclamation for special recognition of this gracious accomplishment. Richard Colburn also presented Ms. Smith with a Senate Citation.

June Truitt – West Central Avenue Triangle Committee

Mrs. Truitt read the letter that she submitted to the Mayor and Council from the Triangle Committee.

Mrs. Truitt's letter included a tentative plan for plantings in the Triangle, and a request for financial assistance from the Town to restore the lighted flag pole that was removed; trimming and spraying of the existing trees; and installation of an irrigation system. The all-volunteer Committee proposes to use offered donations for the cost of plants, mulch plant food, etc.

The committee members include: June Truitt, Vicki Galloway, Sandy Ruark, Rob Wright and Tim Foley.

The committee questioned what the town can afford to have done, and the committee was advised to coordinate these requests with Steve Dyott, Public Works Director. The committee has already repainted over the curbing.

Councilmember Fluharty stated that the intent of this committee is noble, however, he takes exception and is anxious to see if this council

will be as critical of this committee as it was with the war memorial committee. Councilmember Fluharty stated that he feels this is a slap in the face to those who supported the war memorial. He has not received the emails, the phone calls, etc. asking when drawings will be submitted and if a certified electrician has been hired to hook up lights, etc. Mrs. Truitt stated that the majority of the planning is complete, but some details still need to be finalized.

Mrs. Liza Ruiz questioned why the committee has not been stopped because they have not hired a licensed tree trimmer. The trees were removed by the town some time ago because they were rotten or dead. Mrs. Ruiz was advised that all tree trimming must be coordinated with Steve Dyott, Public Works Director. Steve Dyott advised that he is a Maryland Certified Tree Expert and is licensed to trim and spray trees.

Mrs. Heather Hutson questioned the location of the Santa Claus house. Mrs. Hutson was advised that it is currently sitting on Mr. Haines Holt's property. Steve Dyott will contact Mr. Holt and determine when the Santa House will be set at the Public Works Compound.

Mrs. Santos stated that the war memorial committee was told by the Mayor & Council that they needed to obtain a landscaping survey including all bushes, trees, etc. and the committee had to cover the expense. Mrs. Santos feels that the Triangle Committee should be required to do the same, because both committees were trying to beautify the triangle.

Glenn Fleureton – Metlife

Mr. Glenn Fleureton and Mr. Randy Zinn made presentation to the Mayor and Council to offer services from Metlife. They are contacting local towns and make communities aware that they have benefits available for the citizens and the Mayor and Council. Mr. Fleureton and Mr. Zinn were advised to contact the Town Manager to discuss options for the employees and the Mayor and Council.

COMMITTEE REPORTS

Federalsburg Historical Society

Mr. Howard Bradley advised that on September 20th the Historical Society will be having an antique flea market and the public is welcome to attend. Mr. Bradley requested permission to close part of

the alley adjacent to the Museum and the Police entrance at the rear of the building. The Historical Society was advised to coordinate with Donald Nagel, Chief of Police. Directional signs will be setup for the public. Mayor Ballas stated that she has approximately \$400 from a C-Safe Grant that could be used toward food for the event.

Federalsburg Volunteer Fire Company

Councilmember Fluharty reported that following upcoming fundraisers for the Federalsburg Volunteer Fire Company:

August 9th – Chicken Barbeque

August 24th – Breakfast

LIONS CLUB

The Lion's Club is sponsoring fundraisers to raise money for the banners that have been installed on various telephone poles throughout the Town. The VFW assisted with the financing for the current banners displayed. There will be a total of four seasonal banners displayed throughout the year and the total cost will be approximately \$20,000. There was question about the placement of the banners, and Councilmember Fluharty stated that the current placement is where the banners would be hung. These banners cost approximately \$375 to \$500 and the mounting hardware costs about \$75. Anyone interested in making a donation or sponsoring a banner, should contact Wayne Cole or David Morean.

PUBLIC CONCERNS

Mrs. Lisa Ruiz

Mrs. Lisa Ruiz, Chairperson of Hometown War Memorial Committee, requested assistance from the Mayor and Council to facilitate a meeting regarding the hometown memorial. The Mayor and Council offered the Senior Center as a location for the meeting at 7 pm on August 18th. Mayor Ballas stated that she would contact Peter Tallie, Professional Mediator, to see if he would be willing to donate his time to attend this meeting.

Heather Hutson

Mrs. Heather Hutson requested that the Mayor and Council find out the location of the Santa Claus House advise the location to the Santa

Claus Committee. Mayor Ballas will send a letter from the Mayor and Council.

Chris Parks

Mr. Chris Parks requested permission to remove and reconstruct the batters box at the ballfield. The current batters box is very dangerous and presents a potential for injury. The cost for these repairs is approximately \$1200 to \$1500.

Mr. Parks also stated that the locks have been changed on the concession stand. The President of Senior League is from Cambridge and doesn't have the new key. Mr. Parks was advised to contact Jay Covey's wife, Melanie Covey to obtain a key.

The Mayor and Council gave Mr. Parks permission to replace the batters box and advised him to coordinate with Steve Dyott.

MIDSHORE SHORE - P.A. System

A quote was presented to the Mayor and Council for installation of P.A. System for the meeting room. The total cost for this system including installation is \$3,251.92. Jason Wielgosz stated that this system will allow meetings to be digitally recorded, and the recordings will be placed on the Town's website for anyone who would like to listen to the actual meeting. The minutes of the meetings will still have to be typed.

A motion was made by Councilmember Gasser seconded by Councilmember Fluharty, and unanimously approved to purchase the PA system recommended by Mid Shore Technologies in the amount of \$3,251.92.

Steve Parks

Mr. Steve Parks reported that he has obtained a demolition permit and thanked Happy Mayer, Steve Dyott, and Steve Watson, who helped get this process underway.

DEPARTMENTAL REPORTS

Police Department

Chief Nagel distributed the police report for the month of July. Chief Nagel has been receiving calls from the Electric and Telephone companies regarding Yard Sale signs being fastened to utility poles. The Police Department and Public Works will remove and issue citations to anyone posting these signs.

Richard Alberto has returned to his employment with the Federalsburg Police Department. Chief Nagel stated that the T-3's should be seen frequently around the community.

Creative Hair Studio has requested handicap parking in front of their facility. Mayor Ballas has proposed the possibility of one handicap parking place. There was discussion regarding striping the parking lot and handicapped designations and Steve Dyott is working on this matter.

Public Works Department

Steve Dyott reported the following:

1. Public Works has hot mixed two days last week.
2. Steve will contact with David Morean because he thinks one of the banners needs to be raised up because it may have been hit by a truck.
3. Steve advised that 207 Maple Avenue is not currently connected to town sewer. The property owner is required to hook up to the town sewer because of the existing ordinance. The cost to connect the property owner is approximately \$3,000, and the property owner has paid approximately \$2,300 in sewer charges on their water bill. Steve explained the circumstance of how found out the property was not connected to the town sewer.

The Mayor and Council agreed to not charge tap-in fee but to instill a dead line to connect to the town sewer system. Councilmember Gasser made a motion seconded by Councilmember Gutkin and approved by a vote of four to zero to forgive the tap in fee of \$2,500, however, the property owner must connect to the town's sewer system within a time frame determined by the Public Works Director. The Town will pay the expense for this connection and bill the property owner on quarterly basis.

Codes/Inspections Department

Steve Watson reported:

1. Steve met with Steve Dyott about trees overhanging electrical wires – Delmarva Power will trim the trees in two to three weeks.
2. Steve is having to cite properties multiple times for tall grass. Many of these properties are in foreclosure.
3. Steve is working with a property on University Avenue regarding cleanup of their property beginning at the end of month.
4. Steve Parks questioned Steve Watson about the property on South Main Street with the open pool. Steve Watson has talked with Public Works and is working on resolving this matter.

Grants/Main Street Department

George "Happy" Mayer reported the following:

1. The Town received a CDBG Grant in the amount of \$96,000 for community center for Federalsburg Gardens. The town originally requested \$128,000. Mayor Ballas commented that CDBG stated this grant was their #1 consideration because of how well it was presented and submitted. The Mayor and Council thanked Happy for the work he did on this project.

The community center will not only benefit the residents of Federalsburg Gardens, it will benefit the residents of the Brooklyn area. After completion, the community center will be owned and maintained by Federalsburg Gardens.

2. Happy is working on a \$500,000 application for funding through DBED to connect the road between Federalsburg and Frank M. Adams Industrial Park.
3. Happy reported that the riprap project behind Union Church is near completion. The last thing to be done is planting the grass, which will grow no more than two inches tall.
4. The third and final phase of the playground equipment has been installed at the Marina. The next project will include renovation of the tennis courts in Chambers Park. The fence is in bad shape and the total cost would be about \$91,000. Happy would then proceed with renovation to the racket ball courts.

There was some discussion about the playground equipment at the marina, and whether or not a child could be injured. The Mayor and Council advised Steve Dyott to contact LGIT and request they look at this equipment and determine if there are any problems. Steve Dyott reported that the Company who installed this equipment, follows the same regulations that LGIT follows.

Planning & Zoning Report

The Planning & Zoning Commission is currently in the process of updating the Zoning Ordinance and the Zoning Map. The Zoning Map is in the process of being updated by changing the majority of the R-2 zoned properties to R-1 Single Family Homes. A potential buyer for property within town limits contacted the Town last week and inquired about the possibility of renovating a single family home into a duplex. The buyer was advised of the update process, and the plans to change the zoning for this property and various other properties because the Town is encouraging single family home ownership. Steve Bollinger suggested that the Mayor and Council consider a moratorium.

A motion was made by Councilmember Fluharty seconded by Councilmember Gasser and agreed upon by a vote of four to zero, to place a moratorium against the conversion of single family homes zoned R-2 into duplexes to the maximum limits of the law.

Outside Storage Ordinance – Steve Bollinger presented the draft ordinance regarding outside storage to amend the Zoning Ordinance. This ordinance will assist the Code Enforcement Officer in enforcing the property maintenance violations involving storage in the front and side yards.

Steve Bollinger read the ordinance in its entirety. The Mayor and Council agreed to schedule two readings of this ordinance and a public hearing will be scheduled at 5:45 pm on Monday, October 6, 2008 regarding this amendment to the Zoning Ordinance.

ACTION ITEMS

Water & Sewer Adjustments

A request was received for an additional adjustment for a previously reported water leak that resulted in high charges on two water bills. The leak was detected during meter reading in March, and repaired immediately, however, the water leaked over both the December to

March and the March to June quarters. An adjustment was given for the December to March quarter and is now being requested for the March to June quarter.

The Mayor and Council agreed to the adjustment request as presented by a vote of four to zero.

Town Office Roof Repairs

Shirley Greener and Steve Dyott reported that the roof at the Town Hall is in need of repair. Four companies were contacted to obtain estimates: O.N. Andrew & Son, Shamrock Home Improvement, Glen P. Ruark, and Bay Area Builders. The only contractor who responded with an estimate was O.N. Andrew & Son with a cost of \$1,675.00. Shirley Greene requested the Mayor and Council accept this estimate, so that we may proceed with having the repairs done because the second floor Men's Bathroom is out of order until these repairs are completed.

The Mayor and Council agreed to proceed with these repairs, after obtaining a second estimate if time permits.

MDIA Request for Payment

MDIA sent notice to the Town regarding several past due invoices dating from July 11, 2002 through March 9, 2006. After further research, the Town had never received these invoices. MDIA is requesting payment in the amount of \$830.00 for these invoices. Since the majority of these invoices are more than three years old, and none of them were budgeted for this year, Shirley Greene requested the Mayor and Council make a decision on whether or not to pay these invoices.

After much discussion, the Mayor and Council agreed to pay these invoices, even though they were received late.

Action Items

1. The Caroline County Girls Softball League All-Stars went to New York for the Regional Championship Games. A request was made for a donation in support of their trip. The Mayor and Council agreed to make a donation of \$200 and forward it to Mike Cluley, Coach.

2. Easton Steel has requested a tax abatement, and the Mayor and Council agreed to table discussion on this matter until more information is obtained.

Richard Colburn, Town Manager

Due to the upcoming Labor Day holiday, the next Mayor and Council regular meeting will be held at 6 p.m. on Tuesday, September 2, 2008.

Adjournment

A motion by Councilmember Gasser seconded by Councilmember Gutkin and unanimously passed by a vote of four to zero to adjourn at 9:30 p.m.

Submitted by,

Shirley A. Greene
Clerk