

**MAYOR AND COUNCIL REGULAR MONTHLY MEETING  
MONDAY, APRIL 20, 2009 @ 6:00 P.M.**

The regular monthly meeting of the Mayor and Council of Federalsburg was held on Monday, April 20, 2009 at 6 p.m. Those in attendance were Mayor Ballas and Councilmembers Fluharty, Willis, and Gasser. Also in attendance were staff, local citizenry, and guests.

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

Mayor Ballas stated that due to the lack of a quorum for the April 6, 2009 Mayor and Council meeting, the meeting was rescheduled for Monday, April 20, 2009.

**Agenda Item No. III – Guests**

**John Phillips – Skate Park Update**

Mr. Phillips stated that they have started their fundraising efforts with an appeal letter to local businesses and they officially have some donations rolling in now. They hope to coordinate with code enforcement and public works to proceed with the improvements in the park.

Mr. Phillips stated that at the March meeting, the Mayor and Council requested the committee come back to them with rules and regulations for the signage at the skate park. Mr. Phillips submitted copies for the Mayor and Council in their weekly packet.

The committee reviewed the rules and regulations from five or six local skate parks and the rules and guidelines from LGIT. They would like to install the signs in approximately one month.

There was a question of whether or not helmets are mandatory for skateboarders. It was determined that helmets are not mandated. There was also question in regard to the height of the fencing being installed. Mr. Phillips advised that the fencing would be 10 feet high on the side which would divide the tennis courts from Skate Park, and 6 feet high on the remaining three sides.

The committee was asked to send the proposed regulations to LGIT for their recommendations on the sign language. Then the Mayor and Council will determine what can be done from that point.

The Chief of Police and Public Works Director were asked if they had reviewed the proposed language; and both have reviewed it and they have no questions with the language as presented.

The Skate Park Committee will hold a Car Wash on Saturday, May 9<sup>th</sup> from 9 a.m. to 1 p.m. at the Federalsburg Fire Hall.

### **Mike Campbell – Caroline County Mental Health**

Mr. Mike Campbell thanked the Mayor and Council for their time and support over the last two years. He gave a brief summary about the Mental Health Clinic and asked the Mayor and Council to set aside monies in the Fiscal Year 2010 budget for a deficit, if needed.

### **Scott Shilling – Bay Country Communications**

Richard Colburn introduced Scott Shilling, Vice-President of Bay Country Communications to the Mayor and Council to discuss possible Cable Alternatives for Federalsburg. Mr. Colburn has determined that Comcast does not have an exclusive contract with the town for cable. Richard Colburn advised that at the request of Councilmember Willis, he looked into allowing Bay Country Communications to come to Federalsburg and give the citizens an alternate choice for cable service.

Mr. Shilling gave a brief synopsis of his company and the services that they can offer to the citizens of Federalsburg. He said his firm is working closely with broadband co-op. They are looking at a new technology called IPTV – Internet Protocol TV, that would be a state of the art all internet digital TV. Mr. Shilling said he would traveling Ohio to see how it works and hopefully to bring the technology back to their customers.

Mr. Colburn asked if the town could have access to their own channel if Bay Country came to Federalsburg, and Mr. Shilling said that this is definitely an option for the town and that the Mayor and Council Meetings could be televised on that channel.

Mr. Shilling stated that the franchise agreement that he would enter into with the town would have to be the same as the agreement with Comcast. He said if allowed to come to Federalsburg they could have the first person hooked up in approximately six months to one year.

It was the consensus of the Mayor and Council to work with Bay Country Communications to come to Federalsburg to bring an alternative cable service. The next step would be to sign a franchise agreement with Bay Country Communications and then they would begin the process of ordering cable and installation.

Mr. Shilling said he would attend the May 4<sup>th</sup> meeting to give an update of his visit to Ohio in regard to the new digital technology.

Councilmember Fluharty requested a copy of their current channel line up.

#### **Agenda Item No. IV – Approval of Previous Month’s Minutes**

A motion by Councilmember Gasser seconded by Councilmember Willis and passed by a vote of four to zero approving the minutes of the March 17<sup>th</sup> meeting as presented.

#### **Agenda Item No. V – Announcement of Closed Session**

Mayor Ballas advised that as allowed under the State Government Article, Section 10-508 (a) 1, a closed session was held prior to the regular meeting from 5:30 p.m. to 6:00 p.m. to discuss a personnel issue with the Chief of Police.

#### **Agenda Item No. VI – NEW BUSINESS**

##### **Appointment of Election Judges**

A motion was made by Councilmember Gasser seconded by Councilmember Fluharty and unanimously approved by a vote of four to zero appointing Mrs. Virginia Liddell, Mrs. Julia Harvey and Mrs. Jane Eskow as Judges for the Municipal Election scheduled for Monday, April 27, 2009.

##### **Rental License Introduction – Ordinance No. 2009-06**

Mayor Ballas introduced Ordinance No. 2009-06 their review and comments. The Council requested time to review the Ordinance. Once they have reviewed and made comments, a public hearing will be scheduled. Anyone who would like to obtain a copy of the ordinance should contact the town hall.

#### **Agenda Item No. VII – Committee Reports**

## **Federalsburg Historical Society**

Bart Johnson, President of the Federalsburg Historical Society, reported that they held their Heritage Walk on April 4<sup>th</sup>. He thanked The Times-Record for their coverage of the activity.

The Annual Hobby Fair will be held on Saturday, April 25<sup>th</sup> at the Federalsburg Elementary School.

The Federalsburg Historical Executive Committee met with the Mayor and Council to discuss the grant funds for the Historical Museum Project and building addition. Mr. Johnson expressed his concern in regard to a leak in the front wall and side wall when it rains where the new block work was completed, the garage door needs to be adjusted, and there is peeling paint.

Steve Dyott has contacted the contractor, CMSI to get these concerns resolved. The Executive Committee distributed pictures of the leakage to the Mayor and Council.

It was the consensus of the Mayor and Council to have Steve Dyott move forward by working with CMSI to get the problems mentioned above resolved in a timely matter.

## **Federalsburg Volunteer Fire Company**

Councilmember Fluharty reported the following upcoming events:

1. The Fire Company Breakfast on Sunday, April 26<sup>th</sup>.
2. The Fire Company Chicken Bar-B-Que on Saturday, May 9<sup>th</sup>.
3. The Fire Company Youth Dance on Friday, May 22, 2009.

## **Agenda Item No. VIII – Public Concerns**

None

## **Agenda Item No. IX – Departmental Reports**

### **Police Department**

Chief Nagel presented the March monthly statistical report to the Mayor and Council members.

Chief Nagel stated that there has been evidence of gang activity in Federalsburg and they will be meeting with DJJ authorities and the States Attorney to work toward a stronger penalty for gang related crimes.

Chief Nagel stated that if anyone calling the duty phone does not get an answer, it may be because the officer is on a call and unable to respond at that time.

Councilmember Gasser questioned whether or not four wheelers and dirt bikes are allowed in town. Chief Nagel said it is hard to catch them.

### **Public Works Department**

Steve Dyott reported the following:

There is a sink hole at the edge of the road on Charles Street. Steve has contacted State and County representatives about making the repairs, however, both agencies feel that this problem is in the town's right-a-way and they will not touch the problem. The cost to make the repairs will be approximately \$2,000 and it is not a budgeted item. It was the consensus of the Mayor and Council to give Public Works authority to obtain cost estimates and make the needed repairs.

Public Works will be repairing a water leak on Morris Avenue. The potholes on Old Denton road have been temporarily filled in, but as soon as Public Works has an opportunity they will cut out the holes and pave these areas.

Councilmember Gasser advised that there are potholes that need repair on Buena Vista Avenue.

Richard Colburn requested and was granted approval for Steve Dyott, Public Works Director and himself to meet with representatives from the work release program to assist with grass cutting this summer.

### **Codes/Inspection Department**

Steve Watson reported the following:

Dollar General wants to clean up behind their building and install a stockade fence because they have had some problems behind their store.

Delmarva Power has trimmed some of the trees on Smith Street Extended; however, they have not completed the job.

The grass at 103 Reliance Avenue has been cut and the trash has been removed. Mr. Howard Bradley thanked Steve Watson for getting the property cleaned up.

The property located at 219 South Main Street has been cleaned up using the Clean and Lien Ordinance. The property owner has started the process of evicting the tenants. Steve Watson said he contacted the Department of Health and Social Services about some help for the family because it is a mother with 10 children.

### **Main Street/Grants Department**

George "Happy" Mayer reported:

A floodplain permit will be forthcoming for the Veterans Memorial and it is expected very soon.

The Police Department has received a grant in the amount of \$5,200 for the E-Ticket Program. The E-ticket software should be installed in four police vehicles and be completed in approximately sixty (60) days.

Mr. Mayer is working on a Federal Grant in the amount of \$11,755 toward the purchase of a police vehicle. This is money from the Federal Stimulus Program.

Mr. Mayer is working with ABC Daycare to apply for a grant in the amount of \$500 to help pay for staff training courses through the Human Services Council.

The work on the town sign at the corner of Reliance Avenue and Route 318 has begun.

The C-Safe Application for FY10 has been submitted and includes overtime for the police department in the amount of \$25,000 and \$2,868 for the neighborhood watch fishing tournament, and MLK Basketball tournament.

Councilmember Fluharty stressed the fact that he would like to see plans of the Maple/Main Street I/I project. He stressed to Mr. Mayer that the Mayor and Council should share information regarding this project from the beginning, not at the end. A meeting was scheduled for Thursday, April 23<sup>rd</sup> at 5:30 p.m. to meet with the Mayor and Council, DBF, and town staff to review the plans for the Main Street/Maple Avenue I/I Project.

Mr. Mayor and Chief Nagel requested approval to apply for funding under the COPS More Federal Grant Program to hire a minimum of three police officers for a three year period; and the fourth year the officer would have to be retained at the Town's expense. Due to the fact, that there is an upcoming election and there will be new members on the Mayor and Council, it was decided to table the decision until the May 4<sup>th</sup> Mayor and Council Regular Monthly Meeting.

Richard Colburn requested Mr. Mayer to check into holding the Wastewater Treatment Plant Dedication Ceremony between August 9<sup>th</sup> and August 24<sup>th</sup>, which may give the Governor an opportunity to attend the dedication.

Richard Colburn reported the following FY2010 State Capital Projects Funding:

Colonel Richardson High School – Construction - \$4,900,000  
Chambers Park – Tennis Court Project - \$81,000  
Federalsburg – Maple Avenue/South Main Street Inflow and Infiltration Correction - \$300,000  
Federalsburg WWTP – Nutrient Removal - \$685,000  
Federalsburg – Water Main Improvements - \$160,000

### **Planning & Zoning Department**

Steve Bollinger, Chairperson of the Planning Commission reported that they did not hold a meeting during the month of March and they only have one item on the agenda for the month of April.

### **Agenda Item X. – Action Items**

#### **Garbage Collection**

Councilmember Willis recommended the town look into more cost effective means to collect garbage. One of his recommendations

would be to restrict parking to one side of the street and require trash containers be placed on the opposite side of the street for collection so the garbage truck would only go down the street one time.

### **County Tax Collection**

Mayor Ballas advised that the Caroline County Treasurer's Office has made a recommendation to the County Commissioners to impose a fee to all the municipalities that they collect taxes for as part of their revenue enhancement in the FY10 budget.

### **Thank you**

Mayor Ballas thanked everyone who has attended the meetings during her 12 year tenure.

### **Termite Control Damage Town Hall**

Three bids were obtained for termite damage

### **Town Manager Report**

Richard Colburn will be meeting with representatives of Chesapeake Utilities regarding necessary updates to Federalsburg's Franchise Agreement on Tuesday, April 21, 2009 at 11 a.m. Mr. Colburn invited the Mayor and Council to attend.

A supervisors meeting will be held on Tuesday, April 21<sup>st</sup> at 11:30 a.m.

Mayor and Council will hold a budget workshop on Thursday, April 23<sup>rd</sup> beginning at 5:30 p.m.

Councilmember Willis questioned whether or not Mr. Colburn had contacted Solo Cup in regard to the increase in their personal property taxes. He was advised that Solo has paid their personal property taxes for this year and that included the increase.

### **Agenda Item No. XI. – Adjournment**

A motion was made by Councilmember Gasser seconded by Councilmember Fluharty and unanimously passed by a vote of four to zero to adjourn the meeting at 8:40 p.m.

Respectfully submitted,

Shirley A. Greene  
Clerk-Treasurer