

**MAYOR AND COUNCIL OF FEDERALSBURG
REGULAR MONTHLY MEETING
MONDAY, AUGUST 3, 2009 @ 6 P.M.**

The Regular Monthly Meeting of the Mayor and Council of Federalsburg was held on Monday, August 3, 2009 at 6:44 p.m. in the Mayor and Council Meeting Room. Those in attendance were Mayor Fluharty and Councilmembers Windsor, Willis, Armes and Bollinger. Also in attendance were citizenry, staff, local media, and guests.

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

Minutes

A motion by Councilmember Bollinger seconded by Councilmember Armes and passed by a vote of five to zero approving the minutes of the previous meeting by a vote of five to zero as amended. The amendment should read as follows under "Ordinance No. 2009-09 – Residential Rental Housing License and Inspection" Section – fifth paragraph – *Steve Watson reported that there are currently a total of 1,220 residential units located within the Town of Federalsburg; of the 1,220 units, 624 are rental units (275 – are privately owned rental units and 349 – are Housing Complex rental units.*

OLD BUSINESS

Federalsburg Veterans Memorial Committee

Happy Mayer reviewed with the Mayor and Council the plans and design for the proposed Veterans Memorial. He said once the design is approved by the Mayor and Council the committee can then move forward with engineering plans.

Happy Mayer also stated that he has advised the Committee that the memorial site will have to be maintained by the committee.

Choptank Electric has agreed to give the town an approximate \$2000 credit on the electric from the transformer to the electrical point site at the memorial.

There was discussion about enlarging the service names on the memorial circle. Someone advised that the blocks would be sized 18 inches instead of 12 inches for the service names. There was also some discussion about how KIA would be defined and they will be placed on the black tablets.

Happy was asked to ask DBF when they are working on the landscaping to look at native growth.

The Mayor and Council requested Happy Mayer contact the original committee members to obtain approval on the design plan that has been presented. The Mayor and Council asked Sarah Pierce from the Times Record to do an article in the paper stating the plans are available for review in the town hall. The Mayor and Council advised they would make a decision at the September 8th meeting on the site plan and design.

Maple Avenue/South Main Street Project

Richard Colburn reported that on Tuesday, August 4, 2008 at 11 a.m. they will meet with Bill Remington to review amendments to the bid package. Any amendments must be made by August 5th. Bob Rauch has reviewed the plans as a third party consultant and has stated that they appear to be in order from a design and construction standpoint. He only found two areas of concern which revolve around the water main cost; one section addressed it in a linear cost and the other bulk rate and he questioned why the difference.

Mr. Rauch stated the engineer and the architect have full control over the project for changes orders, etc. Richard Colburn asked the Mayor and Council if they would be willing to have someone like Bob Rauch oversee the project. Happy Mayer said he would check to see if the fee to pay for Mr. Rauch being a consultant could come from the project funds under administrative costs. Mayor Fluharty said he would like a separate set of eyes on the project to make sure that everything is caught. Mr. Armes said that as long as the costs for the consultant are paid for out of the grant he has no problem.

Rauch would act as an advisory consultant on the town's behalf.

After much discussion in regard to the project and cost, the Mayor and Council agreed that this is a good investment of funds for the project and were willing to enter into an agreement with Bob Rauch to act as an advisory consultant on the project.

Mr. Tim Foley questioned who would be liable if there is a problem with the project and it is the fault of the consulting engineer. He questioned whether or not Bob Rauch has liability insurance.

A motion by Councilmember Bollinger seconded by Councilmember Armes approved by a vote of five to zero to hire Robert Rauch and Associates to act as consulting engineer for the Maple Avenue and South Main Street Project provided that the funding can be paid for through the grant.

Councilmember Willis requested to go on record that he felt that sidewalks should be required on both sides of the street because the town has made others install sidewalks. He stated, "how can you make others, if you don't do it on a project like this".

In this project, sidewalks are not included on both sides of the street because it is impervious area and the permitting would be extremely difficult and would have delayed the project beyond the funding deadlines.

NEW BUSINESS

Sarah Pierce questioned was Chief Nagel injured on the job and how long he would be out of work. Mayor Fluharty advised that Chief Nagel was injured on the job, however, because of HIPPA regulations he could not give out any additional information regarding Chief Nagel.

COMMITTEE REPORTS

Federalsburg Historical Society

Mr. Bart Johnson advised that the Federalsburg Historical Society announced that their regular monthly meeting will be held on Tuesday, August 11, 2009 at 7 p.m. They will also be participating in the Annual Thresherman's Show scheduled for August 7th, 8th, and 9th, 2009.

Federalsburg Volunteer Fire Department

Mayor Fluharty reported the following activities for the Federalsburg Volunteer Fire Company:

Teen Dance – August 21, 2009
Monthly Breakfast – August 23, 2009

Mayor Fluharty asked Mr. Foley if there were any more problems after the teen dances. Mr. Foley advised that he has not been at home and could not advise.

PUBLIC CONCERNS

CHRIS PARKS
PRESIDENT MID-SHORE SOFTBALL LEAGUE

Mr. Chris Parks asked the Mayor and Council for permission to grade the senior league ball field for the mid-shore softball league. It was the consensus of the Mayor and Council to allow the Mid Shore Softball League to dump two loads of dirt onto the ball field and grade it.

Mr. Parks gave the Mayor and Council a copy of the Mid-shore Men's Fall League Rules and Regulations.

Mr. Parks advised that the league would be sanctioned this year under the USSA, which cost each team \$15.00, which means they will have insurance and the league will not be liable. Mayor Fluharty requested a copy and that the town be listed as an additional insured.

There was some discussion in regard to the key to the concession stand. The town will check to see if there is a key to the concession stand at the Town Office. If the town has a key a copy will be issued to the Fall Ball League.

TIM FOLEY – Water Strong Smell of Chlorine

Mr. Tim Foley, who resides at 305 Greenridge Road, stated that the water at his residence has a strong smell of chlorine. He said the water bleached the liner in his swimming pool and killed his tomato plants. He stated that he has been experiencing nausea and when he stopped drinking the water he felt better. There was some discussion of the long term effects of ingesting too much chlorine.

Mr. Foley was advised that the chlorine levels meet the state limits. Public Works will look into changing the chlorine levels to a rate that would eliminate this problem. Public Works will also contact Maryland Rural Water Association and Lenny Gold to request their assistance with the concerns with the water.

Public works will be asked to give a report at the September 8th meeting in regard to their findings.

ACTIONS ITEMS

Water and Sewer Adjustment Requests

1. Jean Bolden – 510 South Main Street – Ms. Bolden requested a credit to her water bill to due to a leak that has been repaired. The Mayor and Council by a vote of five to zero to give Ms. Bolden a credit of \$9.96 toward her water bill.
2. Alan Planner – 312 Morris Avenue – requested a credit to the water bill due to a leak that has since been repaired. After some discussion the Mayor and Council by a vote of five to zero agreed to a credit of \$11.62.
3. Garry Woolford – 150 Brooklyn Avenue – requested an adjustment to his water bill due to a leak that has been repaired. The Mayor and Council by a vote of five to zero agreed to give Mr. Woolford a credit of \$14.94.

Councilmember Bollinger stated the Mayor and Council should look at a minimum credit amount before any requests come before the Mayor and Council. There was discussion regarding a minimum adjustment of \$25.00 or \$50.00. Any adjustment over that amount would come before the Mayor and Council for approval. This discussion was tabled until the August 17th Mayor and Council Workshop.

Water and Sewer Policy Amendment

Richard requested the water and sewer policy to be changed as follows:

“The vacant sewer rate may only be applied to accounts with one unit on one meter. Any account which has more than one unit on one meter will not be charged the vacant sewer rate unless all units are vacant. If a property owner wishes to request the vacant sewer rate for a unit, the unit must supplied by its own water meter”.

A motion by Councilmember Bollinger seconded by Councilmember Willis and passed by a vote of five to zero approving the above policy to the Water and Sewer Policy.

DIGITAL CAMERA PURCHASE

Councilmember Bollinger requested approval for public works to purchase a digital camera for the garbage truck. The digital camera would be used for security purposes and constituent complaints about trash. The digital camera cost \$200 and the memory cards are \$15.00 to \$20.00 each.

A motion by Councilmember Bollinger seconded by Councilmember Armes and passed by a vote of five to zero to purchase one digital camera and three memory cards.

Police Department

Councilmember Willis questioned why former police officer April Hayes was working in Federalsburg while using the Preston police car and in a Preston uniform. Richard Colburn was asked to look into the matter.

Habitat for Humanity/Lake Creek Court Project

Councilmember Windsor questioned whether or the not there were any updates in regard to the Habitat for Humanities homes. Mr. Windsor was advised that Habitat's legal department is continuing to work on a resolution to the problem.

HOLLAND DRIVE

Diane Wojack, CHIPS Program, will contact the Caroline County Health Department about the mold concerns at Holland Drive. There may be DHCD monies available January 1st to assist the property owners at Holland Drive.

September Mayor and Council Workshop

Linda Burrell, Maryland Municipal League, will be present to give an orientation to the Mayor and Council on September 21, 2009. The orientation will be geared toward orienting the new councilmembers to governmental procedures.

Town Manager Report

The Mayor and Council agreed to meet with Jonathan Newell, Caroline County States Attorney on Monday, August 17th to discuss various legal matters.

Richard Colburn will meet with Federal Manor representatives on August 11th at 2 p.m. to continue discussions in regard to the concerns at Federal Manor.

Richard Colburn also reviewed with the Mayor and Council the dates to remember for the month of August.

ADJOURNMENT

A motion by Councilmember Windsor seconded by Councilmember Willis and passed by a vote of five to zero to adjourn at 9:11 p.m.

Submitted by,

Shirley A. Greene
Clerk/Treasurer