

**Mayor and Council of Federalsburg
Regular Monthly Meeting
Monday, January 4, 2010 @ 6:00 P.M.**

The regular meeting of the Mayor and Council of Federalsburg was held on Monday, January 4, 2010 at 6:00 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 guests and staff.

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

Public Hearings:

Mayor Fluharty called the public hearings to order for the Curfew Ordinance and the Maple Avenue Project Acquisition of Property. Both public hearings were properly advertised in the *Times-Record* and the *Star-Democrat*.

Ordinance No. 2009-14 – Curfew Ordinance

Richard Colburn, Town Manager gave a brief summary of how the curfew ordinance was drafted. Mr. Colburn stated that this ordinance was consistent with Senate Bill 552, which was passed for all of Caroline County. However, the State's Attorney at the time would only enforce it if all the town's participated. The current state's attorney said he would enforce if the town adopted the ordinance. The curfew hours are from 12 a.m. to 5 a.m.

Mayor Fluharty called for questions and comments from the Council and the floor.

There were no comments or questions.

Ordinance No. 2009-15 – Acquisition of land for Maple Avenue Project

This ordinance authorizes the purchase and acquisition of certain property located at 122 S. Main Street, Federalsburg, Md. The Mayor and Council have determined that this property is desirable and it is in the best interest of the public to purchase and settle upon the acquisition of certain real property owned by Lucy E. Hepperle, located at 122 S. Main Street, Federalsburg, Maryland to permit the Town to reconfigure and re-align the Maple Avenue storm drain as part of the public renovations and

improvements to Maple Avenue, and which also provide the Town and its citizens with public open space and access to the Marshy Hope Creek.

The acquisition of the property is contingent upon a grant from CDBG to purchase and demolish.

Mayor Fluharty asked for Council comment and questions and there were none.

The public hearing adjourned at 6:15 p.m.

Guests

Trice, Geary, & Myers, CPA's Fiscal 2009 Audit Report

Mr. Roy Geiser with Trice, Geary, and Myers, LLC presented an unqualified audit opinion for the Town of Federalsburg which is the highest level that a municipality can receive. He gave a brief summary of the overall audit report and presented charts that highlighted some items in the report.

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 as corrected. The correction is on page 4 and the word "Yay" should be changed to "Yea").

Old Business:

Ordinance No. 2009-14 – Curfew Ordinance

Mayor Fluharty asked for further discussion on Ordinance No. 2009-14 – Curfew Ordinance and there were none.

A motion by Councilmember Willis seconded by Councilmember Bollinger and passed by a vote of five to zero adopting Ordinance No. 2009-14, which would repeal in its entirety and to reenact Chapter 48 of the Federalsburg Town Code to establish a juvenile curfew ordinance.

Ordinance No. 2009-15 – Maple Avenue Property Acquisition of Property

Mayor Fluharty asked for further discussion and there was none.

A motion by Councilmember Armes seconded by Councilmember Willis and passed by a vote of five to zero approving Ordinance No. 2009-15, which authorizes the purchase and acquisition of certain property located at 122 S. Main Street, Federalsburg, Maryland, to permit the town to reconfigure and re-align the Maple Avenue storm drain as part of the public renovations and improvements to Maple Avenue, and which will also provide the Town and its citizens with public open space and access to the Marshy Hope Creek.

New Business

Ordinance No. 2010-01 – Authorizing Quit Claim Deed for Charlotte Avenue

The Mayor and Council introduced Ordinance No. 2010-01 which authorizes the execution of a Quitclaim Deed of certain real property shown as “Charlotte Avenue” on a plat prepared by J.R. McCrone, dated January 19, 1976 and recorded among the plat records of Caroline County at Liber 1, Folio 23, which is located outside of the currently configured Charlotte Avenue.

A public hearing was scheduled for Monday, February 1st at 6 to hear public comment.

The Mayor and Council have spoken to or met with property owners that have expressed concern regarding this development, and most of the issues have been cleared up. There is one issue that is still outstanding and it has been turned over to Steve Watson, Code Enforcement Officer.

Committee Reports

Federalsburg Historical Society

Bart Johnson announced that the Federalsburg Historical Society and the Lions Club worked together to host the visit from Santa Claus during the annual Christmas Parade. Mr. Johnson stated that 60 candy canes were given out last year to those who visited with Santa; and this year 90 candy canes were given out. Members of the Historical Society were also making wreaths and hosted a display of Christmas Trees.

The Federalsburg Historical Society hosted a book signing with Tom Horton and David Hart, which was well attended and was deemed a success.

Mr. Johnson requested to meet with the Mayor and Council at their next workshop, which was scheduled for Monday, January 25, 2010 at 6 p.m. He said they would like an update on the MHT and RDA grants. It was also reported that there has been some additional vandalism at the museum which has been reported to the police department. Mayor Fluharty requested Mr. Johnson provide a list of items that they would like to discuss at the workshop to the Clerk-Treasurer.

Federalburg Volunteer Fire Company

Mayor Fluharty reported the following on behalf of the Federalburg Fire Department:

January 16th – Steak Dinner from 4 p.m. to 7 p.m. – There will be pre-sale tickets and tickets will be sold at the door.

January 24th – Monthly Breakfast

January 30th – There will be a Toy Show.

Federalburg Lions Club

David Morean, representing the Federalburg Lions Club thanked the town for their support and assistance with the Christmas decorations throughout the town.

The Mayor and Council thanked the Lions Club for all the work in fundraising, and for the purchase and installation of the Christmas decorations. The Lions Club was commended for raising \$30,000 in two years which was used toward the purchase of the decorations.

Mr. Morean said next year the Lions Club would like to expand the decorations on the poles to include five poles located on Liberty, East Central, and Reliance Avenue; and they want to expand the decorations at the marina.

Mr. Morean thanked the Federalburg Historical Society for hosting the location for Santa Claus after the parade. He said they had a nice area setup at the museum. Mr. Morean also stated that the electrical receptacles on South Main Street currently do not work and he asked if they could be repaired.

Public Concerns

Mrs. Margaret Wheatley who resides at 302 Academy Avenue expressed concern that she cannot see when backing out of her driveway because of a trailer parked on Holt Street. Mayor Fluharty stated that Ms. Wheatley contacted him about this concern on two occasions and both times he contacted Chief Nagel to look into this matter. The owner of the trailer is not illegally parked, the trailer is currently tagged, and no motor vehicle laws have been violated. There was question if this would violate any zoning regulations, and concern was expressed that a fire truck would not be able to turn into this street if vehicles are parked.

Mayor Fluharty advised Ms. Wheatley that someone would get back to her after the matter has been researched. The Town Manager will speak with the supervisors to look into her concerns from a zoning aspect and if no regulations are being violated the Mayor and Council will consider other possible options to resolve her concerns. Ms. Wheatley asked if the existing yellow curbing on the Academy Avenue side of her property could be repainted also because it has become dirty and faded.

Actions Items

Councilmember Windsor

Councilmember Windsor stated that there is a resident on Buena Vista Avenue who is concerned about an odor in her water. He asked what the status was in regard this project. Richard Colburn stated that he would bring this up at staff meeting for an update.

Councilmember Willis

Councilmember Willis stated that Mr. Norman Bradley had advised him that he had submitted 13 pole numbers that have not been fixed to date. Councilmember Willis was advised that all the pole numbers have been submitted to Delmarva Power and the office was trying to track the repairs as best they could.

Councilmember Willis expressed his concerns in regard to Delmarva Power that if the wind barely blows his electric goes out. He said the electric goes out at his home at least twice a month. He questioned whether or not Delmarva needed to run new lines. He said Delmarva is also having problems with power surges. Richard Colburn, Town Manager, said the he would contact representatives of Delmarva Power and Choptank Electric and invite them to the Tuesday, February 16th, 2010 Mayor and Council Workshop to discuss these concerns.

Councilmember Willis expressed his concerns in regard to the water that lies on the street at the corner of Buena Vista and Academy Avenues. He said it has been like a sheet of ice since December. He asked if a drain could be placed there. He was advised that a new drain was placed there and at one point they thought it was someone's pool. This has been researched and Public Works has spread sand and salted as best they can to keep the area as safe as possible.

Councilmember Willis questioned whether or not the town was picking up garbage with cardboard in it. Richard Colburn will bring it up at staff meeting to determine if Public Works is picking up trashcans that have cardboard in them and what the policy is if cardboard is in the trashcan.

Councilmember Willis asked if people are allowed to park the wrong way on the street in town. Mr. Willis questioned whether there was an ordinance that addressed this problem. He said that cars are parked the wrong way throughout town.

Councilmember Willis said there were four cars parked on Morris Avenue in the snow emergency route and they should have been towed or ticketed. Richard Colburn will bring this up at staff meeting.

Councilmember Willis questioned whether or not the sidewalk ordinance was being enforced. He said there were sidewalks that were not cleaned until it rained. He said most of the concerns were rental houses. Councilmember Willis expressed his concerns in regard to the truck plowing snow back on the sidewalks that have been cleaned. Councilmember Willis was asked to check with Chief Nagel in regard to his concern of snow on the sidewalk when someone is ticketed.

Councilmember Armes

Councilmember Armes requested a status update on the fire hydrant that has been replaced in front of 128 Bloomingdale. He questioned why it was so much higher than the other fire hydrants throughout town.

Councilmember Bollinger

Councilmember Bollinger requested an update on the permit issued to 106 Liberty Road. If the improvements have discontinued than the property should be condemned and torn down.

Councilmember Bollinger also advised that representatives of the town have met with Comcast representatives and the town is waiting for additional ideas in regard to their discussions.

Mayor Fluharty

Steve Dyott will be asked to check in prices for security lights for the town Hall building in the alleyway. He stated that installation of lighting in this area may cut down on the vandalism at the museum.

Mayor Fluharty stated that Federalsburg will be hosting the Caroline County Association of Municipalities and CCOG meeting on Wednesday, January 13, 2010 at 6 p.m.

Mayor and Council commended Public Works for the work that they did during the snow storm in keeping the roads cleared.

Richard Colburn, Town Manager

Richard Colburn commended the staff for a good audit.

Mr. Colburn reported that Friday, January 8th would be his last day in the office. He will be in legislative session from January 8th to April 13th; however, he would be available via telephone.

Due to a holiday falling on Monday, January 18th and Monday, February 15th, the Mayor and Council Workshops were rescheduled for Monday, January 25th at 6 p.m. and Tuesday, February 16th at 6 p.m.

Adjournment

A motion by Councilmember Willis seconded by Councilmember Bollinger and passed by a vote of five to zero to adjourn at 7:25 p.m.

Submitted by,

Shirley A. Greene
Clerk/Treasurer