

**Mayor and Council of Federalsburg
Regular Monthly Meeting
September 4, 2018 @ 6:00 pm**

The Mayor & Council of Federalsburg held their regular monthly meeting on Monday, September 4, 2018 at 6:00 pm in the Mayor & Council Meeting Room, 118 N Main Street, Federalsburg, Maryland. Those in attendance were Mayor Planner and Councilmembers Bollinger, Phillips and Morean. Councilmember Windsor was not present because he was on vacation. Also in attendance were Brynja Booth, Town Attorney, staff, citizens and media.

Mayor Planner opened the meeting at 6:00 pm, he welcomed everyone and led the group in the pledge of allegiance.

Announcement of Closed Session

Mayor Planner announced that a Closed Session was held on Wednesday, August 29th at 5 pm to discuss personnel matters and legal advice.

Guests:

Mrs. Nancy Nagel, resident of Bloomingdale Avenue, addressed her concerns regarding the Chief of Police selection process. She acknowledged that a three person panel was chosen to review and chose the applicants; and she intended no harm to any of the three persons, she didn't feel that Mrs. Greene, Town Manager or Mrs. Ryan, Town Attorney were qualified and had no law enforcement background to be on the panel. She also stated that while Chief Maxwell was a valued colleague, his town is of no comparison to Federalsburg.

Mrs. Nagel stated that the Acting Police Chief for Federalsburg was not consulted, and two of the Councilmembers did not interviews were being held. She stated that the citizens elected the Mayor and Council and she is offended that no one took interest to be a part of this process.

Mrs. Nagel stated that her concerns were not based on the fact that she was not chosen for an interview. She does feel that two of the candidates were not more qualified than her, and it has nothing to do with the fact that she is married to Donald Nagel. Mrs. Nagel stated that she felt there was alot of deceit during this process.

Brynja Booth, Town Attorney stated that when the vacancy was opened, the Mayor and Council agreed to proceed with the three person panel that was selected, to review the applications. With over 60 applications submitted, it took some time to review and chose the best suitable candidates for interview. The Mayor and Council were aware of this process and spent several hours in Closed Session reviewing the applications and chose who they would interview. The Mayor and Council have the final say on who will be interviewed and can interview as many as they so choose. Mrs. Booth stated that the Mayor and Council will be the board that makes the final decision, and there has been no deceit or problems throughout the entire process.

Historical Moment:

Bart Johnson stated that the Federalsburg Historical Society held their annual Art Show & Sale on August 25th. Paintings by Charles Walker were the highlight of the show. Mr. Walker was a former resident of

Federalsburg and most of his paintings had rarely been seen since his death. Many of Mr. Walker's paintings will remain on exhibit and some will be listed for sale.

Old Business

Grants/Main Street Updates - George Mayer

SRTS Gerardi Avenue - Mr. Mayer reported that the last review process has been completed and he is waiting for the final approval from the State Highway Administration.

Keep Maryland Beautiful Grant - Mr. Mayer reported that the garbage cans have been delivered to the Public Works compound. He also stated that he has found pink and white weeping cherry trees to replace the overgrown trees along Main Street, near the bank and at the triangle. Mr. Mayer stated that the Nursery is holding and caring for the trees until there is a break in heat and Public Works can pick them up. Councilmember Windsor questioned what would be done with the old trees and Mr. Mayer stated that some of them could be replanted at alternate locations.

Floating ADA Dock - Mr. Mayer stated that we have received all of the necessary permits, and are just waiting on the Army Corp of Engineers for approval to proceed.

Pre-Engineering Grants - Mr. Mayer reported that the Town has received two grants for pre-engineering services for the to PPG Grants recently submitted. Those grants are for the Old Denton Road Waterline replacement and the Virtual Water Meters, and both require a pre-engineering study be completed. Councilmember Phillips questioned where the town's share of the money would be coming from; and Mr. Mayer stated that some of the money is budgeted but not enough. Mr. Mayer will talk with the Finance Department and bring this info back to the Mayor and Council.

New Business

Bill Beall - Request for Boundary Markers

Brynja Booth stated that during a recent closed session, the Mayor and Council discussed legal advice regarding a claim from Mr. Bill Beall, who advised that during a construction project in 2011-12, town staff removed property markers from his property on Park Avenue. Town staff, contractors, engineers and all parties involved were consulted and no property markers were removed at this location. Mr. Bob Rauch stated that the cost to replace the markers would be \$700 - \$1,200 if the Mayor and Council would like to replace these markers.

Councilmember Windsor made a motion seconded by Councilmember Phillips and unanimously passed by a vote of five to zero to decline Mr. Beall's request to replace the property markers at his Park Avenue property because town staff did not remove them.

Resolution No. 2018-01 - Maternity Leave

Mrs. Brynja Booth stated that Resolution No. 2018-01 is a resolution to adopt a policy regarding Maternity Leave for employees of the Police Department. Councilmember Morean made a motion seconded by Councilmember Bollinger and unanimously passed by a vote of five to zero to approve the Maternity Leave Policy and incorporate it into the Police Manual.

Committee Reports

FHS

Mr. Bart Johnson reported the following FHS events:

Heritage Day - October 20th

Fall Fling Bingo - September 23rd at the FVFC - sponsored by the Water Tower Committee and all proceeds benefit FHS

Raffle tickets are now being sold for a candle light dinner for 4 on Saturday, November 17th at the Exeter

Lions Club

Mrs. Kim Abner reported the following:

The Lions Club first meeting for this year will be held on September 13th. They expect the Comcast Cares Day payment in very soon. They are waiting for electric at the Community Building to be switched over; there is heat and A/C in the building now. The Lions Club would also like to do open house in October or November, they are currently reviewing the schedule of events in the area so they can coordinate.

There was some vandalism on the side of the Community Building, behind the dumpster. They are ordering signs and motion lights for the building. The dog park plans have been put on hold until the kids are back in school, but they plan to meet with Mr. Shelley soon and conduct a cleanup of the area.

The Lions Club will host Emings Chicken Dinners on September 21st for \$10 at the FVFC from 10:30 am until sold out.

Planning & Zoning Commission

Councilmember Bollinger stated that there was no new business to report. Councilmember Phillips questioned the status of the snowcone stand at Super Soda, and Councilmember Bollinger stated that a letter has been sent giving them 20 days to remove it or fines will begin.

FVFC

Councilmember Morean reported that the FVFC will hold a chicken BBQ on September 8th at 10 am til sold out.

Approval of Minutes

Councilmember Phillips made a motion seconded by Councilmember Windsor and unanimously passed by a vote of five to zero approving the previous months minutes as presented.

Public Comment (2 Minutes)

Mrs. Kim Abner stated that the lights at the Chambers Park pavilion were not working and needed to be cleaned. She questioned who she should talk to about this, and Shirley Greene stated that she would speak with Steve Dyott about this and get them working and cleaned.

Mrs. Abner also asked what happened to the gazebo that was moved from behind the HUB, and she was advised that it was destroyed because it fell apart while trying to move it.

Mayor and Council Action Items

Councilmember Windsor

Nothing at this time.

Councilmember Bollinger

Councilmember Bollinger discussed two issues that were included in the weekly packet, as follows:

Request for adjustment at 303 Buena Vista Avenue regarding problems with their water. After some discussion, Councilmember Bollinger made a motion seconded by Councilmember Windsor and unanimously passed by a vote of five to zero to table any decision on this concern for two quarters. At that time, the Mayor and Council will revisit and review the usage history, and make a decision on adjustment at that time.

Request for waiver of fee for trash can at 109 Park Lane. The new owner of this property has requested a waiver of the \$75 fee for a trash can because he feels that he is being penalized for the previous owner taking the can. Town codes states that every residence is issued one can, if that can is lost or stolen it shall be the property owner's responsibility to replace it. Councilmember Bollinger made a motion seconded by Councilmember Windsor and unanimously passed by a vote of five to zero to advise the new owner that he will have to purchase a can.

Councilmember Morean

Councilmember Morean asked if Shirley Greene could ask Public Works to conduct more hydrant flushing to help alleviate problems.

Councilmember Phillips

Councilmember Phillips asked the status of the streetlight replacement on Main Street. Shirley Greene reported that DP&L received the wrong parts from the supplier, which created a delay. She has also begun working with them on the 20 additional lights and has been advised that they are scheduling at least 16 weeks out because of the engineer.

Mayor Planner

Mayor Planner stated that he visited Federalsburg Elementary School this morning for the first day of school. All was well and there were several County and local officials that stopped by.

Mayor Planner also stated that the support for Going Purple has been overwhelming and he is grateful for the support.

Adjournment

Councilmember Bollinger made a motion seconded by Councilmember Morean and unanimously passed by a vote of five to zero to adjourn the meeting at 6:48 pm.

Respectfully submitted,

Kristy L. Marshall
Clerk-Treasurer