

**Mayor and Council of Federalsburg**  
**Regular Monthly Meeting**  
**December 2, 2019 @ 6:00 pm**

The Mayor & Council of Federalsburg held their regular monthly meeting on Monday, December 2, 2019 at 6:00 pm in the Mayor & Council Meeting Room, 118 N Main Street, Federalsburg, Maryland. Those in attendance were Mayor Abner and Councilmembers Phillips, Windsor and Sewell. Also in attendance were Lyndsey Ryan, Town Attorney, staff, citizens and media.

**Call to Order**

Mayor Abner called the regular monthly meeting to order at 6:00 pm.

**Prayer of Invocation**

Rev. DaShon Ennals, New Life Family Ministries, offered a prayer of invocation for the Town and citizens.

**Pledge of Allegiance**

Mayor Abner led the audience in the Pledge of Allegiance.

**Approval of Previous Month's Minutes**

Councilmember Sewell made a motion seconded by Councilmember Windsor and unanimously passed by a vote of four to zero approving the previous month's minutes as presented.

**Guests**

**Chris Parks - Fall Ball League Update**

Mr. Parks was present to give an update on the Fall Ball League. Mr. Parks stated that they had a great season again this year. He stated that they will be doing some work to fix up and clean up the fields and dugouts, but would keep the Mayor and Council informed before any work is completed. Mayor Abner suggested coordinating with her to obtain assistance from the Comcast Cares Program on the cleanup/fix-up.

**Muhammad Ullah - Bloomingdale Utility Sewer Line Connection -**

Mr. Muhammad Ullah requested assistance from the Mayor and Council regarding connection of the sewer main to his property at 312 Bloomingdale Avenue. The nearest connection is at the Dollar General Store and Mr. Ullah requested that the Town extend the sewer line to his property. There are three homes also located between Mr. Ullah's property and the Dollar General Store. These homes would not be required to connect to the new line until their existing septic systems failed.

Councilmember Windsor requested Steve Dyott, Public Works Director obtain a cost estimate for installation of this sewer line. Steve reported that permission would have to be obtained from State Highway Administration and the property owners to install the line across their properties if approved.

### **Historical Moment**

Mr. Bart Johnson shared a historical moment regarding the first bridge construction on East Central Avenue.

### **Old Business**

#### **Discussion on Removal of Pilings from Marshyhope Creek -**

At the November regular Mayor and Council meeting, there was a concern raised about the two pilings that were left on the east side of the Marshyhope Creek. Since that meeting, we have been advised that Happy Mayer left the pilings in case the Town ever wanted to install another boardwalk or dock in that location. Shirley Greene and Kristy Marshall have contacted Mr. Goertemiller, who is responsible for the debris removal grant and he provided two options for removing the pilings. One is to cut the pilings off at the river bed at a cost of \$1,590. Option 2 is to completely remove the pilings with a crane at a cost of \$16,585.

#### **Debris Removal Grant - Approval for Payment -**

Councilmember Phillips made a motion seconded by Councilmember Windsor and unanimously passed by a vote of four to zero approving payment to Mr. Tim Goertemiller, Living Ecosystems for the debris removal project in the amount of \$5,555.00.

### **New Business**

#### **Street Lights - Benjamin Haynes Court**

Chief McDermott has been working with Delmarva Power & Light regarding criminal activity on Benjamin Haynes Court and the lack of streetlights in the area. Delmarva Power has agreed to install, at their cost, two pole lights with LED security lighting on Benjamin Haynes Court and the Town will pay for the pole and light fees once installed at a total cost of \$34.00 per year.

Councilmember Phillips made a motion seconded by Councilmember Sewell and unanimously passed by a vote of four to zero approving installation of two streetlights on Benjamin Haynes Court.

#### **Old Denton Road Design Services RFP - Lyndsey Ryan, Town Attorney**

On September 3rd, the Town and Rauch Inc entered into a Task Order Agreement for Rauch to provide engineering support to the Town for construction management and project inspection for the Old Denton Road project funded by MDE State Revolving Fund Program (SRF). After discussing the matter with MDE, MDE will not permit the Town to use SRF funds unless it puts the engineering services out to bid. Rauch has already begun the work on the Preliminary Engineering Report of which USDA will fund \$13,000. The hope was that

the Town could use the SRF funds to cover the remaining cost for the PER of \$17,000. However, because the work was not competitively procured, the Town cannot use SRF funds.

Councilmember Sewell made a motion seconded by Councilmember Windsor and unanimously passed by a vote of four to zero authorizing Lyndsey Ryan, Town Attorney to draft an RFP to continue working with Rauch Inc since the work is 80% complete. It was agreed that any additional services needed would be bid out.

### **Resolutions**

The following resolutions addressing amendments to the Town Charter that the Mayor and Council have been discussing for the past month. Lyndsey Ryan, Town Attorney, gave an overview of each Resolution and stated that they would need to be advertised for four consecutive weeks.

**Resolution No. 2019-05** - A resolution of the Mayor and Council amending Section C3-6 of the Federalsburg Charter to clarify that the Mayor and Council shall meet the first Monday of October following their election.

**Resolution No. 2019-06** - A resolution of the Mayor and Council amending Section C4-1 of the Federalsburg Town Charter to clarify that the Mayor, with confirmation by a majority of the Council, may appoint specific town officials on the first Monday of October after a Mayoral Election.

**Resolution No. 2019-07** - A resolution of the Mayor and Council of Federalsburg amending Section C5-1 of the Federalsburg Town Charter to clarify that the Mayor, with confirmation by a majority of the Council, shall appoint one person to act as Clerk and Treasurer on the first Monday of October at the first regular meeting.

**Resolution No. 2019-08** - A resolution of the Mayor and Council of Federalsburg amending Section C2-6 of the Federalsburg Town Charter to clarify that the Judges of the Election shall be appointed at the first meeting in September preceding an election.

**Resolution No. 2019-09** - A resolution of the Mayor and Council of Federalsburg amending Section C3-1 of the Federalsburg Town Charter to pay the Mayor's Salary in October and April to reflect the election occurring in September.

**Resolution No. 2019-10** - A resolution of the Mayor and Council of Federalsburg amending Section C3-3 of the Federalsburg Town Charter to pay the Council Members salaries in October and April to reflect the election occurring in September.

Councilmember Windsor stated that he would like to see the Charter changed to reflect that the Supervisors are not appointed after each election. He stated that he felt this was a deterrent and he would prefer all positions be made permanent. It was stated that all employees are at-will and serve at the discretion of the Mayor and Council.

Councilmember Sewell made a motion seconded by Councilmember Phillips and unanimously passed by a vote of three to zero approving introduction of Resolutions No. 2019-05, 2019-06, 2019-07, 2019-08, 2019-09

and 2019-10; and schedule a Public Hearing for the January 6th Mayor and Council meeting. Councilmember Windsor voted Nay.

**Resolution No. 2019-04** - A resolution of the Mayor and Council of Federalsburg to repeal and reenact the Town of Federalsburg Purchasing Manual. Mrs. Ryan reported that there were several items within this document that needed updating.

Councilmember Windsor made a motion seconded by Councilmember Sewell and unanimously passed by a vote of four to zero approving introduction of Resolutions No. 2019-04 and requesting to schedule a Public Hearing for the January 6th Mayor and Council meeting.

**Tax Differential Letter Approval** - The Mayor and Council agreed with the proposed Tax Differential letter and requested no changes

**Announcement - December 16th Workshop Cancelled** - The December 16th Workshop has been cancelled due to no agenda items for discussion.

**January 21st Workshop - Decision to Reschedule Workshop** - The Mayor and Council agreed to reschedule the January Workshop to Monday, January 13th, due to the ESAM Dinner Meeting being scheduled for the regularly scheduled workshop night.

**Christmas Holiday Garbage Schedule - Posted on FB & Town Sign** - The Town holiday closings and garbage collection schedule will be posted on Facebook as follows:

Closed December 24th, 25th and January 1st  
Garbage collection December 23rd and 31st

### **Committee Reports**

**Federalsburg Historical Society** - Mr. Bart Johnson reported that the Federalsburg Historical Society will host their Annual Candlelight Tour at the Exeter on December 7th from 4 to 7 pm. This event is free and the public is welcome to attend. The FHS Museum will also host their Open House on December 9th before and after the Christmas Parade.

**Federalsburg Lions Club** - Councilmember Sewell reported that the Tree Lighting at the Triangle would take place on December 6th at 630 pm, the Christmas Parade will be on December 9th at 7 pm and on December 19th the Seniors Dinner would be held at Lions Hall. It was agreed that all members of the Mayor and Council would participate in the Christmas Parade on December 9th.

**Planning & Zoning Commission** - Steve Bollinger reported that a meeting was scheduled on November 26th, however, there were not enough members present to conduct the meeting. There is no meeting in December due to the holidays.

**Federalsburg Volunteer Fire Company** - Nothing at this time

**Public Comments:**

**DaShon Ennals** - Mr. Ennals reported that he was recently stopped by the Town Police on for crossing the centerline. After looking at the roadway, they determined that there were no lines on the road in that area. Mr. Ennals also stated that it was very dark in that area unless there are ball games going on. Steve Dyott will check to see if there are street lights in this area, and if they need to be repaired.

**Darlene Hammond** - Ms. Hammond submitted a letter last month, because she was unable to attend the meeting; regarding installation of handicapped parking/curbing on Main Street. She assists a friend who is handicapped with coming to visit one of the downtown businesses and its difficult to gain access to the sidewalk. Her van requires two parking spaces and there is no curb depression in the area.

There was discussion and Steve Dyott was asked to obtain cost estimates to mark two center spaces, and stripe for handicapped parking and installation of a curb depression.

**Mayor and Council Action Items -**

**Councilmember Windsor** - Councilmember Windsor stated that he spoke with residents in the South Main Street area, regarding recent noise complaints pertaining to Executive Limousine Service and there were no other complaints. He stated that he believed this was an isolated incident.

**Councilmember Sewell** - Councilmember Sewell reported that the Federalsburg Police Department was holding a Toy Drive and drop-off locations included the Police Station, Dollar General and the VFW. She stated that her family also participated in a Sock Drive for area homeless, and anyone interested in dropping off socks could bring them to her home.

Councilmember Sewell asked the Mayor and Council if all planned to ride together and if a vehicle could be obtained. Councilmember Windsor stated that he would check with Councilmember Morean.

**Councilmember Phillips** - Councilmember Phillips stated that the Gerardi Safe Routes to School project looked good, with the exception of the Hubbard's driveway not being corrected. He also stated that Neighbors United, with the assistance of Federalsburg Police, Caroline County Sheriff's Department and many local volunteers, delivered 1,148 meals for thanksgiving. This is a great organization that has been delivering since 1992.

Councilmember Phillips stated that the Maryland Department of Natural Resources has \$30 million in grant funding for nutrient runoff, and he would like to see the town look into that.

**Mayor Abner** - Mayor Abner thanked Public Works for their help and hard work with the Christmas Lights and finishing the Tree at the triangle.

### **Request for Closed Session**

Councilmember Sewell made a motion seconded by Councilmember Phillips and unanimously passed by a vote of four to zero to go into closed session at 7:08 pm to discuss a personnel matter.

The meeting was reconvened at 7:19 pm.

Councilmember Phillips made a motion seconded by Councilmember Windsor and unanimously agreed to accept the offer from a former employee in the amount of \$600.

### **Adjournment**

Councilmember Sewell made a motion seconded by Councilmember Phillips and unanimously passed by a vote of four to zero to adjourn the meeting at 7:19 pm.

Respectfully submitted,

*Kristy L. Marshall*  
Clerk-Treasurer