

**Mayor and Council of Federalsburg**  
**Tuesday, February 21, 2023**  
**Special Meeting and Monthly Workshop @ 6:00 P.M.**

This Meeting is being held at the Mayor and Council Meeting Room located at 118 North Main Street. Citizens who wish to participate by video shall follow directions listed below:

**Join Zoom Meeting**

<https://us02web.zoom.us/j/82559375633?pwd=MDhOZHE3azNKU1pSUHpKOTUzVDcvZz09>

**Meeting ID: 825 5937 5633**

**Passcode: TOFWork**

\*\*\*\*\*

**Agenda**

- I. Call to Order**
- II. Welcome and Pledge of Allegiance**
- III. Public Comment**
- IV. Introduction and Set Public Hearing Date – Resolution No. 2023-01  
A RESOLUTION OF THE MAYOR AND COUNCIL OF FEDERALSBURG  
AMENDING ARTICLE I OF THE FEDERALSBURG TOWN CHARTER TO  
REDUCE THE RESIDENCY DURATION REQUIRED TO QUALIFY AS A  
CANDIDATE FOR ELECTION FROM THREE YEARS TO ONE YEAR AND TO  
ESTABLISH A FOUR YEAR TERM FOR THE MAYOR AND COUNCIL**
- V. Introduction and Set Public Hearing Date – Resolution No. 2023-02  
A RESOLUTION OF THE MAYOR AND COUNCIL OF FEDERALSBURG  
AMENDING ARTICLE II OF THE FEDERALSBURG TOWN CHARTER TO  
CHANGE THE DATE OF THE ELECTION FROM SEPTEMBER TO NOVEMBER,  
ESTABLISH LEGISLATIVE DISTRICTS, AND EXTEND THE TERM OF MAYOR  
FROM TWO YEARS TO FOUR YEARS**
- VI. Introduction and Set Public Hearing Date – Resolution No. 2023-03  
A RESOLUTION OF THE MAYOR AND COUNCIL OF FEDERALSBURG  
AMENDING ARTICLE III OF THE FEDERALSBURG TOWN CHARTER TO**

**REDUCE THE RESIDENCY DURATION REQUIRED TO QUALIFY AS A CANDIDATE FOR ELECTION FROM THREE YEARS TO ONE YEAR AND TO CHANGE THE FIRST MEETING OF THE MAYOR AND COUNCIL FROM OCTOBER TO DECEMBER FOLLOWING AN ELECTION**

**VII. Cell Tower Lease Request for Qualifications and Bid Proposal**

**VIII. 2022 Annual Report Presentation**

**IX. Capital Projects Update**

**X. Review of Town Debt**

**XI. Marina Park Wetlands Project – extend due date**

**XII. Mayor & Council Action Items**

- \* Councilmember Windsor**
- \* Councilmember Sewell**
- \* Councilmember Phillips**
- \* Councilmember Willoughby**
- \* Mayor Abner**

**XIII. Executive Session – Legal Advice**

**XIV. Adjournment**

**NOTES:**

**THE MEETINGS ARE BEING RECORDED, PLEASE TURN OFF ALL CELLULAR DEVICES AND PAGERS DURING THE MEETING, PLEASE REMAIN QUIET, UNLESS ADDRESSING THE COUNCIL.**

***Please Note:*** Pursuant to the Annotated Code of Maryland, State Government Article Section 10-508(a), the Council by majority vote may retire to executive or closed session at any time during the meeting. Should the Council retire to executive or closed session; the chair will announce the reasons and a report will be issued at a future meeting disclosing the reasons for such session. Meetings are conducted in Open Session unless otherwise indicated. All or part of Mayor and Council meetings can be held in closed session under the authority of the state open meetings law by vote of the Mayor and Council.

***Rules for Public Comment***

The Mayor and Council invite and welcome comments at public meetings. The Mayor or presiding officer will recognize you. Please introduce yourself at the podium (spelling your last name, for recording purposes) and give the name of your street and block number (e.g., 100 block of Main Street).

Time limits for speaking are indicated on the meeting agenda. While speaking, please maintain a courteous tone and avoid personal attack.

**RESOLUTION NO. 2023-01**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF FEDERALSBURG AMENDING ARTICLE I OF THE FEDERALSBURG TOWN CHARTER TO REDUCE THE RESIDENCY DURATION REQUIRED TO QUALIFY AS A CANDIDATE FOR ELECTION FROM THREE YEARS TO ONE YEAR AND TO ESTABLISH A FOUR YEAR TERM FOR THE MAYOR AND COUNCIL**

WHEREAS, Md. Code Ann. Local Gov't Article § 4-304 and Article XI-E of the Constitution of Maryland confer upon the Mayor and Council of Federalsburg the authority to initiate proposed amendments the Charter for the Town of Federalsburg; and

WHEREAS, Local Gov't Article § 5-202 authorizes the Mayor and Council to adopt those Charter resolutions as they may deem necessary in order to assure the good government of the Town, to protect and preserve the Town's rights, property, and privileges, to preserve peace and good order, to secure persons and property from danger and destruction, and to protect the health, comfort, and convenience of the citizens of the Town; and

WHEREAS, the Mayor and Council have spent the last six (6) months thoroughly reviewing the Charter with respect to registration of voters, nomination of candidates, and elections; and

WHEREAS, the Mayor and Council have determined that requiring a residency requirement of three years to qualify as a Mayor or Council member candidate precludes citizens that reside in the Town from participating as candidates; and

WHEREAS, the Mayor and Council have determined that it is desirable for the Mayor and Councilmembers to serve a four year term to provide the sitting elected officials sufficient time to establish and obtain short-term and long-term objectives; and

WHEREAS, the Mayor and Council of Federalsburg have determined that it is desirable and in the best interest of the town to amend Article I of the Charter for the Town of Federalsburg to reduce the candidate residency requirement for Mayor and Councilmembers from three years to one year and to provide a four year term of office for the Mayor and Councilmembers.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF FEDERALSBURG AS FOLLOWS:

Section 1. Article I, Section C1-3 of the Charter for the Town of Federalsburg is hereby amended as follows:

**ARTICLE I  
Incorporation and General Powers**

. . . .

Section C1-3. Mayor and Council; qualifications; tenure.

The government, corporate authority, rights, powers and privileges of the said Town shall be vested in and exercised by a Mayor and four Council members who shall be elected as hereinafter provided, who shall be qualified voters of the Town of Federalsburg for at least ~~one three~~ years next preceding their election, and *they shall serve a term of four (4) years* ~~their term shall be as hereinafter provided or until their successors are elected and qualified.~~

Section 2. This Resolution shall be posted and published in accordance with the requirements set forth in Md. Code Ann. Local Government Article § 4-304.

Section 3. The Mayor and Council of Federalsburg held a public hearing on this Resolution on \_\_\_\_\_, 2023 at 6:00 p.m.

Section 4. This Resolution shall become effective 40 days after final enactment unless a petition for referendum has been filed prior thereto in accordance with Section 4-304 of the Local Government Article of the Code of Maryland. This Resolution shall be deemed “finally enacted” on the date on which the Mayor and Council of Federalsburg indicate their approval of this Resolution by affixing their signatures hereto.

Section 5. As soon as this Resolution becomes effective, the Town Clerk shall cause to be delivered to the Department of Legislative Reference all the information regarding the Charter Amendment, this Resolution, and any referendum held thereon as may be required by the Local Government Article of the Annotated Code of Maryland.

BE IT FURTHER RESOLVED, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Yea/Nay

Kimberly M. Abner, Mayor	_____
Robert Willoughby, Councilmember	_____
Edward Windsor, Councilmember	_____
Debra V. Sewell, Councilmember	_____
D. Scott Phillips, Councilmember	_____

**ATTEST:**

**MAYOR & COUNCIL OF FEDERALSBURG**

\_\_\_\_\_  
Kristy L. Marshall, Clerk-Treasurer

\_\_\_\_\_  
Kimberly M. Abner, Mayor

Language ~~stricken~~ indicates language deleted from the Charter for the Town of Federalsburg.  
Language in ***bold and italicized*** indicates language added to the Charter for the Town of Federalsburg.

Introduced:  
Public Hearing:  
Adopted:  
Effective Date:

**RESOLUTION NO. 2023-02**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF FEDERALSBURG AMENDING ARTICLE II OF THE FEDERALSBURG TOWN CHARTER TO CHANGE THE DATE OF THE ELECTION FROM SEPTEMBER TO NOVEMBER, ESTABLISH LEGISLATIVE DISTRICTS, AND EXTEND THE TERM OF MAYOR FROM TWO YEARS TO FOUR YEARS**

WHEREAS, Md. Code Ann. Local Gov't Article § 4-304 and Article XI-E of the Constitution of Maryland confer upon the Mayor and Council of Federalsburg the authority to initiate proposed amendments the Charter for the Town of Federalsburg; and

WHEREAS, Local Gov't Article § 5-202 authorizes the Mayor and Council to adopt those Charter resolutions as they may deem necessary in order to assure the good government of the Town, to protect and preserve the Town's rights, property, and privileges, to preserve peace and good order, to secure persons and property from danger and destruction, and to protect the health, comfort, and convenience of the citizens of the Town; and

WHEREAS, the Mayor and Council have spent the last six (6) months thoroughly reviewing the Charter with respect to registration of voters, nomination of candidates, and elections; and

WHEREAS, the Mayor and Council have determined that the Town may recognize a larger voter turnout if the Town election is aligned with the Maryland General Election on the first Tuesday after the first Monday in November; and

WHEREAS, the Mayor and Council have determined that establishing two legislative districts, District 1 and District 2, with one Councilmember serving each district, provides benefits that an all at-large system do not provide; and

WHEREAS, the Mayor and Council have determined that it is desirable for the Mayor to serve a four year term to provide the Mayor sufficient time to establish and obtain short-term and long-term objectives; and

WHEREAS, the Mayor and Council of Federalsburg have determined that it is desirable and in the best interest of the town to amend Article II of the Charter for the Town of Federalsburg to hold the election on the Tuesday after the first Monday in November, establish two legislative districts, and extend the term of Mayor from two years to four years.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF FEDERALSBURG AS FOLLOWS:

Section 1. Article II, Section C2-1 of the Charter for the Town of Federalsburg is hereby amended as follows:

ARTICLE II  
Elections

. . . .

Section C2-1. Elections.

(a) Date; time; terms. *On the Tuesday after the first Monday in November, 2024, and upon the Tuesday after the first Monday in November every two (2) years thereafter, On the fourth Monday in April, 1965, and upon the fourth Monday in April every two years thereafter,* an election shall be held between the hours of 7:00 a.m. and 7:00 p.m. under this Charter, for the election of the Mayor and Council of Federalsburg, and after notice printed in some newspaper of general circulation, published in Caroline County, or posted in three conspicuous places in the Town of Federalsburg for at least 10 days before the election. At this election, the two candidates for Council member receiving the highest number of votes shall be elected for a four-year term as Council member. The candidate for Mayor at *a Mayoral* ~~this~~ election receiving the highest number of votes shall be elected Mayor of Federalsburg for a *four (4)* ~~two~~-year term. The term of the Mayor of Federalsburg shall hereafter be for *four (4)* ~~two~~ years. ~~In the year 2011, the election shall not be held in April, but shall be held on the fourth Tuesday in September. The term of the sitting Mayor and Council members whose terms expire in April, 2011 shall be extended until the fourth Tuesday in September, 2011. On and after the fourth Tuesday in September, 2011, and on the same date every two years thereafter, an election shall be held for Mayor for a two year term and for two Council members for a four year term.; and~~

*The Town shall be divided into two (2) legislative districts for the election of members of the Council. Each legislative district shall contain one (1) Councilmember who shall be elected by the registered voters of that legislative district only. The legislative districts shall be established on a map adopted by Resolution by a majority of the Mayor and Council.*

(i) *Each legislative district shall consist of adjoining territory, be relatively compact in form, and include substantially the same population as other districts. Due regard shall be given to all constitutional standards in creating the legislative districts.*

(ii) *From time to time as based on the latest U.S. Census Bureau data and after public hearing, the Mayor and Council may reestablish boundaries of the legislative districts for elections of the members of the Council.*

*The term of the sitting Mayor and two (2) Council members whose term expires in September, 2023 shall be extended until the first Monday in December, 2024.*



*The term of the sitting two (2) Council members that expires in September, 2025, shall be extended until the first Monday in December 2026.*

*On the Tuesday after the first Monday in November, 2024, and on the same date every four (4) years thereafter, an election shall be held for Mayor and one (1) District 1 Councilmember and one (1) District 2 Councilmember. On the Tuesday after the first Monday in November, 2026, and on the same date every four years thereafter, an election shall be held for two (2) at-large Councilmembers.*

*(b) Candidacy. Candidates for District 1 Councilmember and District 2 Councilmember must reside in the legislative district in which they are elected to.* All persons deciding to become a candidate for Mayor or Council member shall file with the Clerk of Federalsburg by the first Friday in ~~October~~ ~~September~~ prior to any election a written statement of such candidacy, accompanied by a petition signed by at least 10 duly qualified voters nominating such candidate, which written statement of candidacy and the voters' nominating petition shall be substantially in the following form:

CANDIDATE FOR NOMINATION FOR

\_\_\_\_\_ Office.

State of Maryland, Caroline County, to wit:

I, \_\_\_\_\_, hereby certify that I am now and have been for more than *one year* ~~three years~~ a resident of the Town of Federalsburg, Caroline County, Maryland, and that I am a qualified voter therein; that I am a candidate for the office of \_\_\_\_\_, to be voted upon at the town election to be held on the *Tuesday after the first Monday in November* ~~fourth Tuesday of September~~, 20\_\_\_\_, and I hereby request my name be printed upon the official ballot at said election as a candidate for said office.

(signed) \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Notary Public

To the Clerk of Federalsburg:

We, the undersigned, citizens of the Town of Federalsburg, Caroline County, Maryland, and being duly qualified voters of said town, do hereby certify, that we do nominate \_\_\_\_\_, who has been a resident of the Town of Federalsburg, Caroline County, for more than *one* ~~three~~ years, for the office of \_\_\_\_\_.

We do further certify that we and each of us shall vote for the said person nominated hereby.

Witness our hands this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

(Signatures of ten petitioning voters.)

(c) ~~(b)~~ Election. Immediately upon the expiration of the time of filing of petitions by the respective candidates, the Clerk of Federalsburg shall cause to be published in one or more newspapers published in Caroline County or posted in three conspicuous places in the Town of Federalsburg, the names of all the candidates as they are to appear upon the official ballot.

Section 2. This Resolution shall be posted and published in accordance with the requirements set forth in Md. Code Ann. Local Government Article § 4-304.

Section 3. The Mayor and Council of Federalsburg held a public hearing on this Resolution on \_\_\_\_\_, 2023 at 6:00 p.m.

Section 4. This Resolution shall become effective 40 days after final enactment unless a petition for referendum has been filed prior thereto in accordance with Section 4-304 of the Local Government Article of the Code of Maryland. This Resolution shall be deemed “finally enacted” on the date on which the Mayor and Council of Federalsburg indicate their approval of this Resolution by affixing their signatures hereto.

Section 5. As soon as this Resolution becomes effective, the Town Clerk shall cause to be delivered to the Department of Legislative Reference all the information regarding the Charter Amendment, this Resolution, and any referendum held thereon as may be required by the Local Government Article of the Annotated Code of Maryland.

BE IT FURTHER RESOLVED, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Yea/Nay

Kimberly M. Abner, Mayor	_____
Robert Willoughby, Councilmember	_____
Edward Windsor, Councilmember	_____
Debra V. Sewell, Councilmember	_____
D. Scott Phillips, Councilmember	_____

ATTEST:

**MAYOR & COUNCIL OF FEDERALSBURG**

---

Kristy L. Marshall, Clerk-Treasurer

---

Kimberly M. Abner, Mayor

Language ~~stricken~~ indicates language deleted from the Charter for the Town of Federalsburg.  
Language in ***bold and italicized*** indicates language added to the Charter for the Town of Federalsburg.

Introduced:  
Public Hearing:  
Adopted:  
Effective Date:

**RESOLUTION NO. 2023-03**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF FEDERALSBURG AMENDING ARTICLE III OF THE FEDERALSBURG TOWN CHARTER TO REDUCE THE RESIDENCY DURATION REQUIRED TO QUALIFY AS A CANDIDATE FOR ELECTION FROM THREE YEARS TO ONE YEAR AND TO CHANGE THE FIRST MEETING OF THE MAYOR AND COUNCIL FROM OCTOBER TO DECEMBER FOLLOWING AN ELECTION**

WHEREAS, Md. Code Ann. Local Gov't Article § 4-304 and Article XI-E of the Constitution of Maryland confer upon the Mayor and Council of Federalsburg the authority to initiate proposed amendments the Charter for the Town of Federalsburg; and

WHEREAS, Local Gov't Article § 5-202 authorizes the Mayor and Council to adopt those Charter resolutions as they may deem necessary in order to assure the good government of the Town, to protect and preserve the Town's rights, property, and privileges, to preserve peace and good order, to secure persons and property from danger and destruction, and to protect the health, comfort, and convenience of the citizens of the Town; and

WHEREAS, the Mayor and Council have spent the last six (6) months thoroughly reviewing the Charter with respect to registration of voters, nomination of candidates, and elections; and

WHEREAS, the Mayor and Council have determined that requiring a residency requirement of three years to qualify as a Mayor or Council member candidate precludes citizens that reside in the Town from participating as candidates; and

WHEREAS, the Mayor and Council have determined that moving the election from September to November should improve voter turnout; and

WHEREAS, changing the election from September to November requires a change of the first meeting of the newly elected Mayor and Council from October to December; and

WHEREAS, the Mayor and Council of Federalsburg have determined that it is desirable and in the best interest of the town to amend Article III of the Charter for the Town of Federalsburg to reduce the residency requirements for candidates from three years to one year and to hold the first meeting of the newly elected Mayor and Council on the first Monday in December.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF FEDERALSBURG AS FOLLOWS:

Section 1. Article III, Section C3-1 of the Charter for the Town of Federalsburg is hereby amended as follows:

**ARTICLE III**

## Mayor and Council

. . . .

### § C3-1. Mayor.

No person shall be elected as Mayor of said town unless he/she shall have been a resident of said town for at least **one year** ~~three years~~ prior to his/her election, and in the event that he/she shall remove from the corporate limits of said town, then the said office of Mayor shall forthwith become vacant, and his/her successor shall be duly appointed as is provided in this Article. The Mayor shall receive the annual salary to be established from time to time by Resolution of the Mayor and Council duly adopted pursuant to the requirements of § C3-6 of this charter, and subject to the restriction that no increase may take effect during the term of office when such resolution is passed. The Mayor's salary shall be paid semiannually, during the first pay period in **December** ~~October~~ and the first pay period in **June** ~~April~~, with the first pay period to begin the **December** ~~October~~ following the election. No other distributions, partial or otherwise, are authorized.

Section 2. Article III, Section C3-3 of the Charter for the Town of Federalsburg is hereby amended as follows:

## ARTICLE III Mayor and Council

. . . .

### § C3-3. Council members.

No person shall be elected as a Council member of said town unless he/she shall have been a resident of said town for at least **one year** ~~three years~~ prior to his/her election, and in the event that he/she shall remove from the corporate limits of said town, then the said office of Council member shall forthwith become vacant and his/her successor shall be duly appointed as is provided by this Article. ***No person shall be elected as a Council member to serve a particular legislative district unless he/she shall have been a resident of that district for at least one year prior to his/her election, and in the event that he/she removes from the legislative district that they serve, then the said office of Council member shall become vacant and his/her successor shall be duly appointed as provided by this Article.***

The Council member shall receive an annual salary to be established from time to time by resolution of the Mayor and Council duly adopted pursuant to the requirements of § C3-6 of this charter, and subject to the restriction that no increase may take effect during the current term of office, when such a resolution is passed. The Council members' salary shall be paid semiannually, during the first pay period in **December** ~~October~~ and the first pay period in **June** ~~April~~, with

the first pay period to begin the ~~December~~ ~~October~~ following the election. No other distributions, partial or otherwise, are authorized.

Section 3. Article III, Section C3-6 of the Charter for the Town of Federalsburg is hereby amended as follows:

**ARTICLE III**  
**Mayor and Council**

. . . .

**§ C3-6. Meetings of Mayor and Council.**

The Mayor and Council shall meet the first Monday of ~~December~~ ~~October~~ following their election, and shall hold office for their aforesaid terms of office from said date, and shall hold regular meetings on the first Monday of each and every month thereafter which shall be open to the public (except for lawful closed sessions), and may meet as often thereafter as may be necessary to the proper discharge of their official duties. The Mayor shall be the President of the Council and preside at its meetings, and shall have all the privileges of a Council member in debate and vote. He/She shall have no power to veto any measure, but every resolution or ordinance passed by the Council must be signed by the Mayor or by three Council members and be recorded before the same shall be enforced. The Council may elect one of their members as President pro tempore, who shall in the absence or inability of the Mayor preside at the sessions, who for the time being shall be acting Mayor and have all the authority in law of the Mayor. Special meetings of the Council may be at any time convened by the Mayor or at the request of three members of that body. The Mayor of the Town of Federalsburg shall be the executive officer thereof, clothed with all the powers necessary to secure the enforcement of all ordinances of said town under this Charter. At all meetings of the Mayor and Council the Mayor and two Council members, or in the absence of the Mayor three Council members, present and voting shall constitute a quorum for the transaction of business, and three affirmative votes shall be necessary for the passage of an ordinance, law or resolution at all times. Upon every vote the ayes and nays shall be called and recorded.

Section 4. This Resolution shall be posted and published in accordance with the requirements set forth in Md. Code Ann. Local Government Article § 4-304.

Section 5. The Mayor and Council of Federalsburg held a public hearing on this Resolution on \_\_\_\_\_, 2023 at 6:00 p.m.

Section 6. This Resolution shall become effective 40 days after final enactment unless a petition for referendum has been filed prior thereto in accordance with Section 4-304 of the Local Government Article of the Code of Maryland. This Resolution shall be deemed

“finally enacted” on the date on which the Mayor and Council of Federalsburg indicate their approval of this Resolution by affixing their signatures hereto.

Section 7. As soon as this Resolution becomes effective, the Town Clerk shall cause to be delivered to the Department of Legislative Reference all the information regarding the Charter Amendment, this Resolution, and any referendum held thereon as may be required by the Local Government Article of the Annotated Code of Maryland.

BE IT FURTHER RESOLVED, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Yea/Nay

Kimberly M. Abner, Mayor	_____
Robert Willoughby, Councilmember	_____
Edward Windsor, Councilmember	_____
Debra V. Sewell, Councilmember	_____
D. Scott Phillips, Councilmember	_____

**ATTEST:**

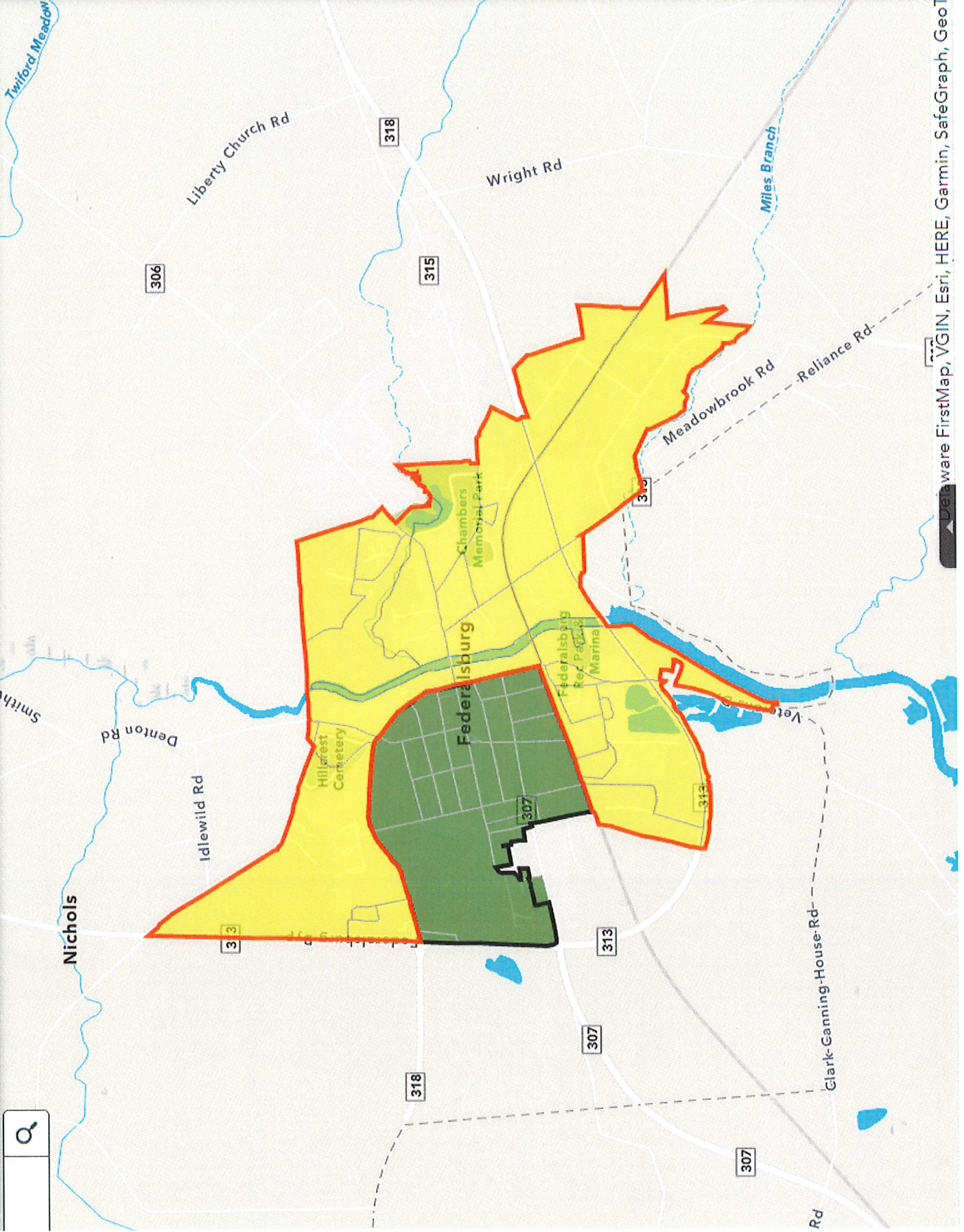
**MAYOR & COUNCIL OF FEDERALSBURG**

\_\_\_\_\_  
Kristy L. Marshall, Clerk-Treasurer

\_\_\_\_\_  
Kimberly M. Abner, Mayor

Language ~~stricken~~ indicates language deleted from the Charter for the Town of Federalsburg.  
Language in ***bold and italicized*** indicates language added to the Charter for the Town of Federalsburg.

Introduced:  
Public Hearing:  
Adopted:  
Effective Date:



### Layer List

#### Layers

- Address Point
- Ward 1
- Ward 2
- Ward District
- USA Census
- Election Distri



TO: MAYOR AND COUNCIL MEMBERS  
FR: LARRY DIRE, TOWN MANAGER  
DT: FEBRUARY 21, 2023  
RE: CELL TOWER LEASE REQUEST FOR QUALIFICATIONS AND BID PROPOSALS

REQUEST FOR QUALIFICATIONS  
CELL TOWER LEASE PURCHASE

The Town of Federalsburg will accept sealed submittals from qualified firms interested in purchasing the Industrial Park Road water tank cell tower lease until 2:00 p.m., local time, on Monday, March 20, 2023. Qualification packets must include six copies of the following information: the name and address of the firm; the names and qualifications of relevant staff members; examples of relevant experience with municipal and other public sector organizations dating back no more than five years; name and contact information for three current professional references. Upon review the Mayor and Town Council will request sealed purchase proposals from selected firms. Questions should be directed to Town Manager Lawrence DiRe at (410) 754 -8173 or email [townmanager@federalsburg.org](mailto:townmanager@federalsburg.org) Packets may be submitted in person at the Town Hall, or via U. S. mail or courier service to:

Town of Federalsburg  
PO Box 471  
118 N. Main Street  
Federalsburg, MD 21632

Sealed packages must be plainly marked, “**RFQ – CELL TOWN LEASE PURCHASE - MARCH 20, 2023**” along with the firm's name and address.

The Town of Federalsburg reserves the right to reject any one or all submittals, or any part of any submittal, to waive any informality in any submittal, and to make a decision deemed to be in the best interest of the Town.

TOWN OF FEDERALSBURG  
LAWRENCE DIRE  
TOWN MANAGER

---

# ANNUAL REPORT 2022 - DRAFT

---



FEBRUARY 2023

---

Town of Federalsburg  
Prepared by the Town Manager's Office

---

# Mayor's Message

Kimberly M. Abner

Not yet final.

*“Find even more easy-to-use tools on the Insert tab,  
such as to add a hyperlink or insert a comment”*

Text to come.

---

## Community and Economic Development

Efforts to support the town's overall quality of life includes not only job creation and the growth of new and existing businesses, but also how the community spends time on recreational, sports, cultural, and neighborhood activities.

- Proposed AquaCon project and MAS Alliance economic development, including working with public information and the Planning and Zoning Commission.
- Residents, elected officials and staff participated in Caroline County Community Conversations and town manager committed to serving (two years) on the Collective Impact Economic Mobility\Workforce Development team.
- Town bicentennial events and activities finalized and promoted.
- Town participating in the Maryland Clean Marina and the Sustainable Maryland Green Team programs, with completion expected in 2023.
- Staff and town officials worked with M&M Carnot on their operation expansion.
- Town sponsored the first annual Madness on the Marshyhope Blue Catfish Fishing Tournament.
- The Federalsburg Community Activities Center project received town ARPA funding totaling \$50,000 which will be used for building improvements to the Center's building on Morris Avenue.
- In partnership with Delmarva Power, energy efficient LED streetlights are being installed at no cost to the town.
- A number of local businesses expanded their buildings to allow for more activities and improved levels of service. The town recognizes and appreciates these long-term commercial residents for their commitment to Federalsburg.
- The town's parks and open spaces continued to provide safe, accessible space for community and family get-togethers and programs including youth basketball, fishing tournaments, annual Hay Day event, and in-person Christmas season celebrations.

---

## Communicating with Stakeholders

All methods of communication, including this annual report, provide an opportunity for the town to showcase our community, describing what makes it special and why people like to call it home. In all of the town's communications, people want to know what has happened in town during the past year and what is planned to occur in the future. Effective community and stakeholder communication and engagement enables organizations to make better informed decisions. By engaging with communities and key stakeholders, input is received from diverse perspectives and a variety of solutions are presented. Every governing board wants to have the reputation of being transparent, accountable and willing to listen. Opening up the communications between town hall and the community will also enhance the community's understanding of the role of local government. In 2022 the town took these steps to keep the public informed and to hear back:

- Regular use and updating to the town website [www.townoffederalsburg.org](http://www.townoffederalsburg.org)
- Decision made beginning January 2023 a monthly informational press release will be posted in the Caroline Review as a platform to reach non-digital stakeholders.
- Community wide public discussions of the (former) proposed AquaCon project, and election reforms were held.
- Since 2020 all mayor and town council meetings and workshops are live cast on Zoom as video conferences.
- The town government has made a deliberate effort to use information technology as a means for better communication, including the continued use of video recording and broadcasting equipment.
- Three years of mayor and council meetings' agendas, minutes, audio recordings and staff reports continue to be posted on the website.
- The town continued to make more use of the Facebook page, posting all town meeting information, information on service schedules, employment openings, weather conditions, and community information.
- Mayor Abner has continued recording a video wrap up of each town meeting and workshop, which are posted on the town's website and social media platforms.
- Website homepage featured links to information on the (former) proposed Aquacon project and annexation, utility bill payment, and citizen portal to report a concern.
- The town continued use of the YouTube channel and LinkedIn page.
- Information continues to be posted on the two message boards on Reliance Avenue and Bloomingdale Road, and on the downtown electronic sign.

---

## Infrastructure and Capital Projects

Infrastructure is defined as those assets, structures, and systems without which we could not function. A capital project is a long-term project to build, improve, maintain, or develop infrastructure. This type of project typically involves a significant investment of money and staff time. A capital project can be large scale, needing constant management and resources for completion. In 2022 the town had several important capital projects underway and was fortunate to partner with a variety of state and federal funding resources to complete these projects with a relatively low cost to the town residents and rate payers. These projects included the following:

- Brought years-long water tank maintenance program to finalization and secured consistent funding source through years-long agreement to sell the 1,100 total solar credits.
- Acquired town control of the water tank lighting display.
- Selected Ferguson Waterworks and Badger Meter as contractors for the AMI water meter upgrade program.
- Town Manager participated in small utilities cohort program through the Environmental Finance Center at the University of Maryland.
- Transitioned with town engineering staff.
- With town engineer moved forward stalled wastewater treatment plant permit renewal
- Closed out the following capital projects – Chambers Park ballfield improvements, and marina bulkhead.
- Updated the Chambers Lake dam emergency action plan.
- The Old Denton Road watermain replacement project, which has a cost of \$635,000 shared equally between grants and loans, began, and reached 90% completion. 2,000 linear feet of pipeline will be replaced, new water meters installed, and the road repaired.
- The Maryland Department of Natural Resources approved funding and scope of work for the first phase of a major wetlands and stormwater improvement project for Marina Park. The project costs approximately \$175,000. It is fully funded by grants except for a \$500 town contribution and will be done during the spring and early summer of 2023.
- The town received \$34,003 in MDE funding as recognition of maintaining nitrogen and phosphorous discharges below state limits for the calendar year.
- As part of routine maintenance, the town patches potholes, repairs and replaces pumps and generators for water and wastewater operations, and fixes utility line breaks as needed. On Christmas day there was a major break of the Old Denton Road watermain.

---

## Police and Public Safety

The police department posted another strong and productive year for public safety. Productivity increased by over 50% from the previous record highs of 2020. Per capita of one-thousand residents, Federalsburg's crime rate again lists the town in the top ten Maryland municipalities. The total number of reported crimes and offenses in Federalsburg decreased by 12% compared to the historic low 2021 data. The department adopted a number of administrative and procedural changes in 2022 which resulted in enhanced officer accountability and cost-effective use of cameras and technology. In 2022 the police department:

- The ratio of traffic stops warnings to citations was 5 to 1.
- The town's violent crime rate was reduced by 4% compared to record low levels of 2021.
- Compared to 2021's record low rate, the property crime rate was reduced by 17%.
- Department sought and received mayor and town council approval of speeding cameras for use around the elementary school.
- License plate reader cameras were added to the downtown camera system capabilities and fully funded through a grant from the Governor's Office of Crime Prevention.
- The entire report is available on the town website under "Departments" and "Federalsburg Police Department" tabs.

---

## Administration and Finance

The role of Administration and Finance is to oversee all financial and human resource aspects of the town government. Administratively the department assists the mayor and town council in carrying out their ordinances and directives, compiles materials for reports and agenda packets, maintains the town's public information and communications platforms and systems, and information technology equipment. The department coordinates financial activity to ensure that we conduct business in accordance to policy and procedure and within all guidelines of government accounting and auditing standards. Human resource management functions include hiring and developing staff. Financial responsibilities include budgeting, financial analysis and forecasting, accounts payable, accounts receivable, purchasing, payroll and benefits. In 2022 the town made the following improvements in providing these services:

- Building permitting and inspections outsourcing has gone well and is financed on a “user pays” approach reducing general fund subsidy.
- Code enforcement brought nuisance property owners to court, successfully, to remediate violations of property maintenance code.
- Continued review and update to town personnel policies for compliance and accuracy.
- Contracted with Davenport & Company, a firm specializing in public finance, to do a long-term comprehensive financial review analysis for the town.
- Continued to upgrade several information technology software programs and equipment upgrades.
- Continued to use the town website as a repository for full organizational data and public meeting information.
- Ensured ARPA funds used for efficiencies and as long-term investments
- Successful hires in admin\finance, and code enforcement.
- Code enforcement officer was more public and communicated better with residents\property owners, and has taken unresponsive violators to court – and won.
- Assigned town staff to perform trash collection when the contractor defaulted and brought on a competent contractor in the interim, kept open communication with other communities experiencing similar issues
- Reorganized public works and public utilities department staff since August 1, 2022
- Continued use of digital format communication to get out and store essential town information, developing non-digital communication strategy.
- Assisted members of the public with information on residential trash collection, rental of town facilities, capital projects, tax and fees rates, election and voting, mayor and town council meeting dates and agendas, and building\zoning questions.



TO: Mayor & Council Members  
FR: Larry DiRe, Town Manager  
DT: February 21, 2023  
RE: Capital Projects Update

Staff is providing an informational report, as update, on several on-going capital projects. Staff is not requesting any action at this time.

**Marina Park Wetlands and Stormwater Management** – Staff had an on-site meeting with the Department of Natural Resources (DNR) staff and potential bidders on Wednesday February 15, 2023. This project is the first phase of several to improve stormwater management at the marina and by doing so reduce the nitrogen and phosphorous run-off into the Marshyhope Creek. The project has a firm budget cap of \$175,497 funded by DNR through the Chesapeake and Atlantic Bay Funds, minus a \$500 match from the town. This project does not add to the town's current debt obligations. Sealed bids are due at Town Hall on February 27, 2023 at 2:00 pm at which time they will be opened and read.

**Old Denton Road Water Main** – This project reached approximately 80% completion in early December. At that time the contractor and town agreed to wait until better and warmer weather in early spring 2023 to complete the remaining work and pave the street. At present the project is inactive for another four weeks, or until the warmer spring weather allows for successful paving. This project costs approximately \$638,000 and is financed by the Maryland Department of the Environment (MDE) half through grant funding and half through a long-term, low interest loan.

**115-117 North Main Street Building Repairs** – This project began several years ago as the "town restaurant" project since the building is owned by the town and grant funding was sought and awarded to convert the shell into a restaurant. The project was funded at \$100,000 from the Maryland Department of Housing and Community Development (DHCD). After costs for a professional appraisal and inspection report (attached) approximately \$93,000 remains of the grant funding and will be used as the budget cap for the repair project. This project does not add to the town's current debt obligations. A request for proposals was posted in January of this year. Staff had an on-site meeting for potential bidders on February 14, 2023 and none showed. Sealed bids are due at Town Hall on February 28, 2023 at 2:00 pm at which time they will be opened and read.

**AMI Water Meter Upgrade** – Since the September 20, 2021 mayor and town council meeting the town has been in the process of soliciting request for qualifications from qualified firms, held interviews with three qualified firms, and requested cost proposals from those firms for Advanced Metering Infrastructure (AMI) Water Meter System Replacement to ensure a competitive and public process as a good procurement practice. From the outset of the process this AMI water meter project was designated as an American Rescue Plan Act\Corona Virus State and Local Fiscal Recovery Fund (ARPA) expenditure in keeping with both the US Department of the Treasury's Interim and Final Rule documents. This project was shown in the proposed fiscal year 2022-2023 budget

as a capital project funded through ARPA, and adopted as such. At the June 6, 2022 meeting the mayor and town council selected Ferguson Waterworks and Badger Meters as contractors for this capital project at a project cost of \$717,000 pay as you go using federal ARPA funds already on hand in the town's bank account. The project is on-going having commenced with a February 6, 2023 kick-off and initial installation of approximately fifty-nine (59) meters in the first week. The interconnectivity of the meter data transmission system to the town's utilities billing software system has been tested. Due to a sample variation in the size of the meters and lateral lines, an additional survey of all meters commenced on February 13, 2023 and should be completed by February 23, 2023 at which time any corrections to the number and type of meter on hand should be completed. This survey costs an additional \$17,000, or 2.1% increase, and will be paid from ARPA funds. Installation of the remaining meters is scheduled to begin again on February 28\March 1. Staff will be posting a public information piece on the expected schedule and streets designated for meter change out. Due to weather conditions this schedule may need to be adjusted in which case the town will use social media, the website, and the notification program to get out information in a timely manner. The last meter is expected to be installed on March 23, 2023. This project does not add to the town's current debt obligations.

**First State Inspection Agency, Inc.**  
**Milford, DE 19963**  
**1001 Mattlind Way**

**302-422-3859**  
**302-422-4270 Fax**  
**1-800-468-7338**

July 14, 2022

Town of Federalsburg  
P O Box 471  
Federalsburg MD 21632

## Inspection Results

Inspection Date: 07/13/2022  
Application/Permit No.:  
On premises: 115 – 117 North Main Street Federalsburg, MD 21632  
Owner: Town of Federalsburg  
Customer Job No.:  
Occupant: Commercial Building

---

---

**Items below indicate infractions of applicable National Electrical Code or Building Code:**

---

---

### Consultation

- Roof to be repaired or replaced by a licensed flat / rubber roof contractor
- Engineer to evaluate post in center of second floor and support beam for structural integrity and purpose
- Testing for lead paint
- Testing for asbestos in floor tiles
- Once leaking is fixed mod remediation co. to access and repair
- Water damaged areas to be repaired
- Hand railing to be installed on back 2nd floor stairwell
- 2nd floor usability as storage or office presumably due to have a half bath (No kitchen or bathing area)
- Back of building brick is cracked and breaking apart, Lintel over back door insufficient to carry weight (Engineer to access)
- Old chimney leaning (Engineer to access)
- 2 Half baths for customer use should have tempered valves on the hot side of vanity faucets
- Each bath to have an exhaust system of 50 cfm vented to the exterior of the building

- Emergency and exit lighting to be repaired or replaced (Licensed Contractor)
- Outside service panel not rated for outside use and roofing installed over equipment not flashed properly to stop water infiltration
- Hatch to crawl space to be of sufficient build to withstand load imposed in closet floor
- Heating system to be serviced
- Glass in front window to be repaired
- Kitchen side emergency and exit lights to be repaired or replaced
- Improper cover behind reception desk
- Kitchen hood system to be recertified by licensed contractor
- Air replenishment system to be installed for proper hood operation
- Heating system to be serviced
- Fire extinguishers to be certified by fire marshal

**Inspector: Eric James**

**Please sign and return to F.S.I.A. after violations have been corrected.**

**Also include the date you would like your re-inspection.**

**(\*\*Only applicable if Delaware Electrical Inspection: Please have corrected and re-inspected within 15 days to be in accordance with Rules and Regulations code 15.5\*\*)**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date ready for re-inspection

TO: Mayor & Council Members  
FR: Larry DiRe, Town Manager  
DT: February 21, 2023  
RE: Review of Town Debt

*“When your outflow exceeds your income, your upkeep becomes your downfall.” – Jim Rohn, American Entrepreneur and Author*

While the above cited quote is widely known and appreciated, it is not an iron law of economics. There are times and circumstances when outflow is necessary for needed investment in long-term obligations with the expectation of additional income correcting any shortfall. For local government outflow takes the form of operational costs and debt service payments. This report on the town's debt situation is meant as a review for context and is provided for informational purposes only at this time. Staff is not requesting any action on this agenda item.

**Debt is neither “good” nor “bad”** – There are reasons local governments incur debt, most of which have to do with funding large-scale and expensive projects expected to have a long-term lifespan. Debt, especially long-term debt, ensures that over the life of the project all users who benefit will pay an equal share of the annual cost, and so debt is a fair approach. Debt also does not require the local government from tapping needed reserves to treat projects as pay as you go expenditures over one or two years. Although pay as you go does have decided benefits if cash is readily available as through the recent American Rescue Plan Act (ARPA) funding. However, debt should always be put within the context of how much is acceptable to accumulate and how wise a choice is incurring debt balanced against how much revenue/income is growing. Or not growing. So, while the debt option is neutral, the context should inform the decision making.

**The record shows the Town of Federalsburg carries a great deal of debt** – The good news is the town always meets its debt obligations and the amount of debt drops every year. That is the bright side. The darker side shows there are still several more years of substantial annual debt obligation payments, balanced against expected increased costs addressing aged infrastructure and operational costs impacted by high inflation. Finding the town's debt load is easy. It always appears on page eleven of the annual audit report. Those reports dating back to 2018 are posted on the town website as a quick link from the home page. The total debt and liability load carried by the town for fiscal years ending June 30<sup>th</sup> are as follows:

Total	Payable Bonds and Notes
2017 - \$9,749,540;	\$8,362,933
2018 - \$8,968,755;	\$7,721,615
2019 - \$8,284,031;	\$7,061,988
2020 - \$7,686,964;	\$6,512,349

2021 - \$7,243,186;

\$5,996,343

2022 – \$6,368,219 (draft audit)

\$5,392,018 (draft audit)

The attached graph shows the town’s debt payments, principal and interest over the next several decades (yes, decades).

**Debt and your utility bill** – While the audit report makes the debt obligations clear, another common town document shows the impact – your water bill. Although that is a bit of a misnomer since the water debt is a fraction of the sewer debt and the sewer debt is the driver of town utility billing costs. The following graphic shows the user costs and the debt service costs that go into the utility bill. Fixed costs remain debt service, Chesapeake Bay clean-up funding, and of course residential trash collection all of which show on your bill before the meter turns the first thousand gallons of water. As you can see those fixed costs can be more that the water and sewer usage combined for any customer during any particular billing cycle.

<b><u>Town of Federalsburg Water &amp; Sewer Rates</u></b>								
<b><u>Water</u></b>			<b><u>2019-20</u></b>	<b><u>2020-21</u></b>	<b><u>2021-22</u></b>	<b><u>2022-23</u></b>		
			<b><u>Rates</u></b>	<b><u>Rates</u></b>	<b><u>Rates</u></b>	<b><u>Rates</u></b>		
In Town	Debt	\$	21.20	\$	21.20	\$	21.20	Qtr
	P/1,000	\$	3.15	\$	3.15	\$	3.15	
Out-of-Town	Debt	\$	31.80	\$	31.80	\$	31.80	Qtr
	P/1,000	\$	4.73	\$	4.73	\$	4.73	
Industrial	Debt	\$	23.32	\$	23.32	\$	23.32	Mo
	P/1,000	\$	3.47	\$	3.47	\$	3.47	
<b><u>Sewer</u></b>			<b><u>2019-2020</u></b>	<b><u>2020-21</u></b>	<b><u>2021-22</u></b>	<b><u>2022-23</u></b>		
In Town	Debt	\$	109.89	\$	109.89	\$	109.89	Qtr
	P/1,000	\$	5.27	\$	5.27	\$	5.27	
Out-of-Town	Debt	\$	164.90	\$	164.90	\$	164.90	Qtr
	P/1,000	\$	7.90	\$	7.90	\$	7.90	
Industrial	Debt	\$	137.36	\$	137.36	\$	137.36	Mo
	P/1,000	\$	6.59	\$	6.59	\$	6.59	
			<b><u>2019-20</u></b>	<b><u>2020-21</u></b>	<b><u>2021-22</u></b>	<b><u>2022-23</u></b>		
<b><u>Bay Restoration Fee</u></b>		\$	15.00	\$	15.00	\$	15.00	Qtr

Using the town’s DebtBook online software program, staff would like to show more specifics of the town’s debt obligations.

Total Debt Service Over Time for All Types from 09/26/2022 to 09/30/2049

