

**Mayor and Council of Federalsburg
Monday, February 6, 2023
Monthly Business Meeting @ 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/83472895770?pwd=ZW9zMUpYQjRNSzhycGxxSkFFbmhvUT09>

Meeting ID: 834 7289 5770

Passcode: TOFBusi

Agenda

- I. Call to Order**
- II. Welcome, Pledge of Allegiance, and Invocation – Pastor Maria Coulbourne**
- III. Approval of Minutes**
- IV. Bicentennial Honorees – Mr. David Ricks (Community); Mr. Blakely E. Pinckens (Legacy)**
- V. Public Comment**
- VI. CASA of Caroline Presentation – Amy Horne, Executive Director**
- VII. Election Reform Update**
- VIII. Strategic Planning\Priority Setting Session Update**
- IX. Extra Solar Panel Purchase**
- X. AMI Water Meter Upgrade Project Update**

XI. Potential Sale of Cell Tower Lease

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.

Mayor & Council of Federalsburg
Tuesday, January 3, 2023
6:00 pm

The Mayor & Council of Federalsburg held their regular monthly meeting on Tuesday, January 3, 2023 at 6:00 pm, in the Mayor & Council meeting room located at Town Hall. Those in attendance were Mayor Abner and Councilmembers Sewell, Phillips, Windsor and Willoughby (via Zoom). Lyndsey Ryan, Town Attorney, staff and members of the public were also present.

Mayor Abner called the meeting to order at 6:00 pm, welcomed all guests present and led the group in the pledge of allegiance.

Public Hearing – Ordinance No. 2022-09 Authorizing Issuance and Enforcement of Citations based on Speed Monitoring Cameras

Mayor Abner read Ordinance No. 2022-09, an ordinance authorizing the Federalsburg Police Department to issue and enforce citations based on speed monitoring cameras located in town.

Councilmember Sewell made a motion seconded by Councilmember Windsor and unanimously passed by a vote of five to zero to open the Public Hearing at 6:01 pm.

The following comments were made from the audience:

- Paul Adams – University Avenue – offered his support of the speed cameras
- Catherine Granadas – University Avenue – offered her support for the speed cameras

Councilmember Phillips made a motion seconded by Councilmember Sewell and unanimously passed by a vote of five to zero to close the public hearing at 6:04 pm.

Public Hearing – Ordinance No. 2022-10 Amendment of Chapter 239 of the Town Code entitled “Water Systems, Private”

Mayor Abner read Ordinance No. 2022-10, an ordinance to amend Chapter 239 of the Federalsburg Town Code titled “Water Systems, Private” to amend the process for obtaining a private well in town.

Councilmember Sewell made a motion seconded by Councilmember Phillips and unanimously passed by a vote of five to zero to open the Public Hearing at 6:05 pm.

There was no discussion or comments regarding this Ordinance.

Councilmember Phillips made a motion seconded by Councilmember Sewell and unanimously passed by a vote of five to zero to close the Public Hearing at 6:06 pm.

Public Comments

Paul Adams – University Avenue – Mr. Adams asked if double yellow lines could be painted on South University Avenue and if the crosswalks could be repainted.

Catherine Granadas – University Avenue – Ms. Granadas stated that safety is a concern on University Avenue. She also asked if school zone painted on ground/curbs. Also, could signs be installed on University Avenue. Mayor Abner stated that she would talk with Public Works about the signs. Ms. Granada stated that there are big trucks, 18 wheelers driving on University Avenue a lot. It was stated that some GPS units show incorrect direction info incorrectly about truck routes.

There was also questions regarding the possibility of moving the truck sign on University Avenue from the end of Tri-Gas back to the corner of the intersection.

Bart Johnson – 106 Charlotte Avenue – Mr. Johnson questioned the status of Aquacon Project. The Mayor and Council stated that there has been no word from anyone about this project since the permit was withdrawn from MDE. Aquacon owns the property but no official notice or updates about the project has been given to the Town.

Town Manager DiRe stated that the Mayor & Council will have a joint workshop with the Planning & Zoning Commission on January 31st at 6 pm to discuss updates to the Comprehensive Plan.

Town Manager DiRe also stated that there would be a Special meeting on January 23rd at 6 pm regarding Election Reform. The Mayor & Council would be discussing options and updates needed regarding the Town Election.

Approval of Minutes

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

Ordinance No. 2022-09 – Authorizing Issuance and Enforcement of Citations based on Speed Monitoring Cameras

Ordinance No. 2022-09, an ordinance authorizing the Federalsburg Police Department to issue and enforce citations based on speed monitoring cameras.

Councilmember Windsor made a motion seconded by Councilmember Phillips and unanimously passed by a vote of five to zero approving Ordinance No. 2022-09 authorizing issuance and enforcement of citations based on Speed Monitoring Cameras.

Ordinance No. 2022-10 Amendment of Chapter 239 of the Town Code entitled “Water Systems, Private”

Ordinance No. 2022-10, an ordinance to amend Chapter 239 of the Federalsburg Town Code titled “Water Systems, Private” to amend the process for obtaining a private well in town.

Councilmember Phillips stated that this Ordinance would tighten up current regulations regarding who can connect to town services and outline the details of installing a well within town limits

Councilmember Sewell made a motion seconded by Councilmember Phillips and unanimously passed by a vote of five to zero approving Ordinance No. 2022-10 to Amend Chapter 239 of the Town Code entitled “Water Systems, Private” as presented.

Chief McDermott – FPD Annual Report

Chief of Police Michael McDermott, reported another good year for the Federalsburg Police Department. Crime rates are down 12% over last year and Chief McDermott stated that a more detailed report was included in the weekly packet to the Mayor and Council. The Mayor and Council thanked him for his report and doing a great job. They also thanked the great staff and praised them for always coming out and having a great repore with the community.

Fee Schedule Review and Proposed Revisions

Town Manager DiRe provided copies of the updated fee schedule for inspections and plan review. He recommended the Mayor and Council adopt the full fee schedule based on fees currently charged by the contractor as an addendum to the Town’s fee schedule ordinance. Staff also recommends several additions to the fee schedule to capture costs involving staff time and place a fee on a couple new functions that were not previously included; Solar, private well for industrial use, and electrical/plumbing and HVAC.

The current fee schedule was last adopted in 2018 and an addendum to include fees from First State was added. Town Manager DiRe stated that this information was only for review at this time, it will be incorporated with the annual budget in July.

115-117 North Main Street Draft Scope of Work

The Town received grant funding from the MD Department of Housing and Community Development to bring the town-owned building at 115-117 North Main Street up to code and

repair certain interior and exterior features. The goal of the function support was to bring the building up to a sufficient level of repair and service to function as a restaurant, according to the original documentation of several years ago. The restaurant-only development obligation was lifted at the town's request in July 2022. Also, in July 2022, the town had a full building inspection done and that inspection report was shared with the Mayor and Council. The disposition of the building has been a source of inquiry on several occasions. While conditions in the building have not improved, rather may have further deteriorated since that date, before staff brings a revised scope of work tasks need to be discussed and finalized.

Copies of the inspection report were submitted to the Mayor and Council for review. The appraisal for the building was \$92,000 and the building is not turnkey. Councilmember Phillips questioned if the roof was leaking or just needed repair; Town Manager DiRe stated it just needed repair. It was agreed that Town Manager Dire and Nate Newsome, Code Enforcement would work together to prioritize the list of items to be repaired.

Apartment Building Trash Collection

The Town is currently under contract with a private trash hauling service to fulfill the obligations defaulted on by the previous hauler, who was awarded a contract in May 2022. In preparation for the town to either issue a request for proposals for multi-year residential trash collection, or extend the current contract, the issue of defining the scope of work is necessary.

The Laurel Groves Acres apartment complex requested and was granted permission to cease municipally contracted trash collection as of February 1, 2023. They believed more frequent service would best serve their interest and wished to opt out of town services. Moving forward the Town needs to consider the proposed scope of work for residential trash collection and whether apartment building complexes can receive an equal or better level of service from a contractor hired by their own management company.

Town Manager DiRe reported that the short-term contract with the current hauler ends June 30th and the Town will need to re-bid this service.

There was discussion about the remaining apartment complexes and it was agreed that Town Manager DiRe would contact them to discuss if they also wanted to contract their own services.

Mayor Abner stated that on behalf of the Mayor and Council she wanted to extend heartfelt condolences to the families and Caroline County Sheriff's Department in honor of Lucas Nagel and Robert Wilkerson.

Mayor & Council Action Items

Councilmember Windsor – Councilmember Windsor had nothing to report at this time.

Councilmember Sewell – Councilmember Sewell thanked the Public Works Department for their hard work for 12 hours on Christmas day repairing a water leak.

She reported that the Christmas season was great; there were many events in the community and the Town looked great. She reported that many residents were happy to see that the lights were completed and installed back on the water tower before Christmas.

There was also question if anyone had spoken to the Board of Elections regarding holding the Town election on the same day at the same location. Town Manager DiRe stated that he had not yet reached out to them because he was waiting for more information before contacting them.

Councilmember Phillips – Councilmember Phillips questioned the status of the Federalsburg Elementary School water and sewer refund. Kristy Marshall stated that a credit was applied to their account, and she emailed this information to Mr. Josh Rein, Energy Management Coordinator. No additional contact from Mr. Rein or the school has been made.

There was question if the lines near McDonald's on Hayman Drive could be repainted because they have faded enough that they are very hard to see.

Councilmember Willoughby – Councilmember Willoughby thanked everyone for allowing him to attend the meeting via zoom. He also echoed what Councilmember Sewell stated, Public Works had a rough December but they pulled through and worked hard. Thank you to the entire department. He stated that was disappointing to see the comments on social media saying they get paid and they are just doing their jobs. It was not a scheduled job it was an emergency job, and it was Christmas too. The Mayor and Council received regular updates on the progress from Town Manager DiRe, Mayor Abner and Councilmember Windsor who were also on scene throughout the day. He stated that small town government is sometimes overlooked and these folks went above and beyond and their hard work should be commended.

Mayor Abner – Mayor Abner also extended her thanks to the Public Works Department. It was definitely a crazy busy month. She stated that the Bi-Centennial year is upon us and every month they will be honoring a Historical figure and a Community figure. This month's honorees are Jim Truitt as the Community figure and Thomas Chambers, former Mayor and Historical figure. Mayor Abner also reported that the banners/flags and communications were posted in the windows at the Police Department.

Request for Executive Session – Personnel Matters

Councilmember Sewell made a motion seconded by Councilmember Phillips and unanimously passed by a vote of five to zero to go into closed session at 7:30 pm to discuss personnel matters.

Councilmember Phillips made a motion seconded by Councilmember Sewell and unanimously passed by a vote of five to zero to reconvene the meeting at 8:06 pm

Mayor Abner reported that a Closed Session was held from 7:31 pm to 8:06 pm to discuss personnel matters. No action was taken.

Adjournment

There being no further business, Councilmember Sewell made a motion seconded by Councilmember Windsor and unanimously passed by a vote of five to zero to adjourn the meeting at 8:06 pm

Respectfully submitted,

Kristy L. Marshall

Clerk – Treasurer

TO: Mayor & Council Members
FR: Larry DiRe, Town Manager
DT: February 6, 2023
RE: Election Reform Update

On Monday January 23, 2023 the town held a special meeting on Election Reform including charter amendments and proposed districts. The meeting was full of honest and insightful dialogue with the residents and stakeholders in attendance. Discussion included charter amendments to make the mayor a four-year term, align town election day with even-numbered years with state and federal elections while still being staggered, and change years of residency to run for office from three to one. We also looked at a proposed two district system and had a candid discussion on both the pros and cons of districts in a small town. Mayor and Council were presented with a problem and are looking for the best way to solve the problem where there is equal representation for all residents of the Town of Federalsburg.

As an update the town is proposing the following:

- Charter amendment to establish a two-district voting structure;
- Charter amendment to set a four-year term of office for the mayor;
- Charter amendment to align the municipal election day with the even-numbered year November election day set for state and federal elections;
- Charter amendment to change the candidate residency requirement for both town and district from three years to one year;
- Charter amendment to set the next municipal election to align with the state and federal election day in November 2024;
- Charter amendment to establish municipal representation as two single-council member districts, two at-large council member positions, and one at-large mayor;
- Maintain the current staggered terms for two council members;
- Review the proposed two district map footprints to consider locating census block 2009 in district two, and census block 3002 in district one, with the potential of locating census block 1034 also in district one (see attached map).

The town recognizes the important and on-going work to ensure democratic participation through voting and is ready to partner with and provide assistance in voter outreach, education, and registration programs and activities.

Staff recommends moving these items to the February 21, 2023 workshop for final review and action to post as public notice for required public hearing. Pending further discussion provide direction to the staff.

TO: Mayor & Council Members
FR: Larry DiRe, Town Manager
DT: February 6, 2023
RE: Strategic Planning\Priority Setting Session Update

The mayor and town council met with staff on snowy Saturday January 29, 2022 to hold the first strategic planning session. Despite the inclement weather that planning session was open to the public and streamed live as a zoom video conference. Several members of the public participated by zoom, but none attended in person. Several matters were discussed at that time, and staff provided a six-month progress report at the August 8, 2022 meeting (attached). On February 5, 2023 the mayor and town council met again to review the progress from 2022 and set priorities for 2023. An oral report will serve as complement to this written summary. Among the issues discussed were: Finances and Capital Projects; Communications, Social Media, and Community Engagement; and Levels of Service, Performance, and Accountability.

Provided for informational purposes at this time. Pending discussion provide direction to staff.

TO: Mayor & Council Members
FR: Larry DiRe, Town Manager
DT: August 8, 2022
RE: January 29 2022 Strategic Planning Session - Six Month Follow Up

The mayor and town council met with staff on snowy Saturday January 29, 2022 to hold a daylong strategic planning session. Despite the inclement weather the that planning session was open to the public and steamed live as a zoom video conference. Several members of the public participated by zoom, but none attended in person. Several matters were discussed at that time, and staff is bringing this report forward as a six-month check in on progress and work that still needs to be done. Staff will provide an update in September which will present data in a graphical format as well as narrative. Discussion included the following:

American Rescue Plan Act (ARPA) – Since it was signed into law in March 2021 staff and the elected officials have worked to ensure that the ARPA requirements and rules are understood and followed. The attached staff report was included in the January 29th agenda packet and shows progress to that date, as well as lays out several funding priorities. Staff can report that both major infrastructure projects, AMI water meter upgrade and street repair project, have both been discussed and approved by the mayor and council and are in progress. Premium pay for employees was included in the fiscal year 22-23 budget and approved as submitted effective July 1, 2022. Capital equipment in the form of a used backhoe was approved and purchased with the proposed expenditure of \$140,000 being less than \$80,000. Staff discussed moving forward with an organization financial analysis with the firm of Davenport & Company beginning in fall 2022.

Boards, Commissions, and Community Outreach – The roles and responsibilities of town boards and commissions were discussed at several mayor and town council meetings since January 29th. Several new members were appointed to the planning and zoning commission and town staff has reviewed the town's code of ordinances for compliance and opportunities to make the boards and commissions more effective. Of particular note, the Parks and Recreation Committee has been vexed by scheduling difficulties, but has been discussed as a broad-based group with the task of considering activities beyond established sports' league play to include open space and personal recreational activities. The town established the Green Team required for recognition as a Sustainable Maryland community, and the Team received formal training in May. That group is tasked with meeting the checklist requirements and continues to do so. Additionally, at the strategic planning session the mayor and town council discussed having meetings or community conversations outside of the chamber and at times other than those of regularly scheduled business and work shops.

Bicentennial – There has been a good deal of progress on activities, events, and opportunities to participate. A discreet website www.200yearsinthemaking.net was launched in April (granted with little fanfare at the time) which brings anyone interested in the calendar of event or merchandise information separate from the town government's website. This is on-going.

Communication – This is been a mixed bag. The town's digital communication strategy (website, social media platforms, downtown sign) is successful since town information is communicated in a timely manner. The digital presence is complete and current, and relatively easy to find for those residents who are connected digitally. Our non-digital communication strategy has not been as successful to this point. And town staff recognizes a significant number of town residents are not online or on social media. The town trash collection scheduling changes illustrate this divide. When schedule changes occurred town staff got that message out through the digital channels quickly and effectively, this includes using the phone\text\email notification system. Residents not reached by those channels received no specific information from town sources, instead relying on word-of-mouth information from family or neighbors. One asset added this summer to the non-digital communication is the town door hangers, which code enforcement uses for general information and for early notice of violation.

Provided for informational purposes at this time. Pending discussion provide direction to staff.

TO: Mayor & Council Members
FR: Larry DiRe, Town Manager
DT: February 6, 2023
RE: Extra Solar Panel Purchase

The town's solar project was completed in late September 2021 and has been generating solar energy and acquiring kilowatt hours and solar credits since the activation of the revenue meter on November 24, 2021. During construction of this project, a surplus number of solar panels was ordered and delivered to the project site. The panels have remained in that location on town-owned property. As part of the procurement process, materials were ordered and owned by the contractor, Solar Lane, LLC, until the activation of the arrays. A number of extra panels were ordered but not needed. These panels were intended as replacement panels in the event of panels being damaged during the construction phase. The panels are available for purchase and can be used as readily available and replacement panels for damaged or poorly functioning array panels. The owner is asking \$4,601.25 for the nineteen (19) surplus panels and a storage shed. A copy of the invoice is attached.

Staff recommends purchasing these surplus panels for price requested. Pending further discussion provide direction to the staff.



Solar Lane LLC
26233 Ingleton CT W
Easton, Maryland 21601

Quote

Date: December 15, 2022

Bill to:
Town of Federalsburg PO Box 471 118 North Main Street Federalsburg MD 21632

Payable to:
Solar Lane LLC 26233 Ingleton CT W Easton, Maryland 21601 (240) 478-7672

Quote for Solar Modules

We propose to provide the following equipment at the location shown below.

Item	Description	Quantity	Unit	Amount
1	Trina TallMax Framed 144 Half-Cell Module; • Module Description: 405 Watt TSM-DE15H(ii)	19	\$184.25	\$3,501.25
2	Construct shed cover for 19 Solar Modules	1	\$920.00	\$920.00
3	Install shed cover for 19 Solar Modules	1	\$180.00	\$180.00
4				
			Net Due	\$4,601.25

Shipping Included: FOB 202 Frank Adams Industrial Way, Federalsburg, Maryland 21632

Payment Terms: Quote valid for 60 days
DUE UPON RECEIPT (All past due accounts are subject to a 1% Finance Charge per month)

TO: Mayor & Council Members
FR: Larry DiRe, Town Manager
DT: February 6, 2023
RE: Advanced Metering Infrastructure (AMI) Water Meter Upgrade Project Update

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.

Since that date the contractors have done preliminary work with the town utility billing software, reviewed certain account data, and ordered materials. A project kick-off meeting was scheduled for Monday February 6, 2023. More information from that meeting will be provided as an oral report complement to this report.

Provided for informational purposes only at this time. Pending further discussion provide direction to the staff.

TO: Mayor & Council Members
FR: Larry DiRe, Town Manager
DT: February 6, 2023
RE: Proposal for Sale of Industrial Park Road Water Tank Cell Tower Lease

Currently the town receives an annual rent check in the sum of \$15,165.00 from AT&T as part of the lease agreement for the cell service antennae on the Industrial Park Road water tank. During the summer of 2022 the town received proposals from several firms interested in purchasing the lease rights. To date no action was taken. The fiscal year 2023-2024 budget preparation is ongoing, revenue for the annual rent is currently removed out of recognition that the sale of the lease is a preferred option to the town's long-term financial benefit compared to the modest yearly rent. For perspective, under the \$0.88 real property tax rate, one penny on the tax generates approximately \$15,600. The adopted fiscal year 2022-2023 budget showed general fund revenues totaling \$2,610,801. The rent from the cell tower lease constitutes 0.58% of those total revenues. Sale of the lease is market-determined and may generate revenue exceeding \$275,000.

Sale of the lease does not involve the loss of ownership, access to, or maintenance of the water tank. There is no transfer of real property involved in the transaction. This process merely conveys the right of another party to extend rental agreements, set and collects rent from those rental agreements.

As has been discussed in the past, sale of the lease agreement would be a one-time infusion of revenue into the town's treasury and should be used to increase fund balance. Staff would like to bring draft request for proposal (RFP) language to the mayor and council at the February 21, 2023 workshop.

Pending discussion provide direction to staff.