



PUBLIC HEARING MINUTES
April 18, 2013

- I. Bruce A. Wahl, Mayor, called the public hearing to order at 7:30 p.m. In attendance were: Dr. Valerie L. Beaudin, Robert E. Carpenter, Stewart B. Cumbo, Jeffrey J. Krahling, Patrick J. Mahoney, and Eric M. Reinhardt, Council Members, Dr. James Parent, Town Administrator, Elissa Levan, Town Attorney, Sharon L. Humm, Town Clerk, Leslie Porter, Town Treasurer, Jay Berry, Superintendent of Public Works, William Watson, Code Enforcement Officer, Paul Woodburn, Town Engineer, Marilyn Van Wagner, Water Park General Manager, Jon Castro, WWTP Superintendent, Chris Jakubiak, Zoning Administrator and Wilson Cochran, Project Manager. Absent was First Sergeant Jones.

The Mayor called for a moment of silence for the Boston tragedy that took place earlier in the week.

Ordinance O-13-3, an Ordinance of the Town Council of Chesapeake Beach, Maryland, adopting the annual budget for the General Fund of the Town of Chesapeake Beach for the fiscal year July 1, 2013 to June 30, 2014 and setting municipal tax rates.

The Mayor stated that two work sessions have taken place on the General Fund. The Council suggested numerous items as amendments to the General Fund. The Mayor had Mrs. Porter give an overview of the budget as introduced, reporting on the Revenues and Expenditures. Mrs. Porter stated that under Debt Service, it is being proposed to do an early prepayment of a bond which was taken out in 2001 giving the Town a savings of \$122,000 in interest. The Council proposed the creation of a "Fishing Creek Dredging Reserve Fund" contributing \$250,000.

The Mayor called for public comment. Seeing none, the Mayor went over the amendments suggested by the Town Council as a result of the April 15th work session. The Mayor stated that members of the Council expressed a desire to eliminate four capital projects for FY14.

1. Holiday Lights at \$20,000
2. Veterans Park Improvements at \$350,000
3. Variable Message Board at \$25,000
4. Surveillance Camera-Veterans Park at \$10,000

Councilman Cumbo stated for the record that he was not in favor of eliminating the Veterans Park Improvements and the Variable Message Board. Councilman Mahoney asked Mr. Berry to state the capital requests which the Council is proposing to approve for public works and Mrs. Porter named General Government items also included for approval.

Public comment was received by:

1. David Coull of 7942 Delores Court
2. Connie O'Dell of 3908 17th Street
3. Clara Mae Buckmaster of 3818 26th

With the above public comments centered on keeping the Veterans Park Improvements in the budget, Councilman Carpenter stated he would be proposing a separate amendment to retain this in the budget.

Amendment #2- The Council has expressed a desire to increase Expenditures for General Government in an amount of \$30,000 to allow for an attorney to represent the Council. The Mayor stated according to Section C-802 of the Charter, that as Mayor, he can appoint an attorney and offered to appoint Ms. Levan as the Town Attorney to serve the Town but would not be a part of hiring another Counsel.

Amendment #3 – To increase the General Fund budget in the amount of \$800,000 to allow for a temporary transfer (loan) from the GF to the UT Fund for the purpose of phasing in new utility rates.

Public comment was received by:

1. John Bacon of 8717 C Street

Amendment #4 – Increase Rainy Day Fund Contribution in the amount of \$250,000

Amendment #5 – Increase General Fund budget in the amount of \$1,500,000 to allow for a temporary transfer (loan) from the GF to the UT Fund for the purpose of the ENR project. The Council discussed this.

Public comment was received by:

1. John Bacon of 8717 C Street

The Mayor diverted from the public hearing to recognize several Boy Scouts from Troop 429. In an effort to earn merit badges, the scouts were required to attend and observe a hearing and report their observations. The Mayor thanked them for coming and wished them good luck on acquiring their badges.

The Mayor distributed to the Council a draft proposal for financing the ENR upgrades which consisted of a reduced MWQFA loan.

Public Comment was received by:

1. Diane Burr of 4114 3rd Street, North Beach MD.

There being no further comments the hearing was adjourned at 9:30 p.m. on a motion by Mr. Cumbo. Seconded by Mr. Mahoney, all in favor.

Ordinance O-13-4, an Ordinance of the Town Council of Chesapeake Beach, Maryland adopting the annual budget for the Water Park Fund of the Town of Chesapeake Beach for the fiscal year July 1, 2013 to June 30, 2014.

The Mayor had Mrs. Porter give an overview on the Water Park Fund as introduced. Mrs. Porter went over the proposed Revenues and Expenses. Councilman Krahling commented that during the Water Park work session he was not in favor of removing the funbrella and replacing with a permanent structure.

There was no public comment.

There being no further comments the hearing was adjourned at 9:35 p.m. on a motion by Mr. Mahoney. Seconded by Mr. Cumbo, all in favor.

Ordinance O-13-5, an Ordinance of the Town Council of Chesapeake Beach, Maryland, adopting the annual budget for the Mitigation Fund of the Town of Chesapeake Beach for the fiscal year July 1, 2013 to June 30, 2014.

The Mayor asked Mrs. Porter for the highlights. Mrs. Porter stated the Town anticipates collecting \$72,000 in mitigation fees for the ENR project. These funds along with prior year reserves of \$28,100 will be used to fund the purple pipe extension along Route 260. Councilman Reinhardt questioned the mitigation fees.

There was no public comment.

There being no further comments the hearing was adjourned at 9:45 p.m. on a motion by Mr. Mahoney. Seconded by Mr. Cumbo, all in favor.

Ordinance O-13-6, an Ordinance of the Council of Chesapeake Beach to authorize and empower Chesapeake Beach (“the Town”) to issue and sell from time to time, upon its full faith and credit, one or more series of general obligation bonds in an aggregate principal amount not to exceed THREE MILLION NINE HUNDRED FIFTY THOUSAND DOLLARS (\$3,950,000.00), each series of bonds to be issued and sold and the proceeds thereof to be used and applied for the public purpose of financing, reimbursing or refinancing costs incurred in connection with Enhanced Nutrient Removal upgrades to and the expansion of, the regional wastewater treatment plant and system serving the Town, The Town of North Beach, Anne Arundel County, Maryland and County Commissioners of Calvert County, together with related costs and costs of issuance as provided herein; determining that any such series of bonds be sold to the Maryland Water Quality Financing Administration (THE “ADMINISTRATION”) by private sale, without public bidding; authorizing the approval by resolution of one or more loan agreements with the Administration; acknowledging that any such loan agreement may provide for payment of the related series of bonds to be subject to acceleration upon an event of default; pledging any moneys that the Town is entitled to receive from the State of Maryland, including the Town’s share of the State income tax, to secure its obligations under the loan agreements; authorizing the Council by resolution to determine and provide for various matters relating to the authorization, sale, security, issuance, delivery, payment and prepayment of and for any series of bonds contemplated hereby; providing that to the extent required by the Administration, the Town may provide by resolution for a debt service reserve account to be funded from non-bond proceeds to secure payment of any series of bonds; authorizing and directing the payment of any fees or costs provided for in the loan agreements which are not payable from bond proceeds and providing that the Town’s obligation to pay such amounts shall be absolute and unconditional as provided in the loan agreements; providing that the Town shall use and apply proceeds of any such series of bonds only as permitted by the loan agreements, the clean water Act (as defined herein) and the MWQFA Act (as defined herein); authorizing the issuance and sale by the Town from time to time of one or more series of general obligation bond anticipation notes in an aggregate principal amount

not to exceed **THREE MILLION NINE HUNDRED FIFTY THOUSAND DOLLARS (\$3,950,000.00)**, prior to and in anticipation of any series of bonds, in order to finance or reimburse project costs on an interim basis, together with related costs and costs of issuance as provided herein; authorizing the issuance and sale by the Town from time to time of one or more series of general obligation bonds in order to refund or advance refund any of the bonds issued pursuant to the authority of this ordinance and to pay related costs and costs of issuance, provided that, the aggregate principal amount of any such series of refunding bonds shall not exceed one hundred thirty percent (130%) of the aggregate principal amount of the bonds refunded therefrom; authorizing the council by resolution to make any further determinations deemed necessary or desirable in connection with the issuance and sale of any such series of bond anticipation notes or refunding bonds and providing that each series of bond anticipation notes or refunding bonds shall be sold on a private (negotiated) basis unless otherwise determined by resolution; providing that the principal of and interest on any such series of bonds, bond anticipation notes or refunding bonds (each, a series of "Obligations") will be payable in the first instance from revenues received by the Town in connection with the operation of the wastewater system serving the Town (and to the extent required by the purchaser of any such series of obligations, from revenues received by the Town in connection with the operation of the water supply system serving the Town), all to the extent any such revenues are lawfully available for such purpose; providing for the levy of ad valorem taxes upon all real and personal property within the Town's corporate limits subject to assessment for unlimited municipal taxation to pay the principal of and interest on any such series of obligations in each fiscal year; pledging the full faith and credit and unlimited taxing power of the Town to the prompt payment of the principal of and interest on any such series of obligations; providing that the principal of and interest on any such series of obligations also may be paid from any other sources of revenue lawfully available to the Town for that purpose; authorizing the Council by resolution to provide for any amendments or modifications to any series of bonds authorized hereby and related documentation post-issuance; providing that any of the bonds, bond anticipation notes or refunding bonds authorized hereby may be consolidated with any other bonds, bond anticipation notes and/or refunding bonds authorized by the Council, as applicable, and issued as a single series of obligations; authorizing and directing officials and employees of the Town to take any and all action necessary to complete and close the issuance, sale and delivery of any such series of obligations and to carry out and consummate the transactions contemplated and by this ordinance; providing that this title shall be deemed a fair summary of this Ordinance for all purposes; and otherwise generally relating to the issuance, sale, delivery and payment of and for the obligations authorized hereby.

Mrs. Porter stated that this is the authorizing legislation that will allow the Town to enter into the loan agreement for the Maryland Water Quality loan for a purpose of the ENR project. Under the recitals, the details of the loan and the bond will be determined by resolution of the Town Council. The ordinance is a parameters ordinance in that it authorizes a not to exceed amount to be borrowed and provides general authority for the borrowing with most of the details fixed by a future resolution. The ordinance was originally introduced at \$3,950,000.00 which was the estimate at the time of introduction.

Once MDE received the contracts and processed, they determined there were several items as not being grant eligible, thus changing the overall potential maximum responsibility of the Town to \$4,348,000.00. After discussion, the Council will move forward at the original \$3,950,000.

There was no public comment.

There being no further comments the hearing was adjourned at 9:56 p.m. on a motion by Mr. Mahoney. Seconded by Dr. Beaudin, all in favor.

Submitted by,

A handwritten signature in cursive script that reads "Sharon L. Humm". The signature is written in black ink and is positioned above the printed name and title.

Sharon L. Humm
Town Clerk



**MINUTES OF THE
TOWN COUNCIL MEETING
April 18, 2013**

I. Bruce A. Wahl, Mayor, called the meeting to order at 9:57 p.m. In attendance were: Dr. Valerie L. Beaudin, Robert E. Carpenter, Stewart B. Cumbo, Jeffrey J. Krahling, Patrick J. Mahoney, and Eric M. Reinhardt, Council Members, Dr. James Parent, Town Administrator, Elissa Levan, Town Attorney, Sharon L. Humm, Town Clerk, Leslie Porter, Town Treasurer, Jay Berry, Superintendent of Public Works, William Watson, Code Enforcement Officer, Paul Woodburn, Town Engineer, Marilyn Van Wagner, Water Park General Manager, Jon Castro, WWTP Superintendent, Chris Jakubiak, Planning and Zoning Administrator and Wilson Cochran, Project Manager. Absent was First Sergeant Jones.

II. Pledge of Allegiance. Councilman Mahoney led the Pledge of Allegiance.

III. Approve the Agenda.

MOTION: Mr. Mahoney moved to approve the agenda. Seconded by Mr. Cumbo, all in favor.

IV. Approval of the minutes of the March 21, 2013 Town Council Meeting.

MOTION: Mr. Mahoney moved to approve the minutes of the March 21, 2013 Town Council Meeting. Seconded by Dr. Beaudin, all in favor.

Approval of the minutes of the March 25, 2013 WWTP & UF Budget Work Session.

MOTION: Mr. Mahoney moved to approve the minutes of the March 25, 2013 WWTP & UF Budget work session. Seconded by Dr. Beaudin, all in favor.

Approval of the minutes of the April 8, 2013 Utility Rates Work Session.

MOTION: Mr. Mahoney moved to approve the minutes of the April 8, 2013 Utility Rates Work Session. Seconded by Dr. Beaudin, all in favor.

Approval of the minutes of the April 15, 2013 GF Budget Work Session.

MOTION: Mr. Mahoney moved to approve the minutes of the April 15, 2013 GF Budget Work Session. Seconded by Mr. Krahling, all in favor.

V. **Petitions and Communications:**

- A. **Deputy's Report** – First Sergeant Jones submitted the attached written report but was not present to address the Council. Corporal Phelps and DFC Gatton were available to address the Council's questions and concerns.
- B. **Public Works Report** – Mr. Berry submitted the attached written report and addressed the Council's questions and concerns. Mr. Berry gave an update on the damage to the railway trail and the Richfield Station water tower completion.
- C. **Code Enforcement Officer's Report-** Mr. Watson submitted the attached written report and addressed the Council's questions and concerns. Mr. Mahoney asked for an update on the property at 14th Street from last month.
- D. **Town Engineer's Report** – Mr. Woodburn submitted the attached written report and addressed the Council's questions and concerns.
- E. **Water Park Report** – Mrs. VanWagner submitted the attached written report and addressed the Council's questions and concerns.
- F. **Wastewater Treatment Plant Report** – Mr. Castro submitted the attached written report and addressed the Council's questions and concerns.
- G. **North Beach Volunteer Fire Department Report** – Mr. Gordy submitted the attached written report.
- H. **Treasurer's Report** – Mrs. Porter reported projecting ending balance for the Utility Fund for FY13, if no additional capital connection fees are collected, should end with a balance of \$50,000. Mrs. Porter reported the 3rd Quarter Financials were sent out for Council review.
- I. **Chesapeake Beach Special Events Report** – Mrs. O'Dell submitted the attached written report and gave a brief update on the Stars and Stripes Festival coming up May 25th through May 27th.
- J. **Mayor's Report** –
 - 1. The Mayor reported that he has solicited 3 individuals, Jim Quigley, Mary Butz and Amenda Brown to serve on the water park privatization committee. All have agreed and once the economic impact study is complete and presented the committee will get underway. Mr. Cumbo stated if the Advisory Committee could be of help to please contact him.
 - 2. The Mayor stated that an introduction of the Zoning map would be introduced at June's Town Council meeting and the text amendments requested by the Planning and Zoning Commission will be presented in the near future.

3. The Mayor stated that once the budget process is complete, work sessions to discuss the Paul Messinese sewer issue, the Zoning Map and the campaign finance disclosure with the Board of Elections will be scheduled.
4. The Mayor introduced Keith Pardieck which gave a presentation for Council consideration on a request to purchase a 2012 Carolina Skiff and trailer for the CBOCS program. Mr. Pardieck presented three (3) bids with the lowest bid being from Beacon Light Marine in the amount of \$7,782.00. The Mayor stated that the funds are in the current year's budget.

MOTION: Mr. Mahoney moved to approve the purchase of a 2012 Carolina Skiff and trailer from Beacon Light Marine in the amount of \$7,782.00 .
Seconded by Dr. Beaudin, all in favor.

Mr. Carpenter suggested that the Beach Elementary class that participates in the oyster program be given the opportunity to have a part in naming the boat.

VI. Resolutions & Ordinances

A. Vote on Ordinance O-13-3, an Ordinance of the Town Council of Chesapeake Beach, Maryland, adopting the annual budget for the General Fund of the Town of Chesapeake Beach for the fiscal year July 1, 2013 to June 30, 2014 and setting municipal tax rates.

MOTION: Mr. Mahoney moved to approve Ordinance O-13-3. Seconded by Dr. Beaudin.

MOTION: Mr. Mahoney moved to amend Ordinance O-13-3 to decrease the Expenditures for Public Works by \$35,000, eliminating the message board and the surveillance camera and include the Veterans Park repairs and include \$20,000 for Christmas lights. Seconded by Mr. Carpenter. Ayes, Dr. Beaudin, Mr. Carpenter, Mr. Cumbo and Mr. Mahoney. Opposed, Mr. Krahling and Mr. Reinhardt. **Motion passes.**

MOTION: Mr. Carpenter moved to amend Ordinance O-13-3 to include a rainy day contribution of \$250,000. Seconded by Dr. Beaudin, all in favor.

MOTION: Dr. Beaudin moved to amend Ordinance O-13-3 to increase General Fund budget in the amount of \$1,360,000 to allow for a loan transfer from the General Fund to the Utility Fund for the purpose of the ENR project. Seconded by Mr. Krahling

MOTION: Dr. Beaudin moved to amend her motion to increase the General Fund budget in an amount not to exceed \$1,360,000 to allow for a loan transfer from the General Fund to the Utility Fund for the purpose of the ENR project. Seconded by Mr. Krahling. Ayes, Dr. Beaudin, Mr. Krahling,

Mr. Mahoney and Mr. Reinhardt. Opposed, Mr. Carpenter and Mr. Cumbo. **Motion passes.**

The Council voted on Ordinance O-13-3 as amended. Ayes, Dr. Beaudin, Mr. Carpenter, Mr. Krahlung and Mr. Mahoney. Opposed, Mr. Reinhardt. Abstained, Mr. Cumbo. **Motion Passes.**

B. Vote on Ordinance O-13-4, an Ordinance of the Town Council of Chesapeake Beach, Maryland adopting the annual budget for the Water Park Fund of the Town of Chesapeake Beach for the fiscal year July 1, 2013 to June 30, 2014.

MOTION: Mr. Carpenter moved to approve Ordinance O-13-4. Seconded by Dr. Beaudin.

MOTION: Mr. Krahlung moved to amend Ordinance O-13-4 to reduce the total expenditures by \$15,000 to eliminate the funbrella. Seconded by Mr. Reinhardt. Ayes, Mr. Krahlung and Mr. Reinhardt. Opposed, Dr. Beaudin, Mr. Carpenter, Mr. Cumbo and Mr. Mahoney. **Motion fails.**

The Council voted on Ordinance O-13-4 as presented, all in favor.

C. Vote on Ordinance O-13-5, an Ordinance of the Town Council of Chesapeake Beach, Maryland, adopting the annual budget for the Mitigation Fund of the Town of Chesapeake Beach for the fiscal year July 1, 2013 to June 30, 2014.

MOTION: Mr. Mahoney moved to approve Ordinance O-13-5. Seconded by Dr. Beaudin. Ayes, Dr. Beaudin, Mr. Carpenter, Mr. Cumbo, Mr. Krahlung and Mr. Mahoney. Opposed, Mr. Reinhardt. **Motion passes.**

D. Vote on Ordinance O-13-6, an Ordinance of the Council of Chesapeake Beach to authorize and empower Chesapeake Beach (“the Town”) to issue and sell from time to time, upon its full faith and credit, one or more series of general obligation bonds in an aggregate principal amount not to exceed THREE MILLION NINE HUNDRED FIFTY THOUSAND DOLLARS (\$3,950,000.00), each series of bonds to be issued and sold and the proceeds thereof to be used and applied for the public purpose of financing, reimbursing or refinancing costs incurred in connection with Enhanced Nutrient Removal upgrades to and the expansion of, the regional wastewater treatment plant and system serving the Town, The Town of North Beach, Anne Arundel County, Maryland and County Commissioners of Calvert County, together with related costs and costs of issuance as provided herein; determining that any such series of bonds be sold to the Maryland Water Quality Financing Administration (THE “ADMINISTRATION”) by private sale, without public bidding; authorizing the approval by resolution of one or more loan agreements with the Administration; acknowledging that any such loan agreement may provide for payment of the related series of bonds to be subject to acceleration upon an event of default; pledging any moneys that the Town is entitled to receive from the State of Maryland, including the Town’s share of the State income tax, to secure its obligations under the loan agreements; authorizing the Council by resolution to

determine and provide for various matters relating to the authorization, sale, security, issuance, delivery, payment and prepayment of and for any series of bonds contemplated hereby; providing that to the extent required by the Administration, the Town may provide by resolution for a debt service reserve account to be funded from non-bond proceeds to secure payment of any series of bonds; authorizing and directing the payment of any fees or costs provided for in the loan agreements which are not payable from bond proceeds and providing that the Town's obligation to pay such amounts shall be absolute and unconditional as provided in the loan agreements; providing that the Town shall use and apply proceeds of any such series of bonds only as permitted by the loan agreements, the clean water Act (as defined herein) and the MWQFA Act (as defined herein); authorizing the issuance and sale by the Town from time to time of one or more series of general obligation bond anticipation notes in an aggregate principal amount not to exceed THREE MILLION NINE HUNDRED FIFTY THOUSAND DOLLARS (\$3,950,000.00), prior to and in anticipation of any series of bonds, in order to finance or reimburse project costs on an interim basis, together with related costs and costs of issuance as provided herein; authorizing the issuance and sale by the Town from time to time of one or more series of general obligation bonds in order to refund or advance refund any of the bonds issued pursuant to the authority of this ordinance and to pay related costs and costs of issuance, provided that, the aggregate principal amount of any such series of refunding bonds shall not exceed one hundred thirty percent (130%) of the aggregate principal amount of the bonds refunded therefrom; authorizing the council by resolution to make any further determinations deemed necessary or desirable in connection with the issuance and sale of any such series of bond anticipation notes or refunding bonds and providing that each series of bond anticipation notes or refunding bonds shall be sold on a private (negotiated) basis unless otherwise determined by resolution; providing that the principal of and interest on any such series of bonds, bond anticipation notes or refunding bonds (each, a series of "Obligations") will be payable in the first instance from revenues received by the Town in connection with the operation of the wastewater system serving the Town (and to the extent required by the purchaser of any such series of obligations, from revenues received by the Town in connection with the operation of the water supply system serving the Town), all to the extent any such revenues are lawfully available for such purpose; providing for the levy of ad valorem taxes upon all real and personal property within the Town's corporate limits subject to assessment for unlimited municipal taxation to pay the principal of and interest on any such series of obligations in each fiscal year; pledging the full faith and credit and unlimited taxing power of the Town to the prompt payment of the principal of and interest on any such series of obligations; providing that the principal of and interest on any such series of obligations also may be paid from any other sources of revenue lawfully available to the Town for that purpose; authorizing the Council by resolution to provide for any amendments or modifications to any series of bonds authorized hereby and related documentation post-issuance; providing that any of the bonds, bond anticipation notes or refunding bonds authorized hereby may be consolidated with any other bonds, bond anticipation notes and/or refunding bonds authorized by the Council, as applicable, and issued as a single series of obligations; authorizing and directing officials and employees of the Town to take any and all action necessary to complete and

close the issuance, sale and delivery of any such series of obligations and to carry out and consummate the transactions contemplated and by this ordinance; providing that this title shall be deemed a fair summary of this Ordinance for all purposes; and otherwise generally relating to the issuance, sale, delivery and payment of and for the obligations authorized hereby.

MOTION: Dr. Beaudin moved to approve Ordinance O-13-6. Seconded by Mr. Mahoney. Ayes, Dr. Beaudin, Mr. Carpenter, Mr. Cumbo, Mr. Krahlng and Mr. Mahoney. Opposed Mr. Reinhardt. **Motion passes.**

VII. Report of Officers, Boards and Committees:

- A. Planning & Zoning Commission** – There was a meeting held April 10, 2013. Mr. Jakubiak was present to address the Council.
- B. Board of Appeals** – There was no hearing held in April. A hearing is scheduled for May 7, 2013.
- C. Water Park Advisory Board** – No report
- D. Skateboard Park Committee** – Mr. Carpenter stated each Council member was delivered a copy of the design plan for review and approval consideration.
- E. Election Advisory Committee** – Mr. Carpenter stated a work session will be scheduled once budget process is complete. An ordinance amending the election code dealing with campaign finance reporting is complete and will be presented to the Council for review prior to a work session.
- F. Chesapeake Beach Oyster Cultivation Society Committee** – No report.
- G. Bayfront Park Committee** – Mr. Mahoney thanked Mr. Berry for procuring the signs the committee requested and asked Mr. Cochran the status on companies that sell/rent and service portable toilets for the park. Mr. Cochran stated he is anticipating several bids to come in any day.

Mr. Carpenter gave an update on the Beach Elementary redistricting matter stating the committee that was appointed by the Superintendent has met and a presentation is expected to be presented to the BOE at the May 23rd meeting.

VIII. Unfinished Business: None

IX. New Business:

- 1. Consider awarding a contract addendum to Homes and Gardens by Les in an amount not to exceed \$29,500 and Olde Tyme Craftsmen, Inc. in an amount not to exceed**

\$10,500 for the completion of the Phase II Kellams Field grant funded improvements to include, upgrades to the irrigation system, improvements and the connection to the purple pipe system, installation of a new flag pole and bronze statue display area, replacement and repairs to the existing 60 ft. field lighting and enclosure of the storage area beneath the existing press box.

MOTION: Mr. Cumbo moved to award a contract addendum to Homes and Gardens by Les in an amount not to exceed \$29,500 and Olde Tyme Craftsmen, Inc. in an amount not to exceed \$10,500 for the completion of the Phase II Kellams Field grant funded improvements. Seconded by Mr. Krahlung. Ayes, Dr. Beaudin, Mr. Carpenter, Mr. Cumbo, Mr. Krahlung and Mr. Mahoney. Opposed, Mr. Reinhardt. **Motion passes.**

- 2. Consider the appointment of John Bacon to the Board of Appeals as a Board member from his existing standing as an alternate to fill the vacancy left by Jeffrey Krahlung by letter of resignation dated January 17, 2013.**

MOTION: Mr. Carpenter moved to confirm the appointment of John Bacon to the Board of Appeals as a Board Member from his existing standing as an alternate. Seconded by Mr. Cumbo. Ayes, Mr. Carpenter, Mr. Cumbo and Mr. Reinhardt. Opposed, Dr. Beaudin, Mr. Krahlung and Mr. Mahoney. The Mayor breaks the tie in favor of the appointment. **Motion Passes.**

- 3. Mr. Mahoney moved the Mayor exercise his right to start the process of bringing a town attorney on board. Mr. Carpenter stated, according to the Town Code, the Mayor makes the appointment and the Town Council confirms. Mr. Mahoney withdrew his motion.**

The Mayor asked approval for the appointment of Elissa Levan as the Town Attorney as specified in Section C-802 of the Town Charter.

MOTION: Mr. Mahoney moved to confirm the appointment of Elissa Levan as the Town Attorney. Seconded by Mr. Reinhardt. Ayes, Mr. Carpenter, Mr. Cumbo, Mr. Krahlung and Mr. Mahoney. Opposed, Dr. Beaudin and Mr. Reinhardt. **Motion passes.**

- 4. Councilman Krahlung moved to have a special work session scheduled for the purpose of Town Council discussion of an alternate Utility rate for FY2014 budget. Seconded by Dr. Beaudin. Ayes, Dr. Beaudin, Mr. Krahlung, Mr. Mahoney and Mr. Reinhardt. Opposed, Mr. Carpenter and Mr. Cumbo. Motion passes.**

X. Public Comment:

Public comment was received by:

1. Amenda Brown of 7537 H Street
2. Clara Mae Buckmaster of 3818 26th Street
3. Becky McCollum of 3812 19th Street
4. Michelle Entzian of DeForest Drive

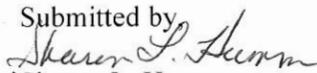
XI. Council Lightning Round:

1. Mr. Mahoney was happy to see that the Council has come together as a group in terms of listening to each other and working together. As to Ms. Buckmaster's comments, Councilman Mahoney agrees a public hearing should be for the public to comment and that Council should reserve their comments until after all those that desired to be heard, are heard.
2. Mr. Carpenter thanked his colleagues for honoring our veterans in approving the Veterans Park repairs and reported Bayfront Park cleanup is Saturday.
3. Mr. Reinhardt jokingly stated "he likes sausage, but he wouldn't want to hang out in a sausage factory!"
4. Mr. Krahlung agreed with Councilman Mahoney's remark in regards to the Council's coming together, listening to one another's ideas and thoughts and working out issues together.
5. Mr. Cumbo thanked his colleagues for including in the budget the Veterans Park repairs, Christmas lights and the audio visual for the Town Chambers.
6. Dr. Beaudin reminded everyone about the Beach Bay Luau Auction being held April 20th at 6 p.m. at the American Legion Hall.
7. The Mayor took the opportunity to congratulate Ms. Levan on her position as Town Attorney. The Mayor stated that the Council are now in receipt of their ipads to be used for Town Council meetings and thanked everyone for their patience tonight.

XII Adjournment:

There being no further business, the meeting adjourned at 11:35 p.m. on a motion by Mr. Mahoney. Seconded by Mr. Krahlung, all in favor.

Submitted by



Sharon L. Humm
Town Clerk



**MINUTES OF THE
UTILITY RATES WORK SESSION
May 13, 2013**

I. Bruce A. Wahl, Mayor, called the meeting to order at 7:00 p.m. In attendance were: Dr. Valerie L. Beaudin, Robert E. Carpenter, Stewart B. Cumbo, Jeffrey J. Krahling, Patrick J. Mahoney and Eric M. Reinhardt, Council Members, Sharon L. Humm, Town Clerk, and Leslie Porter, Town Treasurer.

II. Pledge of Allegiance – Mr. Krahling led the Pledge of Allegiance.

III. Utility Rates Work Session –

Councilwoman Beaudin stated that tonight's work session would involve the discussion of the Town's water and sewer rate structure. Dr. Beaudin presented a power point beginning with the current Appendix A, Fee and Rate Schedule for the Town's water and sewer system. Dr. Beaudin reported that this schedule consists of a declining tier structure with a minimum bill for both water and sewer. The more gallons consumed, the less you pay, which she considers inherently unfair.

Due to the ENR upgrade project and the debt to be incurred, MDE, as part of the loan application process conducts a financial analysis of the Town and its ability to service the debt with Utility Fund revenues. Preliminary analysis using the current rate structure reveals a shortage of 80% in wastewater revenue thus the need to increase rates to make up for the shortfall.

Councilwoman Beaudin, along with Councilmen Krahling and Reinhardt joined together to present a flat uniform water and sewer rate, which basically, is paying for what you use. Taking the total user revenue figure required from a previous utility work session divided by the number of billed gallons of water, would give a flat rate of \$9.65 per one thousand gallons used. Those with water only would pay \$1.84 per one thousand gallons used.

Councilwoman Beaudin compared the Consultant's model with the flat rate model being presented.

Mr. Mahoney asked how the model presented would affect senior citizens, small users, the average size family, small businesses, and the hotel in Town. Mr. Mahoney asked if the School Board and or County had been consulted as to whether this would have an adverse effect on their funding for educational resources. A base fee was discussed. Mr. Mahoney asked if the Council would be open to a "small user" fee in the flat rate model.

Mrs. Porter stated to the Council several items to take into consideration. The Consultant's model was based on a 90% collection rate whereas the flat rate model is based on a 100% collection rate, stating that the Town will never collect 100%. Also, the Consultant's model used a multiplier for the base rate based on meter size. Non-residential meters would have a

larger base rate based on its size. Mrs. Porter went on to say that once the ENR project is complete, the Plant's water and sewer usage would drop significantly but the cost to maintain and operate the system would stay the same.

After discussion the Mayor called for public comment.

The meeting adjourned at 8:15 p.m. on a motion by Mr. Mahoney. Seconded by Dr. Beaudin, all in favor.

Submitted by,

A handwritten signature in cursive script that reads "Sharon L. Humm".

Sharon L. Humm
Town Clerk

Memo



CALVERT COUNTY SHERIFF'S OFFICE TWIN BEACHES PATROL

Date: April 7, 2013
To: Sharon Humm
From: First Sergeant Roscoe Jones
Re: Sheriff's Office Report-Chesapeake Beach

In March, the Sheriff's Office handled 524 calls for service in Chesapeake Beach. This is up from 491 calls in January.

Call Breakdown for March:

326 calls were self-initiated (patrol checks, follow-up investigations, etc)

198 calls were received by other means (citizens, alarm companies, etc)

Of the 524 calls, we handled:

- 4 Assaults (Closed by arrest)
- 6 CDS Violations
- 9 Thefts (2 closed by arrests, 7 under investigation)
 - *Theft of bicycle (Under investigation)*
 - *Theft of Sheriff's Office cat trap (Under investigation)*
 - *Theft of prescription meds from UNLOCKED vehicle (Under investigation, possible false report)*
 - *Theft of tennis shoes (Under investigation)*
 - *Theft of medication from Roland's (Closed by arrest)*
 - *Theft of money (Under investigation)*
 - *Theft of medication from UNLOCKED vehicle (Under investigation, another possible false report)*
 - *Theft of cigarettes from vehicle (Closed by arrest)*
 - *Theft of beer from Fastop (Under investigation)*
- 0 Burglary

- 3 Destruction of Property (Under investigation)
 - Car window punched out (Under investigation)
 - Damage to mailbox (Under investigation)
 - House was egged (Under investigation)
- 2 DWI

Breakdown of Dispatched/Self Initiated Calls

911 hang up – 6	Firearms complaint - 1	Tampering w/vehicle - 1
Abandoned vehicle - 1	Follow up – 13	Theft – 10
Accident – 12	Found/recovered property – 1	Traffic assignment – 3
Alarm – 22	Fraud – 1	Traffic complaint – 7
Alcohol violation - 1	Illegal dumping - 1	Trespassing - 5
Animal complaint - 1	Intoxicated person – 4	Unknown problem - 1
Assault – 4	Loitering - 1	Violation of peace order - 1
Assist motorist – 4	Loud Party/Music - 2	Warrant service - 5
Assist other department –74	Missing person - 1	
Assist sick/injured – 4	Neighborhood dispute - 1	
Attempt to locate – 29	Parking complaint - 2	
	Patrol check – 279	
CDS violation – 6	Police information – 7	
Check welfare – 7	Protective/Peace order - 2	
Conservator – 1	Robbery – 1 (Unfounded)	
Destruction of property – 5	Search warrant - 1	
Death investigation – 2	Special assignment – 5	
Disorderly – 7	Suicide Attempt -1	
Domestic – 8	Summons service – 8	
DWI – 2	Suspicious person – 5	
Fight - 1	Suspicious vehicle – 17	

Note – The reportable incident totals on page 1 may differ from the dispatched totals on page 2. The breakdown on page 2 represents all calls dispatched/self initiated by the sheriff's office. The totals listed on page 1 may be less due to factors the deputy learns upon arrival to the scene



Jay Berry,
Superintendent Public Works

April 18, 2013

Public Works Report

Water Park- We have started to bring the park back on line. A list of must do items has been generated by the Park manager and myself. When we find the time we are working on this list

Graffiti – A motorized dirt bike wrecked on the Rail Way Trail. This resulted in some damage to the trail. We are in the process of fixing this damage. For these details I would refer to the Police report.

Water leak- At this time there is no new main line water leak to report.

Wet wells- This month's PM check will be at the water park. We have replaced a bad transducer at Bay view hills and Richfield Station wet wells.

Water meter/MXU- The Public works crew is still ongoing in their efforts to change out mxu's. We continue to work in the Bay View hills development along with other areas in Town.

Ball fields - Baseball is here along with Lacrosse. We are adding a section of fence to in close the bathroom/snack bar area at the fields.

Rail Way Trail- We have added dirt and top soil to the edges of the stamped concrete park of the trail. This was done to eliminate the 4 to 6 inch drop off at the edge of the side walk. This area has been seeded and will be a maintained by mowing in the future.



MEMORANDUM

TO: Mayor and Town Council
FROM: Bill Watson, Code Enforcement Officer
DATE: April 18, 2013
SUBJECT: Code Enforcement Status Report

Location	Vehicles Addressed	Status
3512 Elizabeth Court – 3 inoperable vehicles		Cover letter, affidavit, 4 citations sent
E Street in Tee Turn-around – Boat on trailer		DNR provided ownership info. Letter sent. Returned 4/10/13 undeliverable.
7415 Dakota – Small trailer parked on cul-de-sac		Trailer Moved

Location	Grass & Other Violations	Status
3914 18 th Street – Tall Grass, Trash in driveway		Cleaned up
7537 C Street – Tree down in front yard of foreclosed house		Tree removed
8309 Bayside Road – Siding coming off south side of house		Called Owner. Will repair.
3813 10 th Street – Dangerous Deck, trash		Cover letter, Affidavit & 2 citations sent. Letter returned undeliverable.
7636 Bayside Road – Bulk trash & brush pile on shoulder		Letter sent. No action. Citation sent 4/5/13 – Brush, only. Bulk Removed.
4002 Bayside Road		Investigate claims of Zoning Violation
8309 Bayside Road – Siding coming off part of house		Phone call to owner – will fix.
3810 12 th Street – Bulk Trash		Letter sent. Cleaned up
3803 – 12 th Street – Trash blowing around		Letter Sent – 4/4/13
4002 Bayside Road – Bulk trash		Citation Sent, Received 4/1/13. Removed by Town 4/5/13
7524 C Street – Inspect alleged Dangerous Deck		Notified owner of 3 rotted deck planks. Repaired.
8223 C Street – Deck under construction w/o permit		Discussed with tenant, needs & applied for Miscellaneous Permit
4029 15 th Street – Bulk Trash		Met w/owner. Informed of Bulk Trash policy. Most items removed, rest awaiting Town Pick-up.
8220 E Street – Bulk Trash		Letter to owner sent 4/6/13
7533 Bayside Road – Bulk Trash, grass		Discussed with owner. Letter sent. 4/11/13

Court Status: No cases presently scheduled in court



April, 2013
J-B03021-4775

TOWN OF CHESAPEAKE BEACH Engineering Report

Trail – Concept site plans for a Trail extension from the Trestle and thru the Richfield Station Rail bed have been developed and provided to the Critical Area Commission and the State Highway Administration (SHA). We are currently researching critical area woodland mitigation possibilities and property title issues (we spoke to the Title Abstractor Terry Erder on 1/9/13 and more research has been completed – an extensive report has been compiled from Terry which she believes gives title to the town). We are currently seeking guidance from title attorneys and the town attorney to gain title insurance. Preliminary Environmental studies are complete to move forward with the Trail extension plans and the Critical Area Commission has requested a meeting to help move us through the process. The meeting was held and they presented several mitigation programs. We also marked in the filed the trail alignment for a field review by the C.A.C. A set of 30% design plans have been forwarded to MSHA to get their feedback on how to gain additional TEA-21 funding.

WWTP – (ENR upgrades) – All permits have been issued and construction bids were received November 30th. Bid award packages have been sent to MDE for approval and funds procurement. We had our preconstruction meeting with Bearing Construction on March 12, 2013 and anticipate an April 2013 construction start date. We have contract approval from MDE which has been forwarded to the Board of Public Works to go on their agenda for approval.

Kellams Field – We are working with American Irrigation to determine the connection needs (pressure & volumes) for the purple pipe. This work can be performed in conjunction with the WWTP upgrades. We hope to install most of the improvements this summer with available grant funding.

Richfield Station Water Tower – Inspection of the facility has been completed. The inspection report recommendations outline the need for the tank to be cleaned and repainted on the inside and outside of the tank. Corrosion Control Corporation is under contract to perform the Phase One interior work. The interior work of Phase One cleaning and painting is complete. We will begin refilling and the sterilization process on or about the 19th and anticipate being back online by May 6th.

Water Park – Short and long term maintenance, repair and upgrade items are being evaluated. Budgeted repair work items are currently underway.

‘E’ Street Pump Station Influent Sewer Pipe and Storm Drain Inlet/Pipe Repair - The Town will be performing test holes over the sewer pipe to determine the extent of the ‘belly’ in the pipe and around the inlet. Recommendation for repairs will follow the test holes investigation by the Public Works staff.

Skate Park – Final design plans are ongoing by the skateboard consultant.

Purple Pipe – We are developing layouts for installation of the pipe to serve the Route 260 landscaping areas and Kellams Field. Operation of the system will commence with the ENR project.

Fishing Creek Dredge – The U.S. Army Corps of Engineers has given the Notice to Proceed and the contractor has completed repairs to the existing spoil site. The contractor has mobilized and dredging is underway. Dredging should be complete in the next few weeks. Currently sand material is being transported to the areas just off of Brownies Beach.

Fishing Creek Bridge (MD Rt. 261) – We are continuing to coordinate with the MSHA design team for the bridge replacement project. We were informed that the project is funded and scheduled to bid in 2013 with a 2015 construction completion anticipated. SHA has taken a second look at the bridge geometrics and is currently working with the Town to work out design and construction specifics. We are also working with the various utility companies (AT&T, Verizon, Comcast and BGE) to have their utilities relocated prior to construction. The Town has also recently met with SHA to detail the relocation of the Town water and sewer lines, and all overhead utility lines. We continue to assist SHA in their design efforts.

MD Route 261 Sidewalk – Design plans are underway to extend a pedestrian walkway from Beach Elementary School to Chesapeake Village and Bayfront Park. The site survey and environmental plans are complete. Preliminary discussions with the Critical Area Commission and the State Highway Administration have commenced to gain their support of the project and the alignment.



Water Park Report
Marilyn VanWagner, General Manager Water Park
April 12, 2013

Staffing –

All interviews have been conducted and the choices for the candidates that will be invited to training have been finalized. Training packets were edited for the final time and will be sent over the weekend to each employee that is invited to training. At the end of the training, in each department, there is a written exam. After the training and exams the final hiring decisions will be made.

Marketing –

Discounted Season Passes are currently being offered on line for Chesapeake Beach Residents. <http://chesapeakebeachwaterpark.com>

All inserts for the marketing brochures have been updated for the printer.

Many of the signs in the park are being updated to make the rules and procedures more clear for our guests.

Planning –

Many special events will be taking place this season. Some of the events we are working on are The World's Largest Swim Lesson, Six Night Slides with different themes, Character Days, the Employee Appreciation Party, the Employee Awards Celebration, and the Rubber Duck Fundraising Events.

Maintenance/Upgrades-

Currently working on the following maintenance items:

- Blue and White tile repair and grout repair in The River.
- The White Slide needed the fiberglass repaired at the top of the slide.
- All four Baby Slides are being repaired
- Much of the rope is being replaced.
- Several of the pavilion columns are rotted out and are being replaced
- Many small items, (3 pages of small details)



Chesapeake Beach Wastewater Treatment Plant Report
Jon Castro, Superintendent
April 18, 2013

Plant Operation:

The work session for the Wastewater Treatment Plant Budget was held on March 25, 2013 at Town Hall with the Mayor and Town Council. The vote for approval by the Town Council will be held at the May monthly meeting.

The EPA DMR-QA Study 33 will begin at the end of March. The plant will begin the testing for this study on April 15, 2013 as the permit requires. The study will test the accuracy of the plants daily lab tests along with the lab contractor the plant uses.

Bearing Construction met with plant staff on March 28, 2013 to discuss the demolition of the Chlorine Contact Tanks at the plant. Bearing Construction wanted to be sure what pipes needed to stay on line while the demo is taking place.

There were no incidents to report in the plant's Solids and Handling Operation or the Lab Sampling Operation with Duffield Hauling and Chesapeake Labs.

Plant operations for this monthly report did use the Shell Fish Tank on one occasion since the last report. The split flow occasion was due to rain during a storm. The last time it was put into operation was on March 6, 2013.

The plant had no emergency alarms responded to during this period but plant staff checked on the plant operation on one occasions after working hours for repair to the barscreen.

The Wastewater Treatment Plant had no spills or violations to report.

Future Projects:

The ENR Project for the Chesapeake Beach Wastewater Treatment Plant has completed the permit process and design stage. The bid for the ENR construction was awarded to Bearing Construction and should start construction on May 1, 2013.

The plant records will be put into the Sure Scan System with the help of Town Employee Fran Addicott to ensure a better system of storing plant data.



March 2013 Town Stats,

Fire = 69

AFA= 7

Brush= 6

EMS= 27

Fire's= 9

Investigations= 3

Landing Site= 2

MVC= 12

Service Call= 2

Water Rescue= 1

Fire calls in the town of CB = 19

Fire calls in the town of NB = 7

Fire Drill;

Rescue 42 struts, vehicle extrication

County SOG's

Fundraising

Bingo= 3/5, 3/12, 3/19, & 3/26

EMS = 112

Cardiac Arrest = 2

Chest Pain = 4

Diabetic Emergency= 2

Fire Standby= 1

EMS calls dispatched in the town of CB= 38

MVC= 24

EMS calls dispatched in the town of NB= 12

OB= 1

OD= 2

Resp. Distress= 10

Seizures= 7

EMS DRILL;

Stroke (CVA) = 5

Lung Sounds and EMEDs documentation

Syncopal Episode= 4

Transfer= 1

Unresponsive Sbj= 6

Other Non – Priority Dispatched Calls = 43

*****100 %

Volunteer*****



2013 CHESAPEAKE BEACH STARS AND STRIPES FESTIVAL

By: Stephanie Zanelotti, 2013 Chesapeake Beach
Stars and Stripes Festival Chair

The Town of Chesapeake Beach presents the second annual Memorial Day event, the Chesapeake Beach Stars and Stripes Festival, Saturday, May 25, through Monday, May 27, 2013. This Festival, honoring our fallen heroes, begins at 10 a.m. Saturday with an opening ceremony at Veterans' Memorial Park with music by the United States Naval Academy Band Brass Quintet. The Guest Speaker will be local Gold Star Mother and co-founder of SSG Christopher W. Swanson Support Charity for Veterans and their Families, Inc., Mrs. Kelly Swanson.

Be sure to decorate your home, business and/or boat to paint the Town red, white and blue. Prizes awarded to winners! Catch the Nam Knights mini-rolling thunder through Town at approximately 1:30 p.m. on Saturday and thank them for their service and continued support of our military.

The Nam Knights will have a model of a Vietnam Memorial to be placed Veterans' Memorial Park (target date, Memorial Day, 2014) on hand at the Festival, Sunday, May 26. Donations will be accepted as well as an opportunity to purchase a print or win the original artwork in an auction. The artist of the original artwork is Dave Lewis. Mr. Lewis was an "In Country" artist for the United States Army in Vietnam and has art displayed at the National Army History Museum in Washington, D.C.

All weekend free admission to the Chesapeake Beach Water Park, Bayfront Park and North Beach to all active military personnel and their immediate families with \$3 passes for Veterans at North Beach only. All must provide proper identification.

A free moonlight cruise Saturday evening beginning at 7:30 p.m. is open to the first 80 active military persons and their immediate families aboard the Miss Chesapeake Beach, the Rod 'N' Reel fishing charter head boat. The owner of the Miss Chesapeake Beach, Mr. Luke Thatcher, donates the trip. Proper identification required.

The Big Day is Sunday, May 26 at Kellam's Field. Bring the family for a day of fun learning experiences through stories, crafts, games and activities. There will be a moon bounce, super slide, miniature golf, Bingo tent (Sponsored by North Beach Volunteer Fire Department), Super Heroes of Southern Maryland, local entertainment, All American Family Day Picnic (sponsored by the American Legion Stallings-Williams Post 206), snow cones, popcorn, and cotton candy. There will be a tent filled with non-profit organizations that assist families of fallen heroes as well as a display of military toys and other military equipment and you can climb the rock wall with the Army National Guard. Close out the evening jamming to headlining entertainers Dave Chappell and Patty Reese. Both Chappell and Reese are multiple Washington Area Music Association (WAMMIE) winners and have been heard at many local and national festivals, sporting events, theaters and clubs. A show you will not want to miss!

The American Legion Stallings-Williams Post 206 at Veterans' Memorial Park beginning at 10 a.m. will host their annual Memorial Day Ceremony Monday, May 27.

At 3:00 p.m. on Monday, May 27, please take a moment to participate in the National Moment of Remembrance. You can do this with a family or individual prayer, moment of silence or any way you see fit to remember those who gave the ultimate sacrifice for our freedom.

For more information about the event, please visit www.chesapeake-beach.md.us/events_cbssf.htm.

To volunteer to assist at the Festival, email 2013 Festival Chair, Stephanie Zanelotti at sasz_cbssf@comcast.net or call 301-752-0445.



PLANNING & ZONING MEMORANDUM

To: Mayor and Town Council
From: Christopher Jakubiak, AICP,
Planning and Zoning Administrator
Date: April 15, 2013
Re: Report

The **Planning Commission** met on April 10, 2013. It reviewed and conditionally approved the re-platting of 11 small non-conforming lots into four larger lots that now conform with the zoning ordinance standards for lot size and width. The new lots are located at the intersection of 11th and C Streets. There were no other projects on the agenda.

The **Board of Appeals** is not scheduled to meet in April 2013. It is scheduled to meet on May 7, 2013 to hear an appeal by Ms. Joyce E. Sizemore of the Zoning Administrator's determination that a restaurant is not a permitted use in the Residential Village District (RV) and therefore is not permitted on her property located at 8731 C Street. The appeal alleges that the Zoning Administrator's determination is "arbitrary and capricious and fails to recognize that the restaurant use is allowed as a vested right".