MINUTES OF THE
TOWN COUNCIL MEETING
February 17, 2011

I. Bruce A. Wahl, Mayor, called the meeting to order at 8:00 p.m. In attendance were: Dr. Valerie L. Beaudin, Robert E. Carpenter, Stewart B. Cumbo, Ingrid K. Lamb and Patrick J. Mahoney, Council Members, Elissa Levan, Town Attorney, Dr. James Parent, Town Administrator, Sharon L. Humm, Town Clerk, Leslie Porter, Town Treasurer, Wilson Cochran, Superintendent of Public Works, Jay Berry, Assistant Superintendent of Public Works, William Watson, Zoning Administrator and Code Enforcement Officer, Paul Woodburn, Town Engineer, Marilyn VanWagner, Water Park General Manager and Jon Castro, WWTP Superintendent. Absent were Julie L. Spano, Council Member and First Sergeant Craig Bowen.

II. **Pledge of Allegiance.** Beach Elementary students, Caitlyn Stansbery and Emma Donaldson led the pledge of allegiance.

III. **Approve the Agenda.**

MOTION: Mr. Mahoney moved to approve the agenda. Seconded by Dr. Beaudin.

MOTION: Mr. Carpenter moved to amend the agenda, Roman Numeral V, Petitions and Communications, to include, "J. Treasurer's Report". Seconded by Mr. Mahoney.

The Council voted on the agenda as amended, all in favor.

IV. **Public Comment on any item on the agenda.** None

Approval of the minutes of the January 20, 2011 Town Council Meeting.

MOTION: Mr. Mahoney moved to approve the minutes of the January 20, 2011 Town Council Meeting. Seconded by Dr. Beaudin.

MOTION: Mr. Cumbo moved to amend the minutes of the January 20, 2011 Town Council Meeting under "New Business" to include highlighting "Charter Fishing" in the public relations plan.

The Council voted on the January 20, 2011 Town Council Minutes as amended, all in favor.

Approval of the minutes of the February 3, 2011 Budget Work Session.

MOTION: Mr. Mahoney moved to approve the minutes of the February 3, 2011 Budget Work Session. Seconded by Dr. Beaudin.

MOTION: Dr. Beaudin moved to amend the February 3, 2011 Budget work session minutes under Fixed Expenses to add after $50,000 in FY12, "for the funding of the

new town staff position". Seconded by Mr. Mahoney. Ayes, Dr. Beaudin, Ms. Lamb and Mr. Mahoney. Opposed, Mr. Carpenter. Abstained, Mr. Cumbo. Motion failed.

The Council voted on the minutes of the February 3, 2011 budget work session, all in favor.

The Mayor recognized and introduced newly elected 3rd District County Commissioner, Evan Slaughenhoupt.

Sherriff Mike Evans was present to recognize and present to Deputy Kevin Hall, a plaque honoring him as the Twin Beach Deputy of the Year.

V. Petitions and Communications:

A. **Beach Elementary-** Dr. Shisler and the students of the Beach Elementary were present to read letters of appreciation for certificates and coupons donated by the Chesapeake Beach Water Park and other local businesses.

The Mayor called a three minute recess of the meeting to allow parents and students time to disperse.

The Mayor reconvened the meeting.

B. **Deputy's Report** – First Sergeant Bowen submitted the attached written report. Corporal Jimmy Wahlgren was present in First Sergeant Bowen's absence. Mr. Carpenter asked the Corporal to explain the alleged carjacking to the audience.

C. **Public Works Report** – Mr. Cochran submitted the attached written report. Mr. Mahoney congratulated Mr. Cochran on his appointment, from Governor O'Malley, to the Maryland Underground Facilities Damage Prevention Authority.

D. **Code Enforcement Officer's Report-** Mr. Watson submitted the attached written report. .

E. **Town Engineer's Report** – Mr. Woodburn submitted the attached written report. Mr. Woodburn gave a brief status report on the Chesapeake Village Water Tower.

F. **Water Park Report** – Mrs. VanWagner submitted the attached written report. Ms. Van Wagner stated that job applications are now available on the website.

G. **Wastewater Treatment Plant Report** – Mr. Castro submitted the attached report. The Mayor commended Jon, Bob and Tim on doing a great job at the plant.

H. **North Beach Volunteer Fire Department** – Mr. Gordy submitted the attached written report.

I. **Mayor's Report -**

1. The Mayor gave an update on the Oyster Recovery Program stating that he has appointed Keith Pardieck as the chairman of the committee and anyone interested in participating in the program can contact Kathy at town hall.

2. The Mayor reported that the Town received a check in the amount of $4300 from ENEROC for our participation in their energy program.

3. The Mayor stated he attended the Maryland Mayors Association Conference in Annapolis.

4. The Mayor reported that the Town's contract for trash removal is coming up for renewal. The representatives of Republic Services (Calvert Trash) met with Dr. Parent to review the recyclable and trash collection process and looked at future money saving options.

5. The Mayor reported he attended and spoke at the Bay Crest HOA meeting and stated he would be pleased to do so for any of the HOA's.

6. The Mayor reported that as a result of the passing of an Ordinance in December of 2010 for a speed monitoring device for a school zone, the Town has received proposals from several companies which will be reviewed and brought before the Council for consideration.

7. The Mayor stated Delegate Tony O'Donnell and Delegate Mark Fisher would be coming to Town to tour the WWTP on February 28th and March 3rd.

8. The Mayor reported that the Town received the 2011 Constant Yield Tax Rate Certification from the Maryland Department of Assessments and Taxation. The Mayor stated that because of decreased assessments in valve, real property revenues will decrease for FY12.

J. **Treasurer's Report** – Mrs. Porter spoke briefly on the Constant Yield Tax Rate. The Mayor scheduled a budget work session for Monday, February 28th at 7:00 p.m. for the General Fund, Water Park Fund and the Mitigation Fund.

VI. **Resolutions & Ordinance:**

VII. **Report of Officers, Boards and Committees:**

A. **Planning & Zoning Commission** – There was no meeting held in February.

B. **Board of Appeals** – There was a meeting held February 1, 2011 to review Rules of Procedure.

C. **Water Park Advisory Board** – Mr. Cumbo reported on the Water Park Concession Building project going over the bid summary. Mr. Cumbo stated that the low bidder was Absolute Quality Contractors, coming in over the budgeted amount of $200,000

with a bid price of $249,897.50. Mr. Cumbo asked the Council to consider a budget amendment to go forward with the project.

D. **Skateboard Park Committee** – Mr. Carpenter reported that a RFP has been prepared for review and the committee will be looking to send out to those companies that have expressed an interest in bidding on the project around the 1st of March.

E. **Utility System Rate Committee** – Ms. Lamb had no report at this time.

F. **BayFront Park Committee** – Mr. Mahoney announced there will be a meeting on February 26th at 10:30 a.m. at Town Hall to discuss the BayFront Park and extended the invitation to the public.

VIII. Unfinished Business:

1. Mr. Carpenter asked the Mayor for an update on the fine paid by the Town regarding the WWTP. The Mayor stated no action has taken place as of yet.

2. Mr. Mahoney wanted to make the Mayor and Council aware that several citizens had approached him with concerns about an incident that occurred last 4th of July, during the fireworks, at 17th & C Street, in hopes of avoiding a reoccurrence.

IX. New Business:

1. **Water Park Concession Stand Building Addition and Remodel** – Consider allowing the Mayor to negotiate and enter into a contract between AQC, Inc. and the Town to upgrade the Concession Stand in an amount not to exceed $113,000 and to negotiate and enter into a contract to purchase and install new equipment in an amount not to exceed $87,000.

MOTION: Mr. Mahoney moved to allow the Mayor to negotiate and enter into a contract between AQC, Inc. and the Town to upgrade the concession Stand in an amount not to exceed $113,000 and to negotiate and enter into a contract to purchase and install new equipment in an amount not exceed $87,000. Seconded by Dr. Beaudin, all in favor.

MOTION: Mr. Mahoney moved to approve the allocation of $60,000 from the water park reserves for the water park concession stand project. Seconded by Dr. Beaudin, all in favor.

X. Public Comment:

Public comment was received by:
1. Rosemary Roberts
2. Clara Mae Buckmaster
3. Connie O'Dell

XI. Council Lightning Round:

1. Ms. Lamb thanked everyone for coming.

2. Mr. Cumbo thanked his colleagues for their understanding and support in approving the Water Park Concession Stand project.

3. Mr. Carpenter expressed his disappointment in the way the Council handled the adoption of the Comprehensive Plan with the multiple amendments made. Mr. Carpenter stated a lot of time and effort had gone into the process by the Planning Commission along with the public and others for more than three years and hoped that in the future for whoever sat as Council would take that into account and be a part of the entire process.

4. Dr. Beaudin stated that the Cub Scouts were interested in participating in the Oyster Recovery Program, that the PTA will be holding their Beach Luau on April 2nd at the American Legion and expressed her appreciation for the opportunity to participate in the Beach Elementary's "Love a Book Night". And last, but certainly not least, her delight in her daughter, Ashley, one of the 1st grade readers of the Beach Elementary students earlier in the evening.

5. Mr. Mahoney wished everyone a safe and enjoyable St. Patrick's Day.

6. The Mayor thanked Commission Slaughenhoupt for attending the evening's meeting.

XII. Adjournment:

There being no further business, the meeting adjourned at 9:35 p.m. on a motion by Mr. Mahoney. Seconded by Dr. Beaudin, all in favor.

Submitted by,

Sharon L. Humm

Sharon L. Humm
Town Clerk