



## TOWN COUNCIL INFORMATIONAL WORK SESSION AGENDA

May 9, 2023

Starting at 6:00 PM

### I. Call to Order and Roll Call

### II. Pledge of Allegiance

### III. Informational discussion on the following:

1. Town Election Code “Chapter 22 Elections”
2. Planning & Zoning Design Standards for Townhouses
3. Planning & Zoning Standards of Compatibility
4. Urban Forest Ordinance
5. Trash can provision for Town Residents
6. RT 261 Walkway Upgrades
7. CBWRTP overhang repair
8. CBWRTP blanket sensors
9. American Rescue Plan Act (ARPA) Capital Project Review
10. Town of Chesapeake Beach Reserve Funds
  
11. **Ordinance O-23-11**, an Ordinance of the Town Council of Chesapeake Beach, Maryland, amending the adopted General Fund Budget for the Town of Chesapeake Beach for the fiscal year from July 1, 2023, to June 30, 2024, to transfer funds in the amount of Five Hundred and Fifty Thousand Dollars (\$550,000.00) from “Unspent Reimbursement – ARPA Funds” expenditure line item to “Transfer Out – Utility Fund” expenditure line item for usage of ARPA funds to offset Utility Fund budgeted expenses.
  
12. **Ordinance O-23-13**, an Ordinance of the Town Council of Chesapeake Beach, Maryland, amending the adopted General Fund Budget for the Town of Chesapeake Beach for the fiscal year from July 1, 2022, to June 30, 2023, to recognize uncollectable debt expense related to forgiven General Fund loan to the Utility Fund for Capital Projects, in the amount of One Million and Six Hundred Thousand Dollars (\$1,600,000.00).

8200 BAYSIDE ROAD, P.O. BOX 400 CHESAPEAKE BEACH, MARYLAND 20732

(410) 257-2230

(301) 855-8398



13. **Ordinance O-23-14**, an Ordinance of the Town Council of Chesapeake Beach, Maryland, amending the adopted Utility Fund budget for the Town of Chesapeake Beach for the fiscal year from July 1, 2022, to June 30, 2023, to recognize restricted loan proceeds from forgiven General Fund loan to the Utility Fund for Capital Projects, in the amount of One Million and Six Hundred Thousand Dollars (\$1,600,000.00).
  
14. **Ordinance O-23-15**, an Ordinance of the Town Council of Chesapeake Beach, Maryland, amending the adopted Utility Fund budget for the Town of Chesapeake Beach for the fiscal year from July 1, 2023, to June 30, 2024, to reallocate revenue funds with a net increase of Three Hundred and Fifty Thousand Dollars (\$350,000.00), offset by an increase in Capital Projects expense line item in the amount of Three Hundred and Fifty Thousand Dollars (\$350,000.00) for usage of forgiven loan proceeds restricted for Capital Expenses.

**IV. Council Lightning Round**

- V. Closed Session** A motion to close the work session under the Statutory Authority of the Md. Annotated Code, pursuant to General Provisions Article, §3-305(b), subsection (7) “to consult with Counsel to obtain legal advice.”

**VI. Adjournment**



To: The Honorable Mayor and Town Council  
Subject: Town Election Code “**Chapter 22 Elections**”  
Date: **May 4, 2023**

From: Holly Wahl, Town Administrator

---

**I. BACKGROUND:**

The Town Council of the Town of Chesapeake Beach adopted the Election code on 6-14-2007 by Ord. No. O-07-3 (Ch. 16 of the 1997 Town Code)

**II. AMENDMENTS:**

The Election Board is requesting that the Town Council consider amendments to the Election code as attached as Exhibit A.

**III. NEXT STEPS:**

The Chair of the Election Board will be available to answer questions from the Town Council during the May 9<sup>th</sup> Town Council work session. Based on the comments received from Town Council, Town staff will work with the Town Attorney to prepare revisions to the Election Code for Town Council consideration at a upcoming Town meeting.

## Exhibit A - Election Code

Proposed changes are highlighted in yellow. Check 22-1 (Poll Book), 22-47, 22-49, 22-51 and 22-87. Comments/Remarks are highlighted in blue (not to be included in code).

### Chapter 22 Elections

[**HISTORY: Adopted by the Town Council of the Town of Chesapeake Beach 6-14-2007 by Ord. No. O-07-3 (Ch. 16 of the 1997 Town Code). Amendments noted where applicable.**]

#### GENERAL REFERENCES

Voter and candidate registration, nomination and election — See Charter, Subtitle 6.

---

### Article I Definitions

#### § 22-1 **Terms defined.**

As used in this chapter, the following terms shall have the meanings indicated:

#### **POLL BOOK**

A POLL BOOK IS AN ELECTRONIC DEVICE USED TO CHECK-IN VOTERS DURING ELECTION. THE POLL BOOKS ARE LOADED WITH CHESAPEAKE BEACH VOTER REGISTRY FROM THE MARYLAND UNIVERSAL REGISTRATION SYSTEM. DURING ELECTION MULTIPLE POLL BOOKS ARE NETWORKED TOGETHER TO ALLOW DATA ENTERED INTO ONE (VOTER CHECK-IN) TO BE SHARED WITH ALL.

Previously added poll book throughout code, but did not define.

#### **REGISTRY**

The list of registered voters qualified to vote in Town elections comprising a list of Chesapeake Beach voters from the Maryland universal registration system maintained and provided by the Calvert County Board of Elections and a Town supplemental voter list created and maintained by the Chesapeake Beach Board of Elections of those voters who are registered to vote only in Town elections.

[Amended 6-6-2016 by Ord. No. O-16-15; 12-19-2019 by Ord. No. O-19-16]

#### § 22-47 **Counting absentee ballots.**

[Amended 12-19-2019 by Ord. No. O-19-16]

- A. The Board shall enter all absentee ballots received into a poll book- **VERIFY THAT EACH VOTER THAT SUBMITTED AN ABSENTEE BALLOT DID NOT VOTE IN PERSON ON ELECTION DAY.**

Poll book is controlled by state. We cannot enter our absentee ballots into their electronic poll book. We have to track it on our own. We use a paper copy of registry as working copy during election day. All absentee ballots received are entered prior to election day. On election day judges use voter authority card to enter all voters voting at polling place. If registry indicates an absentee ballot has been received then judge immediately informs a board member.

- B. Within 48 hours after polls are closed, the Board, judges selected by the Board, and official challengers will meet at a prearranged time and location to count absentee ballots.



- C. When directed by a Board member, an absentee ballot may be removed from the ballot envelope that is signed by the registrant and shall be placed in a box designated specifically for paper ballots. Ballots shall be removed from the box at random for hand-counting and recording of the vote. If available, the use of a ballot scanner/tabulator is authorized for absentee ballots in lieu of or in addition to hand-counting.
- D. No person shall be permitted to cast more than one ballot of any nature, and the Board shall reject any envelope which contains more than one ballot or any ballot envelope of any qualified voter who has already voted.

Article VI  
**Conduct of Elections**

**§ 22-49 Illegal electioneering.**

**[Amended 6-17-2010 by Ord. No. O-10-10; 6-16-2016 by Ord. No. O-16-5]**

No person is permitted to engage in electioneering, or to campaign, distribute election-related materials, or post any campaign or referendum materials (including signs):

- A. In a polling room; or
- B. With respect to Town Hall when used as a polling place, within any area designated as a prohibited area on the diagram provided by § ~~22-87 22-85~~.

**This was changed to 22-87.**

**§ 22-51 Election judges.**

- A. Board members and judges. Each member of the Board shall serve as an election judge. In addition, the Board may appoint any persons qualified under Subsection **B** of this section to serve as election judges should it deem it necessary. **[Amended 6-17-2010 by Ord. No. O-10-10; 12-19-2019 by Ord. No. O-19-16]**
- B. Qualifications for appointment. An individual can be appointed and serve as an election judge if the person: **[Amended 6-17-2010 by Ord. No. O-10-10]**
  - (1) Is currently registered to vote in Town elections;
  - (2) Is not currently a candidate for office in any election contest;
  - (3) Is not currently serving in public office; and
  - (4) Takes the oath of office prescribed in Subsection **C** of this section.
- C. Oath. Each election judge shall take an oath of office, administered by a member of the Board, in the following form: "I, \_\_\_\_\_, do swear (or do affirm) that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of Maryland and support the Constitution and laws thereof; and that I will be faithful and bear true allegiance to the Town of Chesapeake Beach, Maryland, and support the Charter and laws thereof; that I will, to the best of my skill and judgment, diligently and faithfully, without partiality or prejudice, execute the office of election judge according to the Charter and laws of Chesapeake Beach; and that I will not directly or indirectly receive profits or any part of the profits of any other office during the term of my acting as an election judge." **[Amended 6-17-2010 by Ord. No. O-10-10]**
- D. Duties. Except for the division of duties required by § **22-52**, each election judge shall be responsible for supervising the activities in and around the polling place, opening the polls, closing the polls, voter

identification and determining voting status, instructing voters, supervising the assistance of voters, maintaining and supervising the use of the voter registry/poll books, official ballots, specimen ballots, ballot boxes, ballot scanners, voting machines, voting booths, supervising challengers and official challengers, making challenges, determining challenges (by majority vote), maintaining decorum, and enforcing the provisions of the Charter and this chapter with respect to matters relevant to the election judge's duties as stated herein. [Amended 12-19-2019 by Ord. No. O-19-16]

Decisions on challenges are not made by majority vote of judges. Detail on who makes decision are provided in 22-60, 22-62 and 22-63.

- E. Arrival of judges prior to polls opening. ON ELECTION DAY ALL JUDGES SHALL ARRIVE AT POLLING PLACE AT LEAST ½ HOUR BEFORE THE OPENING OF THE POLLS. At least two Board members acting as election judges shall be present. at Town Hall and shall meet there on election day, 1/2 hour before the opening of the polls.

Reworded to cover all judges. Our 4 year election is normally held at the North East Community Center across the hall from the Presidential Election which is held by Calvert County.

- F. Substitutes. If any election judge is not present 15 minutes after the time fixed for the opening of the polls, the election judge or judges present shall fill the place of the absent election judge by appointing in his place a qualified person. One election judge shall administer to the substitute judge the required oath. IN GENERAL, after the polls are opened, no ALL election judges is permitted to leave WILL REMAIN AT the polling place until the ballots have been cast and counted and the STATEMENT OF VOTE returns completed. EXCEPTIONS SHALL BE APPROVED BY AN ELECTION BOARD MEMBER. If absolute necessity compels the absence of an election judge, before such judge leaves he must appoint some qualified person to act in his place until he returns, having first administered the required oath. A record of the appointment and swearing in of each substitute, the reason for the substitution, and of the time such substitute began and ceased to serve shall be preserved. When an election judge who was required to leave the polling place returns, the substitute election judge shall cease to act but should not leave the polling place until the ballots have been cast and counted and the returns have been completed.

The purpose is to remove the “no” election judge is permitted to leave the polling place and tone it down to allow exceptions approved by a member of the board of elections. There is no need for substitutions, per 22-51A the board may appoint any qualified person to serve as an election judge.

- G. Removal. The Election Board shall promptly investigate each complaint it receives regarding the fitness, qualifications, or performance of an individual appointed to be an election judge under Subsection B of this section and shall remove any election judge so appointed who is unfit or incompetent for the office.
- H. Power of arrest. Each election judge has the authority to keep the peace, and to cause any person to be arrested who has committed any breach of the election laws or who has interfered with the conduct of the election or the counting of the ballots. It is not necessary that a majority of the election judges concur in the arrest; each judge has his or her own authority to order an arrest. It is the duty of all officers of the law to obey the order of any election judge to arrest a person who has interfered with the election or to prevent a person from interfering with the legal election processes.

#### § 22-60 Citizen challenges.

[Amended 6-16-2016 by Ord. No. O-16-5; 12-19-2019 by Ord. No. O-19-16]

Persons other than official challengers, who desire to challenge the vote of any person inside the polling place, may be permitted by the election judges to enter the room to issue a challenge. Two or more election judges may limit the number of persons allowed in the room for such purpose, and any person who enters the room for such purpose must immediately leave the room once the challenge is decided. This section applies

to both regular and special Town elections.

**§ 22-62 Resolution of challenges.**

**[Amended 6-16-2016 by Ord. No. O-16-5; 12-19-2019 by Ord. No. O-19-16]**

A person who issues a challenge shall be required to state his or her reasons for the challenge. The challenger and the challenged voter shall be sworn and questioned. If a majority of the Board of Elections are of the opinion that the challenged voter is the person who was registered and is qualified to vote, his or her vote shall be received. If the challenge to a voter is sustained or Board members are not immediately available, the person seeking to vote shall be given the opportunity to apply for a provisional ballot.

**§ 22-63 Challenge resulting from registry errors.**

**[Amended 12-19-2019 by Ord. No. O-19-16]**

The fact that a voter's name is wrongfully spelled on the registry, or that he or she has given a wrong initial or more initials than he or she has, or that one or more of his or her initials is omitted, or that he or she states his or her initials or given name in a different way from the way in which it is registered, or that there is an error in the number of his or her residence on the registry shall not affect his or her right to vote, as long as two or more of the election judges are satisfied that he or she is the person who did actually register, and that he intended to register his true name and residence.

**§ 22-67 Statement of vote.**

**[Amended 12-19-2019 by Ord. No. O-19-16]**

As soon as the vote has been counted, an unofficial report of the vote shall be made and a statement thereof may be posted on the door of Town Hall. The statement will identify the number of absentee and provisional ballots received but not yet canvassed.

**§ 22-68 Publication of returns.**

The Board shall publish and make available to the public copies of the complete election returns after the Board has certified the final results in accordance with the Town Charter.

Article X  
**Appendix**

**§ 22-87 Designation of areas where electioneering is permitted.**

**[Amended 12-19-2019 by Ord. No. O-19-16]**

- A. When election is held at North East Community Center, designation of electioneering areas are controlled by Calvert County.
- B. When election is held at Chesapeake Beach Town Hall, electioneering is permitted in the locations shown in following photo **OR AS MODIFIED BY ELECTION BOARD.**

**Added the ability of the board to make modifications. In 2020 election we moved them out of the shade and into the sun (very cold).**

# Town of Chesapeake Beach Planning and Zoning Commission

## RESOLUTION

**WHEREAS**, authorized by the Land Use Article of the Annotated Code of Maryland, the Chesapeake Beach Planning and Zoning Commission (the Commission) prepared, and on January 26, 2022 approved, a new comprehensive plan for the Town of Chesapeake Beach titled, Comprehensive Plan: 2021 Update, and recommended it to the Town Council of the Town of Chesapeake Beach (the Town Council) who then adopted the Comprehensive Plan on April 21, 2022; and


**WHEREAS**, §290-29B(2) of the Zoning Ordinance for the Town of Chesapeake Beach (the Zoning Ordinance) establishes that the Commission may transmit to the Town Council proposals to amend, supplement, change, modify, or repeal the Zoning Ordinance; and

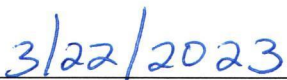
**WHEREAS**, during its regular meetings in 2022 and 2023, the Commission investigated, considered, and deliberated on amendments to the text of the Zoning Ordinance to address the design of townhouse and multi-family buildings; and

**WHEREAS**, the Commission conducted a public hearing on proposed text amendments on December 7, 2022 and in subsequent meetings and work sessions following the public hearing deliberated on the public comments received and considered refinements and supplements to such amendments; and

**WHEREAS**, on December 7, 2022, finding that the text amendments attached to this Resolution to be in the best interests of the Town of Chesapeake Beach, the Commission voted in the affirmative to recommend that the Town Council adopt each.

**NOW THEREFORE, LET IT BE RESOLVED** that the Commission hereby transmits the attached zoning text amendments to the Town Council with a favorable recommendation and advises their adoption.

  
\_\_\_\_\_  
Cynthia Greengold  
Chairwoman, Planning and Zoning Commission

  
\_\_\_\_\_  
Date

## Amendment to the Town of Chesapeake Beach Zoning Ordinance, Article V, Section 290-19M, Design Standards for Townhouses.

*Purpose: to incorporate new standards applicable to both townhouse and multi-family developments, revise certain existing standards, and reorganize and re-number the section.*

New text is shown in:           **BOLD CAPS**  
Removed text is shown in:   ~~Strikethrough~~

---

### M. Design Standards for townhouses **AND MULTI-FAMILY DEVELOPMENTS OF THREE OR MORE DWELLING UNITS.**

#### (1) Setbacks **BETWEEN BUILDINGS.**

(a) Purpose. The purpose of setbacks is to ensure that residents in the community and surrounding area will receive sufficient light and air and will be able to maintain privacy and freedom from disturbances within the area. However, the strict application of setback requirements can discourage innovation and promote unnecessarily monotonous site designs. Therefore, flexibility is incorporated into the following provisions in order to enable designers to address the problems of light, air, privacy and freedom from disturbance from traffic and neighbors through the use of techniques other than setback requirements.

#### (b) Basic requirements for building-to-building setbacks **IN TOWNHOUSE AND MULTI-FAMILY BUILDINGS:**

Front building to front building	35 feet
Rear building to rear building	50 feet
Side building to side building	60 feet*
Front building to rear building	75 feet
Front building to side building	50 feet
Rear building to side building	30 feet
Corner to corner	30 feet*

\*A break between **BLOCKS** of **FIVE** or fewer units may be reduced to a minimum of **15 feet**, **IF THE PLANNING COMMISSION FINDS THE REDUCTION IS NECESSARY TO ACHIEVE BETTER OVERALL DESIGN OR AN IMPROVED ARRANGEMENT OF OPEN SPACE.**



(2) Exceptions. If all of the following conditions are met, building-to-building setback requirements may be **MODIFIED**:

- (a) **THE PLANNING COMMISSION FINDS THAT THE REDUCTION OF BUILDING-TO-BUILDING SETBACKS ENHANCES OPEN SPACE FOR SCREENING, BUFFERING, OR COMMON USE OF THE SITE, AND IS IN COMPLIANCE WITH 1(a).**
- (b) Private outdoor spaces, if provided, are visually screened from each other and from public travel ways (vehicular and pedestrian) to a height of at least four feet. (To qualify, screening must be permanent, year-round and require little to no maintenance.)
- (c) Windows of individual units do not directly face each other unless a minimum of 25 feet is provided between windows.
- (d) At least one wall of each unit is provided with windows looking onto a space at least 50 feet square (50 feet by 50 feet).
- (e) Each unit is designed to ensure adequate ventilation.
- (f) No distinction is made, in terms of exterior siding and trim, between fronts, sides and rears of buildings.
- (g) ~~Approval is granted from the Department of Public Safety.~~ **THE CALVERT COUNTY FIRE MARSHALL HAS REVIEWED THE PLAN SHOWING THE PROPOSED BUILDING-TO-BUILDING SETBACKS AND HAS NO ADVERSE COMMENTS.**

(3) Building setback from streets.

- (a) Purpose: to provide a visual and sound buffer between buildings and roadways.
- (b) Within townhouse or multi-family developments served by private streets, the setback from all streets shall be 25 feet minimum.

Exception. A setback reduction to no less than **15 feet FROM A PRIVATE STREET** may be approved in cases where a specialized site design warrants a reduced setback, and the **PLANNING COMMISSION FINDS THAT THE COMPATIBILITY STANDARDS SET FORTH IN SECTION 290-23 ARE MET**

- (4) Building setback from adjacent property.
- (a) Purpose: to protect the privacy of existing residents; to provide a visual transition between different housing densities and to help ensure compatibility with the existing character of the neighborhood.
  - (b) The minimum setback **TO ANY FRONT, SIDE, OR REAR LOT LINE** shall equal the height of the building, or 30 feet, whichever is greater. If variable roof heights are utilized, the average height of the building at the boundary to adjacent property shall be used to establish minimum setbacks.
  - (c) **EXCEPTION. THE SETBACK FROM FRONT, SIDE, OR REAR LOT LINES MAY BE REDUCED TO THE MINIMUM ALLOWED IN THE ZONING DISTRICT WHERE THE PROJECT IS PROPOSED IF THE PLANNING COMMISSION FINDS THAT THE COMPATIBILITY STANDARDS IN SECTION 290-23 ARE MET AND THE REDUCTION HAS NO ADVERSE IMPACT ON NEIGHBORING PROPERTIES.**
- (5) Size and scale and building mass.
- (a) To avoid monotonous linear development, townhouse and **MULTI-FAMILY DEVELOPMENTS** shall be in small clusters designed as neighborhood units. A cluster shall not include more than 50 **DWELLING** units.
  - (b) The number of **TOWNHOUSE** units in a **BLOCK SHALL** be limited to a maximum of **six** units.
  - (c) **THE NUMBER OF DWELLING UNITS IN A MULTI-FAMILY BUILDING WITHIN THE RV-2 DISTRICT SHALL BE LIMITED TO EIGHT UNITS EXCEPT THAT THE PLANNING COMMISSION MAY APPROVE A BUILDING WITH MORE THAN EIGHT UNITS, UP TO THE MAXIMUM OTHERWISE ALLOWED BY THIS ORDINANCE, UPON A THIRD PARTY EVALUATION OF ARCHITECTURAL DESIGN COMPATIBILITY AS AUTHORIZED IN SECTION 19-23C(4) OF THIS ORDINANCE.**
  - (d) Offsets at party walls and/or front and rear facades and/or similar devices are required to visually reduce building mass and create individualized spaces (courtyards, seating areas, etc.) for both townhouse and multifamily projects. ~~If techniques other than offsets are utilized, building elevations prepared by a registered architect will be required.~~
  - (e) **EACH STORY OF THE END UNITS OF A TOWNHOUSE BLOCK OR THE SIDE OF A MULTI-FAMILY BUILDING SHALL BE ARTICULATED WITH WINDOWS AND PROJECTIONS (SUCH AS PORCHES, BAY WINDOWS, BALCONIES, ETC.) TO AVOID MONOTONOUS BLANK WALLS.**

- (f) EACH UNIT OF A TOWNHOUSE DEVELOPMENT SHALL BE PROVIDED WITH ACCESSORY STRUCTURES SUCH AS FRONT PORCHES, REAR DECKS, PATIOS, AND FENCING THAT PROVIDE A UNIFIED PRESENTATION FOR THE OVERALL DEVELOPMENT PROJECT AND THESE SHALL BE PROVIDED AT THE TIME OF INITIAL PROJECT DEVELOPMENT.
  - (g) TO PROVIDE PRIVACY, SECURITY, AND SAFE PLAY AREAS, EACH INDIVIDUAL TOWNHOUSE UNIT WILL INCLUDE REAR AND SIDE YARD FENCING THAT SHALL BE COMPATIBLE WITH ANY BOUNDARY FENCING OF THE DEVELOPMENT.
  - (h) ALONG WITH THE REQUIRED SITE PLAN, THE DEVELOPER SHALL SUBMIT A LANDSCAPE DESIGN PLAN PREPARED BY A REGISTERED LANDSCAPE ARCHITECT FOR PLANNING COMMISSION APPROVAL WHICH SHALL PROVIDE FOR AN ORGANIZED AND UNIFIED DEVELOPMENT AND INCLUDE RENDERINGS OF PROPOSED TREES AND SHRUBS AT FULL MATURITY.
  - (i) THE DEVELOPMENT SHALL PROVIDE VARIETY IN THE ARCHITECTURE TO ADD INTEREST AND CHARACTER AND USE HIGH-QUALITY BUILDING MATERIALS TO CONTRIBUTE TO SUSTAINED QUALITY AND SENSE OF PERMANENCE.
  - (j) THE DEVELOPMENT SHALL PROVIDE VARIETY IN THE ROOF FORM, MASS, SHAPE, AND MATERIAL CHANGES TO CREATE VARIATIONS IN PLANES.
  - (k) IN AREAS WITH A RELATIVELY SMALLER SCALE CHARACTER, THE UPPER LEVELS OF TOWNHOUSE AND MULTI-FAMILY BUILDINGS SHALL BE STEPPED DOWN TO BRING THEM INTO COMPATIBILITY WITH SMALLER SCALE BUILDINGS.
  - (l) THE DEVELOPMENT OF LARGER COMPLEXES SHALL FEATURE VARIATIONS IN ROOFLINE, BALCONY PLACEMENT, WINDOWS, AND CHIMNEYS AND WHERE UNITS ARE CLUSTERED IN ONE STRUCTURE, THEY SHOULD HAVE VARYING FRONT SETBACKS, STAGGERED ROOF PLANES, AND VARIETY IN ORIENTATION.
  - (m) ALL ROOFS OF TOWNHOUSE AND MULTI-FAMILY BUILDINGS SHALL BE SLOPED IN A MANNER COMPATIBLE WITH STRUCTURES IN THE NEIGHBORHOOD BUT SHALL NOT BE LESS THAN 15 PERCENT.
- (6) PARKING.
- (a) PURPOSE: TO ENSURE PARKING AREAS DO NOT MONOPOLIZE THE OVERALL SITE DEVELOPMENT, THAT THEIR IMPERVIOUS SURFACES ARE MINIMIZED TO ONLY THAT NECESSARY, AND THEY ARE INTEGRATED INTO THE OVERALL PROJECT DESIGN.



- (b) PARKING SHALL BE LOCATED AT THE REAR OR INTERIOR OF A DEVELOPMENT SITE WHERE POSSIBLE AND THE PLACEMENT OF PARKING LOTS THAT FRONT THE STREET SHALL BE AVOIDED, BUT IF APPROVED, ANY PORTION OF A STREET-FRONTING PARKING AREA SHALL BE SET BEHIND A MINIMUM 10-FOOT WIDE LANDSCAPING STRIP AND SCREENED FROM THE STREET.
- (c) DECIDUOUS SHADE TREES SHALL BE PLANTED, IN PROTECTED PARKING LOT PLANTING BEDS SIZED FOR THE TREES' MATURE SIZES, AT A MINIMUM RATIO OF 1 TREE PER 7 PARKING SPACES.
- (d) MULTI-FAMILY AND TOWNHOUSE DEVELOPMENTS MUST INCLUDE 2.5 PARKING SPACES PER DWELLING UNIT IN ADDITION TO ANY REQUIRED HANDICAP ACCESSIBLE PARKING SPACES. IF THE PLANNING COMMISSION FINDS THAT THE SPECIFIC OCCUPANCY OF THE PROPOSED PROJECT WARRANTS A REDUCTION IN PARKING, THE REQUIREMENT MAY BE REDUCED.
- (e) ON SITE GUEST PARKING MUST BE INCLUDED IN ALL MULTI-FAMILY AND TOWNHOUSE DEVELOPMENTS WITH THREE OR MORE HOUSING UNITS AT A RATIO OF A MINIMUM OF ONE SPACE FOR EVERY SIX PARKING SPACES.
- (f) TANDEM PARKING SPACES ARE PROHIBITED IN TOWNHOUSE AND MULTI-FAMILY DEVELOPMENTS.
- (g) WHERE ON-STREET PARKING IS READILY AVAILABLE, AFTER ACCOUNTING FOR EXISTING USE, OR WHERE SUCH PARKING COULD BE PROVIDED OR ENHANCED THROUGH DEVELOPER IMPROVEMENTS TO THE PUBLIC STREET, THE PLANNING COMMISSION MAY PERMIT A COMMENSURATE REDUCTION IN THE ON-SITE PARKING REQUIREMENTS THAT OTHERWISE WOULD HAVE APPLIED.
- (h) SNOW STORAGE AREAS SHALL BE PROVIDED FOR SNOW CLEARED FROM PARKING AND DRIVEWAYS SURFACES.
- (i) TOWNHOUSE OR MULTIFAMILY DEVELOPMENTS MAY ALLOW FOR SURFACE PARKING OR FOR PARKING BELOW GRADE BUT SHALL NOT PROVIDE PARKING IN A STRUCTURE ABOVE GRADE LEVEL.
- (j) FOR MULTI-FAMILY STRUCTURES, PARKING AT GRADE LEVEL MAY OCCUPY NO MORE THAN 50% OF THE BUILDING'S FOOTPRINT.

**(7) PEDESTRIAN ACCESSIBILITY.**

- (a) PURPOSE: TO PROMOTE WALKING AND CONNECTIVITY BETWEEN HOUSING DEVELOPMENTS AND THEIR NEIGHBORHOODS, AND TO ENSURE THE SAFEST AND MOST CONVENIENT ROUTING FOR OCCUPANTS AND VISITORS INCLUDING CHILDREN AND INDIVIDUALS WITH DISABILITIES.
- (b) BUILDINGS SHALL PRESENT A FAÇADE THAT ENCOURAGES INTERACTION BETWEEN THE BUILDINGS AND THE STREET BY INCLUDING ENTRY FEATURES, WINDOWS, AND LANDSCAPING ALONG THE STREET SIDES OF THE BUILDING.

- (c) SITES SHALL HAVE OBVIOUS AND DIRECT PEDESTRIAN ACCESS WAYS BETWEEN BUILDING ENTRANCES AND ADJACENT STREETS / SIDEWALKS, PARKING AREAS, AND OPEN SPACE FEATURES.
- (d) FRONT YARDS SHALL INCLUDE AN ENTRANCE SEQUENCE BETWEEN THE SIDEWALK AND THE BUILDING INCLUDING ELEMENTS SUCH AS LAWN, LANDSCAPED BORDERS, LOW FENCES AND HEDGES, SHRUB PLANTINGS ALONG THE BUILDING WALL AND PORCHES.
- (e) FENCES, SIGNAGE, GATES, BOLLARDS, PLANTED AREAS, AND TOPOGRAPHY SHALL BE USED TO ASSIST AND GUIDE USERS IN NAVIGATING THE SITE IN A PROSCRIBED MANNER WHILE SIMILARLY IMPEDING OR DISCOURAGING UNDESIRABLE MOVEMENTS WITHIN THE PROPERTY.
- (f) DEVELOPMENT PROJECTS SHALL DESIGN AND INSTALL A PUBLIC SIDEWALK ALONG THE FULL STREET FRONTAGE(S) OF THE SITE UNDER THE TERMS OF A TOWN PUBLIC WORKS AGREEMENT. THE DEVELOPER MAY BE REQUIRED TO DEDICATE LAND OR PEDESTRIAN EASEMENTS TO THE TOWN TO MEET THIS REQUIREMENT.

**(8) LIGHTING.**

- (a) PURPOSE: TO ENSURE SITE LIGHTING PROVIDES A SAFE AND SECURE HOUSING COMMUNITY THAT RESPECTS THE AMBIENT LIGHT LEVEL CONDITIONS AND CHARACTER OF THE NEIGHBORHOOD, AND PREVENTS GLARE, EXCESSIVE LIGHT LEVELS AND THE INTRUSION OF ILLUMINATION FROM THE SITE.
- (b) PHOTOMETRIC PLANS SHALL BE PROVIDED FOR THE ENTIRE SITE DOCUMENTING THE PROPOSED HORIZONTAL ILLUMINATION ON THE SITE AND THE VERTICAL LIGHT TRESPASS AROUND THE PERIMETER OF THE SITE. THE PLAN SHALL REFLECT ADHERENCE TO THE GUIDELINES AND RECOMMENDATIONS OF THE ILLUMINATION SOCIETY OF NORTH AMERICA (IESNA) LIGHTING HANDBOOK (MOST CURRENT EDITION).
- (c) PARKING AREAS AND ENTRY DRIVES SHALL BE ILLUMINATED TO FACILITATE PEDESTRIAN MOVEMENT, SAFETY, AND SECURITY.
- (d) POLE LIGHTING SHALL BE PLACED TO ACHIEVE MAXIMUM ENERGY EFFICIENCY, HAVE A MAXIMUM HEIGHT OF 14 FEET, AND SHALL BE SHIELDED FROM THE SKY (FULL-CUTOFF).
- (e) PEDESTRIAN-SCALED LIGHTING (SUCH AS BOLLARD LIGHTING, STEP LIGHTING AND POLE MOUNTED LIGHTING) SHALL BE PROVIDED FOR ALL ONSITE WALKWAYS.
- (f) ACCENT AND ARCHITECTURAL LIGHTING SHALL BE USED TO HIGHLIGHT SPECIAL FOCAL POINTS SUCH AS BUILDING AND SITE ENTRANCES AND SIGNAGE.



- (g) BUILDING LIGHTING MAY BE PLACED ON THE SIDE OR REAR OF A MULTI-FAMILY BUILDING ONLY BUT SHALL BE LOCATED BELOW THE EAVE LINE AND NO HIGHER THAN 14 FEET FROM GRADE AND SHALL BE SHIELDED FROM THE SKY (FULL-CUTOFF), GLARE FREE, AND SHIELDED FROM ADJACENT PROPERTIES.
  - (h) DETAILS AND SPECIFICATIONS ON ALL SITE LIGHTING FIXTURES AND POLES SHALL BE PROVIDED WITH THE SITE PLAN AND SHALL DEMONSTRATE THAT THE PROPOSED LIGHTING IS ARCHITECTURALLY INTEGRATED WITH THE BUILDING STYLE, MATERIAL, AND COLORS.
- (9) SUSTAINABILITY.
- (a) PURPOSE: TO PROMOTE HOUSING IN ARRANGEMENTS AND DESIGNS THAT MAXIMIZE ENERGY EFFICIENCY AND MINIMIZE IMPACT TO AREA WATER QUALITY.
  - (b) SITE LIGHTING FIXTURES SHALL BE ENERGY EFFICIENT, SHALL UTILIZE LED LAMPS FOR ENERGY EFFICIENCY AND LONG LAMP LIFE, AND HAVE PHOTOSENSITIVE TIMERS.
  - (c) BUILDING ORIENTATION: WHENEVER PRACTICABLE, BUILDING SHALL BE ORIENTED WITHIN 20 DEGREES OF NORTH/SOUTH AXIS, WITH 90% OF SOUTH FACING GLAZING SHADED FROM THE SUN AT NOON ON JUNE 21 WITH OVERHANGS, AWNINGS, VEGETATION, OR AUTOMATED SHADING DEVICES, AND UNSHADED FROM THE SUN AT NOON ON DECEMBER 21.
  - (d) TO THE EXTENT PRACTICABLE, THE FLOOR PLAN OF DWELLINGS SHALL BE ORIENTED ON AN EAST/WEST AXIS WITH DAYTIME LIVING PORTIONS RELATED TO THE SUN TO CAPITALIZE ON NATURAL LIGHT AND PASSIVE SOLAR HEAT.
  - (e) THE SITE'S STORMWATER MANAGEMENT SYSTEM SHALL BE DESIGNED WITH AN EMPHASIS ON STORMWATER INFILTRATION, BIO-RETENTION, AND OPEN CHANNEL CONVEYANCE, WITH AS LITTLE CONVENTIONAL PIPED CONVEYANCE AS POSSIBLE.
  - (f) NATIVE TREES AND SHRUBS SHALL BE THE PRIMARY MEANS FOR BUFFERING AND SCREENING REQUIRED BY SECTION 290-21D OF THIS ORDINANCE.
- (10) THE MINIMUM TRACT SIZE FOR TOWNHOUSE OR MULTI-FAMILY DEVELOPMENTS SHALL BE 20,000 SQUARE FEET.
- (11) COMMON OPEN SPACE SHALL BE PROVIDED IN THE MANNER PRESCRIBED BY SECTION 290-19N OF THIS ORDINANCE.

--End--

# Town of Chesapeake Beach Planning and Zoning Commission

## RESOLUTION

**WHEREAS**, authorized by the Land Use Article of the Annotated Code of Maryland, the Chesapeake Beach Planning and Zoning Commission (the Commission) prepared, and on January 26, 2022 approved, a new comprehensive plan for the Town of Chesapeake Beach titled, Comprehensive Plan: 2021 Update, and recommended it to the Town Council of the Town of Chesapeake Beach (the Town Council) who then adopted the Comprehensive Plan on April 21, 2022; and

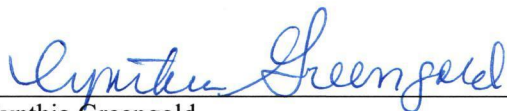
**WHEREAS**, §290-29B(2) of the Zoning Ordinance for the Town of Chesapeake Beach (the Zoning Ordinance) establishes that the Commission may transmit to the Town Council proposals to amend, supplement, change, modify, or repeal the Zoning Ordinance; and

**WHEREAS**, during its regular meetings in 2022 and 2023, the Commission investigated, considered, and deliberated on amendments to the text of the Zoning Ordinance to address the compatibility of new construction with the character of existing neighborhoods; and

**WHEREAS**, the Commission conducted a public hearing on proposed text amendments on January 25, 2023 and in subsequent meetings and work sessions following the public hearing deliberated on the public comments received and considered refinements and supplements to such amendments; and

**WHEREAS**, on February 22, 2023, finding that the text amendments attached to this Resolution to be in the best interests of the Town of Chesapeake Beach, the Commission voted in the affirmative to recommend that the Town Council adopt each.

**NOW THEREFORE, LET IT BE RESOLVED** that the Commission hereby transmits the attached zoning text amendments to the Town Council with a favorable recommendation and advises their adoption.

  
\_\_\_\_\_  
Cynthia Greengold  
Chairwoman, Planning and Zoning Commission

3/22/2023  
Date

Amendment to the Town of Chesapeake Beach Zoning Ordinance, Article V by adding a new section titled “Section 290-23, Standards of Compatibility”.

*Purpose: to add a new section called "Section 290-23, Standards of Compatibility", creating seven required compatibility standards applicable to new developments and regulations on their purpose, applicability, and administration, and to re-number the subsequent sections in Article V.*

New text is shown in: **BOLD CAPS**  
Removed text is shown in: ~~Strikethrough~~

---

## SECTION 290-23 STANDARDS OF COMPATIBILITY

### A. PURPOSE AND DEFINING CRITERIA.

THE PURPOSE OF APPLYING STANDARDS AND REQUIRING FINDINGS OF COMPATIBILITY IS TO ENSURE THAT THE SITE PLANNINGS, BUILDING DESIGN, AND LANDSCAPE FEATURES OF NEW DEVELOPMENT COMPLEMENT THE NEIGHBORHOOD WITHIN WHICH THEY ARE PROPOSED. THESE STANDARDS SHOULD PROMOTE HISTORIC AND ENVIRONMENTAL FEATURES RELATED TO OUR UNIQUE NATURAL SETTING, AS OUTLINED IN THE TOWN'S COMPREHENSIVE PLAN. COMPATIBILITY IS ACHIEVED WHEN ADJACENT LAND USES DIFFERING IN FUNCTION, SCALE, AND INTENSITY COMPLEMENT THE SURROUNDING NEIGHBORHOOD.

### B. APPLICABILITY.

1. THE PROVISION OF THIS SECTION SHALL APPLY TO PROPOSED DEVELOPMENTS REQUIRING SITE PLAN APPROVAL.
2. IN THE REVIEW OF CATEGORY 1 SITE PLANS THE PLANNING COMMISSION SHALL MAKE FINDINGS WITH RESPECT TO A DEVELOPMENT'S CONSISTENCY WITH THE COMPATIBILITY STANDARDS IN THIS SECTION.



3. **IN THE REVIEW OF CATEGORY 2 SITE PLANS FOR SINGLE-FAMILY DETACHED HOUSES, THE PLANNING AND ZONING ADMINISTRATOR SHALL MAKE FINDINGS WITH RESPECT TO A DEVELOPMENT'S CONSISTENCY WITH THE COMPATIBILITY STANDARDS.**
4. **THE APPROVING AUTHORITY SHALL FIND THAT EACH OF THE COMPATIBILITY STANDARDS IS MET PRIOR TO APPROVING A SITE PLAN.**

**C. ADMINISTRATION.**

1. **THE PLANNING COMMISSION SHALL TAKE INTO CONSIDERATION EACH OF THE FOLLOWING IN ITS EVALUATION OF COMPATIBILITY:**

a) **EACH STANDARD IS ACCOMPANIED BY A STATEMENT OF EXPLANATION TO BE USED BY THE PLANNING COMMISSION (OR ZONING ADMINISTRATOR) AS GUIDANCE IN APPLYING THE STANDARD.**

b) **SOME STANDARDS MAY HAVE GREATER IMPORTANCE AND APPROPRIATENESS TO PARTICULAR DEVELOPMENT SITES AND SURROUNDING CONDITIONS THAN OTHER STANDARDS.**

c) **IN THIS SECTION THE TERM NEIGHBORHOOD MEANS THE AREA ADJACENT TO AND EXTENDING FROM THE PROPOSED DEVELOPMENT SITE TO A DEFINABLE BOUNDARY, WHICH MAY BE A MAJOR STREET, AN AREA OF SIGNIFICANT LAND USE CHANGE, OR A MAJOR NATURAL FEATURE THAT VISUALLY SEPARATES ONE AREA FROM ANOTHER. THE PLANNING AND ZONING ADMINISTRATOR SHALL PROVIDE THE PLANNING COMMISSION WITH A RECOMMENDATION AS TO THE BOUNDARIES OF THE NEIGHBORHOOD FOR THE APPLICATION OF THE COMPATIBILITY STANDARDS.**

d) **NEIGHBORHOOD CONTEXT IS ESSENTIAL FOR THE APPLICATION OF THE STANDARDS BUT THE ABSENCE OF A SPECIFIC PRECEDENT FOR A PROPOSED DEVELOPMENT PROJECT WITHIN THE NEIGHBORHOOD SHALL NOT BE A BASIS FOR DISCOUNTING THE STANDARD OR FOR FINDING THE DEVELOPER HAS NOT MET THE STANDARD.**

2. **COMPLIANCE WITH COMPATIBILITY STANDARDS SHALL NOT BE GROUNDS FOR FAILING TO MEET THE MINIMUM DEVELOPMENT REQUIREMENTS AND OTHER REGULATIONS OF THIS ZONING ORDINANCE.**

3. UPON ESTABLISHING FINDINGS WITH RESPECT TO EACH COMPATIBILITY STANDARD, THE PLANNING COMMISSION MAY DIRECT THAT REVISIONS BE MADE TO THE PROPOSED DEVELOPMENT FOR ITS FURTHER REVIEW AND MAY APPROVE A SITE PLAN ON THE CONDITION THAT SUCH REVISIONS BE MADE.
4. FOR ANY MULTI-FAMILY HOUSING DEVELOPMENT WITH GREATER THAN 8 UNITS IN A BUILDING, OR ANY NON-RESIDENTIAL BUILDING EXCEEDING 10,000 SQUARE FEET IN SIZE, THE PLANNING COMMISSION IS AUTHORIZED TO RETAIN THE SERVICES OF A THIRD-PARTY ARCHITECTURAL DESIGN REVIEW BY A MARYLAND REGISTERED ARCHITECT OF THE PROJECT'S ADHERENCE TO COMPATIBILITY STANDARD D6 (IN THE SUBSECTION BELOW); THE COST OF SUCH REVIEW SHALL BE BORNE BY THE DEVELOPER.
5. EVERY APPLICATION SHOULD INCLUDE A THOROUGH ANALYSIS OF EXISTING CONDITIONS ON AND ADJACENT TO THE SITE. ANALYSIS SHOULD INCLUDE A CAREFUL EVALUATION OF: PHYSICAL PROPERTIES, SPECIAL ISSUES AT THE LOCATION, NEIGHBORING ENVIRONMENT, NATURAL FEATURES, AND VISUAL CHARACTER.

#### D. COMPATIBILITY STANDARDS.

THE DEVELOPMENT OF A PROPERTY SHALL BE DESIGNED TO ACHIEVE THE FOLLOWING COMPATIBILITY STANDARDS AND THE PLANNING COMMISSION SHALL ESTABLISH WRITTEN FINDINGS WITH RESPECT TO EACH OF THEM.

1. THE GENERAL ARRANGEMENT AND ORIENTATION OF PROPOSED BUILDING(S) AND SITE IMPROVEMENTS ARE PATTERNED IN A SIMILAR MANNER AND IN HARMONY WITH THOSE IN THE NEIGHBORHOOD.

***EXPLANATION STATEMENT FOR ADMINISTRATIVE GUIDANCE: THE DEVELOPMENT PATTERNS OF A NEIGHBORHOOD ARE CHARACTERIZED BY STREET LAYOUT, LOT SIZE AND CONFIGURATION, BUILDING ORIENTATION, NATURAL TERRAIN, AND VEGETATION (MOST NOTABLY TREES). NEW DEVELOPMENTS SHOULD RESPOND TO AND INTEGRATE SUCH COMPONENTS FROM THE NEIGHBORHOOD INTO THE SITE DESIGN AND CONTINUE ESTABLISHED STREET PATTERNS BY CONNECTING STREET WHERE POSSIBLE, ARRANGE LOTS AND BUILDING LAYOUTS TO REFLECT ADJACENT BUILDINGS, AND INCORPORATE NATURAL TERRAIN, VEGETATION, AND PLEASANT VIEWS.***



2. **BUILDING AND PARKING LAYOUTS REINFORCE EXISTING BUILDING AND STREETScape PATTERNS AND ASSURE THAT THE PLACEMENT OF BUILDINGS AND PARKING LOTS HAVE NO ADVERSE IMPACT ON THE NEIGHBORHOOD.**

**EXPLANATION STATEMENT FOR ADMINISTRATIVE GUIDANCE: A NEIGHBORHOOD STREET PROVIDES AN ORGANIZATION OF BUILDING FORMS AND OPEN SPACES THAT CREATE PREDICTABLE PATTERNS REFERRED TO HERE AS RHYTHM. SUCH RHYTHM IS CREATED BY THE INTERVALS BETWEEN BUILDINGS AND OPEN SPACES AND IS THUS INFLUENCED BY THE LENGTH OF BUILDINGS, THE WIDTH OF SIDE YARDS, AND THE PLACEMENT OF OPEN AREAS. THE ESTABLISHED RHYTHM SHOULD BE PROTECTED TO THE EXTENT POSSIBLE AND WHERE VARIATIONS IN THE RHYTHM MIGHT OCCUR THROUGH THE PLACEMENT OF DIFFERENT BUILDING FORMS OR OPEN SPACES, TRANSITIONS SHOULD BE GRADUAL. TRANSITIONS FROM ONE RHYTHM TO ANOTHER SHOULD NOT DISRUPT THE OVERALL APPEARANCE OF THE NEIGHBORHOOD AS SEEN ALONG THE STREET.**

3. **THE OPEN SPACES OF THE PROPOSED DEVELOPMENT REINFORCE THE OPEN SPACE PATTERNS OF THE NEIGHBORHOOD IN FORM AND SITING AND COMPLEMENT EXISTING OPEN SPACES, PARKS, FORESTED BUFFERS, AND PRESERVED SPACES.**

**EXPLANATION STATEMENT FOR ADMINISTRATIVE GUIDANCE: OPEN SPACES ON A DEVELOPMENT SITE CAN REINFORCE THE NEIGHBORHOOD'S ARRANGEMENT BY PROVIDING A FOCAL POINT OR LANDSCAPE SETTING FOR SIGNIFICANT STRUCTURES, VIEWS, OR ACTIVITIES, BY CONTAINING RECREATIONAL FEATURES, OR BY CONNECTING THE PROJECT TO THE LARGER NEIGHBORHOOD THROUGH GREEN SPACES OR A COMMUNITY TRAIL. BUILDINGS, PARKING LOTS, AND CIRCULATION ROUTES ON A SITE CAN BE ORGANIZED TO CREATE MEANINGFUL ON-SITE OPEN SPACES AND LANDSCAPE AREAS THAT ENHANCE DESIGN QUALITY AND INTEGRATE THE SITE INTO THE NEIGHBORHOOD.**

4. **SIGNIFICANT FEATURES OF THE SITE INCLUDING BUT NOT LIMITED TO DISTINCTIVE BUILDINGS, FORESTED BUFFERS ALONG ROADWAYS, OR SCENIC VISTAS ARE ELEMENTS TO BE PRESERVED IN THE DESIGN OF SITES, NOT TO BE OBSTRUCTED OR MINIMIZED THROUGH THE PLACEMENT OF BUILDINGS, STRUCTURES, OR VEGETATION.**

**EXPLANATION STATEMENT FOR ADMINISTRATIVE GUIDANCE: PROMINENT BUILDINGS AND SITE FEATURES PROVIDE REFERENCE POINTS AND CONTRIBUTE TO THE OVERALL AESTHETIC QUALITY AND IDENTITY OF A NEIGHBORHOOD. THESE MAY BE LOCATED ON THE DEVELOPMENT SITE ITSELF OR MAY BE VIEWABLE THROUGH THE SITE. EITHER WAY, SIGNIFICANT FEATURES SHOULD BE INCORPORATED INTO THE PROPOSED SITE DESIGN AND RETAINED TO THE GREATEST EXTENT POSSIBLE.**



5. THE PROPOSED LANDSCAPE DESIGN COMPLEMENTS THE NEIGHBORHOOD'S LANDSCAPE AND STREETScape PATTERNS AND REINFORCES ITS FUNCTIONAL QUALITIES.

**EXPLANATION STATEMENT FOR ADMINISTRATIVE GUIDANCE: THE TERM "LANDSCAPE" HERE MEANS THE VISIBLE FEATURES OF AN AREA AND HOW THEY INTEGRATE WITH NATURAL AREAS, STREETS, AND BUILDINGS. IN CONSIDERING LANDSCAPE, SUCH FACTORS AS THE PATTERNS OF FRONT LAWNS, THE BUFFERING OF BUILDINGS WITH VEGETATION, THE AMOUNT OF OPEN SPACE ON LOTS, THE DENSITY AND PLACEMENT OF TREES AND SHRUBS ON A LOT, THE USE OF FOUNDATION PLANTINGS ALONG BUILDINGS, AND USE OF STREET TREES. A NEIGHBORHOOD MAY HAVE A LANDSCAPE APPEARANCE THAT DISTINGUISHES IT FROM OTHER AREAS. THE USE OF SPECIES IS RECOMMENDED IN THE LANDSCAPE DESIGN.**

6. THE PROPORTIONS, SCALE, MASSING AND DETAILING OF THE PROPOSED BUILDINGS ARE IN PROPORTION TO THOSE EXISTING IN THE NEIGHBORHOOD SUCH THAT THE OVERALL EFFECT OF NEW DEVELOPMENT IS TO SUPPORT AND REINFORCE THE ARCHITECTURAL SETTING OF THE NEIGHBORHOOD.

**EXPLANATION STATEMENT FOR ADMINISTRATIVE GUIDANCE: A COHESIVE AND ORDERLY RELATIONSHIP BETWEEN EXISTING AND PROPOSED BUILDINGS CAN BE ACCOMPLISHED WHEN NEW DEVELOPMENT USES PREDOMINANT ARCHITECTURAL CHARACTERISTICS FROM THE NEIGHBORHOOD. THE OVERALL EFFECT OF NEW BUILDINGS SHOULD SUPPORT AND REINFORCE THE ARCHITECTURAL SETTING OF THE LOCATION. THE INTENT OF THIS STANDARD IS NOT TO REQUIRE THAT EXISTING BUILDING STYLES BE COPIED.**

**"PROPORTION" REFERS TO THE RELATIONSHIP BETWEEN ELEMENTS WITHIN A COMPOSITION SUCH AS THE RELATIONSHIP BETWEEN WINDOWS AND THE WALL. "SCALE" REFERS TO THE SIZE OR EXTENT OF A BUILDING OR ITS ELEMENTS, RELATIVE TO SOMETHING ELSE, USUALLY ITS SITE OR THE BUILDINGS NEARBY. "MASS" REFERS TO THE PHYSICAL FORM OF A BUILDING AND THE EXTENT TO WHICH IT APPEARS SOLID. "MASSING" REFERS TO STRATEGIES THAT BREAK DOWN SOMETHING MASSIVE BY INSERTING VOIDS THAT CREATE RELIEF, BY ADDING ELEMENTS THAT PROJECT A LIGHTER ELEMENT IN FRONT OF A MORE MASSIVE ONE (A BUILDING WALL), OR BY USING MATERIALS AND ARCHITECTURE DETAILS TO BREAK DOWN A BUILDING INTO COMPONENT PARTS THAT ARE MORE READILY APPRECIATED. SCALE, PROPORTION, AND MASSING DO NOT IMPLY MAKING ONE THING THE "THE SAME" AS ANOTHER. IN APPLYING THIS STANDARD, IT IS CORRECT TO ASK: IS THE ARRANGEMENT OF THE PROPOSED BUILDING ELEMENTS COMPARABLE TO THAT SEEN ON OTHER BUILDINGS.**

7. EXTERIOR SIGNS, SITE LIGHTING, AND ACCESSORY STRUCTURES SUPPORT A UNIFORM ARCHITECTURAL THEME AND PRESENT A HARMONIOUS VISUAL RELATIONSHIP WITH THE SURROUNDING NEIGHBORHOOD.

***EXPLANATION STATEMENT FOR ADMINISTRATIVE GUIDANCE: THESE ELEMENTS OF SITE DESIGN NEED TO BE COORDINATED WITH EACH OTHER AND WITH THE NEIGHBORHOOD GENERALLY. UNCOORDINATED SITE IMPROVEMENTS CREATE VISUAL CLUTTER AND ARE DIFFICULT TO INTEGRATE WITH THE NEIGHBORHOOD. DISCERNMENT IN THE SELECTION, PLACEMENT, AND USE OF ON-SITE IMPROVEMENTS AND ACCESSORY STRUCTURES MUST BE USED TO AVOID DAMAGE TO THE AESTHETICS OF THE NEIGHBORHOOD.***

--End--



To: The Honorable Mayor and Town Council  
Subject: Urban Forest Ordinance  
Date: May 4, 2023

From: Holly Wahl, Town Administrator

---

## **I. BACKGROUND:**

The Town of Chesapeake Beach in coordination with the Chesapeake Beach Green team seeks to protect, preserve and promote the urban forest of Chesapeake Beach, which is part of a larger ecosystem which contributes significantly to air, noise and visual pollution control, moderates climate extremes, promotes sound energy conservation, and has significant aesthetic value affecting property values and the community's quality of life; and to establish a Tree Board to regulate the planting, maintenance and removal of trees in public places, and certain trees located on private property.

The steps taken through the Urban Forest Ordinance will provide a standard for protection of trees in Town that does not currently exist and will allow the Town to qualify to become a [Tree City USA](#) a goal of the Town as part of our [Sustainable Maryland designation](#).

## **II. URBAN FOREST ORDINANCE:**

In coordination with the Town's Green Team Exhibit B provides an Ordinance for Town Council review to set standards for the protection of the urban forest of Chesapeake Beach.

## **III. NEXT STEPS:**

During the May 9<sup>th</sup> Town Council work session, staff will hear feedback from Town Council members and utilize this feedback to draft a final version for introduction of the ordinance at a upcoming Town Council meeting.

**URBAN FOREST**

- § 112-1. Purpose.
- § 112-2. Applicability.
- § 112-3. Tree Board.
- § 112-4. Prohibited acts and permits.
- § 112-4.1. Permit standards.
- § 112-4.2. Tree removal standards and replacement.
- § 112-5. Official street tree species.
- § 112-6. Enforcement.
- § 112-7. Exceptions.
- § 112-8. Appeals.
- § 112-9. Appeals procedure.
- § 112-10. Factors considered on appeal.

**§ 112-1. Purpose.**

The purpose of this chapter is to protect, preserve and promote the urban forest of Chesapeake Beach, which is part of a larger ecosystem which contributes significantly to air, noise and visual pollution control, moderates climate extremes, promotes sound energy conservation, and has significant aesthetic value affecting property values and the community's quality of life; and to establish a Tree Board to regulate the planting, maintenance and removal of trees in public places, and certain trees located on private property.

**§ 112-2. Applicability.**

The following trees are considered to be part of the Town's urban forest and are subject to the provisions of this chapter:

- A. Public trees which are those trees in the public rights-of-way or on property owned by the Town or any governmental agency, including all trees in the public domain in Chesapeake Beach.
- B. Trees worthy of preservation which are:
  - (1) Trees on private property with trunks that measure at least fifty (50) inches in circumference at four and one half (4-1/2) feet above ground level.
  - (2) Trees on private property with trunks that measure at least seventy-five (75) inches in circumference at four and one half (4-1/2) feet above ground level, if located more than fifty (50) feet from a public street or sidewalk.
- C. If a tree divides into branches at less than four and one half (4-1/2) feet, the trunk shall be measured immediately beneath the dividing point.
- D. This chapter shall also apply to trees, regardless of size or location that were planted:
  - (1) Pursuant to a reforestation requirement contained in a decision granting a permit by any government or governmental unit,

## TOWN OF CHESAPEAKE BEACH

- (2) With government funding, or
- (3) Pursuant to government programs.

E. Removal of a tree shall include not only actual removal of a tree but also effective removal through a damaging or other intentional action or omission resulting in the death of a tree within one year of the action or omission.

**This Chapter shall not exempt any person from compliance with Chapter 290 of the Town Code, Zoning, and in particular the regulations governing, and permit requirement related to, tree and forest removal and planting in the official Critical Area District, or Article X, Forest Conservation of Chapter 290. In the event of conflict between these regulations and this Chapter, the strictest standards or regulations shall apply. § 112-3. Tree Board.**

- A. Creation. There shall be created a board to be known and designated as the “Tree Board” composed of six (6) members. Said members shall be appointed by the mayor and confirmed by the Town Council. A minimum of two (2) members shall be from the Town Green Committee. One (1) member shall be a Town of Chesapeake Beach employee as designated by the Town Administrator. The term of office of the members appointed by the Mayor shall be three (3) years. All non-Town employee members shall serve without pay. Non-Town employee vacancies caused by resignations or otherwise shall be filled by the Mayor and confirmed by the Town Council.
- B. Duties and responsibilities. It shall be the responsibility of the Board to study, investigate, counsel and assist the Town’s designated employee in developing and/or updating a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, along streets and in other public and private areas, as defined in § 112-2 B-E of this chapter. Such a plan will be presented annually to the Town Council and upon their acceptance and approval shall constitute the official comprehensive Town tree plan.
- C. Operations. The Board shall choose its own officers, make its own rules and regulations, and keep records of its proceedings. A majority of the members shall be a quorum for the transaction of business.
- D. The Tree Board shall prepare an annual report summarizing its activities, shall recommend changes in the law or other actions that the Mayor and Town Council may wish to take to protect and promote the urban forest; and shall notify the Mayor and Town Council of significant events related to the urban forest.
- E. The Tree Board shall perform the functions described in §112-4 and §112-9 below.

### **§ 112-4. Prohibited Acts and Permits.**

- A. No person shall remove or destroy or cause the removal or destruction of a public tree or a tree worthy of preservation, as defined in § 112-2 of this chapter or undertake construction or other action that significantly and permanently detracts from the health or growth of a public tree or a tree worthy of preservation without first having obtained a permit from the Town of Chesapeake Beach which shall only be issued upon the presentation of an application. However, upon a determination by the Town that a tree protected by this Ordinance should be removed, pursuant

## TOWN OF CHESAPEAKE BEACH

to the tree being diseased, dead, dying or a hazard as outlined in § 112-4.1(A), the person/entity responsible for the tree or its removal shall be exempt from obtaining a permit to remove the tree, but shall not be exempt from any of the removal and replacement requirements in Section 112-4.2 of this Chapter.

- B. The Tree Board shall develop an application consistent with this chapter for a tree removal permit.
- C. The Tree Board shall have the discretion to solicit public opinion upon the application for a permit.
- D. Ordinarily the Director of Public Works or his/her designee shall be the municipal arborist unless the Town Administrator determines otherwise. The Town Administrator or the municipal arborist shall receive all permit applications and shall immediately notify the tree board which shall issue a recommendation regarding the application within the time frame stated in the notice or no later than forty-five (45) days.
- E. After the time for the tree board response has expired, the municipal arborist or his/her designee shall issue or deny a permit and may add reasonable conditions to the issuance or denial of such permit. This permit decision shall be in writing notifying the applicant of the right of appeal and be immediately mailed or delivered to the applicant.
- F. The property owner shall prominently display each tree permit, where it can be easily seen from the street as soon as possible after it is obtained and until seven days after tree work has been completed.
- G. Upon any evidence of a violation, the municipal arborist or other agent designated by the Town shall notify the Tree Board. The Town and the Tree Board shall investigate and if warranted the Town will issue a citation of municipal infraction.

**§ 112-4.1 Permit Standards. The Town shall ordinarily issue a permit if one (1) of the following conditions applies:**

- (1) The tree is diseased beyond restoration, insect infested beyond restoration, or injured beyond restoration.
  - (2) The tree is dead or dying.
  - (3) The tree constitutes a hazard to the safety of persons or property that cannot be addressed by using current tree care ANSI Z Standards (American National Standard Institute).
  - (4) The tree or its roots are encroaching on or could cause damage to Town infrastructure.
- B. The Town shall also consider the following factors before deciding on a Permit:
- (1) The overall health of the tree.
  - (2) The potential hazards associated with the tree.
  - (3) The desirability of preserving the tree by reason of its age, size or outstanding quality, such as uniqueness, rarity or status as a landmark or species variety.
  - (4) The degree of hardship suffered by the landowner.

## TOWN OF CHESAPEAKE BEACH

- (5) The extent to which the area would be subject to environmental degradation due to removal of the tree or trees.
- (6) The extent of the tree canopy in the immediate area.
- (7) The applicable Town zoning, County, and state law.

C. The Town is authorized to consult with experts concerning any of the above conditions. Any expert who is not a Town Employee and who is consulted about a tree must do so separate of any work to remove or replace the tree. The contractor evaluating the tree may not bid, perform other services and/or profit directly or indirectly as to any work on the tree in question

**§ 112-4.2 Tree Removal Standards and Replacement. If a tree measure seventy-five (75) inches in circumference at the four and a half (4-1/2) feet above ground level an applicant or his/her agents shall require written proof and furnish a copy thereof, that the persons(s) removing a tree is/are bonded and insured.**

A. An applicant may be required to replace any tree that is removed pursuant to a permit. Such replacement shall occur within one hundred eighty (180) days after issuance of a permit and may be in the following form:

1. Tree for tree replacement, a like number of trees removed, a like number of trees replaced.
2. Specified percentage of canopy cover, replacement by trees, which at maturity will approximately duplicate the crown size of the trees removed. Replacement shall be on the applicant's property or on public properties within Chesapeake Beach at the Town's discretion.

C. The Town of Chesapeake Beach shall attempt to adhere to the tree-replacement provisions of this section following its removal of trees protected by this ordinance on Town property or right-of-way.

**§ 112-5. Official street tree species.**

The official street tree species for Chesapeake Beach are those tree species listed in the current edition of Street Tree Factsheets, published by the Maryland Department of Natural Resources, as may be supplemented from time to time by the Tree Board upon receipt of advice by a professional arborist.

**§ 112-6. Enforcement.** A. Municipal infractions.

- (1) Any of the following shall constitute a municipal infraction for which a citation may be issued:
  - (a) Doing any of the acts prohibited in § 112-4 without a written permit.
  - (b) Any noncompliance with the terms of an issued permit including conditions regarding removal and replanting of trees.
- (2) The fine for each violation of § 112-6A(1)(a) shall be three hundred dollars (\$300.00) per tree affected, plus fifty dollars (\$50.00) per inch of tree circumference greater than fifty (50) inches, measured at four and one-half (4-1/2) feet above ground level, with a maximum fine of one thousand dollars (\$1,000.00) per tree affected; and a fine of one thousand dollars (\$1,000.00) for each repeat of that offense.

## TOWN OF CHESAPEAKE BEACH

(3) The fine for failing to comply with the terms of a permit or failure to replace a tree if the tree was removed without a permit shall be three hundred dollars (\$300.00) per tree affected, plus fifty dollars (\$50.00) per inch of tree circumference greater than fifty (50) inches, measured at four and one-half (4-1/2) feet above ground level, with a maximum fine of one thousand dollars

(\$1,000.00) per tree affected; and a fine of one thousand dollars (\$1,000.00) for each repeat of that offense.

(4) In the event the tree has been removed so that no accurate measurements can be taken to assess the fine, the fine, at the discretion of the municipal arborist, shall not exceed one thousand dollars (\$1,000.00) per tree.

B. It shall be a misdemeanor to do any of the following:

(1) Any of the acts forbidden by §112-4(a) of this chapter to three (3) or more trees within six (6) calendar months, whether such trees are located on the same property.

(2) Removal of or harm to any tree that was subject to a permit request after the permit has been denied.

C. A misdemeanor violation under 112-6(b) shall be punishable by a mandatory fine for each tree affected of two hundred dollars (\$200.00) plus one hundred dollars (\$100.00) per inch of tree circumference greater than fifty (50) inches, to a maximum per tree of two thousand dollars (\$2,000.00) or such other greater maximum as may be permitted by state law. The fine may be suspended only upon a finding that the violation was the first offense by the party charged, and that there was no willfulness involved.

D. Injunctive relief *may* be sought to prevent the removal of trees for which a permit is required, where no such permit has been obtained. Mandatory injunctions may be sought to enforce any condition contained in a permit and to require replacement of trees.

E. Remedial Action

(1) Whenever any person is in violation of this Chapter, is acting without a permit in violation of this Chapter or is failing to comply with the terms and conditions of a permit issued pursuant to this Chapter, in whole or in part, the municipal arborist or designee may issue a written order to stop work on the project including the removal of or damages to trees, until the violation or failure to comply is corrected to the Town's reasonable satisfaction. In the event any Town employee discovers anyone removing or seriously damaging a public tree or a tree worthy of preservation, the employee is authorized to order an immediate temporary stop work by oral order. Within forty-eight (48) hours the temporary stop work order shall expire, unless the municipal arborist or designee issues a written stop work order and posts it in the property.

(2) Continuing work in violation of any order issued pursuant to this subsection shall constitute a misdemeanor punishable by a one-thousand-dollar (\$1,000.00) fine and/or seven (7) days in jail. For each tree that is damaged or removed in violation of an order there shall be a separate chargeable offense. Each day that work continues to be done shall also constitute a separate offense.



## TOWN OF CHESAPEAKE BEACH

(3) A written order issued pursuant to this subsection posted on the property, in a conspicuous location, shall be sufficient service upon all persons physically on the property. A posted notice shall not be removed except under the authority of the Town Administrator or designee.

### **§ 112-7. Exceptions.**

No permit shall be required when performing professionally accepted tree maintenance as outlined in the ANSI Z Standards (American National Standard Institute), except in the case of tree removal. **§ 112-8. Appeals.** An applicant who is denied a permit by the municipal arborist or designee or who objects to the conditions in the permit may appeal the decision by filing the appeal to the Town Administrator in writing within twenty (20) days of the municipal arborist's decision.

A. The appeal shall be heard by a three person appeals panel (“Appeals Panel”), consisting of the Town Administrator, who shall chair the appeals panel, and two other members appointed by the Mayor, one of whom shall not be an employee of the Town. The appeals panel shall have the authority to affirm, reverse, or modify the decision of the tree arborist, including the conditions in the decision of the municipal arborist if, after a hearing, the appeals panel finds that such action will not adversely affect the public health, safety or welfare, nor the reasonable use of adjoining properties and can be permitted without substantial impairment of the purpose and intent of this chapter.

### **§ 112-9. Appeals procedure.**

A. Upon the filing of an appeal, the Town arborist shall within ten (10) days transmit to the town Administrator the record pertaining to the appeal. In addition, the property shall be posted with a sign, which shall include the case number, nature of the application, and the date, time and place of the hearing. The sign shall be located so as to be readable from the roadway abutting the property and should be placed five (5) feet from the sidewalk, if one exists, or five (5) feet from the curb or the edge of the paved portion of the street if there is no curb. In the case of lots abutting more than one (1) street, a sign shall be posted for each abutting street.

B. At the hearing, any party may appear in person or by agent or by attorney. The decision by the appeals panel shall be made within sixty (60) days following the hearing.

C. In exercising its powers, the Appeals Panel may affirm the denial of a permit, may direct that a permit be issued, or may order that a permit be issued upon such conditions, terms or restrictions as the appeals panel may deem necessary in keeping with this chapter.

D. A recording shall be made of all appeal hearings and records shall be kept of the Town’s examinations and other official actions, all of which shall be filed in the office of the Town Administrator and shall be a public record. The decision of the appeals panel shall be final.

### **§ 112-10. Factors considered on appeal.**

The Appeals Panel shall consider the following factors in deciding whether to approve, disapprove or modify the decision of the municipal arborist:

A. Those specified in § 112-4.1 above if relevant to the appeal;

B. The reasons cited by the applicant for wanting to remove or destroy the tree;

## TOWN OF CHESAPEAKE BEACH

- C. The reasons, if any, cited by residents who are either in favor of or in opposition to the issuance of the permit;
- D. Whether tree clearing is necessary to achieve proposed development, construction or land use otherwise permitted under the Town Code, and the extent to which there is no reasonable alternative;
- E. Whether the applicant proposes reforestation.
- F. Hardship to the applicant if a permit for the requested action is denied.
- G. The desirability of preserving a tree by reason of its age, size or outstanding qualities, including uniqueness, rarity or species specimen.
- H. Such other relevant matters as will promote fairness and justice in deciding the particular case.



To: The Honorable Mayor and Town Council  
Subject: Trash can provisions for Town residents  
Date: May 5, 2023

From: Holly Wahl, Town Administrator

---

## **I. BACKGROUND:**

The Town of Chesapeake Beach currently does not provide trash cans to Town residents. The Town has received many requests over the years from Town residents asking that the Town consider providing trash cans to citizens. Providing trash cans along with municipal trash service provides a higher quality container, a uniform appearance, and a streamlined collection process for the refuse collection contractor.

The Town currently provides recycling containers for Town residents and budgets approximately \$10,000 a year from the General Fund to provide this service for citizens.

## **II. TRASH CANS FOR RESIDENTS:**

In reviewing steps to consider providing a trash container for resident's staff received a quote from our current contractor, Evergreen, to provide one 96-gallon or 64-gallon container to Town residents for a monthly fee of \$2.23. The smaller container would be necessary for some of our town home and condo owners. The monthly fee would cover any normal wear and tear damage to the container other than theft or negligence. The Town would be charged a cost of \$75 to replace the container due to negligence or theft and this cost would be passed on to the homeowner. The contractor will inventory all containers, distribute all containers per the Town provided schedule and replace normal wear and tear damaged containers, when necessary, at no additional cost.

Residents can continue to use their personal trash containers if they need additional containers for trash. Residents that are provided with a dumpster for collection by the Town would not receive a container.

## **III. NEXT STEPS:**

Larry Foster from Evergreen will be available at the May 9<sup>th</sup> work session to answer questions from the Town Council on the trash container program.

The total cost of the program would be charged to the General Fund.

**Exhibit C - Letter from Evergreen**



Larry Foster  
Evergreen Disposal  
Waldorf, MD 20601  
240-468-6677  
Larry@edsemail.com

April 20, 2023

Holly Wahl  
Town Administrator  
Chesapeake Beach  
8200 Bayside Rd.  
Chesapeake Beach, MD 20732

Evergreen Disposal will provide, deliver and maintain one trash cart to each residence for the duration of the agreement. All containers provided by Evergreen Disposal and will remain the property of Evergreen Disposal. Please do not write or paint on equipment. Please do not place sharp objects or hot ashes into your container(s). All equipment must remain on the property that Evergreen Disposal is servicing.

After two weeks from commencement of collection services there will be a \$75 replacement charge for each cart that is lost, stolen, defaced or damaged beyond repair due to the resident's negligence & will be billed to the town. If this Agreement is terminated by the Customer for any reason, all containers furnished by the Provider will be returned to the Provider within 15 days after the Agreement's termination date. There will be a fee of \$75 for each cart that is not returned which will be billed to the town.

Evergreen Disposal believes there will be a positive impact of having uniform trash cans for every resident. Some of the benefits include clean and uniform street scape, secure trash to deter animals, and replacement or repair.

Evergreen Disposal is pleased to announce we would be working with the Kamilo project for trash cans via Rehrig Pacific. These trash cans will be EPA certified to have recycled content. This is a pilot program making these trash cans the only ones currently available with this certification. We believe Evergreen Disposal and Chesapeake Beach are on the same page, by offering their customers a greener alternative.

The price will be \$2.23 per month per customer and includes all services listed above.

Sincerely,

Larry Foster  
Evergreen Disposal



To: The Honorable Mayor and Town Council  
Subject: RT 261 Walkway Upgrades  
Date: May 5, 2023

From: Holly Wahl, Town Administrator

---

## I. BACKGROUND:

The RT 261 boardwalk walkway on the west side running from north to south requires new decking boards and pilings in several areas that have deteriorated. The boardwalk has been repaired piece by piece over the years; however, it requires further improvement for the longevity and safety of the walkway.

## II. GOAL:

Maintain a safe walkway that is used by many and provides access to several commercial, recreational and residential areas.

## III. SCOPE OF WORK:

The scope of work includes i) removal and replacement of the remaining deteriorated lumbar on the boardwalk, ii) replacement of the existing top cap railing with a composite material to prevent splintering and weathering, iii) power washing of the entire boardwalk for a consistent clean appearance of the boardwalk, rails and pickets, iv) stain and seal after the completion of power washing with Olympic brand water seal in a light oak stain.

## IV. TOTAL COSTS:

Item	Vendor	Cost
Stain and Seal Boardwalk	Windmill Farms	\$2,200
Power washing Boardwalk	Windmill Farms	\$2,950
Labor to remove and replace all deteriorated lumbar	Windmill Farms	\$13,200
Materials	Barrons purchased directly by the Town	\$21,617.53
		<b>\$39,967.53</b>

## V. FISCAL IMPACT:

The total funds of \$39,967.53 would come from the Town's general fund Capital Improvement line item under the sidewalk project category in FY23.

**Exhibit D - Boardwalk Costs**

**Windmill Farms, LLC**

*P. O. Box 549*

*1025 Chesapeake Beach Rd E.*

*Owings, MD 20736*

*410-257-9343*

*410-286-7477-fax*

[windmillfarmslc@aol.com](mailto:windmillfarmslc@aol.com)

April 12, 2023

**Town of Chesapeake Beach**

**Attn: Holly Wahl**

**Ref: Boardwalk Renovation along Route 261**

The following is a proposal to supply all labor, equipment and supervision necessary to remove and replace all deteriorated lumber on boardwalk. Replace existing top cap with a composite top cap. This process will take approximately 2 weeks. The boardwalk will be closed down during the day and will reopen every afternoon at close of business. We will haul away and dispose of all deteriorated lumber and debris. Town will provide materials. List was provided to the town on April 12, 2023.

**TOTAL COST: \$13,200.00**

---

**Acceptance**

---

**Date**

**Windmill Farms, LLC**

*P. O. Box 549*

*1025 Chesapeake Beach Rd E.*

*Owings, MD 20736*

410-257-9343

410-286-7477-fax

[windmillfarmslc@aol.com](mailto:windmillfarmslc@aol.com)

April 12, 2023

**Town of Chesapeake Beach**

**Attn: Holly Wahl**

**Ref: Power washing boardwalk along Rt. 261**

The following is a proposal to supply al labor, equipment, materials and supervision necessary to apply cleaning agent and power wash entire boardwalk, which includes railings and pickets, along Rt. 261.

**TOTAL COST: \$2,950.00**

---

**Acceptance**

---

**Date**

# Windmill Farms, LLC

*P. O. Box 549*

*1025 Chesapeake Beach Rd E.*

*Owings, MD 20736*

410-257-9343

410-286-7477-fax

[windmillfarmslc@aol.com](mailto:windmillfarmslc@aol.com)

April 17, 2023

**Town of Chesapeake Beach**

**Attn: Holly Wahl**

**Ref: Staining and Sealing boardwalk Rt. 261**

The following is a proposal to supply all labor, equipment, materials and supervision necessary to stain and seal boardwalk along Rt. 261 after power washing is completed. We will wait for a period of two to three weeks to allow the material to dry in order for it to accept the new stain and water seal. We will be using Olympic brand water seal with a light oak stain.

**TOTAL COST MATERIALS:     \$ 800.00**

**TOTAL COST LABOR:         \$1,400.00**

**TOTAL COST:                 \$2,200.00**

---

**Acceptance**

---

**Date**





**Gaithersburg**  
 23 W. Diamond Avenue  
 Gaithersburg, Maryland 20877  
 (301) 948-6600

# Quotation

**Quote No** **657195**  
**Quote Date** **04/24/2023**

**Invoice Address**  
 Town of Chesapeake Beach  
 P.O. Box 400  
 Chesapeake Beach, MD, 20732

**Delivery Address**  
 Town of Chesapeake Beach  
 P.O. Box 400  
 Chesapeake Beach, MD, 20732

**Customer** 8380  
**Your Ref** boardwalk rail sections  
**Expiry Date** 04/29/2023  
**Taken By** Jeff LaBar  
**Sales Rep** Jeff LaBar



Printed: 04/25/2023 09:43:41 Page 1 of 1

Special Instructions	Notes

Line	Product Code	Description	Qty/Footage	Price	Per	Total
1	TS1620PGSE	TREX SELECT 1X6-20' SQUARE EDGE PEBBLE GR	140 ea	76.00	ea	10,640.00
2	zz_SO_Treated SYP_3344	2x4x42" bevel 1 end #1 uc4b marine treated	800 ea	4.50	ea	3,600.00
3	zz_SO_Treated SYP_3345	6x6x12 #1 uc4b marine treated	25 ea	58.62	ea	1,465.50
4	zz_SO_Treated SYP_3346	2x6x12 #1 uc4b marine treated	140 ea	15.50	ea	2,170.00
5	zz_SO_Treated SYP_3347	2x6x12 #1 uc4b marine treated	140 ea	10.96	ea	1,534.40
6	zz_SO_Fasteners_059 4	#10x 2-1/2 star drive green exterior screws 2250/bx	6 ea	99.00	ea	594.00
7		#10x2-1/2" stainless #304 star drive 2000/bk \$365.00 per bucket this is an option for stainless. Green quoted above is lifetime warranty but not around salt water application.				
8	zz_SO_Fasteners_059 5	2-1/2" grey composite deck screws trex pebble grey 1050/bu	3 ea	130.00	ea	390.00

CURBSIDE DELIVERY ONLY  
 25% jobsite pickup fee, if material is eligible for return  
 NO RETURNS ON SPECIAL ORDERS

Total Amount	\$20,393.90
Sales Tax	\$1,223.63
Quotation Total	\$21,617.53

By your signature below, you are agreeing to the Terms and Conditions set forth on back or attached.

\_\_\_\_\_  
 Buyer Date

Subject to our terms and conditions of sale. Further copies available on request.



To: The Honorable Mayor and Town Council  
Subject: CBWRTP Overhang  
Date: May 5, 2023

From: Holly Wahl, Town Administrator

---

## **I. BACKGROUND:**

The CBWRTP solids handling building installed during the Enhanced Nutrient Removal (ENR) process encountered spalling of the concrete at the edge of the overhang for the press room. During construction, the railings were installed in the concrete overhang by core drilling holes into the concrete to place the railing. Over time, water has infiltrated at the base of the railings and frozen causing the concrete to crack off and fall.

## **II. GOAL:**

Ensure repair occurs with stability and ease of weathering on the solids handling building.

## **III. SCOPE OF WORK:**

The Town Engineer reviewed the issue during a on site meeting at the plant on May 4. The Town Engineer is reviewing the scope of work for any adjustments needed. The CBWRTP staff state that the overhang is not functionally needed. For this reason, we are going to reduce the new overhang as much as possible in hopes of reducing costs while still securing the location per the design of the building.

This project will require significant safety provisions which will require 1 week of set up and 1 week of constructing the new ledge.

- 1) Provide and erect shoring and scaffolding to underside of the concrete deck with two I-beams and plywood decking.
- 2) Provide and erect conventional scaffolding to and above the deck to be removed with guardrails and ladder.
- 3) Provide a forklift with trash hopper to place concrete debris in 20-yard can. Material will be recycled.
- 4) Provide and install #5 rebar dowels with HY-200 two-part epoxy at 12-inch centers. Form, place and finish new concrete sill with 12-inch C channel full length.
- 5) Install a new sill to be finished in 8 inches of brick veneer.
- 6) Provide all equipment, labor, and materials necessary for the project.

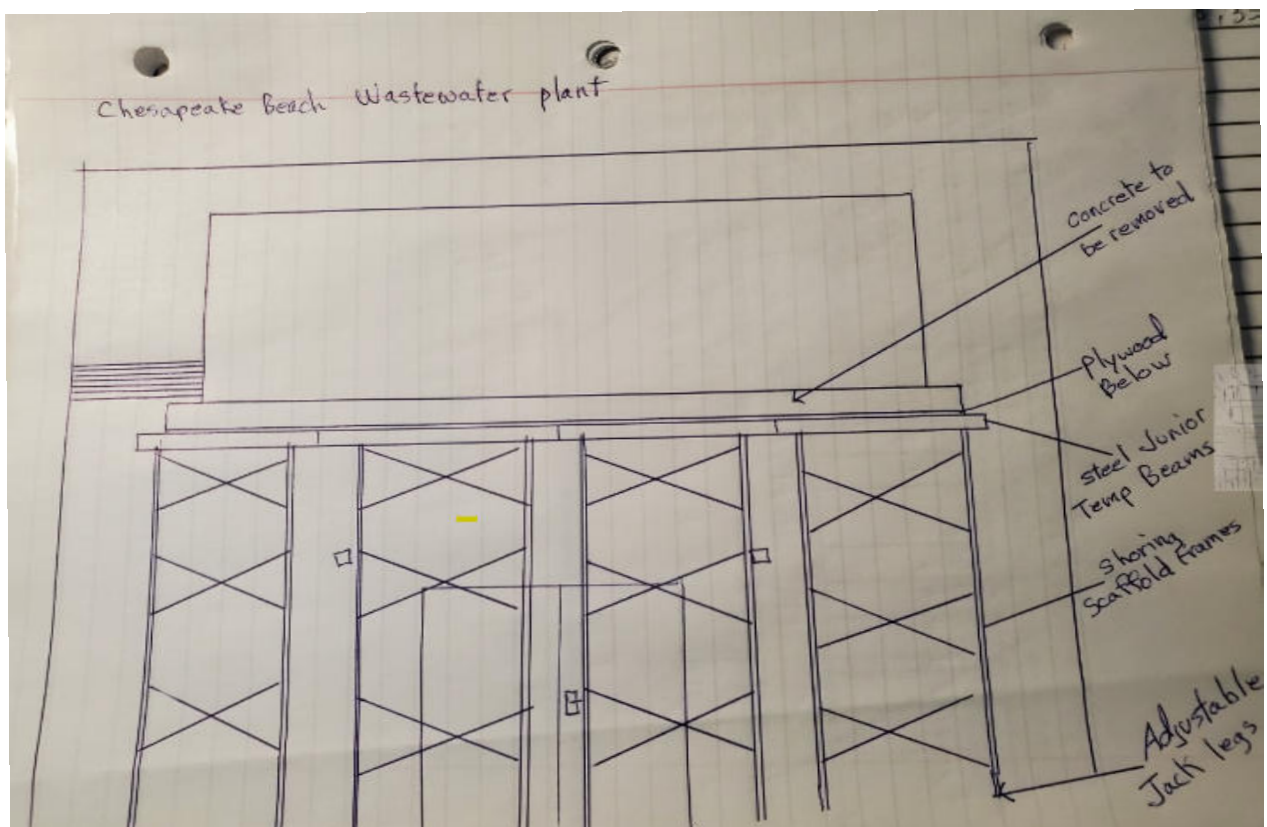
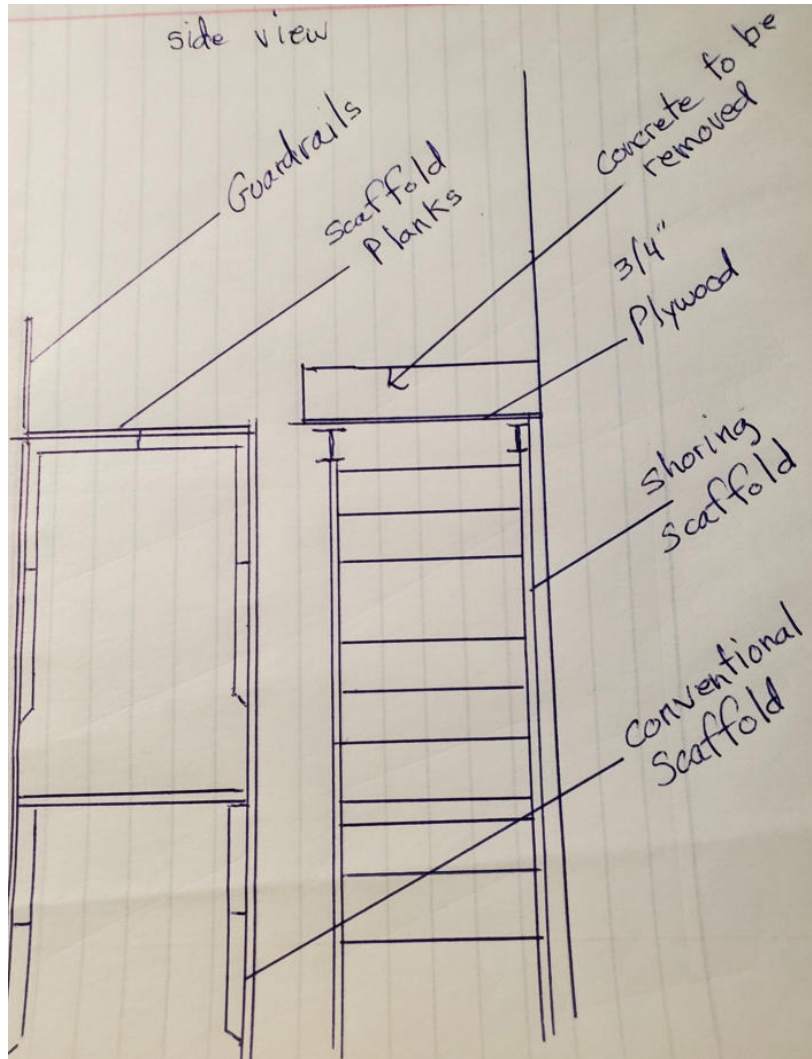
## **IV. TOTAL COSTS:**

Currently under review – estimated at \$24,700.

## **V. FISCAL IMPACT:**

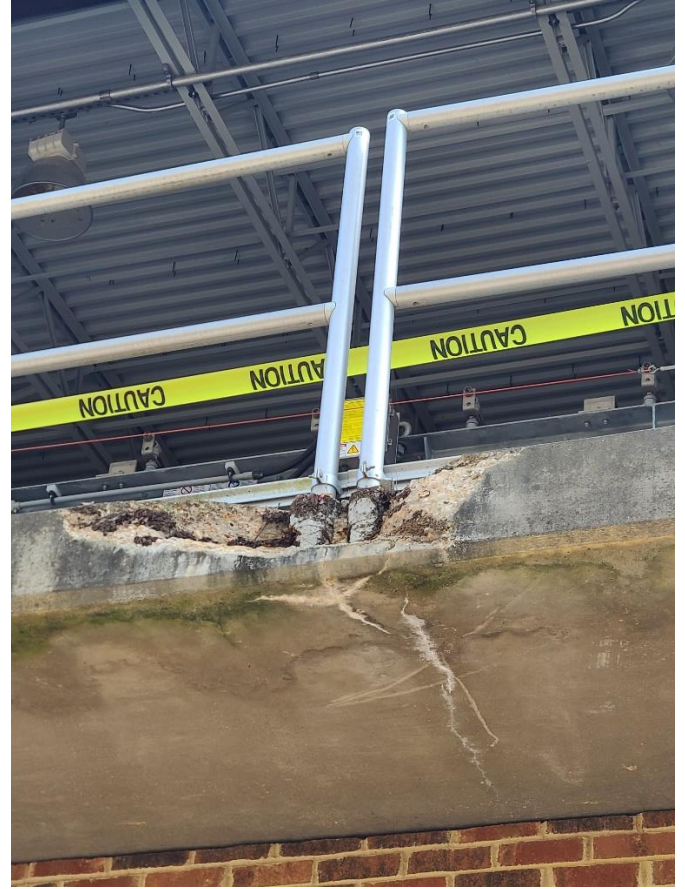
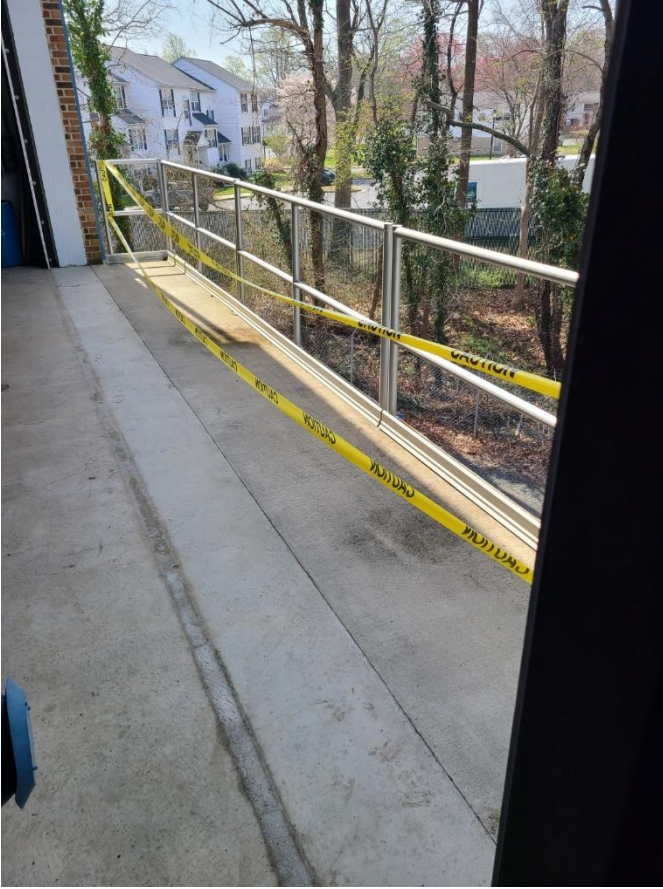
These costs are not budgeted; however, the repair is required. For this reason, staff requests that the Town Council authorize an emergency expense to make the repairs.

Images of scaffolding required to make the needed repairs.





Images of the damage requiring repair







To: The Honorable Mayor and Town Council  
Subject: Clarifier blanket sensors  
Date: May 5, 2023

From: Holly Wahl, Town Administrator

---

## I. BACKGROUND:

The Chesapeake Beach Water Reclamation Treatment Plant requires clarifier blanket sensors to increase CBWRTP staff's ability to monitor the blanket in the clarifiers to prevent overloading of the clarifier. Overloading will result in sludge washout into the filter units.

## II. GOAL:

Improve plant monitoring processes to ensure adherence to permit requirements.

## III. DETAIL ON THE PROJECT:

Please see Exhibit E, memo from CBWRTP Superintendent Josh Stinnett for further information.

## IV. TOTAL COSTS:

• Neal Systems	Sludge Finder 2 with VT10 Viper Auto Clean Transducer	\$15,652
• Sherwood-Logan	Cerlic CBX Automatic Sludge Blanket Meter	\$23,000
• Sherwood-Logan	ATi EchoSmart	\$9,506
• Northeast Technical	YSI IFL 700IQ Level Sensor	\$15,185

## V. FISCAL IMPACT:

Total costs for this project would come from the FY23 CBWRTP capital improvement line item and would be a shared cost with the CBWRTP partners.

## Exhibit E - Clarifier Blanket Sensor Improvement



To: Holly Wahl, Town Administrator  
From: Josh Stinnett, Chesapeake Beach WRTP Superintendent  
Date: May 3, 2023  
Re: Evaluation and Recommendation for Clarifier Blanket Sensors

---

Holly,

As we discussed several months ago, we were looking into the possibility of utilizing the Capital Line item for the Repair of NH<sub>3</sub> Probe Systems with a budgeted total of \$20,000 in order to replace our current clarifier blanket sensors. The following is our description of our current system, our difficulties, and our work to determine an appropriate replacement. We hope this can be included in the upcoming Council work session scheduled for May 9<sup>th</sup>.

The Plant clarifiers are a component of the wastewater treatment process where the biological floc is separated from the treated liquid. This biological floc settles in the clarifier and becomes the sludge blanket. This blanket is pumped from the clarifier through piping located on a rotating boom in the bottom of the clarifier and either returned to the head of the plant as return activated sludge to be mixed with the influent wastewater or removed from the Plant process as waste sludge to be disposed of through the solids handling process. Monitoring of the blanket in the clarifiers is important to prevent overloading of the clarifier which would result in sludge washout from the clarifiers to the filter units. The goal is to maintain a sufficient blanket to have a good concentration of returned sludge while avoiding the washout of solids. Additionally, for the Enhanced Nutrient Removal process, the settled sludge contains ortho-phosphate which precipitates from the process following the application of Poly Aluminum Chloride (PACL) as a coagulant for phosphorus removal, where it becomes a portion of the sludge blanket and is in turn wasted from the process to solids handling.

Currently, Plant personnel performs manual blanket readings using a "sludge judge", which is a clear plastic pipe with markings at every foot, which is lowered into the clarifier to retrieve a core sample of the sludge blanket. This provides the depth of the blanket (DOB). This information is used to determine the total solids in our secondary clarifiers, and combined with the total solids calculated from the aeration basins, provides the total solids in the entire Plant process.

The Plant has existing passive blanket sensors which emit an ultrasonic pulse to determine the DOB. The current installation was not part of the ENR process and consists of retrofit sensors originally intended for the aerated digester tanks. These sensors were installed in a manner that does not provide a reliable reading for the DOB. The Endress-Hauser CUS71D sensors are mounted to a FlexiDip CYA112 Immersion Assembly that consists of a stainless steel pipe with a pivoting knuckle, extending from the clarifier catwalk down to the surface of the clarifier, where the sensor is immersed a few inches below the surface of the water level in the clarifier. When the clarifier skimmer arm rotates, it contacts the sensor and causes the sensor and pipe to pivot up out of the water surface and travel over the clarifier skimmer arm. Once it has traveled over the arm, it violently swings back into position with sufficient force to rattle the clarifier catwalk.

Research of the FlexiDip CYA112 Immersion Assembly manual regarding the installation of this assembly provides guidance to "select the mounting location so that a sufficient distance to fixed installations is ensured". The installation is not consistent with the intended use of this assembly. The time for the clarifier skimmer arm to complete a full rotation is ~30 minutes. This would indicate that this installation receives ~48 of these impacts daily. This results in excessive shock to the sensor, which has likely caused unreliable



readings from the current installation. As this installation has been in use for several years, there was no intention to retain the current installation, and work was performed to start looking for alternative solutions. The inclusion of reliable blanket sensors would provide WRTP Staff with a reliable means by which to monitor the hour-to-hour response of the clarifier sludge blankets during maintenance work or storm events, where staff has been needed to come in after hours to check the blanket levels.

In 2022, while at the Tri-Association Conference in Ocean City, the Plant Superintendent started to work to identify a replacement for the existing clarifier blanket sensors. While at the conference a conversation was started with a representative from Neal Systems regarding our equipment needs, and a proposal was provided for an ultrasonic sensor with a flexible connection that appeared to be an acceptable replacement for our existing system. This proposal was used as a point of comparison for informal Requests for Proposals from additional vendors for equipment, installation, start-up, and training. Four proposals were received from November 2022 to January 2023 as follows:

- |                       |   |          |
|-----------------------|---|----------|
| • Neal Systems        | Sludge Finder 2 with VT10 Viper Auto Clean Transducer | \$15,652 |
| • Sherwood-Logan      | Cerlic CBX Automatic Sludge Blanket Meter             | \$23,000 |
| • Sherwood-Logan      | ATi EchoSmart   | \$9,506  |
| • Northeast Technical | YSI IFL 700IQ Level Sensor                            | \$15,185 |

Sherwood-Logan provided two proposals during this period, with the first proposal (Cerlic CBX) rejected as being overly complex, requiring additional cost for additional water supply piping to implement installation over the quoted price, and did not fit what the Plant was requesting. Sherwood-Logan’s second proposal was more in line with the requested equipment and was accepted to proceed to the next stage of the project. This project has \$20,000 budgeted in the Capital Improvements account, and all three quotes came in under budget.

Following the identification of possible equipment, a request was made for the possibility of trial units to be installed for an evaluation period. The device(s) would be assessed for accuracy, ease of use, and functionality. Miller Energy provided a unit for the Neal Systems proposal, and Sherwood-Logan and Northeast Technical provided their units for trial. The trial period started on March 13<sup>th</sup> and the last unit was removed on April 24<sup>th</sup>. During this trial period, WRTP Staff manually conducted hourly checks during the blanket’s working hours and compared these levels to the level provided by each device. A record of this data was made for each reading, providing information regarding the time, manual depth of blanket, device read depth of blanket, and the clock position of the clarifier skimmer arm so variations in readings could be assessed to determine if the clarifier arm may be causing a discrepancy. The accuracy of the readings for the evaluated devices was as follows:

- |                       |   |        |
|-----------------------|---|--------|
| • Neal Systems        | Sludge Finder 2 with VT10 Viper Auto Clean Transducer | 79.0 % |
| • Sherwood-Logan      | ATi EchoSmart   | 53.2 % |
| • Northeast Technical | YSI IFL 700IQ Level Sensor                            | 68.3 % |

Following the completion of the trial period, the data was evaluated and WRTP Staff were consulted to narrow down the device that they all feel is the best fit for our purposes. As WRTP Staff are to be the ones most often interacting with this equipment, it was the opinion of the Plant Management that they should have a say in the equipment we purchase. This also provided them with some insight into the process by which new equipment can be sourced and purchased. WRTP Staff were provided with a survey form to complete individually regarding their observations and opinions of the trial equipment. Each piece of equipment was assessed by Staff based on the above-mentioned criteria, (ease of use and functionality) with accuracy being assessed by the Plant Superintendent based on the logged reading data as detailed above. The assessment was on a scale of 1 -5, with accuracy assessed as 0-20% as 1, 20-40% as 2, 40-60%



as 3, 60-80% as 4, and 80-100% as 5. An additional item was added for Customer Service, which was not indicated as an assessment criterion to the vendors as we didn't want knowledge of this criteria to skew the way they provided service.

The averages of the assessed criteria can be found in the following table, with the total assessed value at the bottom.

	<b>Sherwood-Logan</b>	<b>Neal Systems (Miller Energy)</b>	<b>Northeast Technical</b>
<b>Customer Service</b>	1.2	4	3.6
<b>Accuracy</b>	3	4	4
<b>Ease of Use</b>	1.4	4.2	3.4
<b>Functionality</b>	1.2	3.8	3.4
<b>Total</b>	<b>7.1</b>	<b>16</b>	<b>14.4</b>

Based on the assessment totals, Neal Systems' proposal as demonstrated by Miller Energy would be the device that appears to best fit the requested requirements and was well received by WRTP Staff as a device they feel best fits our needs.

Respectfully,

Josh Stinnett  
Plant Superintendent  
Chesapeake Beach WRTP



## SLUDGE FINDER 2

Reliable & continuous sludge blanket level measurement.

### Two-Part System Purposely Designed for Sludge Blanket Level Measurement

The Sludge Finder 2 is a versatile, accurate, and reliable solution to the problem of accurately measuring interface levels in primary or secondary settlement tanks and Sequencing Batch Reactors (SBR) systems. Operating ultrasonically through a liquid, Sludge Finder 2 uses proven echo processing algorithms to identify the sludge interface level using state of the art digital echo processing technique found only in this unit.

The unique viper transducer is immersed in the liquid, emitting a high-frequency ultrasonic pulse down towards the sludge interface. The pulse reflects from the interface of the denser material back to the Viper transducer face. This echo is analyzed by the controller unit providing a depth reading and an analog output proportional to the height of the interface above the vessel bottom.

### Multiple Tanks & Multiple Applications

Sludge Finder 2 will operate with one or two transducers, you can mix and match Sludge Transducers and Pulsar Measurement's main dB Transducer range to give astonishing versatility. Manage two clarifier's / thickeners, or one clarifier plus an ultrasonic level application from a sludge unit,



### THE RIGHT METER FOR

- Primary & Secondary Settlement Tanks
- DAF Thickeners
- Gravity Thickeners
- Stationary & Traveling Bridges

providing flexible, economical control and a sludge connection point for system interface.

Sludge Finder 2 features a microprocessor and a multifunction display showing blanket level, complete echo profile, alarm points, tank depth, and multiple tank status.

## Output Options

Sludge Finder 2 features 4-20mA isolated outputs for each channel, with an optional RS485 connection (Modbus RTU or Profibus). Six control relays are included (5A rated), assignable to any channel. An optional Radio Telemetry System may be fitted with a 500 m (1,640 ft) line of sight range. Up to 48 Nodes can be used using a 'Multihop' receiver installation.

## The Hygienic Solution

Remote measurement with Sludge Finder 2 means you can put an end to tedious, time-consuming, potentially unhygienic, and hazardous manual measurements using gap switches or vacuum probes.

## Self-Cleaning Transducer

Sludge Finder 2 is designed to be maintenance-free. Sludge Finder's Viper transducer is a single beam ultrasonic unit immersed just below the liquid surface. A wiper blade sweeps the transducer face, ensuring that it remains clean. The Viper transducer may be positioned up to 200 m (656.2 ft) from the control unit and has a measurement range of 300 mm to 10 m (11.8 in to 32.8 ft). Accuracy is 0.25% of the measured range. A tight 6-degree beam angle and sophisticated echo processing algorithms make sure that Sludge Finder 2 deals with difficult tanks and rotating equipment with ease.



Sludge settlement tanks at a Sewage Treatment Works.



Viper transducer doing it's job!

## Easy Installation & Set Up

Sludge Finder 2 is simply installed and the transducer cable can be easily extended with twin pair screened cable. To program Sludge Finder 2, the operator enters operating parameters via a menu-driven operator interface and the Sludge Finder 2 automatically tracks to the blanket interface. Sludge Finder 2's operator interface consists of several screens that make setting up the unit straightforward and communicates information about the process quickly, clearly, and concisely.

Sludge Finder 2 allows a user to set up two interface points to display and to control the process via the echo profile returned from a single self-cleaning Viper transducer. One of the primary benefits is the ability to monitor sludge interface levels of differing densities.

The new feature could reveal a high level of flocculant spilling into the local watercourse, potentially causing pollution and a breach of consent at the same time as measuring and controlling the Return Activated Sludge (RAS) layer in the normal way.

The unit can output two isolated 4-20mA signals, one for each interface.

# Technical Specifications

## PHYSICAL

<b>Controller Body Dimensions:</b>	235 mm x 184 mm x 120 mm (9.3 in x 7.2 in x 4.7 in) Wall mount only.
<b>Weight:</b>	Nominal 1 kg (2.2 lb)
<b>Enclosure Material/Description:</b>	Polycarbonate, flame resistant to UL94-5V
<b>Cable Entry Detail:</b>	10 cable entry knock outs, 5 x M20 and 1 x M16 underside. 4 x PG11 at rear
<b>Transducer Cable Extensions:</b>	2 twisted pair 0.5 mm <sup>2</sup> with overall screen
<b>Maximum Separation:</b>	200 m (656.2 ft)

## ENVIRONMENTAL

<b>IP Rating:</b>	IP65/NEMA 4X
<b>Max. &amp; Min. Temperature (Electronics):</b>	-20 °C to +50 °C (-4 °F to +122 °F)
<b>Flammable Atmosphere Approval:</b>	For installation in non-flammable area only. Most compatible transducers suitable for flammable atmospheres. See sensor / transducer datasheet or brochure.
<b>CE Approval:</b>	2014/30/EU & 2014/35/EU — EMC Directive. Standards applied: EN 61010-1:2010 / EN 61326-1:2013 / EN 55011 / EN 61000 (3-2 / 3-3 / 4-2 / 4-3 / 4-4 / 4-5 / 4-6 / 4-7 / 4-11)
<b>ATEX Approval:</b>	Controller must be within a safe area. See dB transducers for level sensor approvals

## OUTPUTS

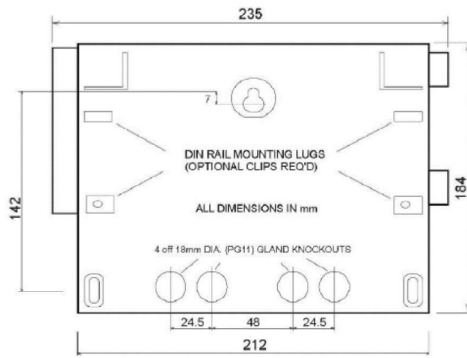
<b>Analog Output:</b>	2 off isolated (to 150 V floating) output of 4-20mA or 0-20mA into 1 kΩ (user programmable and adjustable) 0.1% resolution
<b>Digital Output:</b>	Half-duplex RS232
<b>Volt Free Contacts, Number, and Rating :</b>	6 form "C" (SPDT) rated at 5 A at 115 V AC
<b>Display:</b>	192 x 128 pixel illuminated graphical display showing a variety of screens including echo profile. Fully programmable display options, integral keypad with menu navigation keys.
<b>Radio Modem (Optional):</b>	4-20mA using wireless exempt frequencies. Maximum range 500 m (1,640 ft) line-of-sight
<b>Communication Bus (Optional):</b>	RS485 Modbus RTU/ASCII or Profibus DPV0 or DPV1 (slave device)

## PROGRAMMING

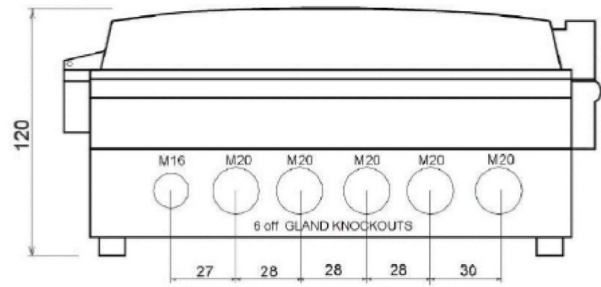
<b>Onboard Programming:</b>	By integral keypad
<b>PC Programming:</b>	Via RS232
<b>Programming Security:</b>	Via passcode (user selectable and adjustable)
<b>Programmed Data Integrity:</b>	Via non-volatile memory
<b>PC Software:</b>	Sludge Finder PC within PC Software Suite — compatible with XP (service pack 3), Windows 7/8/10

## SUPPLY

<b>Operating Voltage:</b>	Universal 100-240 V AC 50/60 Hz, 22-28 V DC
<b>Power Consumption:</b>	20 W maximum power (typically 11 W)
<b>Fuse:</b>	2 A slow blow



Sludge Finder 2 Drawing Back



Sludge Finder 2 Cable Entry Drawing

## Delivering the Measure of Possibility

Pulsar Measurement offers worldwide professional support for all of our products, and our network of global partners all offer full support and training. Our facilities in Malvern, UK and Largo, USA are home to technical support teams who are always available to answer your call or attend your site when required. Our global presence, with direct offices in the UK, USA, Canada, and Malaysia, allows us to create close relationships with our customers and provide service, support, training, and information throughout the lifetime of your product.

By taking a step forward in echo processing technology, Pulsar Measurement addresses applications previously thought to be beyond the scope of ultrasonic measurement. This technology improves signal processing at the transducer head which has made it possible to increase resistance to electrical noise, enabling the transducer to 'zone in' on the true echo.

For more information, please visit our website:

[www.pulsarmeasurement.com](http://www.pulsarmeasurement.com)



INFO@PULSARMEASUREMENT.COM

*Pulsar Measurement is a trading name of Pulsar Process Measurement Ltd.*

*Copyright © 2021 Pulsar Measurement  
Registered Address: 1 Chamberlain Square CS, Birmingham B3 3AX  
Registered No.: 3345604 England & Wales*

**United States**  
+1 888-473-9546

**Asia**  
+60 102 591 332

**Canada**  
+1 855-300-9151

**Oceania**  
+61 428 692 274

**United Kingdom**  
+44 (0) 1684 891371

**pulsarmeasurement.com**

# SLUDGE FINDER 2

## Technical Specifications:

Pulsar's Sludge Finder 2 is a controller and transducer system that provides reliable continuous sludge blanket level measurement. It is used in thousands of applications worldwide for detecting sludge blanket levels in primary, secondary, and tertiary settlement tanks either with stationary or travelling bridges, clarifiers, gravity thickeners, or sequencing batch reactor (SBR) systems.



### PHYSICAL

**Controller Body Dimensions:** 235 mm x 184 mm x 120 mm (9.3 in x 7.2 in x 4.7 in) Wall mount only.

**Weight:** Nominal 1 kg (2.2 lb)

**Enclosure Material/Description:** Polycarbonate, flame resistant to UL94-5V

**Cable Entry Detail:** 10 cable entry knock outs, 5 x M20 and 1 x M16 underside. 4 x PG11 at rear

**Transducer Cable Extensions:** 2 twisted pair 0.5 mm<sup>2</sup> with overall screen

**Maximum Separation:** 200 m (656.2 ft)

### ENVIRONMENTAL

**IP Rating:** IP65/NEMA 4X

**Max. & Min. Temperature (Electronics):** -20 °C to +50 °C (-4 °F to +122 °F)

**Flammable Atmosphere Approval:** For installation in non-flammable area only. Most compatible transducers suitable for flammable atmospheres. See sensor / transducer datasheet or brochure.

**CE Approval:** 2014/30/EU & 2014/35/EU — EMC Directive. Standards applied: EN 61010-1:2010 / EN 61326-1:2013 / EN 55011 / EN 61000 (3-2 / 3-3 / 4-2 / 4-3 / 4-4 / 4-5 / 4-6 / 4-7 / 4-11)

**ATEX Approval:** Controller must be within a safe area. See dB transducers for level sensor approvals

### OUTPUTS

**Analog Output:** 2 off isolated (to 150 V floating) output of 4-20mA or 0-20mA into 1 kΩ (user programmable and adjustable) 0.1% resolution

**Digital Output:** Half-duplex RS232

**Volt Free Contacts, Number, and Rating :** 6 form "C" (SPDT) rated at 5 A at 115 V AC

**Display:** 192 x 128 pixel illuminated graphical display showing a variety of screens including echo profile. Fully programmable display options, integral keypad with menu navigation keys.

**Radio Modem (Optional):** 4-20mA using wireless exempt frequencies. Maximum range 500 m (1,640 ft) line-of-sight

**Communication Bus (Optional):** RS485 Modbus RTU/ASCII or Profibus DPV0 or DPV1 (slave device)

### PROGRAMMING

**Onboard Programming:** By integral keypad

**PC Programming:** Via RS232

**Programming Security:** Via passcode (user selectable and adjustable)

**Programmed Data Integrity:** Via non-volatile memory

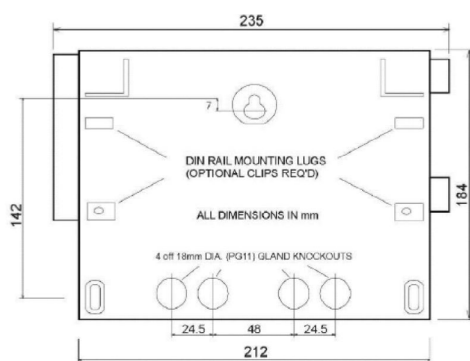
**PC Software:** Sludge Finder PC within PC Software Suite — compatible with XP (service pack 3), Windows 7/8/10

## SUPPLY

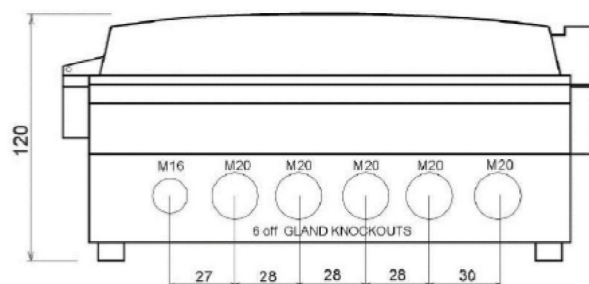
**Operating Voltage:** Universal 100-240 V AC 50/60 Hz, 22-28 V DC

**Power Consumption:** 20 W maximum power (typically 11 W)

**Fuse:** 2 A slow blow



Sludge Finder 2 Drawing Back



Sludge Finder 2 Cable Entry Drawing

## Delivering the Measure of Possibility

Pulsar Measurement offers worldwide professional support for all of our products, and our network of global partners all offer full support and training. Our facilities in Malvern, UK and Largo, USA are home to technical support teams who are always available to answer your call or attend your site when required. Our global presence, with direct offices in the UK, USA, Canada, and Malaysia, allows us to create close relationships with our customers and provide service, support, training, and information throughout the lifetime of your product.

By taking a step forward in echo processing technology, Pulsar Measurement addresses applications previously thought to be beyond the scope of ultrasonic measurement. This technology improves signal processing at the transducer head which has made it possible to increase resistance to electrical noise, enabling the transducer to 'zone in' on the true echo.

For more information, please visit our website:

[www.pulsarmeasurement.com](http://www.pulsarmeasurement.com)



INFO@PULSARMEASUREMENT.COM

*Pulsar Measurement is a trading name of Pulsar Process Measurement Ltd.*

Copyright © 2021 Pulsar Measurement  
Registered Address: 1 Chamberlain Square CS, Birmingham B3 3AX  
Registered No.: 3345604 England & Wales

**United States**  
+1 888-473-9546

**Asia**  
+60 102 591 332

**Canada**  
+1 855-300-9151

**Oceania**  
+61 428 692 274

**United Kingdom**  
+44 (0) 1684 891371

**pulsarmeasurement.com**



3200 South Clinton Ave.  
 South Plainfield , NJ 07080  
 TEL: (908) 755-6700  
 FAX: (908) 755-0312

**QUOTATION SQ1039368**

PAGE 1

DATE 5/4/2023

PROJECT REFERENCE Pulsar Sludge Finder  
 VALIDITY 30 Days  
 PAYMENT TERMS Net 30 On Approval  
 LEAD TIME 2 WEEKS -3 WEEKS  
 SHIPPING TERMS Ex Works; Shipping Point  
 ACCOUNT MANAGER Rob Davis  
 PREPARED BY Katryna Rokicki

**Quotation For:**  
**Town of Chesapeake Beach**  
**P.O. Box 400**  
**8200 Bayside Road**  
**Chesapeake Beach, MD 20732**  
**Attn: Josh Stinnett**  
**Phone: 443-532-5958**

ITEM	QTY	Description	UNIT PRICE	EXTENDED PRICE
1	2	Pulsar Measurement Part No. 9201110200X4XX0P Sludge Finder 2 wall mount IP65 enclosure with integral keypad	\$2,810.00	\$5,620.00
2	1	Pulsar Measurement Part No. VT10010000000XNP VT10 Viper (auto clean) Transducer 10m cable Option 1: If 10m of cable is needed	\$4,150.00	\$4,150.00
3	1	Pulsar Measurement Part No. VT10030000000XNP VT10 w/ 30 meters of cable Option 2: If 30m of cable is needed	\$4,355.00	\$4,355.00
4	2	Pulsar Measurement Part No. 9200A0001 Viper flexible transducer arm (for object avoid.)	\$665.00	\$1,330.00
5	1	Part No. SERVICE Service Start-Up Service Included	\$0.00	\$0.00

**Total: \$15,455.00**

**General Terms:**

- 1.) This proposal is subject to Miller Energy Standard Terms and Conditions.
- 2.) Product images are for reference purposes only.
- 3.) 3.75% Service Fee applied to all credit card payments.

**Please address your Order as follows:**

Miller Energy Inc.  
 3200 South Clinton Ave.  
 South Plainfield , NJ 07080



# VIPER TRANSDUCER

## Technical Specifications:

The Viper sludge transducer can be positioned up to 200 m (656.2 ft) from the controller and has a measurement range of 300 mm to 10 m (11.8 in to 32.8 ft) — accuracy is 0.25% of the measured range. A tight 6° beam angle makes confined or cluttered applications easy and the self-cleaning face removes the need for regular inspection and maintenance — meaning you can avoid that unhygienic and hazardous task you hate!



### PHYSICAL

**Sensor Body Dimensions:** 78 mm D x 195 mm H (3.1 in x 7.7 in)

**Weight:** Nominal 1.5 kg (3.3 lb)

**Enclosure Material/Description:** Valox 357. Wiper blade — Stainless steel

**Transducer Cable Extensions:** 4-core screened

**Maximum Separation:** 200 m (656.2 ft)

**Mounting Connection:** 1" NPT or BSP

### ENVIRONMENTAL

**IP Rating:** IP68

**Max. & Min. Temperature (Electronics):** -20 °C to +50 °C (-4 °F to +122 °F)

**CE Approval:** 2014/30/EU & 2014/35/EU — EMC Directive. Standards applied: EN 61010-1:2010 / EN 61326-1:2013 / EN 55011 / EN 61000 (3-2 / 3-3 / 4-2 / 4-3 / 4-4 / 4-5 / 4-6 / 4-7 / 4-11)

**ATEX Approval:** Viper transducer must be within a safe area

### PERFORMANCE

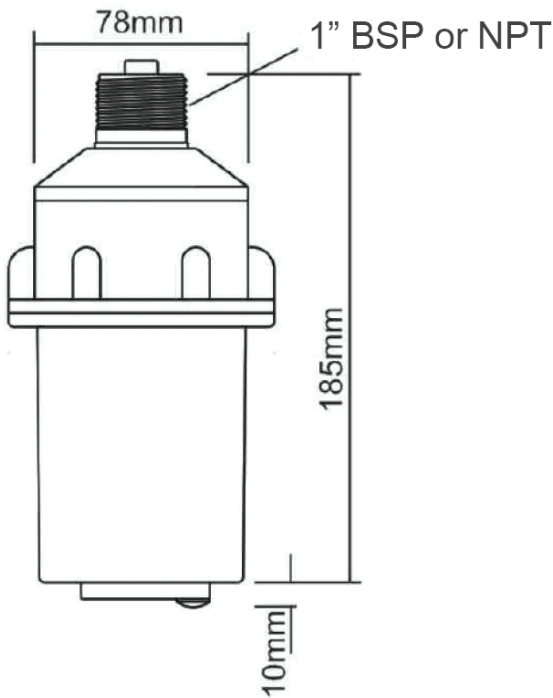
**Accuracy:** 0.25% of the measured range or 10 mm (0.4 in), whichever is greater

**Resolution:** 0.25% of the measured range or 10 mm (0.4 in), whichever is greater

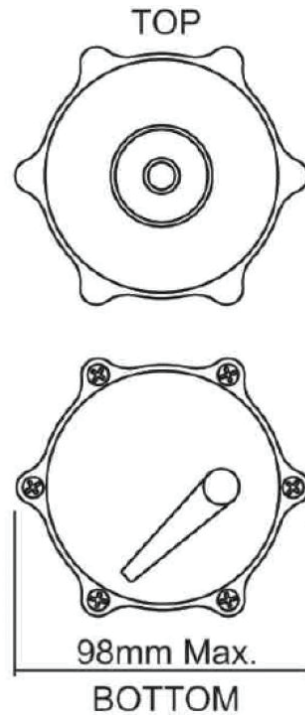
**Max Range:** 10 m (32.8 ft)

**Min Range:** 300 mm (11.8 in)

**Minimum Sludge Density:** 0.5% concentration



Viper Transducer Side Drawing



Viper Transducer Top and Bottom Drawing

## Delivering the Measure of Possibility

Pulsar Measurement offers worldwide professional support for all of our products, and our network of global partners all offer full support and training. Our facilities in Malvern, UK and Largo, USA are home to technical support teams who are always available to answer your call or attend your site when required. Our global presence, with direct offices in the UK, USA, Canada, and Malaysia, allows us to create close relationships with our customers and provide service, support, training, and information throughout the lifetime of your product.

By taking a step forward in echo processing technology, Pulsar Measurement addresses applications previously thought to be beyond the scope of ultrasonic measurement. This technology improves signal processing at the transducer head which has made it possible to increase resistance to electrical noise, enabling the transducer to 'zone in' on the true echo.

For more information, please visit our website:

[www.pulsarmeasurement.com](http://www.pulsarmeasurement.com)



INFO@PULSARMEASUREMENT.COM

*Pulsar Measurement is a trading name of Pulsar Process Measurement Ltd.*

*Copyright © 2022 Pulsar Measurement  
Registered Address: 1 Chamberlain Square CS, Birmingham B3 3AX  
Registered No.: 3345604 England & Wales*

**United States**  
+1 888-473-9546

**Asia**  
+60 102 591 332

**Canada**  
+1 855-300-9151

**Oceania**  
+61 428 692 274

**United Kingdom**  
+44 (0) 1684 891371

**pulsarmeasurement.com**



To: The Honorable Mayor and Town Council  
Subject: American Rescue Plan Act (ARPA) Funding  
Date: May 5, 2023

From: Holly Wahl, Town Administrator

---

**I. BACKGROUND:**

The Town of Chesapeake Beach was awarded \$5,943,337 in federal funds through the American Rescue Plan Act (ARPA). The funds received were used to off set the Towns cost of police coverage and to off set the annual support the Town provides to the North Beach Volunteer Fire Department (NBVFD).

The Town Council has provided insight into priority projects for ARPA fund use through Town Council work sessions. Further the Town Council has taken action to allocate these funds through the budgeting process and through authorizing the Town Administrator to utilize the funds for specific improvement projects.

**II. GOAL:**

To maximize Town citizen goods and services using the offset savings provided through ARPA funds.

**III. PROJECT ALLOCATIONS:**

Based on Town Council feedback there are three levels of priority for projects defined.

Priority #	Total
Priority #1	\$2,925,000
Priority #2	\$4,600,000
Priority #3	\$2,400,000

Of this total \$6,775,000 are General Fund projects, \$2,150,000 are Utility Fund projects, and \$1,000,000 are Water Park Fund projects. The total across all projects equals \$9,925,000. The difference between the funds available and the total projects is (\$3,981,663).

Please see Exhibit F for a further outline of the projects and estimated costs.



Exhibit F - ARPA Project outline



# AMERICAN RESCUE PLAN ACT (ARPA)

AS REVIEWED BY THE TOWN OF  
CHESAPEAKE BEACH  
TOWN COUNCIL

# OVERVIEW

## AMERICAN RESCUE PLAN ACT (ARPA)

### FUNDING

01 Town Council submitted priority projects from May 2022 to November 2022

02 Town Council submitted 10 potential ARPA priority projects for collective Council consideration

03 Town Council collectively reviewed the projects in a December 2022 Town Council meeting

04 Town Council also reviewed staff requested priority infrastructure projects in December of 2022

05 Town Council prioritized the ARPA projects individually after the December 2022 review

06 The Town Administrator provide a summary of the collective priorities of Town Council

07 Town staff has incorporated Town Council ARPA project priorities in short and long range plans

08 Priority projects are being estimated and aligned for further Town Council review





# ARPA

Funds Received

**\$5,943,337**

***Funds received to the General Fund*** for Reimbursement of General Fund Expenses related to Police and Fire



# #1 PRIORITY PROJECTS



Project	Est. Cost	Fund
Storm drainpipe replacement Richfield Station	\$175,000	General Fund Expense
Water main saddle replacement	\$750,000	Utility Fund Expense
Coastal resiliency projects Bayfront storm drain rehab	\$1,000,000	General Fund Expense
Food Insecurities	\$200,000	General Fund Expense
Water meters	\$500,000	Utility Fund Expense
Fishing Creek Wetwell	\$350,000	Utility Fund Expense

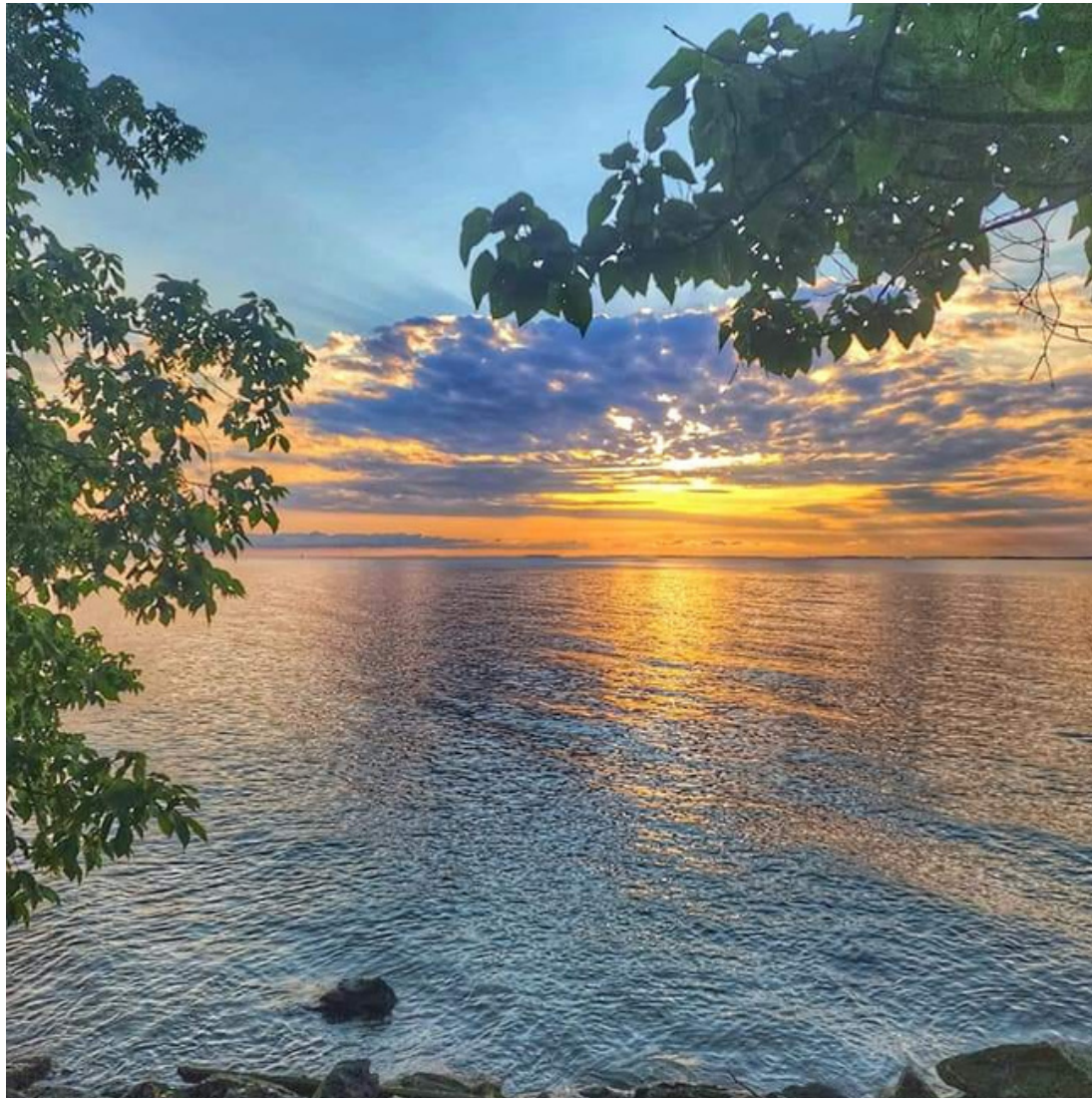




## # 2 PRIORITY PROJECTS

Project	Est. Cost	Fund
Improvements to Kellam's	\$2,000,000 - \$3,000,000	General Fund Expense
Relocation of Harbor Rd Well House	\$600,000	General Fund Expense
Water Park Infrastructure	\$1,000,000	Water Park Expense





## # 3 PRIORITY PROJECTS

Project	Est. Cost	Fund
RT 261 Boardwalk Construction	\$1,000,000	General Fund Expense
Acquisition of Land*	\$1,000,000	General Fund Expense
Environment remediation * (Japanese Knotweed)	\$150,000-200,000	General Fund Expense
Public Health / Opioid Initiatives*	\$150,000-200,000	General Fund Expense

*\*further conversation needed on these projects to understand the specifics. One project was discussed related to Broadband expansion was not included as there was not a price defined*





## PRIORITY PROJECTS# 1-3

Priority #	Total
Priority #1	\$2,925,000
Priority #2	\$4,600,000
Priority #3	\$2,400,000



# ARPA BALANCE

## ARPA General Fund Projects

\$6,775,000

## ARPA Utility Fund Projects (considered borrowing of funds per Charter)\*

\$2,150,000

## ARPA Water Park Fund Projects (considered borrowing of funds per Charter)\*

\$1,000,000



## Total Funds Available

**\$5,943,337**

## Total Projects Identified

**\$9,925,000**

## Difference

**\$3,981,663**

\*per charter Section C-724 "Borrowing between funds"



To: Town Council  
From: Brittany Moran, Town Treasurer

Subject: Reserves and Cash Balances

Date: April 5, 2023

## I. OVERVIEW OF RESERVES

- As a local government, we are required to pass and implement a budget within each fund that is structurally balanced. A structurally balanced budget supports financial stability for current and future years. In order to achieve this balance, there is a requirement that recurring revenues offset expenditures.
  - Using reserves (if available) is only recommended for one-time costs with a plan to replenish the fund balance in the short term.
  - Current reserves are not at an adequate level to offset expenses or provide financial stability for the Town as a whole.
- Reserves mitigate financial risks, both in the short term and long term. When considering level of adequacy for fund balance the following need to be evaluated, per GFOA guidance and recommendations:
  - The *predictability of its revenues and the volatility of its expenditures* (i.e., higher levels of unrestricted fund balance may be needed if significant revenue sources are subject to unpredictable fluctuations or if operating expenditures are highly volatile);
    - **How this applies to the Town's revenues:** FY24 General Fund budget is comprised of the following revenue sources, which are unpredictable and subject to significant fluctuations:
      - 42% Intergovernmental (grants and other State/Federal funding)
      - 13% Admission & Amusement Tax
      - 8% State Income Tax – local share
  - Its perceived *exposure to significant one-time outlays* (e.g., disasters, immediate capital needs, state budget cuts);
    - **How this applies to the Town's revenues:** the Maryland Board of Revenue Estimates recently decreased revenue projections for FY23 and FY24, including revenue related to personal income tax by 1.8% and 2.2% respectively, – potential impacts on grant funding and income tax projections related to current economic position.
  - The *potential drain upon general fund resources from other funds*, as well as the availability of resources in other funds;
  - The potential *impact on the entity's bond ratings* and the corresponding increased cost of borrowed funds;
    - **How this applies to the Town:** The Town has two funds without adequate reserve funding which creates a significant liability to the General Fund and general taxpayers.



- **Commitments and assignments** (i.e., higher levels of unrestricted fund balance are required to compensate for any portion of unrestricted fund balance already committed or assigned by the government for a specific purpose).
- The below required reserves by reporting entity (and the Rainy-Day Fund – restricted) are built to cover operating costs for 12 months in the General Fund and 12 months in the Utility Fund and Water Park Funds. This does not include ARPA projects or Treatment Plant reserve establishment, which are non-recurring and should not be factored into reserve requirement. Recommendations take into consideration the risk that the General Fund assumes for the current net position deficit in the Utility Fund and the Water Park Fund, as well as unpredictability of significant revenue sources in the current economic status.
- Additionally, the restricted balance in the Rainy-Day Fund should be maintained at 50% of budgeted operating expenditures in the General Fund. To achieve this balance for FY24 budget, a transfer of \$1,457,421 to the Rainy-Day Fund will be made, which therefore decreases the General Fund unassigned fund balance to \$10,485,305.
  - This transfer would result in a required reserve total deficit (General Fund, Utility Fund and Water Park Fund) of **\$3,925,416**.

## II. FY22 AUDITED RESERVES AND CASH BALANCES

### Equity

Reporting Entity	Unassigned Fund Balance/Net Position
General Fund	11,942,726
Water Park Fund	(6,638)
Utility Fund	1,343,178
	<b>13,279,266</b>

### Reserve Status

Reporting Entity	Required Reserve	FY22 - Surplus (Deficit)	FY24 - Budgeted Surplus (Deficit)
General Fund	8,020,976	3,921,750	3,921,750
Water Park Fund	1,591,375	(1,598,013)	(1,909,871)
Utility Fund	6,134,910	(4,791,732)	(5,738,404)
	<b>15,747,261</b>	<b>(2,467,995)</b>	<b>(3,726,525)</b>
<i>Rainy Day Fund</i>	3,999,138	(1,457,421)	(1,457,421)

### Cash

Investment Account	Cash Balances
MLGIP - GF	3,940,499
MLGIP - MF	83,245
LFRF (ARPA)	2,973,980
MLGIP - UF	3,148,056
MLGIP - WP	1,784,878
Rainy Day Fund	2,541,717
	<b>14,472,375</b>
Checking Account	Cash Balances
General Fund	1,233,569
FCRF	700,599
Mitigation Fund	10,588
Water Park Fund	707,767
Utility Fund	1,454,580
Treatment Plant	256,801
	<b>4,363,904</b>



To: The Honorable Mayor and Town Council

From: Holly Wahl, Town Administrator  
Brittany Moran, Town Treasurer

Subject: Budget Ordinances

Date: May 3, 2023

---

## I. BACKGROUND:

The Town of Chesapeake Beach received **\$5,943,337** in federal funds from the American Rescue Plan Act (ARPA). ARPA funds are recorded as revenue of the Town's General Fund and are listed as such in the Town's regular audit and the Town's single audit as an offset to General Fund expense related to police coverage.

During the April 11, 2023, Special meeting of the Town Council, an amended budget was introduced and passed that borrows **\$550,000** in ARPA funds from the General Fund. Per the Town Code *Section C-724 "Borrowing between Funds"*, the Town is required to identify the terms and conditions of repayment even if that repayment will occur in a later budget year.

## II. INTRODUCTION OF BUDGET ORDINANCES:

To comply with the Town's Charter related to the "borrowing of funds" please see attached for introduction of three budget ordinances.

- a. **Ordinance 0-23-13** an Ordinance of the Town Council of Chesapeake Beach, Maryland, amending the adopted General Fund Budget for the Town of Chesapeake Beach for the fiscal year from July 1, 2022, to June 30, 2023, to recognize uncollectable debt expense related to forgiven General Fund loan to the Utility Fund for Capital Projects, in the amount of One Million and Six Hundred Thousand Dollars (\$1,600,000.00).

**Summary: Ordinance 0-23-12 recognizes a total uncollected debt expense of \$1,600,000 from the General Fund to the Utility Fund, which includes three onetime capital improvement Utility Fund projects:**

- 1) Saddle repairs in Richfield Station \$750,000
- 2) Water Meters \$500,000
- 3) Fishing Creek Wet well \$350,000.

- b. **Ordinance 0-23-14**, an Ordinance of the Town Council of Chesapeake Beach, Maryland, amending the adopted Utility Fund budget for the Town of Chesapeake Beach for the fiscal year from July 1, 2022, to June 30, 2023, to recognize restricted loan proceeds from forgiven General Fund loan to the Utility Fund for Capital Projects, in the amount of One Million and Six Hundred Thousand Dollars (\$1,600,000.00).

**Summary: Ordinance 0-23-14 recognizes a total expense of \$1,600,000 from the General Fund to the Utility Fund, which includes three onetime capital improvement Utility Fund projects:**

- 1) Saddle repairs in Richfield Station \$750,000
- 2) Water Meters \$500,000



3) Fishing Creek Wet well \$350,000.

- c. **Ordinance O-23-15**, an Ordinance of the Town Council of Chesapeake Beach, Maryland, amending the adopted Utility Fund budget for the Town of Chesapeake Beach for the fiscal year from July 1, 2023, to June 30, 2024, to reallocate revenue funds with a net increase of Three Hundred and Fifty Thousand Dollars (\$350,000.00), offset by an increase in Capital Projects expense line item in the amount of Three Hundred and Fifty Thousand Dollars (\$350,000.00) for usage of forgiven loan proceeds restricted for Capital Expenses.

**Summary: Ordinance O-23-15 recognizes the rollover of the portion of the saddle repair project that will be completed in FY24 and usage of the remaining funds from the uncollectable forgiven General Fund loan.**

### **III. GOALS:**

Budget ordinances are being re-introduced to i) comply with the Town Charter related to the borrowing of funds, and ii) properly account for the unique situation of the Town receiving federal ARPA funding as reimbursement for general fund expenses that are planned to be used for one-time capital improvement expenses incurred in other Town budgets.





To: The Honorable Mayor and Town Council  
From: Brittany Moran, Town Treasurer

Subject: Amendments for Adoption of the FY24 General Fund Budget

Date: May 9, 2023

**I. BACKGROUND:**

- As a result of the amendments to Ordinance 0-23-13, 0-23-12 and 0-23-14, additional changes are required in order to properly recognize revenues and expenditures related to the forgivable loan from the General Fund to the Utility Fund in the amount of \$1,600,000, along with the remaining ARPA funds available for General Fund usage.

**II. AMENDMENTS REQUIRED:**

- Required amendments to the FY24 General Fund Budget as introduced are as follows:
  - Amend Federal Grants revenue line item from \$3,862,563 to \$2,435,527.
  - Amend Transfer In – GF Fund Balance revenue line item from \$2,080,775 to \$1,907,811.
  - Amend Transfer Out – to Utility Fund expense line item from \$550,000 to \$0.
  - Amend Unspent Reimbursement – ARPA Funds expense line item from \$5,393,338 to \$4,343,338.

**III. AMENDED EXHIBIT A – *Please see amended Exhibit A attached.***

**FY24 Budget - Amended**  
*General Fund*  
 EXHIBIT A

		<b>FY24</b>		
		<b>BUDGET</b>	<b>AMENDMENT</b>	<b>FINAL BUDGET</b>
<b>LOCAL REVENUES</b>				
100-410000	Real Estate Taxes	2,747,047		2,747,047
100-410100	Admission & Amusement Tax	1,809,690		1,809,690
100-410105	State A&A Tax Distributions	300,000		300,000
100-410115	Hotel Tax	100,000		100,000
100-410120	Operating Property Tax	65,680		65,680
100-410125	Penalties & Interest - Tax	10,238		10,238
100-410135	Traders License - County	800		800
100-410140	Permits, Fines & Penalties	20,000		20,000
100-410145	Interest on Savings & Investments	31,818		31,818
100-410170	Cable Franchise Fee	110,000		110,000
100-410175	Speed Cameras	50,000		50,000
100-410230	Miscellaneous Income	2,000		2,000
<b>FEDERAL &amp; STATE REVENUES</b>				
100-420100	State Income Taxes	1,137,582		1,137,582
100-420105	Highway User Revenues	462,808		462,808
100-420110	State Aid Police Protection	65,613		65,613
100-420150	Federal Grants	3,862,563	(1,427,036)	2,435,527
<b>OTHER REVENUE SOURCES</b>				
100-430130	Transfer In - GF Fund Balance	2,080,775	(172,964)	1,907,811
100-432200	Miscellaneous Grants	1,085,000		1,085,000
<b>TOTAL REVENUES:</b>		<b>13,941,614</b>	<b>(1,600,000)</b>	<b>12,341,614</b>
<b>SALARIES, TAXES &amp; BENEFITS</b>				
100-6000-602000	Salaries and Wages	472,835		472,835
100-6000-602050	FICA Expense	36,881		36,881
100-6000-602100	Medical and Life Insurance	104,024		104,024
100-6000-602300	Retirement	85,110		85,110
100-6000-602400	Continuing Education	40,000		40,000
<b>CONTRACTED SERVICES &amp; FEES</b>				
100-6000-620400	Audit	26,000		26,000
100-6000-620600	Legal Counsel	110,000		110,000
100-6000-620800	SDAT Fees	11,558		11,558
100-6000-621100	Software Maintenance Agreement	54,500		54,500
100-6000-621200	Planning & Zoning	100,000		100,000
100-6000-621400	Engineering	110,000		110,000
100-6000-621600	IT Support	30,000		30,000
100-6000-622500	Town Hall - Building Maintenance	40,000		40,000
100-6000-623300	Printing & Publications	15,000		15,000
100-6000-623400	Library Rent - Grant	43,460		43,460
100-6000-623900	Professional Fees	8,000		8,000
100-6000-624500	Web Maintenance	3,000		3,000
100-6000-624700	Document Imaging	3,000		3,000
<b>OTHER</b>				
100-6000-631210	Legislative Education & Travel	29,500		29,500
100-6000-631220	Dues & Subscriptions	15,000		15,000
100-6000-631300	Grants to Local Organizations	17,500		17,500
100-6000-631305	Senator M. Miller Scholarship Fund	5,000		5,000
100-6000-632000	Miscellaneous Expense	5,000		5,000
100-6000-632300	Office Expense	50,000		50,000
100-6000-634101	Stipends - Council	18,000		18,000
100-6000-634102	Stipends - Mayor	18,000		18,000

100-6000-634300	Transfer Out - to Utility Fund	550,000	(550,000)	-
100-6000-634500	Town Hall Telephone	10,000		10,000
100-6000-635000	Town Hall Utilities	31,000		31,000
100-6000-636101	Special Events	162,050		162,050
100-6000-636201	Economic Development Expenses	44,000		44,000
100-6000-637010	Opioid Awareness Committee	3,000		3,000
100-6000-637020	Green Team	7,000		7,000
100-6000-637030	Rental Inspection Services	20,000		20,000
100-6000-780000	Insurance	75,000		75,000
100-6000-790000	Unspent Reimbursement - ARPA Funds	5,393,338	(1,050,000)	4,343,338
100-6450-602050	FICA - Legislative	3,000		3,000
<b>PUBLIC SAFETY</b>				
100-6450-645500	Police - Deputy in Residence	1,476,574		1,476,574
100-6450-646000	Bayfront Park & Town Beautification	50,000		50,000
100-6450-646500	North Beach VFD	50,000		50,000
<b>PUBLIC WORKS - SALARIES, TAXES &amp; BENEFITS</b>				
100-6500-602000	Salaries and Wages	560,140		560,140
100-6500-602010	Recreation Operations - Salaries	106,856		106,856
100-6500-602050	FICA - PW	49,358		49,358
100-6500-602100	Medical and Life Insurance	161,413		161,413
100-6500-602300	Retirement	86,709		86,709
100-6500-602400	Continuing Education	7,000		7,000
<b>PUBLIC WORKS - SUPPLIES</b>				
100-6500-665200	Gasoline & Tolls	40,000		40,000
100-6500-665400	Equipment Repair & Maintenance	40,000		40,000
100-6500-665600	Supplies	15,000		15,000
<b>PUBLIC WORKS - CONTRACTED SERVICES &amp; FEES</b>				
100-6500-671000	Fishing Creek Dredging	750,000		750,000
100-6500-672000	Holiday Lights	110,000		110,000
100-6500-674000	Trash Removal Service	590,000		590,000
100-6500-675000	Recycle Bins	12,000		12,000
100-6500-676000	Street Sweeping	8,100		8,100
<b>PUBLIC WORKS - OTHER</b>				
100-6500-684300	CBOCS Oyster Program	6,900		6,900
100-6500-684900	PW - Miscellaneous Expense	2,000		2,000
100-6500-685200	Property Maintenance - General	71,000		71,000
100-6500-685220	Property Maintenance - Landscaping	190,000		190,000
100-6500-685240	Property Maintenance - Tree Trimming	30,000		30,000
100-6500-685500	Recreation Operations - General	125,000		125,000
100-6500-686000	Snow & Ice Removal	50,000		50,000
100-6500-686100	Storm Drain Inspection & Maintenance	20,000		20,000
100-6500-686500	Street Lights	60,000		60,000
100-6500-687000	Telephone	11,000		11,000
100-6500-687500	Utilities	8,000		8,000
<b>CAPITAL EXPENDITURES</b>				
100-7100-725000	Capital Expenditures	1,504,808		1,504,808
		<b>TOTAL EXPENDITURES:</b>	<b>13,941,614</b>	<b>(1,600,000)</b>
				<b>12,341,614</b>
<b>SURPLUS/DEFICIT:</b>				
			-	-

Introduced \_\_\_\_\_  
Passed \_\_\_\_\_  
Effective \_\_\_\_\_

**ORDINANCE NO. O-23-11**

**AN ORDINANCE OF THE TOWN COUNCIL OF CHESAPEAKE BEACH, MARYLAND, AMENDING THE ADOPTED GENERAL FUND BUDGET FOR THE TOWN OF CHESAPEAKE BEACH FOR THE FISCAL YEAR FROM JULY 1, 2023, TO JUNE 30, 2024, TO TRANSFER FUNDS IN THE AMOUNT OF FIVE HUNDRED AND FIFTY THOUSAND DOLLARS (\$550,000.00) FROM “UNSPENT REIMBURSEMENT – ARPA FUNDS” EXPENDITURE LINE ITEM TO “TRANSFER OUT – UTILITY FUND “EXPENDITURE LINE ITEM FOR USAGE OF ARPA FUNDS TO OFFSET UTILITY FUND BUDGETED EXPENSES.**

WHEREAS, Chesapeake Beach (the “Town”) is a municipal corporation of the State of Maryland, organized and operating in accordance with Article XI-E of the Constitution of Maryland and Md. Code Ann., Local Government Article, Title 4; and

WHEREAS, pursuant to the Local Government Article of the Annotated Code of Maryland and to Section C-707 and Section C-808 of the Charter of Chesapeake Beach, Chesapeake Beach is empowered to establish an annual budget; and

WHEREAS, on or about March 16, 2023 following required advertisement and public hearing, the Town Council approved a budget ordinance for the Town’s General Fund for Fiscal Year 2024; and

WHEREAS, pursuant to § 5-205(b) of the Local Government Article a municipality may not expend funds not appropriated in its annual budget for the purpose for which they are to be spent; and

WHEREAS, pursuant to § 5-205(b) of the Local Government, a municipality may amend an adopted budget to expend funds not previously appropriated upon a 2/3 vote of the legislative

body; and

WHEREAS, on or about April 11, 2023, following required advertisement and public hearing, the Town Council approved a budget ordinance for the Town's Utility Fund for Fiscal Year 2024; and

WHEREAS, after the adoption of the General Fund budget for FY '24, the Town Council amended the Utility Fund budget to include a transfer in from the General Fund, and therefore requires additional amendments to the General Fund. In order to offset decreased revenue in the Utility Fund from a change in the Utility Rate Schedule, Town Council approved to utilize ARPA funding from the General Fund.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF CHESAPEAKE BEACH THAT:

Section 1. The annual budget for the General Fund of Chesapeake Beach for the Fiscal Year 2024 is hereby amended to reflect the transfer of five hundred and fifty thousand dollars from "Unspent Reimbursement – ARPA Funds" to "Transfer Out – Utility Fund" as shown on the attached Exhibit A.

Section 2. In all other respects the budget for the General Fund, as adopted on March 16, 2023, shall remain as adopted and in full force and effect, subject to prior duly enacted amendments, with respect to revenues and expenditures for the Fiscal Year 2024.

**AS CERTIFIED** by their signatures below, the members of the Town Council affirm that this Ordinance was introduced at the Town Council meeting held on April 20, 2023, that a public hearing was held on May 18, 2023, and that a vote was taken in accordance with Section C-309 of the Town Charter. The vote of the Council was tallied and \_\_\_\_\_ votes of approval and \_\_\_\_\_



votes of disapproval were cast. The resulting majority of at least 2/3 of the Council \_\_\_\_\_ (*approved/disapproved*) the passage of this Ordinance this 18th day of May, 2023. If signed by the Mayor below, the Mayor approves this Ordinance pursuant to Section C-310 of the Charter this \_\_\_\_ day of May 2023. This Ordinance shall become effective at the expiration of twenty (20) calendar days from the date of the Mayor's approval or seven (7) days after the last required publication, whichever is later, pursuant to Section C-309 of the Charter, currently published in Volume II of the Municipal Charters of Maryland.

**CHESAPEAKE BEACH, MARYLAND**

\_\_\_\_\_  
Patrick J. Mahoney, Mayor

\_\_\_\_\_  
Lawrence P. Jaworski, Council VP

\_\_\_\_\_  
Valerie L. Beaudin, Councilwoman

\_\_\_\_\_  
L. Charles Fink, Councilman

\_\_\_\_\_  
Margaret P. Hartman, Councilwoman

\_\_\_\_\_  
Gregory J. Morris, Councilman

\_\_\_\_\_  
Keith L. Pardieck, Councilman

FY24 Budget  
 General Fund  
 EXHIBIT A

		FY24 BUDGET
<b>LOCAL REVENUES</b>		
100-410000	Real Estate Taxes	2,747,047
100-410100	Admission & Amusement Tax	1,809,690
100-410105	State A&A Tax Distributions	300,000
100-410115	Hotel Tax	100,000
100-410120	Operating Property Tax	65,680
100-410125	Penalties & Interest - Tax	10,238
100-410135	Traders License - County	800
100-410140	Permits, Fines & Penalties	20,000
100-410145	Interest on Savings & Investments	31,818
100-410170	Cable Franchise Fee	110,000
100-410175	Speed Cameras	50,000
100-410230	Miscellaneous Income	2,000
<b>FEDERAL &amp; STATE REVENUES</b>		
100-420100	State Income Taxes	1,137,582
100-420105	Highway User Revenues	462,808
100-420110	State Aid Police Protection	65,613
100-420150	Federal Grants	3,862,563
<b>OTHER REVENUE SOURCES</b>		
100-430130	Transfer In - GF Fund Balance	2,080,775
100-432200	Miscellaneous Grants	1,085,000
<b>TOTAL REVENUES:</b>		<b>13,941,614</b>
<b>SALARIES, TAXES &amp; BENEFITS</b>		
100-6000-602000	Salaries and Wages	472,835
100-6000-602050	FICA Expense	36,881
100-6000-602100	Medical and Life Insurance	104,024
100-6000-602300	Retirement	85,110
100-6000-602400	Continuing Education	40,000
<b>CONTRACTED SERVICES &amp; FEES</b>		
100-6000-620400	Audit	26,000
100-6000-620600	Legal Counsel	110,000
100-6000-620800	SDAT Fees	11,558
100-6000-621100	Software Maintenance Agreement	54,500
100-6000-621200	Planning & Zoning	100,000
100-6000-621400	Engineering	110,000
100-6000-621600	IT Support	30,000
100-6000-622500	Town Hall - Building Maintenance	40,000
100-6000-623300	Printing & Publications	15,000
100-6000-623400	Library Rent - Grant	43,460
100-6000-623900	Professional Fees	8,000
100-6000-624500	Web Maintenance	3,000
100-6000-624700	Document Imaging	3,000
<b>OTHER</b>		
100-6000-631210	Legislative Education & Travel	29,500

100-6000-631220	Dues & Subscriptions	15,000
100-6000-631300	Grants to Local Organizations	17,500
100-6000-631305	Senator M. Miller Scholarship Fund	5,000
100-6000-632000	Miscellaneous Expense	5,000
100-6000-632300	Office Expense	50,000
100-6000-634101	Stipends - Council	18,000
100-6000-634102	Stipends - Mayor	18,000
100-6000-634300	Transfer Out - to Utility Fund	550,000
100-6000-634500	Town Hall Telephone	10,000
100-6000-635000	Town Hall Utilities	31,000
100-6000-636101	Special Events	162,050
100-6000-636201	Economic Development Expenses	44,000
100-6000-637010	Opioid Awareness Committee	3,000
100-6000-637020	Green Team	7,000
100-6000-637030	Rental Inspection Services	20,000
100-6000-780000	Insurance	75,000
100-6000-790000	Unspent Reimbursement - ARPA Funds	5,393,338
100-6450-602050	FICA - Legislative	3,000
<b>PUBLIC SAFETY</b>		
100-6450-645500	Police - Deputy in Residence	1,476,574
100-6450-646000	Bayfront Park & Town Beautification	50,000
100-6450-646500	North Beach VFD	50,000
<b>PUBLIC WORKS - SALARIES, TAXES &amp; BENEFITS</b>		
100-6500-602000	Salaries and Wages	560,140
100-6500-602010	Recreation Operations - Salaries	106,856
100-6500-602050	FICA - PW	49,358
100-6500-602100	Medical and Life Insurance	161,413
100-6500-602300	Retirement	86,709
100-6500-602400	Continuing Education	7,000
<b>PUBLIC WORKS - SUPPLIES</b>		
100-6500-665200	Gasoline & Tolls	40,000
100-6500-665400	Equipment Repair & Maintenance	40,000
100-6500-665600	Supplies	15,000
<b>PUBLIC WORKS - CONTRACTED SERVICES &amp; FEES</b>		
100-6500-671000	Fishing Creek Dredging	750,000
100-6500-672000	Holiday Lights	110,000
100-6500-674000	Trash Removal Service	590,000
100-6500-675000	Recycle Bins	12,000
100-6500-676000	Street Sweeping	8,100
<b>PUBLIC WORKS - OTHER</b>		
100-6500-684300	CBOCS Oyster Program	6,900
100-6500-684900	PW - Miscellaneous Expense	2,000
100-6500-685200	Property Maintenance - General	71,000
100-6500-685220	Property Maintenance - Landscaping	190,000
100-6500-685240	Property Maintenance - Tree Trimming	30,000
100-6500-685500	Recreation Operations - General	125,000
100-6500-686000	Snow & Ice Removal	50,000
100-6500-686100	Storm Drain Inspection & Maintenance	20,000
100-6500-686500	Street Lights	60,000
100-6500-687000	Telephone	11,000

100-6500-687500	Utilities	8,000
<b>CAPITAL EXPENDITURES</b>		
100-7100-725000	Capital Expenditures	1,504,808
<b>TOTAL EXPENDITURES:</b>		<b>13,941,614</b>
<b>SURPLUS/DEFICIT:</b>		<b>-</b>

Introduced \_\_\_\_\_  
Passed \_\_\_\_\_  
Effective \_\_\_\_\_

**ORDINANCE NO. O-23-13**

**AN ORDINANCE OF THE TOWN COUNCIL OF CHESAPEAKE BEACH, MARYLAND, AMENDING THE ADOPTED GENERAL FUND BUDGET FOR THE TOWN OF CHESAPEAKE BEACH FOR THE FISCAL YEAR FROM JULY 1, 2022, TO JUNE 30, 2023, TO RECOGNIZE UNCOLLECTABLE DEBT EXPENSE RELATED TO FORGIVEN GENERAL FUND LOAN TO THE UTILITY FUND FOR CAPITAL PROJECTS, IN THE AMOUNT OF ONE MILLION AND SIX HUNDRED THOUSAND DOLLARS (\$1,600,000.00).**

WHEREAS, Chesapeake Beach (the “Town”) is a municipal corporation of the State of Maryland, organized and operating in accordance with Article XI-E of the Constitution of Maryland and Md. Code Ann., Local Government Article, Title 4; and

WHEREAS, pursuant to the Local Government Article of the Annotated Code of Maryland and to Section C-707 and Section C-808 of the Charter of Chesapeake Beach, Chesapeake Beach is empowered to establish an annual budget; and

WHEREAS, on or about March 17, 2022 following required advertisement and public hearing, the Town Council approved a budget ordinance for the Town’s General Fund for Fiscal Year 2023; and

WHEREAS, pursuant to § 5-205(b) of the Local Government Article a municipality may not expend funds not appropriated in its annual budget for the purpose for which they are to be spent; and

WHEREAS, pursuant to § 5-205(b) of the Local Government, a municipality may amend an adopted budget to expend funds not previously appropriated upon a 2/3 vote of the legislative



body; and

WHEREAS, pursuant to Section C-724 of the Charter of Chesapeake Beach, the Town is authorized to borrow money from one fund of the Town and to deliver the money so borrowed to another fund of the Town so long as the ordinance identifies the terms and conditions of repayment including any interest to be charged to the borrowing fund, and such borrowing is authorized even if repayment is to be made in different budget years; and

WHEREAS, after the adoption of the Utility Fund and General Fund budgets for Fiscal Year 2023, Town Council approved various Utility Fund capital projects, totaling one million and six hundred thousand dollars. Funding to be received from the General Fund by the Utility Fund in the form of a lump sum loan to be forgiven following establishment.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF CHESAPEAKE BEACH THAT:

Section 1. The annual budget for the General Fund of Chesapeake Beach for the Fiscal Year 2023 is hereby amended to reflect the transfer of one million and five hundred and forty three thousand and five hundred and twenty dollars (\$1,543,520) to “Transfer In – GF Fund Balance” revenue line item from Federal Grants revenue line item, offset by a transfer of one million and six hundred thousand dollars from “Unspent Reimbursement – ARPA Funds” expenditure line item to the “Uncollectable Debt” line item as shown on the attached Exhibit A.

Section 2. In all other respects the budget for the General Fund, as adopted on March 17, 2022, shall remain as adopted and in full force and effect, subject to prior duly enacted amendments, with respect to revenues and expenditures for the Fiscal Year 2023.

**AS CERTIFIED** by their signatures below, the members of the Town Council affirm that this Ordinance was introduced at the Special Town Council meeting held on May 9, 2023, that a public hearing was held on May 18, 2023, and that a vote was taken in accordance with Section C-309 of the Town Charter. The vote of the Council was tallied and \_\_\_\_\_ votes of approval and \_\_\_\_\_ votes of disapproval were cast. The resulting majority of at least 2/3 of the Council \_\_\_\_\_ (*approved/disapproved*) the passage of this Ordinance this 18th day of May, 2023. If signed by the Mayor below, the Mayor approves this Ordinance pursuant to Section C-310 of the Charter this \_\_\_\_\_ day of May 2023. This Ordinance shall become effective at the expiration of twenty (20) calendar days from the date of the Mayor’s approval or seven (7) days after the last required publication, whichever is later, pursuant to Section C-309 of the Charter, currently published in Volume II of the Municipal Charters of Maryland.

**CHESAPEAKE BEACH, MARYLAND**

\_\_\_\_\_  
Patrick J. Mahoney, Mayor

\_\_\_\_\_  
Lawrence P. Jaworski, Council VP

\_\_\_\_\_  
Valerie L. Beaudin, Councilwoman

\_\_\_\_\_  
L. Charles Fink, Councilman

---

Margaret P. Hartman, Councilwoman

---

Gregory J. Morris, Councilman

---

Keith L. Pardieck, Councilman

FY23 Budget - Amended  
 General Fund  
 EXHIBIT A

		FY23		
		BUDGET	AMENDMENT	AMENDED BUDGET
<b>LOCAL REVENUES</b>				
100-410000	Real Estate Taxes	2,719,849		2,719,849
100-410100	Admission & Amusement Tax	1,729,285		1,729,285
100-410105	State A&A Tax Distributions	300,000		300,000
100-410115	Hotel Tax	100,000		100,000
100-410120	Operating Property Tax	64,614		64,614
100-410125	Penalties & Interest - Tax	3,000		3,000
100-410135	Traders License - County	800		800
100-410140	Permits, Fines & Penalties	50,000		50,000
100-410145	Interest on Savings & Investments	10,000		10,000
100-410165	Tower Site Rental	110,000		110,000
100-410170	Cable Franchise Fee	110,000		110,000
100-410175	Speed Cameras	90,000		90,000
100-410180	Ramp Fees	10,000		10,000
100-410230	Miscellaneous Income	5,000		5,000
<b>FEDERAL &amp; STATE REVENUES</b>				
100-420100	State Income Taxes	1,200,000		1,200,000
100-420105	Highway User Revenues	370,852		370,852
100-420110	State Aid Police Protection	54,525		54,525
100-420150	Federal Grants	2,970,557	(1,543,520)	1,427,037
<b>OTHER REVENUE SOURCES</b>				
100-430130	Transfer In - GF Fund Balance	250,000	1,543,520	1,793,520
100-432200	Miscellaneous Grants	335,000		335,000
<b>TOTAL REVENUES:</b>		<b>10,483,482</b>	<b>-</b>	<b>10,483,482</b>
<b>SALARIES, TAXES &amp; BENEFITS</b>				
100-6000-602000	Salaries and Wages	544,388		544,388
100-6000-602050	FICA Expense	45,630		45,630
100-6000-602100	Medical and Life Insurance	158,548		158,548
100-6000-602300	Retirement	98,264		98,264
100-6000-602400	Continuing Education	40,000		40,000
<b>CONTRACTED SERVICES &amp; FEES</b>				
100-6000-620400	Audit	26,000		26,000
100-6000-620600	Legal Counsel	80,000		80,000
100-6000-620800	SDAT Fees	11,558		11,558
100-6000-621100	Software Maintenance Agreement	65,000		65,000
100-6000-621200	Planning & Zoning	100,000		100,000
100-6000-621400	Engineering	110,000		110,000
100-6000-621600	IT Support	45,000		45,000
100-6000-622500	Town Hall - Building Maintenance	30,000		30,000
100-6000-623300	Printing & Publications	10,000		10,000
100-6000-623400	Library Rent - Grant	46,996		46,996
100-6000-623900	Professional Fees	11,000		11,000
100-6000-624500	Web Maintenance	5,000		5,000
100-6000-624700	Document Imaging	4,000		4,000
<b>OTHER</b>				
100-6000-631210	Legislative Education & Travel	29,500		29,500
100-6000-631220	Dues & Subscriptions	20,000		20,000
100-6000-631300	Grants to Local Organizations	17,500		17,500
100-6000-631305	Senator M. Miller Scholarship Fund	5,000		5,000
100-6000-632000	Miscellaneous Expense	5,000		5,000
100-6000-632300	Office Expense	60,000		60,000
100-6000-634101	Stipends - Council	18,000		18,000
100-6000-634102	Stipends - Mayor	18,000		18,000
100-6000-634200	Recreation Reserve Fund	100,000		100,000
100-6000-634250	Climate Change Reserve Fund	250,000		250,000
100-6000-634500	Town Hall Telephone	15,150		15,150
100-6000-635000	Town Hall Utilities	22,000		22,000
100-6000-636101	Special Events	140,100		140,100
100-6000-636201	Economic Development Expenses	44,000		44,000

100-6000-637010	Opioid Awareness Committee	3,000		3,000
100-6000-637020	Green Team	7,000		7,000
100-6000-637030	Rental Inspection Services	25,000		25,000
100-6000-780000	Insurance	75,000		75,000
100-6000-790000	Unspent Reimbursement - ARPA Funds	2,970,557	(1,600,000)	1,370,557
100-6000-800000	Uncollectable Debt	-	1,600,000	1,600,000
100-6450-602050	FICA - Legislative	3,000		3,000
<b>PUBLIC SAFETY</b>				
100-6450-645500	Police - Deputy in Residence	1,405,539		1,405,539
100-6450-646000	Bayfront Park & Town Beautification	60,500		60,500
100-6450-646500	North Beach VFD	50,000		50,000
<b>PUBLIC WORKS - SALARIES, TAXES &amp; BENEFITS</b>				
100-6500-602000	Salaries and Wages	525,000		525,000
100-6500-602010	Recreation Operations - Salaries	82,000		82,000
100-6500-602050	FICA - PW	49,000		49,000
100-6500-602100	Medical and Life Insurance	170,000		170,000
100-6500-602300	Retirement	82,000		82,000
100-6500-602400	Continuing Education	10,000		10,000
<b>PUBLIC WORKS - SUPPLIES</b>				
100-6500-665200	Gasoline & Tolls	40,000		40,000
100-6500-665400	Equipment Repair & Maintenance	40,000		40,000
100-6500-665600	Supplies	15,000		15,000
<b>PUBLIC WORKS - CONTRACTED SERVICES &amp; FEES</b>				
100-6500-672000	Holiday Lights	110,000		110,000
100-6500-673000	Road Repairs & Maintenance	20,000		20,000
100-6500-674000	Trash Removal Service	550,000		550,000
100-6500-675000	Recycle Bins	12,000		12,000
<b>PUBLIC WORKS - OTHER</b>				
100-6500-684300	CBOCS Oyster Program	6,900		6,900
100-6500-684900	PW - Miscellaneous Expense	2,000		2,000
100-6500-685200	Property Maintenance - General	65,000		65,000
100-6500-685220	Property Maintenance - Landscaping	150,000		150,000
100-6500-685240	Property Maintenance - Tree Trimming	20,000		20,000
100-6500-685500	Recreation Operations - General	125,000		125,000
100-6500-686000	Snow & Ice Removal	50,000		50,000
100-6500-686100	Storm Drain Inspection & Maintenance	20,000		20,000
100-6500-686500	Street Lights	63,000		63,000
100-6500-687000	Telephone	11,000		11,000
100-6500-687500	Utilities	8,000		8,000
<b>CAPITAL EXPENDITURES</b>				
100-7100-725000	Capital Expenditures	1,482,352		1,482,352
<b>TOTAL EXPENDITURES:</b>		<b>10,483,482</b>	<b>-</b>	<b>10,483,482</b>
<b>SURPLUS/DEFICIT:</b>		<b>-</b>	<b>-</b>	<b>-</b>



Introduced \_\_\_\_\_  
Passed \_\_\_\_\_  
Effective \_\_\_\_\_

**ORDINANCE NO. O-23-14**

**AN ORDINANCE OF THE TOWN COUNCIL OF CHESAPEAKE BEACH, MARYLAND, AMENDING THE ADOPTED UTILITY FUND BUDGET FOR THE TOWN OF CHESAPEAKE BEACH FOR THE FISCAL YEAR FROM JULY 1, 2022, TO JUNE 30, 2023, TO RECOGNIZE RESTRICTED LOAN PROCEEDS FROM FORGIVEN GENERAL FUND LOAN TO THE UTILITY FUND FOR CAPITAL PROJECTS, IN THE AMOUNT OF ONE MILLION AND SIX HUNDRED THOUSAND DOLLARS (\$1,600,000.00).**

WHEREAS, Chesapeake Beach (the “Town”) is a municipal corporation of the State of Maryland, organized and operating in accordance with Article XI-E of the Constitution of Maryland and Md. Code Ann., Local Government Article, Title 4; and

WHEREAS, pursuant to the Local Government Article of the Annotated Code of Maryland and to Section C-707 and Section C-808 of the Charter of Chesapeake Beach, Chesapeake Beach is empowered to establish an annual budget; and

WHEREAS, on or about May 19, 2022 following required advertisement and public hearing, the Town Council approved a budget ordinance for the Town’s Utility Fund for Fiscal Year 2023; and

WHEREAS, pursuant to § 5-205(b) of the Local Government Article a municipality may not expend funds not appropriated in its annual budget for the purpose for which they are to be spent; and

WHEREAS, pursuant to § 5-205(b) of the Local Government, a municipality may amend an adopted budget to expend funds not previously appropriated upon a 2/3 vote of the legislative body; and

WHEREAS, pursuant to Section C-724 of the Charter of Chesapeake Beach, the Town is authorized to borrow money from one fund of the Town and to deliver the money so borrowed to another fund of the Town so long as the ordinance identifies the terms and conditions of repayment including any interest to be charged to the borrowing fund, and such borrowing is authorized even if repayment is to be made in different budget years; and

WHEREAS, after the adoption of the Utility Fund and General Fund budgets for Fiscal Year 2023, Town Council approved various Utility Fund capital projects, totaling one million and six hundred thousand dollars. Funding to be received from the General Fund by the Utility Fund in the form of a lump sum loan to be forgiven following establishment. Four hundred thousand dollars is to be spent in Fiscal Year 2023 and remaining one million and two hundred thousand dollars to be transferred to restricted reserves for use in Fiscal Year 2024.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF CHESAPEAKE BEACH THAT:

Section 1. The annual budget for the Utility Fund of Chesapeake Beach for the Fiscal Year 2023 is hereby amended to reflect the increase to “Transfer In – General Fund” revenue line item in the amount of one million and six hundred thousand dollars, offset by the increase to “Transfer – UF Restricted” expense line item in the amount of one million and two hundred thousand dollars and the increase to “Capital Projects” expense line item in the amount of four hundred thousand dollars as shown on the attached Exhibit A.

Section 2. In all other respects the budget for the Utility Fund, as adopted on May 19, 2022, shall remain as adopted and in full force and effect, subject to prior duly enacted amendments, with respect to revenues and expenditures for the Fiscal Year 2023.

**AS CERTIFIED** by their signatures below, the members of the Town Council affirm that this Ordinance was introduced at the Special Town Council meeting held on May 9, 2023, that a public hearing was held on May 18, 2023, and that a vote was taken in accordance with Section C-309 of the Town Charter. The vote of the Council was tallied and \_\_\_\_\_ votes of approval and \_\_\_\_\_ votes of disapproval were cast. The resulting majority of at least 2/3 of the Council \_\_\_\_\_ (*approved/disapproved*) the passage of this Ordinance this 18th day of May, 2023. If signed by the Mayor below, the Mayor approves this Ordinance pursuant to Section C-310 of the Charter this \_\_\_\_\_ day of May 2023. This Ordinance shall become effective at the expiration of twenty (20) calendar days from the date of the Mayor’s approval or seven (7) days after the last required publication, whichever is later, pursuant to Section C-309 of the Charter, currently published in Volume II of the Municipal Charters of Maryland.

**CHESAPEAKE BEACH, MARYLAND**

\_\_\_\_\_  
Patrick J. Mahoney, Mayor

\_\_\_\_\_  
Lawrence P. Jaworski, Council VP

\_\_\_\_\_  
Valerie L. Beaudin, Councilwoman

\_\_\_\_\_  
L. Charles Fink, Councilman

---

Margaret P. Hartman, Councilwoman

---

Gregory J. Morris, Councilman

---

Keith L. Pardieck, Councilman

**FY23 Budget - Amended**  
*Utility Fund*  
 EXHIBIT A

		<b>FY23</b>		
		<b>BUDGET</b>	<b>AMENDMENT</b>	<b>AMENDED BUDGET</b>
400-430130	Transfer In - General Fund	-	1,600,000	1,600,000
400-430140	Transfer In - Fund Reserves	425,184		425,184
400-440010	Sewer Usage Charge	783,480		783,480
400-440020	Sewer Miscellaneous Income	1,000		1,000
400-440040	Sewer Penalties & Interest	2,000		2,000
400-441010	Water Usage Charges	348,380		348,380
400-441020	Water Miscellaneous Income	2,000		2,000
400-441030	Water Penalties and Interest	2,000		2,000
400-450000	Investment Interest	1,500		1,500
400-460000	Fixed Fee	562,898		562,898
400-460050	Infrastructure Fees	18,000		18,000
400-460100	Sewer Capital Connection Fee	360,000		360,000
400-460200	Water Capital Connection Fee	120,000		120,000
	<b>TOTAL REVENUE:</b>	<b>2,626,442</b>	<b>1,600,000</b>	<b>4,226,442</b>
400-6850-662300	Meters - MXU's	43,000		43,000
400-6850-715100	Water Plant Repairs & Maintenance	30,000		30,000
400-6850-715500	Water Testing	13,000		13,000
400-6900-621400	Engineering & Professional Fees	6,000		6,000
400-6900-621501	Safety	7,500		7,500
400-6900-625300	Interest Expense	70,948		70,948
400-6900-626001	Pump Station Repair	50,000		50,000
400-6900-630500	Supplies	30,000		30,000
400-6900-631500	Postage	4,500		4,500
400-6900-632400	Miss Utility Fees	1,500		1,500
400-6900-632500	Line Repairs & Maintenance	95,000		95,000
400-6900-632800	Banking Fees	8,000		8,000
400-6900-670000	TPF Fixed / Capital Costs	946,010		946,010
400-6900-670100	TPF Variable	421,395		421,395
400-6900-687500	Utilities	70,000		70,000
400-6900-717600	Miscellaneous	500		500
400-6900-719300	Principal - 2014 - ENR	190,427		190,427
400-6900-748100	Principal - 2008 SRF Loan	287,098		287,098
400-6900-748300	Principal - ARRA Loan (2009)	36,562		36,562
400-6900-780000	Insurance	15,002		15,002
400-6900-801000	Capital Projects	-	400,000	400,000
400-6900-802000	Transfer - UF Restricted	-	1,200,000	1,200,000
400-6900-840500	Connection Fee Reimbursement	300,000		300,000
	<b>TOTAL EXPENSE:</b>	<b>2,626,442</b>	<b>1,600,000</b>	<b>4,226,442</b>
	<b>SURPLUS/DEFICIT:</b>	<b>-</b>	<b>-</b>	<b>-</b>



Introduced \_\_\_\_\_  
Passed \_\_\_\_\_  
Effective \_\_\_\_\_

**ORDINANCE NO. O-23-15**

**AN ORDINANCE OF THE TOWN COUNCIL OF CHESAPEAKE BEACH, MARYLAND, AMENDING THE ADOPTED UTILITY FUND BUDGET FOR THE TOWN OF CHESAPEAKE BEACH FOR THE FISCAL YEAR FROM JULY 1, 2023, TO JUNE 30, 2024, TO REALLOCATE REVENUE FUNDS WITH A NET INCREASE OF THREE HUNDRED AND FIFTY THOUSAND DOLLARS (\$350,000.00), OFFSET BY AN INCREASE IN CAPITAL PROJECTS EXPENSE LINE ITEM IN THE AMOUNT OF THREE HUNDRED AND FIFTY THOUSAND DOLLARS (\$350,000.00) FOR USAGE OF FORGIVEN LOAN PROCEEDS RESTRICTED FOR CAPITAL EXPENSES.**

WHEREAS, Chesapeake Beach (the “Town”) is a municipal corporation of the State of Maryland, organized and operating in accordance with Article XI-E of the Constitution of Maryland and Md. Code Ann., Local Government Article, Title 4; and

WHEREAS, pursuant to the Local Government Article of the Annotated Code of Maryland and to Section C-707 and Section C-808 of the Charter of Chesapeake Beach, Chesapeake Beach is empowered to establish an annual budget; and

WHEREAS, on or about April 11, 2023 following required advertisement and public hearing, the Town Council approved a budget ordinance for the Town’s Utility Fund for Fiscal Year 2024; and

WHEREAS, pursuant to § 5-205(b) of the Local Government Article a municipality may not expend funds not appropriated in its annual budget for the purpose for which they are to be spent; and

WHEREAS, pursuant to § 5-205(b) of the Local Government, a municipality may amend

an adopted budget to expend funds not previously appropriated upon a 2/3 vote of the legislative body; and

WHEREAS, pursuant to Section C-724 of the Charter of Chesapeake Beach, the Town is authorized to borrow money from one fund of the Town and to deliver the money so borrowed to another fund of the Town so long as the ordinance identifies the terms and conditions of repayment including any interest to be charged to the borrowing fund, and such borrowing is authorized even if repayment is to be made in different budget years; and

WHEREAS, on May 18, 2023 the Town Council amended the General Fund and Utility Fund budgets for Fiscal Year 2023 to establish and forgive a loan from the General Fund to the Utility Fund for various capital projects totaling one million and six hundred thousand dollars, and therefore requires additional amendments to the Utility Fund budget for Fiscal Year 2024 to recognize use of remaining restricted funds.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF CHESAPEAKE BEACH THAT:

Section 1. The annual budget for the Utility Fund of Chesapeake Beach for the Fiscal Year 2024 is hereby amended to reflect the decrease to “Transfer In – General Fund” revenue line item in the amount of five hundred and fifty thousand dollars, the decrease to “Transfer in – Fund Reserves” in the amount of three hundred thousand dollars, the addition of one million and two hundred thousand dollars in the “Transfer In – Fund Reserves – Restricted” revenue line item, offset by an increase to “Capital Projects” expense line item as shown on the attached Exhibit A.

Section 2. In all other respects the budget for the Utility Fund, as adopted on April 11, 2023, shall remain as adopted and in full force and effect, subject to prior duly enacted

amendments, with respect to revenues and expenditures for the Fiscal Year 2024.

**AS CERTIFIED** by their signatures below, the members of the Town Council affirm that this Ordinance was introduced at the Special Town Council meeting held on May 9, 2023 that a public hearing was held on May 18, 2023, and that a vote was taken in accordance with Section C-309 of the Town Charter. The vote of the Council was tallied and \_\_\_\_\_ votes of approval and \_\_\_\_\_ votes of disapproval were cast. The resulting majority of at least 2/3 of the Council \_\_\_\_\_ (*approved/disapproved*) the passage of this Ordinance this 18th day of May, 2023. If signed by the Mayor below, the Mayor approves this Ordinance pursuant to Section C-310 of the Charter this \_\_\_\_\_ day of May 2023. This Ordinance shall become effective at the expiration of twenty (20) calendar days from the date of the Mayor's approval or seven (7) days after the last required publication, whichever is later, pursuant to Section C-309 of the Charter, currently published in Volume II of the Municipal Charters of Maryland.

**CHESAPEAKE BEACH, MARYLAND**

\_\_\_\_\_  
Patrick J. Mahoney, Mayor

\_\_\_\_\_  
Lawrence P. Jaworski, Council VP

\_\_\_\_\_  
Valerie L. Beaudin, Councilwoman

\_\_\_\_\_  
L. Charles Fink, Councilman

---

Margaret P. Hartman, Councilwoman

---

Gregory J. Morris, Councilman

---

Keith L. Pardieck, Councilman

**FY24 Budget - Amended**

Utility Fund

EXHIBIT A

<b>REVENUES</b>		
400-430140	Transfer In - Fund Reserves	206,776
400-430150	Transfer In - Fund Reserves - Restricted	1,200,000
400-440010	Sewer Usage Charges	750,000
400-440040	Sewer Penalties & Interest	20,000
400-441010	Water Usage Charges	300,000
400-441020	Miscellaneous Fees	50,000
400-441030	Water Penalties and Interest	16,000
400-450000	Investment Interest	10,000
400-460000	Fixed Fee	1,047,402
400-460050	Infrastructure Fees	18,000
400-460100	Sewer Capital Connection Fee	400,000
400-460200	Water Capital Connection Fee	200,000
400-461000	Tower Site Rental	130,504
	<b>TOTAL REVENUES:</b>	<b>4,348,682</b>
<b>EXPENSES</b>		
400-6850-601000	Salaries & Wages	176,989
400-6850-602400	Continuing Education	5,000
400-6850-610500	Taxes & Benefits	88,495
400-6850-662200	Meter Repairs & Maintenance	25,000
400-6850-715100	Water Plant Repairs & Maintenance	35,000
400-6850-715500	Water Testing	18,000
400-6900-621400	Engineering & Professional Fees	37,500
400-6900-621501	Safety	15,000
400-6900-625300	Interest & Administrative Expense - LT Debt	65,520
400-6900-626001	Pump Station Repair	50,000
400-6900-630500	Supplies	44,000
400-6900-631500	Postage	6,000
400-6900-632400	Miss Utility Fees	2,000
400-6900-632500	Line Repairs & Maintenance	75,000
400-6900-632800	Banking Fees	50,000
400-6900-670000	TPF Fixed / Capital Costs	1,322,265
400-6900-670100	TPF Variable	509,898
400-6900-687500	Utilities	86,000
400-6900-717600	Miscellaneous	500
400-6900-780000	Insurance	17,000
400-6975-801000	Capital Projects	1,200,000
<b>DEBT SERVICE</b>		
400-6900-719300	Principal - 2014 - ENR	192,331
400-6900-748100	Principal - 2008 SRF Loan	290,256
400-6900-748300	Principal - ARRA Loan (2009)	36,928
	<b>TOTAL EXPENSES:</b>	<b>4,348,682</b>
	<b>SURPLUS/DEFICIT:</b>	<b>-</b>