



**PUBLIC HEARING MINUTES**  
**October 21, 2010**

- I. Bruce A. Wahl, Mayor, called the meeting to order at 8:45 p.m. In attendance were: Dr. Valerie Beaudin, Robert E. Carpenter, Stewart Cumbo, Ingrid K. Lamb and Julie L. Spano, Council Members, Elissa Levan, Town Attorney, Dr. James Parent, Town Administrator, Sharon L. Humm, Town Clerk, Leslie Porter, Town Treasurer, Wilson Cochran, Superintendent of Public Works, William Watson, Zoning Administrator and Code Enforcement Officer, Paul Woodburn, Town Engineer and Marilyn Van Wagner, Water Park General Manager. Absent was Patrick J. Mahoney, Council Member.

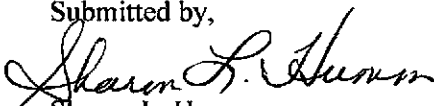
**Emergency Ordinance O-10-15, an emergency ordinance of the Town of Chesapeake Beach, Maryland, amending the adopted General Fund Budget for the Town of Chesapeake Beach for the fiscal year from July 1, 2010 to June 30, 2011, to appropriate additional funds for the implementation of certain repairs to the Town's storm drain system serving the Chesapeake Station Subdivision.**

The Mayor stated that the Council will be considering approval of Emergency Ordinance O-10-15 as an Emergency Ordinance and then the approval of the Ordinance. The Mayor explained the urgency behind this Emergency Ordinance.

Public comment was taken.

There being no further comments, the hearing adjourned at 8:47 p.m. on a motion by Mr. Carpenter. Seconded by Mr. Cumbo, all in favor.

Submitted by,

  
Sharon L. Humm  
Town Clerk



**MINUTES OF THE  
TOWN COUNCIL MEETING  
October 21, 2010**

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

**MOTION:** Mr. Cumbo moved to approve the agenda. Seconded by Dr. Beaudin, all in favor.
- IV. **Public Comment on any item on the agenda.** None
- V. **Approval of the minutes of the September 16, 2010 Town Council Meeting.**

**MOTION:** Mr. Carpenter moved to approve the minutes of the September 16, 2010 Town Council Meeting. Seconded by Mr. Cumbo. Ayes, Mr. Carpenter, Mr. Cumbo, Ms. Lamb and Ms. Spano. Abstained, Dr. Beaudin.

**Petitions and Communications:**

- A. **Deputy's Report** – First Sergeant Bowen submitted the attached written report. Corporal Wahlgren was present to address any police concerns.
- B. **Public Works Report** – Mr. Cochran submitted the attached written report. Mr. Carpenter thanked Mr. Cochran for his efforts in working with FEMA on the reimbursement of \$32,311.35 of snow recovery money.
- C. **Code Enforcement Officer's Report**- Mr. Watson submitted the attached written report. Ms. Lamb asked about the illegal Bed & Breakfast.
- D. **Town Engineer's Report** – Mr. Woodburn submitted the attached written report and gave a brief update on the Kellams project and the Dredge Spoil site.
- E. **Water Park Report** – Mrs. VanWagner submitted the attached written report.
- F. **North Beach Volunteer Fire Department** – Mr. Gordy submitted the attached written report.

**G. Mayor's Report -**

1. The Mayor stated that he attended the MML Fall Conference and the Town is participating in the Banner City Program and will be flying the Municipal Government Works flag atop the octagon at the water park for the month of November.
2. The Mayor stated that the Comprehensive Plan would be on the November agenda.
3. The Mayor was pleased to state that he spoke at the Richfield Station's HOA meeting.
4. The Mayor reported that the rededication of Kellams Field was held Friday, October 15<sup>th</sup> with numerous officials present. The Beach Buccaneers presented the Town with an appreciation plaque and a Certificate of Recognition was presented by Senator Mikulski's office. The Mayor thanked all those that were involved.
5. The Mayor announced that the Haunted Water Park will be held Saturday, October 23<sup>rd</sup>, 2010 at 6:30 p.m.
6. The Mayor stated that the Town staff has begun scanning documents.
7. The Mayor stated there is still time to bring in photos for the 2011 calendar.
8. The Mayor announced that the next Mayor's Night Out will be held November 1, 2010 for those living south of Fishing Creek, Captain's Quarters and Chesapeake Village.
9. The Mayor announced that there will be a work session November 15<sup>th</sup> at 7 p.m. to discuss disclosure of campaign contributions.
10. The Mayor appointed Mr. Cumbo Chair of the Water Park Advisory Board.
11. The Mayor gave a detailed report on the WWTP and the events that have led up to the Mayor's intent to terminate the Interjurisdictional Agreement, allowing the Town to take over the operations of the plant. The Mayor further stated that due to certain actions taken, the County has now filed a suit against the Town, North Beach and Anne Arundel County questioning the authority of the Mayor in this decision without Council consent.

**VI. Resolutions & Ordinance:**

- A. **Introduce Ordinance O-10-14, an Ordinance of the Town Council of Chesapeake Beach, Maryland, amending the budget for the fiscal year July 1, 2009 to June 30, 2010 to reallocate budget appropriations and ratifying all prior expenditures consistent with said reallocations. A public hearing will be scheduled for 7:55 p.m. prior to the next regularly scheduled meeting.**

- B. Introduce and Vote on Emergency Ordinance O-10-15, an emergency 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, 2010 to June 30, 2011, to appropriate additional funds for the implementation of certain repairs to the Town's storm drain system serving the Chesapeake Station Subdivision. The Town Engineer explained the need of this to the Council.**

**MOTION:** Dr. Beaudin moved to approve Emergency Ordinance O-10-15 as an emergency ordinance. Seconded by Mr. Cumbo, all in favor.

**MOTION:** Mr. Carpenter moved to recess the regular meeting for the purpose of conducting a public hearing for Emergency Ordinance O-10-15. Seconded by Mr. Cumbo, all in favor.

The Mayor called to order the public hearing on Emergency Ordinance O-10-15.

**MOTION:** Mr. Carpenter moved to close the public hearing and reconvene the regular meeting. Seconded by Mr. Cumbo, all in favor.

The Mayor reconvened the regular town meeting.

Ms. Lamb stated that an adjustment needed to be made to the budget amendment figure of \$59,500 to \$59,000.

**MOTION:** Mr. Carpenter moved to approve Emergency Ordinance O-10-15. Seconded by Dr. Beaudin.

Mr. Carpenter had a question concerning the "AS CERTIFIED" clause concerning the wording of the number of votes needed by the Council to declare an ordinance an emergency ordinance and the number of votes needed to approve the passage of an emergency ordinance.

**MOTION:** Mr. Cumbo moved to recess the regular meeting for the purpose of allowing the Town Attorney to modify the wording of the "AS CERTIFIED" clause in the Ordinance. Seconded by Ms. Lamb, all in favor.

The Mayor reconvened the town meeting and asked the Town Attorney to read the modified wording.

**MOTION:** Mr. Carpenter moved to approve the amendment of the "AS CERTIFIED" clause as read by the Town Attorney. Seconded by Mr. Cumbo, all in favor.

The Council voted on Emergency Ordinance O-10-15 as amended, all in favor.

The Mayor stated that there will be a special town meeting on Tuesday, October 26<sup>th</sup> a 6:30 p.m. to review bids and award a contract for repairs to the Town's storm drain system.

- C. **Introduce and vote on Resolution R-10-8, a resolution of the Town Council of Chesapeake Beach, Maryland, ratifying the acceptance by the Town of certain deeds from the Richfield Station II Joint Venture, L.L.P., conveying to the Town a fee simple interest in certain streets constructed by it in a subdivision within the Town's corporate limits known as "Richfield Station".** The Town Attorney explained this to the Council.

**MOTION:** Mr. Carpenter moved to approve Resolution R-10-8. Seconded by Mr. Cumbo, all in favor.

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

- A. **Planning & Zoning Commission** – There was a meeting held October 13, 2010.
- B. **Board of Appeals** – There was a hearing held October 5, 2010.
- C. **Cable Advisory Committee** – There was a meeting held on October 6, 2010.
- D. **Water Park Advisory Board** - Mr. Cumbo gave a brief report stating that the Board has developed a building design, equipment list and a project estimate. Mr. Woodburn gave a brief presentation on the design and Dr. Beaudin followed up with the financial aspect of the proposed project.
- E. **Skateboard Park Committee** – Mr. Carpenter reported that the committee has received numerous letters of interest from skate park designers and that the committee is working on a bid package.

**VIII. Unfinished Business:**

1. Mr. Carpenter asked the Town Attorney for an interpretation as to whether the letter sent to the County Commissioners signed by four council members was in violation of the Open Meetings Act, and stated he would file a complaint with the Compliance Board if that be the case.
2. Dr. Beaudin inquired as to the advertising of a water park manager for the 2011 season. The Mayor stated that Ms. Van Wagner will continue her position as water park manager through the winter. The Mayor stated that the Town has added a new employee, Fran Addicott, to the office staff.

**IX. New Business:**

1. Consider the appointment of Suzanne Brower to the Water Park Advisory Board.

**MOTION:** Mr. Carpenter moved to confirm the appointment by the Mayor of Suzanne Brower to the Water Park Advisory Board. Seconded by Dr. Beaudin. Ayes. Dr. Beaudin, Mr. Carpenter, Mr. Cumbo and Ms. Lamb. Abstained, Ms. Spano.

2. Ms. Spano asked the Mayor if the newsletter editor, Pat Carpenter, being the spouse of Councilman Carpenter, would be considered a conflict of interest. The Mayor stated that he saw no conflict of interest.

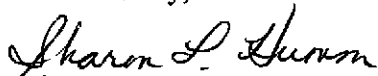
**XI. Council Lightning Round:**

1. Dr. Beaudin stated that she had PTA membership forms available for anyone wishing to join.
2. Mr. Cumbo stated how pleased he was with the amenities that the Town is providing for the residents and visitors which come to Town.
3. Ms. Spano thanked everyone for coming.
4. Ms. Lamb thanked everyone for coming out and participating in the evening's meeting.
5. Mr. Carpenter had no comment.

**Adjournment:**

There being no further business, the meeting adjourned at 10:00 p.m. on a motion by Mr. Cumbo. Seconded by Ms. Lamb, all in favor.

Submitted by,

  
Sharon L. Humm  
Town Clerk



**MINUTES OF THE  
SPECIAL TOWN MEETING  
October 26, 2010**

- I. Bruce A Wahl, Mayor called the meeting to order at 6:30 p.m. In attendance were: Dr. Valerie Beaudin, Robert Carpenter, Stewart Cumbo, Ingrid Lamb, Patrick Mahoney and Julie Spano, Council Members, Dr. James Parent, Town Administrator, Sharon L. Humm, Acting Town Clerk and Paul Woodburn, Town Engineer. Absent was Dr. James Parent, Town Administrator, and Elissa Levan, Town Attorney.
- II. **Pledge of Allegiance.** Mr. Woodburn led the pledge of allegiance.
- III. To review three proposals submitted for the Chesapeake Station Storm Drain Outfall repairs and consider awarding the contract to Gradient Construction in the amount of \$59,000.

Mr. Woodburn explained the urgency of the repair. Mr. Woodburn stated that three proposals were submitted, with each providing 2 options of repair. Mr. Woodburn addressed the Council's questions and concerns and recommended awarding the contract to the lowest bidder, Gradient Construction, in the amount of \$59,000 choosing option #2 to repair.

**MOTION:** Mr. Carpenter moved to approve awarding a contract to Gradient Construction in the amount \$59,000 for the repairs of the Chesapeake Station Storm Drain. Seconded by Mr. Mahoney, all in favor.

There being no further business, the meeting adjourned at 6:55 p.m. on a motion by Mr. Cumbo. Seconded by Mr. Mahoney, all in favor.

Submitted by,

Sharon L. Humm  
Town Clerk