



**PUBLIC HEARING MINUTES  
November 18, 2010**

- I. Bruce A. Wahl, Mayor, called the public hearing to order at 8:08 p.m. In attendance were: Dr. Valerie Beaudin, Robert E. Carpenter, Stewart B. Cumbo, Patrick J. Mahoney 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, Marilyn Van Wagner, Water Park General Manager, and First Sergeant Craig Bowen. Absent was Ingrid K. Lamb, Council Member.

**2010 Draft comprehensive Plan**

Mr. Watson gave a synopsis on the changes made to the 2010 draft comprehensive plan recommended by the Planning Commission. Mr. Watson addressed the comments from the State Highway Administration and the Maryland Department of Planning and discussed the impact of the proposed comprehensive rezoning.

Public comment was taken. There were numerous citizens that spoke in opposition of the proposed rezoning and asked the Council to consider their testimony on the matter.

There being no further comments, the hearing adjourned at 9:05 p.m. on a motion by Mr. Cumbo. Seconded by Mr. Mahoney, all in favor.

**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.**

The Mayor asked Mrs. Porter to explain this Ordinance to the Council.

Public comment was taken.

There being no further comments, the hearing adjourned at 9:08 p.m. on a motion by Mr. Mahoney. Seconded by Mr. Cumbo, all in favor.

Submitted by,

*Sharon L. Humm*  
Sharon L. Humm  
Town Clerk



**PUBLIC HEARING MINUTES**  
**November 18, 2010**

- I. Bruce A. Wahl, Mayor, called the public hearing to order at 9:31 p.m. In attendance were: Dr. Valerie Beaudin, Robert E. Carpenter, Stewart Cumbo, Patrick J. Mahoney 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 Ingrid K. Lamb, Council Member.

**Emergency Ordinance O-10-16 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 transfer to the Water Park Enterprise Fund as a loan to be repaid over a period of five years, without interest, for the purpose of effecting certain repairs and renovations to that facility.**

The Mayor asked Dr. Beaudin to explain the purpose of this Emergency Ordinance to the Council.

Public comment was taken.

There being no further comments, the hearing adjourned at 9:34 p.m. on a motion by Mr. Mahoney. Seconded by Dr. Beaudin, all in favor.

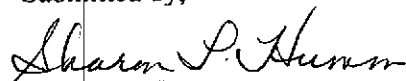
**Emergency Ordinance O-10-17 of the Town Council of Chesapeake Beach, Maryland, amending the adopted Water Park Enterprise Fund budget for the Town of Chesapeake Beach for the fiscal year from July 1, 2010 to June 30, 2011, to appropriate additional funds to effectuate certain capital improvements necessary to make the facility safe and efficient for the 2011 summer operating season.**

The Mayor opened the public hearing at 9:37 p.m. and asked Dr. Beaudin to explain the purpose of this Emergency Ordinance to the Council.

Public comment was taken.

There being no further comments, the hearing adjourned at 9:39 p.m. on a motion by Mr. Mahoney. Seconded by Mr. Cumbo, all in favor.

Submitted by,

  
Sharon L. Humm  
Town Clerk



**MINUTES OF THE  
WORK SESSION  
November 15, 2010**

- I. Bruce A. Wahl, Mayor, called the meeting to order at 7:07 p.m. In attendance were: Dr. Valerie L. Beaudin, Robert E. Carpenter and Patrick J. Mahoney, Council Members, Dr. James Parent, Town Administrator, Elissa Levan, Town Attorney and Sharon L. Humm, Town Clerk. Absent were Stewart B. Cumbo, Ingrid K. Lamb and Julie L. Spano, Council Members.  
**NOTE: There was no quorum present.**

- II. **Pledge of Allegiance.** Dr. Parent led the pledge of allegiance.

- III. **Discussion on Campaign Finance Disclosure.**

The Mayor asked Mr. Mahoney to open up the discussion. Mr. Mahoney submitted to the Mayor and Council a handout outlining guidelines for which the Town might consider during their election process in regards to campaign finance disclosure.

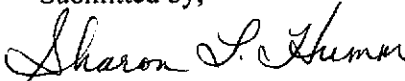
The Council discussed numerous items such as:

1. Recordkeeping required regarding campaign contributions, expenditures and loans.
2. Contents of campaign finance reports.
3. Filing requirements of campaign finance reports.
4. Exceptions to campaign finance reporting.
5. Limitations on contributions.
6. Disposition of surplus funds.
7. Duties of the Town Clerk and Board of Election judges.
8. Violations and penalties.

After discussion, the Mayor stated he would be forming a small committee to continue working on this and asked Mr. Carpenter to chair the committee.

The meeting adjourned at 8:30 p.m. on a motion by Mr. Carpenter.

Submitted by,

  
Sharon L. Humm  
Town Clerk



**MINUTES OF THE  
WORK SESSION  
November 29, 2010**

- I. Bruce A. Wahl, Mayor, called the meeting to order at 6:40 p.m. In attendance were: Dr. Valerie L. Beaudin, Robert E. Carpenter, Ingrid K. Lamb and Patrick J. Mahoney, Council Members, Dr. James L. Parent, Town Administrator, Elissa Levan, Town Attorney and Sharon L. Humm, Town Clerk. Absent were Stewart B. Cumbo and Julie L. Spano, Council Members.
- II. **Pledge of Allegiance** – Dr. Beaudin led the pledge of allegiance.
- III. **Discussion on the powers and duties of the Mayor and Town Council.**

The Mayor introduced Mr. Tom Reynolds of the Maryland Municipal League, Director of Educational Services. Mr. Reynolds submitted 2 exhibits to the Mayor and Town Council.

1. Exhibit 1 – Constitution of Maryland Article XI-E Municipal Corporations, Section 3-Home rule.
2. Exhibit 2 – Annotated Code of Maryland Article 23A (excerpt), “Enumeration of express powers”.

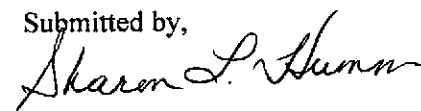
Mr. Reynolds stated there are three sources of power for governing municipal corporations; 1) Constitutional powers, 2) Statutory powers and 3) Municipal charter powers and spoke briefly on each.

Mr. Reynolds went on to state the Forms of Municipal Government; 1) Commission, 2) Weak Mayor, 3) Strong Mayor and 4) Council-Manager. The Town seems to follow Strong Mayor form, wherein, the Mayor is chief executive and manages government operations while all other elected officials perform legislative functions, set policies, and provide oversight of the executive function; Council operates at arms-length from daily affairs.

Mr. Reynolds highlighted a few sections of the Town’s Charter and addressed questions from the Council and offered his services to research any issues or concerns they might have.

The meeting adjourned at 7:45 p.m. on a motion by Mr. Mahoney. Seconded by Dr. Beaudin, all in favor.

Submitted by,

  
Sharon L. Humm  
Town Clerk



**MINUTES OF THE  
TOWN COUNCIL MEETING  
November 18, 2010**

I. Bruce A. Wahl, Mayor, called the meeting to order at 9:09 p.m. In attendance were: Dr. Valerie L. Beaudin, Stewart B. Cumbo, Robert E. Carpenter, Patrick J. Mahoney 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, Marilyn VanWagner, Water Park General Manager and First Sergeant Craig Bowen. Absent was Ingrid K. Lamb, Council Member.

II. **Invocation** – Pastor Robert Hahn was not present to give the invocation.

III. **Pledge of Allegiance.** Mr. Mahoney led the pledge of allegiance.

IV. **Approve the Agenda.**

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

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

VI. **Approval of the minutes of the October 21, 2010 Public Hearing Meeting.**

**MOTION:** Dr. Beaudin moved to approve the minutes of the October 21, 2010 Public Hearing Meeting. Seconded by Mr. Carpenter. Ayes, Dr. Beaudin, Mr. Carpenter, Mr. Cumbo and Ms. Spano. Abstained, Mr. Mahoney.

**Approval of the minutes of the October 21, 2010 Town Council Meeting.**

**MOTION:** Dr. Beaudin moved to approve the minutes of the October 21, 2010 Town Council Meeting. Seconded by Ms. Spano.

**MOTION:** Dr. Beaudin moved to amend the minutes of the October 21, 2010 Town Council meeting under Section G, Mayor's Report, item 11, to change "this decision" to "his decision". Seconded by Mr. Mahoney. Ayes, Dr. Beaudin, Mr. Mahoney and Ms. Spano. Opposed, Mr. Carpenter, Abstained, Mr. Cumbo. Motion failed.

**MOTION:** Dr. Beaudin moved to amend the minutes of the October 21, 2010 Town Council meeting, page 4, VIII, Unfinished Business, item #2, to add after the 2011 season, "as agreed during the 2011 budget development process. Mrs. Van Wagner's position is a temporary position which ended 9/30/2010." Seconded by Mr. Mahoney. Ayes, Dr. Beaudin, Mr. Mahoney and Ms. Spano. Opposed, Mr. Carpenter and Mr. Cumbo. Motion failed.

**MOTION:** Mr. Carpenter moved to approve the minutes of the October 21, 2010 Town Council meeting. Seconded by Mr. Cumbo. Ayes, Mr. Carpenter, Mr. Cumbo and Ms. Spano. Opposed Dr. Beaudin, Abstained Mr. Mahoney. Motion failed.

**Let the record show that 4 votes of approval are needed by Council for any action to pass and let the record further show that there are no approved minutes of the October 21, 2010 Town Council meeting.**

**Approval of the minutes of the October 26, 2010 Special Town Meeting.**

**MOTION:** Mr. Mahoney moved to approve the minutes of the October 26, 2010 Special Town Meeting. Seconded by Mr. Cumbo, all in favor.

**VII. Petitions and Communications:**

- A. Deputy's Report** – First Sergeant Bowen submitted the attached written report.
- B. Public Works Report** – Mr. Cochran submitted the attached written report.
- C. Code Enforcement Officer's Report-** Mr. Watson submitted the attached written report.
- D. Town Engineer's Report** – Mr. Woodburn submitted the attached written report.
- 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 gave a half term progress report on the accomplishments that have taken place in the last two years.
  - 2. The Mayor announced that a work session will be held on November 29<sup>th</sup> at 6:30 p.m. on the structure of government.
  - 3. The Mayor stated that proclamations will be presented next month to Linda Kelley, Barbara Stinnett, and Wilson Parran, county commissioners that were not re-elected in November's election, along with Delegate Sue Kullen.

**VIII. Resolutions & Ordinance:**

- A. Vote on 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.**

**MOTION:** Dr. Beaudin moved to approve Ordinance O-10-14. Seconded by Mr. Mahoney, all in favor.

- B. Introduce and vote on Emergency Ordinance O-10-16 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 transfer to the Water Park Enterprise Fund as a loan to be repaid over a period of five years, without interest, for the purpose of effecting certain repairs and renovations to that facility.**

**MOTION:** Dr. Beaudin moved to approve Emergency Ordinance O-10-16 as an emergency ordinance. Seconded by Mr. Mahoney, all in favor.

**MOTION:** Mr. Carpenter moved to recess the regular meeting for the purpose of conducting a public hearing for Emergency Ordinance O-10-16. Seconded by Dr. Beaudin, all in favor.

The Mayor called to order the public hearing on Emergency Ordinance O-10-16.

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

The Mayor reconvened the regular town meeting.

**MOTION:** Mr. Mahoney moved to approve Emergency Ordinance O-10-16. Seconded by Dr. Beaudin, all in favor.

- C. Introduce and vote on Emergency Ordinance O-10-17 of the Town Council of Chesapeake Beach, Maryland, amending the adopted Water Park Enterprise Fund budget for the Town of Chesapeake Beach for the fiscal year from July 1, 2010 to June 30, 2011, to appropriate additional funds to effectuate certain capital improvements necessary to make the facility safe and efficient for the 2011 summer operating season.**

**MOTION:** Dr. Beaudin moved to approve Emergency Ordinance O-10-17 as an emergency ordinance. Seconded by Mr. Mahoney, all in favor.

**MOTION:** Mr. Mahoney moved to recess the regular meeting for the purpose of conducting a public hearing on Emergency Ordinance O-10-17. Seconded by Dr. Beaudin, all in favor.

The Mayor called to order the public hearing on Emergency Ordinance O-10-17.

**MOTION:** Mr. Mahoney 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.

**MOTION:** Dr. Beaudin moved to approve Emergency Ordinance O-10-17. Seconded by Mr. Mahoney, all in favor.

- D. Introduce Ordinance O-10-18, an Ordinance of the Town Council of Chesapeake Beach, Maryland, amending Chapter 45, "Vehicles and Parking" to add Article II, "Speed Monitoring Systems", to authorize the implementation of speed monitoring systems in properly designated school zones to detect speed limit violations using vehicle sensors that produce recorded images of passing vehicles, and to specify the conditions under which a speed monitoring system shall be used, and to establish the penalty for a speed limit violation recorded by a speed monitoring system, the mechanism for processing citations for speed limit violations recorded by a speed monitoring system; amending the title of Chapter 45 to read "Vehicles, Parking and Transportation;" and all matters generally relating to speed monitoring systems. A public hearing will be scheduled for 8:00 p.m. prior to the next regularly scheduled meeting.**
- E. Resolution petitioning the Administration and the Maryland General Assembly to reinstate state shared revenues diverted from municipal governments to fund operations of the state and to provide more diverse revenue raising authority to municipalities.**

**MOTION:** Mr. Cumbo moved to approve a resolution petitioning the Administration and the Maryland General Assembly to reinstate state shared revenues diverted from municipal governments to fund operations of the state and to provide more diverse revenue raising authority to municipalities. Seconded by Mr. Mahoney, all in favor.

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

- A. Planning & Zoning Commission** – There was a meeting held November 10, 2010.
- B. Board of Appeals** – There was a hearing held November 16, 2010.
- C. Water Park Advisory Board** - Mr. Cumbo stated a meeting was held November 2<sup>nd</sup> and gave a brief report on the status of the proposed remodeling and addition to the water park snack bar.
- D. Skateboard Park Committee** – There was no report.



**X. Unfinished Business:**

1. In regards to the WWTP, Mr. Carpenter stated that in as much as none of his colleagues chose to bring their action regarding their letter to County Commissioner President Wilson Parran, to the Council for ratification at the last meeting, as required by Robert's Rules, he asked the Mayor to direct the Town Attorney to send a letter to Mr. Parran and to the court indicating the action taken by his colleagues is null and void in accordance with Robert's Rules and have it withdrawn from the lawsuit that has been filed. Secondly, Mr. Carpenter asked that Mr. Mahoney state the exact nature of the additional information that was lacking, in which he and his colleagues desired, which ultimately lead to their decision to vote down Mr. Carpenter's motion made at the June Council meeting to terminate the operations agreement for "cause". Lastly, Mr. Carpenter asked as to whether the Town has been reimbursed the \$16,000 the Town paid in fines that were imposed as a result of the two spills into the bay.

Mr. Mahoney submitted to the Mayor and Council a memorandum, in which he states, would be the "best business decision" to the WWTP operation issue. Wherein, stating that retaining Calvert County as operator, negotiate a more favorable price and implement operational safeguards would provide the citizens of Chesapeake Beach continued waste water treatment services with the best long term value for their money while protecting the Chesapeake Bay.

The Mayor responded to Mr. Mahoney's memo. The Mayor read into the record an email dated March 14, 2007 addressed to the Town from Barry King, Head of the County's Water & Sewer Division, stating the critical maintenance needed at the Plant.

2. Mr. Mahoney asked the Mayor if the job position for newsletter editor had been advertised. The Mayor stated that the newsletter editor position was not an employee position but a contract position and that he selected and hired Mrs. Carpenter and, no, the position was not advertised.

**XI. New Business:**

1. Consider the approval of the 2010 Draft Comprehensive Plan

**MOTION:** Mr. Carpenter moved to approve the 2010 draft Comprehensive Plan. Seconded by Dr. Beaudin.

**MOTION:** Mr. Mahoney moved to table this item until the next regular Town meeting. Seconded by Dr. Beaudin, all in favor.

2. Dr. Beaudin presented to the Council for consideration, a proposal by Almy Architects for architectural and engineering services for the proposed remodeling and addition to the water park snack bar in the amount of \$20,900.00.

**MOTION:** Dr. Beaudin moved to authorize the Mayor to execute an agreement with Almy Architects for architectural and engineering services in the amount of \$20,900 upon its review by the Town Attorney. Seconded by Mr. Cumbo, all in favor.

3. Mr. Mahoney stated that the Town's website is up and running but the Town minutes need to be added. Dr. Beaudin stated she would like to see the entire wording of Ordinances versus Ordinance titles included also on the web page.

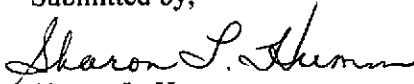
**XII. Council Lightning Round:**

1. Mr. Mahoney thanked everyone for coming out and expressing their concerns on the Comprehensive Plan and wished everyone a Happy Thanksgiving.
2. Mr. Carpenter stated there were boxes in the Town lobby for the "End-Hunger" program as well as the coat and blanket drive for Project Echo. He reminded everyone that the judging for the "Brightest Beacon on the Bay" will be December 13<sup>th</sup> and encouraged everyone to decorate.
3. Ms. Spano thanked everyone for coming out and expressing their concerns in regards to the Comprehensive Plan, assuring that all comments would be taken into consideration.
4. Mr. Cumbo expressed his appreciation to all the residents that came out and participated in the evening's meeting.
5. Dr. Beaudin wished everyone a Happy Thanksgiving and appreciated all that came forward expressing their concerns and comments regarding the Comprehensive Plan.

**XIII. Adjournment:**

There being no further business, the meeting adjourned at 11:15 p.m. on a motion by Mr. Mahoney. Seconded by Dr. Beaudin, all in favor.

Submitted by,

  
Sharon L. Humm  
Town Clerk