

## Draft Testimony

Charlestown is a small waterfront community along the North East River with a town center on the National Register of Historic Places. The community boasts year-round residents and tourists who seek to visit our public beaches, marinas, and restaurants. The neighborhood's narrow streets are very navigable and great for walking. In addition to walking and bicycling, golf cart use has become a popular mode of travel. Generally, our senior citizens are those who utilize golf carts to assist them in getting around while allowing them to enjoy being outside. Responding to requests from residents, the Town Commissioners researched the potential of a workable golf cart ordinance, after coordinating with the Cecil County Sheriff's Office, State Delegate Kevin Hornberger, and the Maryland Municipal League.

The Town Commissioners voted unanimously to approve the proposed ordinance for the purpose of regulating the use and operation of golf carts within Charlestown during its October 11, 2022 meeting. This is with the understanding the General Assembly would need to approve the ordinance before becoming law. The ordinance is a commonsense approach to allowing golf carts on state, county, and town roads, where the speed limit does not exceed 30 mph. Carts will be required to follow state law, including lighting and driver's license. Drivers would also ensure carts are driven on the far-right side of all roadways as feasible. This ordinance will also provide additional surety our community remains safe for all residents and visitors.

Our next focus will be creating an engineering and traffic investigation to support the lowering of our speed limits on town roads to 15 mph. In partnership with Cecil County and the Maryland Department of Transportation, we'll request advisory shoulder lanes and crosswalks in strategic locations around Town while continuing to look for off-road trail opportunities throughout the Town.

In closing, we appreciate your careful consideration of our proposed ordinance and want to remind you that a favorable review would help bring our community closer to achieving that quality of life that we're after, while ensuring a safer environment for our residents and visitors.

Thank you.



*Town Commissioners of Charlestown*  
*Post Office Box 154*  
*Charlestown, Maryland 21914*  
*Phone 410-287-6173*  
*Fax 410-287-6620*

January 5, 2023

State Delegate Kevin B. Hornberger  
Low House Office Building, Room 325  
Annapolis, MD 21401

RE: Charlestown Golf Cart Ordinance

Dear Mr. Hornberger,

Please find attached the Town's resolution and ordinance passed in October of 2022 for the purpose of regulating the use and operation of golf carts within the Town of Charlestown. I've also included a copy of the Commissioner meeting minutes for your reference.

We would greatly appreciate any assistance you can provide during the current legislative session to ensure this ordinance is adopted by the General Assembly and made a part of the State of Maryland Annotated Code.

If you have any questions about this correspondence or the ordinance, please don't hesitate to contact me at [blightner@charlestownmd.org](mailto:blightner@charlestownmd.org) or 410-287-6173.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bryan Lightner".

Bryan Lightner, CFM  
Town Administrator

**TOWN OF CHARLESTOWN  
ORDINANCE 2022-02  
GOLF CARTS**

An ordinance amending Chapter 165 of the Town Code, entitled "VEHICLES AND TRAFFIC", by adding a new Article XIII, which such new Article XII shall be codified as § 165-13 of the Town Code and entitled "Golf Carts" as set forth hereunder.

**WHEREAS**, pursuant to MD Code, Transportation, §§ 13-402(c) (12) & 21-104.2 the use and operation of a golf cart is permitted on a highway located within the municipal limits of the Town of Charlestown that is not designated or maintained as a part or an extension of the State of Maryland or federal highway system;

**WHEREAS**, the Board of Commissioners of the Town of Charlestown deem it necessary and appropriate, in the interests of the public's health, safety and welfare, to regulate the use and operation of golf carts within the Town of Charlestown; and,

**WHEREAS**, in order to effectuate and implement the aforesaid purposes, the Board of Commissioners of the Town of Charlestown desire to amend Chapter 165 to add Article XIII entitled "Golf Carts."

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE BOARD OF COMMISSIONERS OF CHARLESTOWN, MARYLAND**, that Chapter 165 of the Town Code is hereby amended by adding a new Article XIII entitled "Golf Carts" as follows:

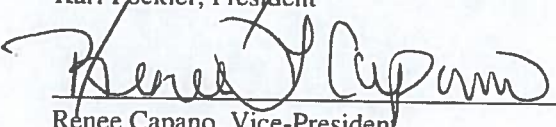
**165-13**

- (A) Subject to subsection (B) of this section, A person who operates a Golf Cart on a State, County, or Town Highway within the corporate limits of the Town of Charlestown, without registration as authorized by MD Article 13-402 (c)(12):
- (1) May operate the Golf Cart only:
    - (a) On a State, County, or Town Highway on which the maximum posted speed limit does not exceed 30 miles per hour;
    - (b) If the Golf Cart is equipped with lighting devices as required by the State;
  - (2) Shall keep the Golf Cart as far to the right of the roadway as feasible; and
  - (3) Shall possess a valid driver's license.
- (B) The Town Commissioners may designate by Resolution the Town highways in Charlestown on which a person may operate a Golf Cart.

Dated this 27th day of September, 2022, at Charlestown, Maryland

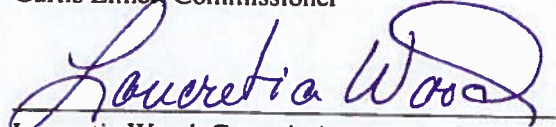
Offered by the Commissioners of Charlestown, MD:

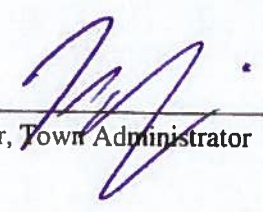
  
Karl Fockler, President

  
Renee Capano, Vice-President

  
Jeffery Fields, Treasurer

  
Curtis Elmer, Commissioner

  
Loucretia Wood, Commissioner

ATTEST:   
Bryan Lightner, Town Administrator

**Commissioner's Meeting  
Charlestown, Maryland  
October 11, 2022, 6:00 PM  
241 Market Street and on Zoom**

Attendees: Renee Capano, Karl Fockler arrived at 6:07 PM, Jeff Fields, Bryan Lightner, Kathy SanDoe, Lou Wood was not in attendance. Curtis Elmer attended on Zoom.

Zoom: Ursula Boudart, Thelma Mc Mullen, Steve Kraemer, Mary Culver

Commissioner Capano opened the meeting at 6:04 PM.

The Pledge of Allegiance was led by Ms. SanDoe.

Approval of the Minutes – September 27, 2022 – Charlestown Commissioners: Commissioner Fields motioned to approve the minutes. Commissioner Capano seconded. Approved 4-0.

Accounts Payable Review – Charlestown Commissioners: Commissioner Fields motioned to approve the Accounts Payable in the amount of \$51,689.02. Commissioner Capano seconded. Approved 4-0.

Miller Environmental – September Report: Commissioner Fields read the report. Water withdrawal for September was 2,862,000 gallons. There were no positive coliform samples. Routine operations and maintenance were performed. There were 26 Miss Utilities completed.

Cecil County Sheriff's Report: President Fockler read the report. In September, there were 25 calls for service, of which one was a warrant service, another a criminal summons, and several traffic stops. There were no overdoses.

Maintenance Report – September Report: Commissioner Fields read the report. Located water meters for manual reads and replaced two meters and took old meters to the scrap yard. Created ceiling access in the Post Office. Raised the Town Hall flag pole two feet to prevent state flag from dragging on the roof and pressure washed the front of Town Hall/Post Office. Trimmed vegetation along path to Foot Log Park and to improve visibility at Charlestown and Ogle Streets. Also created access paths needed for televising detention basin pipes in Trinity Woods and Scott Gardens. Patched sinkhole at Colorado and Steamboat Courts. Created mulch piles for Cecil Cares Day. Attended Civility and Harassment training. Picked up brush for hazard tree removal at Calvert and Market Streets and collected yard waste and bulk trash. Continued Trash can delivery and replacements as needed. Removed flags at the cemetery. Cleaned and inspected the deck at the Avalon building and will replace two deck boards. Cleaned and organized the maintenance shop for winter.

**Old Business**

Golf Cart Ordinance Update – President Fockler: Once the ordinance is signed by the Commissioners, it will be forwarded to State Delegate Hornberger to take before the State Legislature for their approval. After discussion it was decided to amend the ordinance to strike line item A1B. This allows golf carts to be used after dark if they are equipped with working

lights, although it is still preferred that golf carts be driven only during daylight hours for safety. Commissioner Elmer motioned to approve the ordinance with the amendment. Commissioner Fields seconded. Approved 4-0.

Foot Log Park Sewer Stabilization Project Update – Bryan Lightner: A revised estimate of \$54,640.27 was received from Cerny Enterprises for the extension erosion control project. This will include 200 linear feet of silt fence, grading, Geogrid wrap, approximately 600 Envirolok bags, topsoil, 60 feet by 3 feet of river rock, 1,000 native grass plugs, perennial seed, and restoring the access area with seed and straw. This price includes the design by Cerny Enterprises LLC, and not the design of an engineer. Coastal Resources, Inc. has proposed to perform an engineering design of the extended portion for \$2,000.00. A second proposal has been received to address the outfall from the end of Baltimore Street to the beach area at Foot Log Park. The intention is to safely convey stormwater runoff to the beach. The swale cost estimate includes a site visit, site measurements, and elevation analysis. This is a more complex project due to the grading. It will direct the runoff from both sides of Baltimore Street, slow it down, and reroute it away from the sewer line patch. The total cost for the design of this project would be \$20,073.87. A Video Lottery Terminal (VLT) has been acquired from Cecil County in the amount of \$5,000.00, to go towards the Baltimore Street project. Commissioner Capano asked if the Baltimore Street project would interfere with the success of the Envirolok Foot Log Park project and suggested Dewberry be contacted for advice on the Coastal Resources proposal. Mr. Lightner said he would call Dewberry before the next meeting.

#### Public Comment:

Thelma McMullen asked for transparency with the Foot Log and Baltimore Street projects. Mr. Lightner stated that originally the desire was to put in a breakwater in the river, to help dissipate the wave action towards the center of the beach, and patching the sewer line was always a priority. Even though there is no grant available at the moment to design the breakwater, that could still be another option to consider in the future. The Commissioners agreed the sewer line patch should be extended to address the whole shoreline. Mr. Kraemer supports the Foot Log project if it would correct the erosion problem and inquired if it could be considered a permanent fix. President Fockler replied, “Yes, for the foreseeable future.” Ms. McMullen requested that the area for the project be shown to her and Mr. Lightner replied that the surveyor will mark the portion of the engineered design with stakes. Mr. Cerny will be able to mark the end of the extended area.

President Fockler asked the Commissioners if Coastal Resources should design the extended portion of the project or have Cerny Enterprises design and build it. Commissioner Fields motioned to have Cerny Enterprises do the entire project. Commissioner Elmer seconded. Approved 4-0.

#### **New Business**

Juneteenth Holiday Observance – Bryan Lightner: Juneteenth is now a federal holiday. Commissioner Capano motioned to celebrate Juneteenth in accordance with the federal holiday calendar. Commissioner Elmer seconded. Approved 4-0.

General Commissioner Comments:

Commissioner Capano attended the MML Fall Conference in Annapolis, MD. She took a Cybersecurity class and noted that updated policies are needed. She suggested including Perryville and North East in the policy update process. Federal dollars may be available for the project. Commissioner Capano also took a Stormwater Management class. Infrastructure dollars are available. Six and a half to seven more inches per year of rain is expected in the future and plans need to be in place to handle the additional water. She is on an email list for updates. Kathy SanDoe also attended the MML Fall Conference and noted the Structure of Municipal Government was very interesting. She also attended workshops on Employment Issues and Consensus and Team Building. Commissioner Capano has received a copy of a Chicken ordinance from another Town. She will review it and present it to the Planning Commission. Commissioner Capano also took a DEI class and found that one of the items to be addressed in the Employee Handbook is the purchasing policy. The Town of Charlestown also needs Sustainable Maryland certified. Sustainable Maryland training will be provided by the University of Maryland at the next Green Team meeting on October 27<sup>th</sup>.

Commissioner Fields suggested an additional bench be installed at Fair Green Park. He also asked if the Town had a new Circuit Rider and Mr. Lightner confirmed that Karen Schaeffer was brought on board to help both the Towns of Charlestown and North East apply for and manage grants.

President Fockler noted the Walkable community workshop presented by WILMAPCO is scheduled for Wednesday, October 12<sup>th</sup> at 5:00 PM. There will be a virtual budget meeting on Thursday, October 20<sup>th</sup> at 2:00 PM with Delegate Kevin Hornberger. Items to discuss are stormwater issues and the Town Fishing Pier.

Commissioner Capano mentioned that the first Community Workshop for the Watershed Master Plan is scheduled for November 16<sup>th</sup> at 6:00 PM in the Charlestown Fire Hall.

Mr. Lightner stated that Artesian is proposing a new well on the outskirts of Town. A cost proposal will be forthcoming from the engineers and geologists of Spotts, Stevens, and McCoy, regarding potential interference with the Town's wells, including wellhead protection zone delineations.

Mr. Steve Kraemer said he has a copy of the Public TV special on Conowingo Dam.

Ms. McMullen verified the dates and times of the Walkable Community Workshop and Watershed Master Plan Workshop.

Commissioner Capano motioned to adjourn the meeting. Commissioner Fields seconded.  
Approved 4-0.

Respectfully submitted,

Kathy SanDoe