

The Mayor and Commissioners of the Town of Elkton

MINUTES

May 1, 2013

The Mayor and Commissioners of the Town of Elkton (the "Board") held their first regularly scheduled meeting in May on this date at 7:00 p.m. The following persons were present: Mayor Joseph L. Fisona; Commissioners Charles E. Hicks, V; Charles H. Givens, Sr.; Mary Jo Jablonski; and Earl M. Piner, Sr.; Town Administrator Lewis H. George, Jr.; Finance Director Steven H. Repole; Elkton Police Chief William E. Ryan; Planning Director Jeanne Minner; Administration Office Secretary L. Michelle Henson and Town Attorney H. Norman Wilson, Jr., Esquire.

Mayor Fisona called the meeting to order, and led the Pledge of Allegiance.

ACTION: The minutes of the April 17, 2013 meeting were approved on a motion made by Commissioner Givens. The motion was seconded by Commissioner Hicks and approved by all present with no corrections or amendments.

ACTION: The financial report and the bills submitted for payment were approved on a motion made by Commissioner Jablonski. The motion was seconded by Commissioner Piner and approved by all present.

Mayor Fisona asked Mr. George to present the scheduled Proclamations in the interim prior to the beginning of the Public Hearing.

Proclamation P7-2013 – Tourism Month

Mr. George presented Proclamation P7-2013 – Tourism Month for approval. A copy of Proclamation P7-2013 was read and placed in the record of the minutes.

ACTION: Proclamation P7-2013–Tourism Month was approved on a motion made by Commissioner Givens. The motion was seconded by Commissioner Jablonski and approved by all present.

Proclamation P8-2013 – Kids to Parks Day

Mr. George presented Proclamation P8-2013 – Kids to Parks Day for approval. A copy of Proclamation P8-2013 was read and placed in the record of the minutes.

ACTION: Proclamation P8-2013-Kids to Parks Day was approved on a motion made by Commissioner Piner. The motion was seconded by Commissioner Hicks and approved by all present.

Proclamation P9-2013 – Bike Month

Mr. George presented Proclamation P9-2013 – Bike Month for approval. A copy of Proclamation P9-2013 was read and placed in the record of the minutes.

ACTION: Proclamation P9-2013 – Bike Month was approved on a motion made by Commissioner Jablonski. The motion was seconded by Commissioner Givens and approved by all present.

Public Hearing – Ordinance 2-2013 Housing for Elderly & Handicapped Presented for Introduction

Mayor Fisona declared the Public Hearing open at 7:05 p.m.

Ms. Jeanne Minner, Planning Director, presented Ordinance 2-2013 Housing for Elderly & Handicapped for introduction. Ms. Minner stated Ordinance 2-2013 clarified language in order to be consistent with the Civil Marriage Protection Act of 2012, and amended the minimum road frontage to facilitate development of property unable to meet the current minimum road frontage standard.

Commissioner Givens requested clarification regarding consistency with the Civil Marriage Protection Act. Ms. Minner stated the Civil Marriage Protection Act applied to same-sex marriages, and the Housing for Elderly & Handicapped Ordinance currently referred to “husband and wife”.

Mayor Fisona queried the audience for comments regarding Ordinance 2-2013. Hearing no comments from the audience, Mayor Fisona declared the Public Hearing closed at 7:11 p.m.

ACTION: Ordinance 2-2013 Housing for Elderly & Handicapped was approved for introduction on a motion made by Commissioner Jablonski. The motion was seconded by Commissioner Givens and approved by all present.

YMCA of Cecil County – Request for Sewer Service

Mr. George Patchell, Executive Director

Mr. George Patchell, Executive Director, YMCA of Cecil County, introduced himself to the Board. He said the purpose of his appearance was to once again request sewer service for the YMCA facility at Route 279, due to the Y’s ongoing septic issues. He said he originally requested sewer service in 2009, when the Y’s septic field began to fail.

Mr. George stated the Town planned to use an existing, abandoned water line that ran through the State Highway Administration (SHA) right of way, adjacent to the Y facility in Route 279. He said the line would be converted to a sewer line, which would

connect the Y and to the Blue Ball Road sanitary sewer main. Mr. George stated the line was assumed to belong to Cecil County, and was subsequently transferred to Artesian Water Maryland upon Artesian's purchase of the County's water and sewer infrastructure; however no deed of ownership or permit from SHA exists. Mr. George stated the Town could not move forward due to unknown ownership of the line.

Mr. Patchell stated he discussed the issue with SHA and Artesian, and both entities were willing to move forward; SHA was open to permitting use of the line, and Artesian was willing to deed the line to the Town for use by the Y.

Mr. Patchell stated he applied for grant funding through the Maryland Department of the Environment (MDE) for construction assistance, adding that he was required to obtain confirmation that the Town would accept the Y's sewer discharge.

Mr. George stated the project would involve evaluation of pumps located at the SHA facility on Route 7. He stated the Y would be financially responsible for the project, as well as hookup fees. Mr. Patchell stated the Y understood its financial responsibilities.

Mayor Fisona queried the Board regarding preliminary acceptance of sewer discharge from the YMCA of Cecil County, contingent upon the YMCA's construction of the infrastructure to deliver the discharge into the sewer system.

ACTION: The request to accept sewer discharge from the YMCA of Cecil County, contingent upon the YMCA's construction of the infrastructure to deliver the discharge into the Town's sewer system, was approved on a motion made by Commissioner Jablonski. The motion was seconded by Commissioner Givens and approved by all present.

Town of Elkton Community / Recreation Center
HVAC System – Paragon Engineering

Mr. George stated Paragon Engineering rescheduled its presentation for the June 12, 2013 workshop meeting.

Town Administrator's Report

Mark Clark Design Group Change Order – Town of Elkton Community / Recreation Facility

Mr. George stated the Board, in discussions regarding the proposed Community / Recreation Facility, expanded the facility from 18,000 square feet to 21,000 square feet, which added to the architectural design services contract between the Town and Mark Clark Design Group, resulting in a \$9,900 increase in the contract. He presented the change order for \$9,900 to the Board for approval. Commissioner Piner requested that the Board delay voting on the change order until he gave his report.

Mr. George advised the Department of Public Works (DPW) would be flushing fire hydrants in the overnight hours from May 12 through May 16.

Mr. George stated reconstruction would begin on the Hermitage Wall on or about May 19.

Old Business

Mayor Fisona stated SHA addressed issues with the turn signal at Melbourne Boulevard and Route 40.

Mayor Fisona stated he received a request for donation from Elkton Middle School's Destination Imagination team, which placed 2nd in Maryland. He said the team was going to the final competition in Knoxville, Tennessee, and was soliciting donations to offset the \$4,300 cost of the trip. Mayor Fisona requested a motion to donate \$100 to the team.

ACTION: The request to donate \$100 to the Elkton Middle School's Destination Imagination team's trip to Knoxville, Tennessee was approved on a motion made by Commissioner Jablonski. The motion died for lack of a second.

Commissioner Piner's Report

Commissioner Piner stated since he began his career as a Town Commissioner he pushed for creation of a recreation facility. He stated the current budget deficit forced him to reevaluate the timeline of the proposed facility. He stated he regretfully requested that the Board consider using \$1 million of the \$1.5 million that was set aside for the recreation facility to offset the Fiscal Year 2014 budget deficit. He asked that the remaining \$500,000 be used to keep the process moving, albeit at a slower pace.

Commissioner Piner stated the Board needed to continue to work together toward a recreation center, as well as identifying new revenue sources.

Discussion ensued regarding the process for moving the funds back to the General Fund. Mr. Lewis advised the funds would be re-designated via Resolution.

Discussion ensued regarding use of fund balance to offset the budget deficit. Mr. Repole stated he understood Commissioner Piner's reasoning, however the transfer of \$1 million to offset the deficit did not address the need for increasing revenue, nor would it offset anticipated deficits in future budgets.

Discussion ensued regarding quarterly meetings to stay abreast of budget issues.

Mr. George advised the Board of its contractual obligation to Clark Design Group, adding funds were in place to satisfy the agreement, and asked if the Board

wanted to proceed with the recreation center. Commissioner Jablonski expressed support for moving forward with the facility but at a slower pace.

Commissioner Jablonski commended Commissioner Piner for bringing the issue to the table.

Mayor Fisona queried the Board for a decision regarding drafting a Resolution to rescind the original set-aside of \$1.5 million for the recreation center, and re-designation of \$500,000 for the proposed project.

It was the consensus of the Board to draft a Resolution to rescind the original set-aside of \$1.5 million for the recreation center, and re-designation of \$500,000 for the proposed project. Mr. George stated the Resolution would be presented at the May 15, 2013 meeting.

Commissioner Givens' Report

Commissioner Givens, referring to the Board's previous decision to fund a scholarship for Elkton High School students, stated the funds were moved from the Fiscal Year 2014 budget but had been returned.

Commissioner Givens, referring to the Board's discussions regarding the current budget deficit, requested that upcoming workshops include quarterly budget discussions.

Mr. George asked the Board for a vote regarding the Clark Design Group change order request.

ACTION: The \$9,900 change order request from Clark Design Group, as previously discussed, was approved on a motion made by Commissioner Piner. The motion was seconded by Commissioner Givens and approved by all present.

Public Comment

Mr. David Fordyce, resident of Osage Street, suggested the Board look to the community and area businesses to help fund the recreation center.

Mr. Fordyce expressed concerns regarding the anticipated increase in property taxes, stating the real estate market was still flat.

Mr. Fordyce requested brush removal in his neighborhood.

Mr. Fordyce requested enforcement of "open container" laws, stating several people openly consumed alcohol while passing through his neighborhood.

Mr. Fordyce, referring to his previous request for placement of “no trespassing” signs on property near his home, stated the signs had been removed and/or damaged, and asked that they be replaced.

Mr. Fordyce, referring to recent fires at vacant properties adjacent to the former George’s Restaurant, requested that the Board condemn the site and order the owner, Cecil Bank, to demolish the buildings. He stated the property was a blight on the area, and questioned why Cecil Bank was permitted to leave the property in the shape it was in. He requested a written response to his requests.

Mr. Robert Litzenberg commended Commissioners Piner and Jablonski for their statements regarding rescinding funds previously set aside for the recreation center.

Mr. Litzenberg stated citizens should have more time to comment on the budget prior to its introduction and subsequent adoption.

Mr. Litzenberg expressed concerns regarding the percentage of the budget that was allocated to the Elkton Police Department (EPD).

Mr. Litzenberg suggested that the Board waive its salaries to help offset the budget deficit.

Mr. Litzenberg expressed concerns regarding the impact of increasing property taxes on senior citizens living on fixed incomes.

Mr. Litzenberg expressed concerns regarding people living in tents in public parks. He commended DPW staff for cleaning up trash and debris left in Marina Park.

Motion to Adjourn

Hearing no additional business to come before the Board, Mayor Fisona requested a motion to adjourn the meeting.

ACTION: The request to adjourn the meeting was approved on a motion made by Commissioner Givens. The motion was seconded by Commissioner Piner and approved by all present.

Mayor Fisona adjourned the meeting at 8:21 p.m.

L. Michelle Henson
Administration Office Secretary

AN AUDIO AND VIDEO RECORDING OF THIS MEETING RETAINED AT THE
ADMINISTRATION OFFICE

Note: The minutes of regularly scheduled public meetings conducted by the Mayor and Commissioners of the Town of Elkton, following their approval, are posted at www.elkton.org. The minutes, in hard copy format, are retained indefinitely by the Town of Elkton, Administration Office, 100 Railroad Avenue, Elkton, Maryland 21921.