

The Mayor and Commissioners of the Town of Elkton

MINUTES

May 15, 2013

The Mayor and Commissioners of the Town of Elkton (the "Board") held their second regularly scheduled meeting in May on this date at 7:00 p.m. The following persons were present: Mayor Joseph L. Fisona; Commissioners Charles H. Givens, Sr.; Charles E. Hicks, V; Mary Jo Jablonski and Earl M. Piner, Sr.; Town Administrator Lewis H. George, Jr.; Finance Director Steven H. Repole; Assistant Finance Director A. Beth Moran; 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 May 1, 2013 meeting were approved on a motion made by Commissioner Givens. The motion was seconded by Commissioner Piner 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 Givens and approved by all present.

Mayor Fisona asked Mr. George to present Resolution 4-2013 in the interim prior to the start of the Public Hearing.

Town Administrator's Report

Resolution R4-2013 – Business Personal Property Tax Cap

Mr. George presented Resolution R4-2013 – Business Personal Property Tax Cap for approval. Mr. George stated Resolution R4-2013 increased the cap on which the Business Personal Property Tax is applied from \$15,000,000 to \$20,000,000, for the purpose of developing additional General Fund revenue. Mr. George read and placed a copy of Resolution R4-2013 into the record of the minutes.

ACTION: Resolution R4-2013 – Business Personal Property Tax Cap was approved on a motion made by Commissioner Hicks. The motion was seconded by Commissioner Piner and approved by all present.

Public Hearing – Fiscal Year 2014 Budget

Ordinance 4-2013 – Presented for Introduction (Fiscal Year 2014 Budget)

Mayor Fisona declared the Public Hearing open at 7:05 p.m. Mayor Fisona stated there was a 5-minute limit on public comments regarding the proposed Fiscal Year 2014 (FY 2014) Budget.

Former Mayor Robert Alt expressed appreciation of the service of the current Board members.

Mayor Alt, referring to the current deficit facing the FY 2014 Budget, stated the Board would be facing the same deficit issues in the future without cutting expenses. He stated department managers had succeeded in keeping their budgets flat for the past five years and suggested that each department review and identify all expenses that could be reduced.

Referring to the Parks & Recreation Department, Mayor Alt stated he understood the department should not be a profit-generating entity however expenses (approximately \$400,000) outweighed revenue (approximately \$100,000).

Mayor Alt stated the Public Safety budget had doubled in the last 5 years. He suggested changes in overtime policy could result in savings for that department.

Mr. Robert Litzenberg concurred with Mayor Alt's statements. Mr. Litzenberg questioned the Town's process for the collection of parking fines that were in arrears. Mr. Repole stated the Town contracted with Complus to collect out of state fines. Mr. Litzenberg suggested the Town utilize a "boot" for vehicles owned by people who did not pay parking fines.

Mr. Litzenberg expressed concerns regarding health care and pension costs. He questioned the number of take-home cars, stating those employees who took their vehicles home should pay for the fuel to and from work.

Mr. Litzenberg expressed concerns regarding overtime costs in the Elkton Police Department (EPD).

Mr. Richard Lemen stated the Board needed to develop a plan of action to reduce costs for the current and future budgets.

Mr. Lemen reiterated Mr. Litzenberg's concerns regarding rising health insurance costs. He suggested the Board obtain competitive bids for health insurance.

Mr. Lemen stated overtime should be reduced.

Mr. Lemen questioned if vehicle purchases were bid out. Mr. Repole stated the Town utilized state contract prices for vehicle purchases, saying the state contract price was the lowest.

Hearing no additional comments, Mayor Fisona declared the Public Hearing closed at 7:27 p.m.

Discussion

Commissioner Piner thanked the speakers for their comments.

Commissioner Piner stated when the Board originally voted to set aside funds for the Recreation / Community Center the Town had a large balance in the General Fund and could afford the project.

Commissioner Piner questioned the addition of 17 computers after the draft budget had been discussed. Mr. Repole stated the Town's information technology contractor advised the Town of the need for the upgrade on April 29th, after the April 24th special budget workshop meeting.

Commissioner Piner stated he had contacted mayors of local municipalities to obtain information on how they obtained revenue for their towns. He challenged the other Board members to identify revenue sources.

Commissioner Hicks stated he appreciated Commissioner Piner's efforts. He stated he previously brought ordinances to the Board that would improve the face of the community.

Commissioner Jablonski thanked Commissioner Piner for the challenge and stated the Board needed to work aggressively to identify revenue sources. She stated the Board needed to review the budget on a quarterly basis. Referring to discussion at the April 24th special budget workshop meeting, she questioned if Mr. Repole had obtained information regarding refinancing of a Town loan. Mr. Repole stated he contacted area banks and was awaiting follow up. Commissioner Jablonski stated the Town needed to obtain competitive bids on all major purchases.

Commissioner Givens agreed with the comments from Commissioners Hicks, Jablonski and Piner, and stated the Board needed to look at current issues as well as plan for the future. He stated the Board needed to come together as a team to solve the issues.

Mayor Fisona said the FY 2014 budget process was difficult, stating he tried to do the best for the community.

Mayor Fisona requested a motion to accept Ordinance 4-2013 – Fiscal Year 2014 Budget, for introduction.

ACTION: The request to accept Ordinance 4-2013 – Fiscal Year 2014 Budget for introduction was approved on a motion made by Commissioner Hicks. Hearing no second, Mayor Fisona declared the motion dead for lack of a second.

Mr. George advised the Board that the lack of a vote to accept Ordinance 4-2013 for introduction meant the Fiscal Year 2014 Budget would not be voted on, and subsequently not in place, within the required time frame to become effective on July 1, 2013. He stated the inaction placed the Town in a precarious position, as the State of Maryland required notification of the Town's tax rate prior to May 20, 2013, adding that if the State did not have a tax rate for the Town, tax bills would not be generated, which meant no revenue for the Town, effectively halting the operation of government.

Mayor Fisona requested a second motion to accept Ordinance 4-2013 – Fiscal Year 2014 Budget, for introduction.

ACTION: The request to accept Ordinance 4-2013 – Fiscal Year 2014 Budget for introduction was approved on a motion made by Commissioner Hicks. The motion was seconded by Commissioner Jablonski. The record of the vote is as follows:

Mayor Fisona: Aye

Commissioner Givens: Abstained

Commissioner Hicks: Motion

Commissioner Jablonski: Second

Commissioner Piner: Nay

**Public Hearing – Community Development Block Grant (CDBG) application for the Elkton Water Treatment Plant Raceway Dredging Project
Resolution R6-2013 – Elkton Water Treatment Plant Raceway Dredging Project**

Mayor Fisona declared the Public Hearing open at 7:45 p.m.

Ms. Jeanne Minner, Planning Director, stated the purpose of the Public Hearing was to obtain public comment on a Community Development Block Grant (CDBG) application to obtain funds to assist with the costs to dredge the Elkton Water Treatment Plant raceway.

Ms. Minner said the project was located on the south side of East Main Street, adjacent to Howards Pond. She said the raceway was constructed in the late 1800's to operate a mill, and was currently utilized by the Water Treatment Plant (WTP). She stated silt accumulation in the raceway diminished its capacity. She stated the Maryland Department of the Environment (MDE) inspected the raceway and determined it had to be dredged.

Ms. Minner stated the Board was required to approve of the application via resolution, and presented Resolution R6-2013 – Elkton Water Treatment Plant Raceway Dredging Project, for approval. She read and placed a copy of Resolution R6-2013 into the record of the minutes.

Mayor Fisona queried the audience for comments regarding the WTP Raceway Dredging Project. Hearing no comments from the audience, Mayor Fisona declared the Public Hearing closed at 7:53 p.m.

Mayor Fisona requested a motion regarding Resolution R6-2013 – Elkton Water Treatment Plant Dredging Project for approval.

ACTION: Resolution R6-2013 was approved on a motion made by Commissioner Givens. The motion was seconded by Commissioner Piner and approved by all present.

**Ordinance 5-2013 – Flood Plain – Amending Town Code Chapter 15.20
Flood Plain Management – Presented for Introduction**

Ms. Minner said the Federal Emergency Management Agency (FEMA) and MDE developed new flood plain maps which would be effective July 8, 2013. She stated the Town was required to update its floodplain ordinance to the new state standards prior to the effective date. Ms. Minner placed a copy of Ordinance 5-2013 in the record of the minutes.

Mayor Fisona requested a motion to accept Ordinance 5-2013 Flood Plain – Amending the Town Code Chapter 15.20 Flood Plain Management, for introduction.

ACTION: Ordinance 5-2013 – Flood Plain – Amending Town Code Chapter 15.20 Flood Plain Management, was approved for introduction on a motion made by Commissioner Givens. The motion was seconded by Commissioner Jablonski and approved by all present.

**Severn Trent Environmental Services
Water / Wastewater Treatment Services Report – Months of March & April
2013**

Mr. Jason Taylor, Assistant Manager, Severn Trent Environmental Services, introduced himself to the Board. He stated he was appearing on behalf of Mr. Ken Benner, who was working with the Department of Public Works (DPW) on the hydrant flushing project, and could not attend the meeting.

Mr. Taylor presented the Water/Wastewater Treatment Services report for the months of March and April 2013. A copy of the report was placed in the record of the minutes.

Town Administrator's Report (continued)

Resolution R5-3013 – Elkton Recreation and Community Center

Mr. George presented Resolution R5-2013 – Elkton Recreation and Community Center, for approval. He stated Resolution R5-2013 rescinded Resolution R1-2011, which dedicated unassigned funds for the planning, development and construction of a Recreation / Community Building, and reallocated funds originally assigned under Resolution R1-2011. Mr. George read and placed a copy of Resolution R5-2013 into the record of the minutes.

Commissioner Hicks questioned if any studies regarding operating expenses of the proposed facility had been performed. Mr. George answered in the negative.

ACTION: Resolution R5-2013 was approved on a motion made by Commissioner Piner. The motion was seconded by Commissioner Jablonski and approved by all present.

Ordinance 2-2013 – Housing for Elderly & Handicapped – Presented for Adoption

Mr. George presented Ordinance 2-2013 – Housing for Elderly & Handicapped for adoption. He stated Ordinance 2-2013 amended the Town Code regarding housing for elderly and handicapped persons by clarifying the language pertaining to married partners and amending the minimum allowable road frontage. He said the Board approved Ordinance 2-2013 for introduction at the May 1, 2013 meeting. A copy of Ordinance 2-2013 was placed in the record of the minutes.

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

Ordinance 3-2013 – Dogs – Presented for Introduction

Mr. George presented Ordinance 3-2013 – Dogs, for introduction. He stated Ordinance 3-2013 amended the Town Code to allow for dogs to run un-leashed on public property when confined within a dog park. He stated the Town received a \$24,000 grant from Parks & Playgrounds / Department of Natural Resources, to construct the dog park. He advised the Board that Ms. Mary Magaw, Director, Parks & Recreation, would solicit bids for the project, which she would present to the Board at the June 5, 2013 meeting. A copy of Ordinance 3-2013 was placed in the record of the minutes.

ACTION: Ordinance 3-2013 – Dogs, was approved for introduction on a motion made by Commissioner Jablonski. The motion was seconded by Commissioner Givens and approved by all present.

Mayor Fisona's Report

Mayor Fisona announced the pending demolition of a blighted property located at the intersection of Route 40 and Landing Lane. Commissioner Givens questioned the

status of a property on Bridge Street that had ongoing issues for many years. Mayor Fisona stated that property was being addressed.

Commissioner Jablonski's Report

Commissioner Jablonski thanked the meeting attendees for their comments regarding the Fiscal Year 2014 Budget.

Commissioner Piner's Report

Commissioner Piner, referring to increasing numbers of shopping carts being removed from area shopping centers and left around town, stated the carts were being stolen from the stores. He expressed concern that Town employees were being utilized to return the carts to their owners.

Commissioner Givens' Report

Commissioner Givens stated he was a member of the Maryland Municipal League Cecil-Harford Chapter Scholarship Committee. He stated the committee awarded an annual scholarship to a high school student, and expressed disappointment that only 4 students had applied.

Commissioner Givens, noting the small number of speakers who requested to make comments regarding the Fiscal Year 2014 Budget, stated they should not have been limited to 5 minutes.

Public Comment

Former Mayor Alt thanked Commissioner Givens for his comments regarding time allowance for speakers.

Mayor Alt questioned who was paying for the demolition of the property at Route 40 and Landing Lane. Mayor Fisona stated the owner of the property, Cecil Bank, was paying for the demolition.

Mr. Litzenberg questioned the deadline of May 20, 2013 for the Board to determine the real property tax rate. Mr. George stated the Town was required to send the rate information to the Department of Assessments and Taxation prior to May 20, 2013 in order to generate tax revenue for the Town.

Mr. Litzenberg suggested that each Board member should be assigned a department to oversee.

Mr. Lemen stated Town employees should be polled for cost cutting ideas.

Mr. James Milmoe questioned if the proposed Police Station Facility project would move forward. Mayor Fisona stated the project was not in the budget.

Mr. Milmoe, referring to a newspaper article regarding equipment replacement at the Wastewater Treatment Plant (WWTP), questioned who would pay for the new equipment. Mayor Fisona stated the cost would be paid from the Town's Sewer Fund.

Mr. Milmoe, referring to the reduction in the required minimum water purchase from Artesian, stated the Town's water purchase expenses should be reduced, and asked if the savings would be passed on to water customers by way of lower rates. Mr. Repole answered in the negative, stating costs of operating the water plant continued to rise.

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 8:27 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.