

The Mayor and Commissioners of the Town of Elkton

MINUTES

June 5, 2013

The Mayor and Commissioners of the Town of Elkton (the "Board") held their first regularly scheduled meeting in June 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.; 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 15, 2013 meeting were approved on a motion made by Commissioner Givens. The motion was seconded by Commissioner Jablonski 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 Piner. The motion was seconded by Commissioner Givens and approved by all present.

Budget Amendment 2013-018

Mr. George presented Budget Amendment 2013-018 to recognize \$14,520 received from Nationwide Insurance for the purpose of rebuilding the damaged Hermitage Drive wall.

ACTION: Budget Amendment 2013-018 was approved on motion made by Commissioner Givens. The motion was seconded by Commissioner Hicks and approved by all present.

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

Mayor Fisona presented the Fiscal Year 2014 Budget for approval. He read a statement regarding the budget, a copy of which was placed in the record of the minutes.

Mr. George read the accompanying Ordinance 4-2013 (Fiscal Year 2014 Budget) into the record of the minutes.

Mayor Fisona requested a motion to approve Ordinance 4-2013 Fiscal Year 2014 Budget. Commissioner Givens stated he would vote in favor of the budget but did not completely agree with it.

Commissioner Piner stated he would not vote in favor of the budget.

ACTION: Ordinance 4-2013 Fiscal Year 2014 Budget was approved on a motion made by Commissioner Jablonski. The motion was seconded by Commissioner Hicks. Commissioner Piner opposed the motion. The record of the vote is as follows:

Mayor Fisona: Aye

Commissioner Givens: Aye

Commissioner Hicks: Second

Commissioner Jablonski: Motion

Commissioner Piner: Nay

Mayor Fisona stated the Board had many discussions regarding the tax rate, as well as areas to cut expenses from the budget. He stated he cut many requests from Department Managers as well. He stated Elkton was one of the 111 out of 157 municipalities in Maryland that raised taxes.

Ordinance 5-2013 – Flood Plain Management – Presented for Approval

Mr. George presented Ordinance 5-2013 Flood Plain Management, for approval. He stated Ordinance 5-2013 was written in conjunction with revisions to the Flood Maps and requirements from the Federal Emergency Management Administration (FEMA) to update the Town's Ordinance to comply with the revised maps. A copy of Ordinance 5-2013 was placed in the record of the minutes.

ACTION: Ordinance 5-2013 – Flood Plain Management, 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 Adoption

Mr. George presented Ordinance 3-2013 – Dogs, for adoption. He stated the Town's Code currently prohibited unleashed dogs in Town limits, and Ordinance 3-2013 amended the Town Code to allow dogs to run free while confined within the fenced area designated as the "dog park".

Discussion ensued regarding enforcement of the Town's leash requirements for dogs not confined within the dog park. Mr. George stated the Elkton Police Department was responsible for enforcement of the Town's leash law.

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

Dog Park Fence Bid Opening

Mr. George stated Ms. Mary Magaw, Director, Parks & Recreation, applied for and received grant funding through the Department of Natural Resources (DNR) for a dog park, located at Meadow Park East. He stated Ms. Magaw solicited bids from 3 fence companies for installation of a 100' x 200' fence enclosure, and received 1 bid from Northeastern Fence, Inc. in the amount of \$12,360.00. Mr. George stated the bid was well below the grant funds of \$28,000.00, adding the balance would provide for benches and other amenities.

ACTION: The bid from Northeastern Fence, Inc. in the amount of \$12,360.00 for installation of a 100' x 200' fence enclosure for the Elkton Dog Park was approved on a motion made by Commissioner Givens. The motion was seconded by Commissioner Jablonski and approved by all present.

July 4th Event

Mayor Fisona asked the Board to discuss the annual July 4th fireworks event and determine if it was feasible to proceed this year. He stated the past two years the Town received donations from local businesses to help offset the costs associated with the event, the cost of which was over \$24,000 this year. He stated the event required many staff members from the Elkton Police Department (EPD) as well as the Department of Public Works (DPW).

Mayor Fisona stated the public wanted to see cost cutting from the Board, and queried the Board for a consensus regarding cancellation of the July 4th fireworks event.

Commissioner Jablonski expressed support for the July 4th fireworks event, stating she realized the expense involved; however, it was an important community event. Commissioner Givens expressed concerns regarding the increasing costs associated with the event.

ACTION: The request to cancel the July 4th fireworks event was approved on a motion made by Commissioner Givens. There was no second to the motion. Motion died for lack of a second.

YMCA of Cecil County – Request for Bond Financing

Mr. George Patchell, Executive Director, YMCA of Cecil County, and Mr. Dwight Thomey, Esquire, representing the YMCA, introduced themselves to the Board. Mr. Thomey stated the YMCA negotiated with Columbia Bank to refinance loans from 2000 to construct improvements to their facility. He stated the financing utilized economic development bonds issued by Cecil County. He stated the YMCA, in order to refinance the loan, needed a bond issuance. He said the YMCA could not refinance through Cecil County, as IRS regulations limited local governments to a specific number

of bond issuances per year. Mr. Thomey stated the bond issuance being requested was similar to the bond the Town issued for the Union Hospital of Cecil County. He stated the Town would have no financial obligation for the repayment of the bond.

Mr. Thomey said if the Board approved of the issuance, a Public Hearing would be required, and asked if the hearing could be scheduled for the July 3, 2013 Mayor & Commissioners meeting.

Mayor Fisona queried the Board for a consensus regarding scheduling the YMCA bond request at the July 3, 2013 Mayor & Commissioners meeting. It was the consensus of the Board to schedule the YMCA bond request for the July 3, 2013 meeting.

Town Administrator's Report

Resolution R7-2013 – Refuse Fee

Mr. George presented Resolution R7-2013 – Refuse Fee, to authorize the Finance Department to implement and collect a Refuse Disposal Fee to offset the expenses of contracted residential trash collection services and landfill disposal fees paid by the Town. He read and placed a copy of Resolution R7-2013 into the record of the minutes.

ACTION: Resolution R7-2013 – Refuse Fee, was approved on a motion made by Commissioner Hicks. The motion was seconded by Commissioner Givens and approved by all present.

Old Business

Commissioner Givens questioned the status of new parking meters, which were previously discussed. Mr. George responded the Town had not yet received information regarding costs for new meters.

Mayor Fisona's Report

Mayor Fisona stated the Town previously received a \$5,000 Crossing Guard grant from Cecil County annually. He stated the grant had been cut from the county budget, but had been reinstated after he spoke with County Executive Moore.

Mayor Fisona stated the Town developed a Bicycle Plan through the Wilmington Area Planning Council (WILMAPCO) in 2011, which identified priorities to encourage bike use in Elkton. He stated the Town, in cooperation with other Cecil County municipalities, applied for funding for signage, pavement markings and bike racks. He introduced Ms. Tamika Graham, WILMAPCO Senior Planner, and asked that she provide information regarding the Bikeways Program Funding application.

Ms. Graham stated Governor O'Malley initiated the Cycle Maryland Program in order to encourage more bike use in the state. She said funding was set aside for needed

improvements that were identified in Bicycle Plans presented throughout the state. She stated the funding process was competitive, so Cecil County's municipalities joined forces to apply collectively. She said grant awards would be announced in late summer.

Mayor Fisona requested a motion from the Board to approve a grant application to Maryland Bikeways Program for signage, pavement markings and bike racks.

ACTION: The request to approve a grant application to Maryland Bikeways Program for signage, pavement markings and bike racks was approved on a motion made by Commissioner Jablonski. The motion was seconded by Commissioner Piner and approved by all present.

Mayor Fisona stated he and Planning Director Jeanne Minner attended a Chesapeake Bay Cabinet meeting to discuss issues associated with sediment buildup at the Conowingo Dam, and its effect on the Bay.

Mayor Fisona stated he and Ken Benner, Area Manager, Severn Trent Environmental Services, operator of the Town's Water and Wastewater Treatment facilities, met with County Executive Tari Moore to discuss issues associated with foreign materials from the Cecil County Detention Center entering the Town's Big Elk Sanitary Sewer Pump Station.

Mayor Fisona, referring to the recent demolition of a former restaurant at Route 40 and Landing Lane, stated the property owner was committed to removing the remaining motel structure after asbestos issues were addressed.

Mayor Fisona announced the owner of the former RMR facility on Bridge Street was moving forward with plans to demolish what remained of the building.

Commissioner Hicks' Report

Commissioner Hicks stated he was pleased with the Board's actions to concentrate on increasing revenues for the Town.

Commissioner Hicks stated he was happy to see increasing use of the Town's parks and pavilions, and stated it was important to maintain those areas to attract more users.

Commissioner Givens' Report

Commissioner Givens questioned when the Board would initiate Fiscal Year 2015 Budget planning. Commissioner Jablonski stated she requested a comprehensive report for the Fiscal Year ending June 30, 2013, in order to determine a starting point for future budget discussions.

Commissioner Piner's Report

Commissioner Piner stated he would like to have increased discussions with area developers and business people to identify ways to encourage investment in Elkton.

Public Comment

Mr. Richard Lemen, referring to cost of the dog park fence vs. the amount of dog park grant funds received, questioned how unexpended funds from the grant would be utilized. Commissioner Jablonski stated unexpended funds would be used to purchase signage, benches, waste bags, etc.

Mr. David Fordyce expressed support for the demolition of the former restaurant at Route 40 and Landing Lane. He stated the removal of the blighted building was a good start toward improving Elkton. He suggested that the Board meet with owners of blighted properties to find out the owner's plans for the property. Commissioner Hicks stated he had proposed a Vacant Property Ordinance. Commissioner Jablonski stated the Town's Code contained ordinances that addressed blighted properties, and it was under those ordinances that the former restaurant had been demolished.

Mr. Fordyce, referring to a recent "speed hump" survey conducted on his street, stated an Elkton Police traffic study indicated the majority of drivers obeyed the speed limit, which negated the need for speed hump installation. He disagreed with the data, and asked the Board to reconsider installation of a speed hump on his street.

Mr. Fordyce, referring to foot traffic through an area of woods near his home, requested installation of a fence at the property to decrease the foot traffic.

Mr. Fordyce stated he had applied to fill the vacant seat on the Elkton Planning Commission.

Mr. Fordyce, referring to a retaining wall at property near his home upon which several persons congregated to drink alcohol, stated the previous owner placed "no trespassing" signs, which decreased the number of loiterers. He said the signs were in bad condition, and asked the Board to contact the new owner with a request for re-installation of signs.

Mr. Fordyce stated he appreciated the discussions regarding reduction of expenses and asked for a reduction of water/sewer payments, and an increase in the franchise fee paid by the local cable company.

Mr. Fordyce expressed concerns regarding the costs associated with the July 4th fireworks event.

Mr. Anthony Bernard stated he and other neighbors came to request the Board's assistance in getting the road in their neighborhood paved. He said Bonnie Marie Court had never received the final paving of asphalt, and was deteriorating, leading to drainage issues. Mr. Bernard stated the developer had not removed construction debris, which was also deteriorating. He stated a silt fence was also deteriorating, creating an eyesore in his neighborhood. He said he and his neighbors were obligated to maintain their properties, and asked that the developer be held responsible to maintain his property.

Commissioner Hicks questioned if Mr. Bernard's neighborhood had an active Homeowners Association. Mr. Bernard answered in the affirmative, saying the Association suggested he bring his concerns to the Board.

Mr. Bernard suggested scaling back on future fireworks events in order to save money.

Mr. Bernard stated the grant funding for the dog park came from taxpayer funds. He stated it was not a timely project. Mr. George stated he understood Mr. Bernard's point, and added the funds had been budgeted by the Governor for the Department of Natural Resources Community Parks and Playgrounds. Mr. George added that this type of funding had been previously utilized by the Parks & Recreation Department to purchase playground equipment.

Mr. Bernard stated this was the first time he attended a meeting, and planned to attend again. He suggested the Board have more interaction with audience members.

Mr. Robert Litzenberg requested a temporary one-way traffic restriction on Gilpin Avenue from James Street to Walnut Lane during Elkton High School graduation activities.

Mr. Litzenberg, referring to the Public Hearing at which the Fiscal Year 2014 Budget was introduced, stated the audience was limited to 5 minutes for comments. He stated individuals should have the right to speak as long as needed.

Mr. Litzenberg stated the Board needed to further identify and initiate cuts to the budget.

Former Commissioner Gary Storke expressed concerns regarding the costs of the Elkton Police Department (EPD) pension and overtime. He stated a large percentage of Elkton's population have a fixed income, and could not afford increasing taxes.

Mr. Storke expressed concerns regarding costs associated with investigation of a new municipal well at Elk Landing.

Mr. Storke expressed concerns regarding the downtown area. He asked for additional patrols in the downtown.

Mr. John Ballick stated he was a neighbor of Mr. Bernard, and questioned the process to address the paving issue in his neighborhood. Mayor Fisona stated he would look into the issue and find out what the Town could do to address the situation.

Motion for a Closed Meeting

ACTION: Pursuant to State Government Article § 10-508 to (1) (ii) any other personnel matter that affects one or more specific individuals; Commissioner Hicks made a motion for a Closed Meeting. The motion was seconded by Commissioner Givens and approved by all present.

Mayor Fisona announced that the public meeting would not reconvene.

Hearing no additional business to come before the Board, Mayor Fisona adjourned the meeting at 8:37 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.