

The Mayor and Commissioners of the Town of Elkton

MINUTES

July 2, 2014

The Mayor and Commissioners of the Town of Elkton (the "Board") held their first regularly scheduled meeting in July on this date at 7:00 p.m. The following persons were present: Commissioners Charles H. Givens, Sr.; Mary Jo Jablonski; Earl M. Piner, Sr.; Daniel R. VanReenen, Jr.; Town Administrator Lewis H. George, Jr.; Finance Director Steven H. Repole; Chief of Police Matthew Donnelly; and Administration Office Secretary L. Michelle Henson. Mayor Robert J. Alt was excused from the meeting.

Also in attendance: Director of Department of Public Works J. Daniel Handley; Director of Parks & Recreation Mary Magaw; Director of Zoning Charles Bromwell; Assistant to the Director of Planning Terri Thomas; and Director of Human Resources Laura Brown.

Notice of Closed Meeting

On Wednesday June 18, 2014, at 9:01 p.m., during a regularly scheduled meeting of the Mayor and Commissioners of the Town of Elkton (the "Board"), a Closed Meeting was requested and approved by all present pursuant to State Government Article § 10-508 to discuss (1)(i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation or performance evaluation of appointees, employees or officials over whom the Town has jurisdiction. Attendance: Mayor Robert J. Alt; Commissioners Charles H. Givens, Sr.; Earl M. Piner, Sr.; and Daniel R. VanReenen, Jr.; Town Administrator Lewis H. George, Jr.; Administration Office Secretary L. Michelle Henson; and Town Attorney H. Norman Wilson, Jr., Esquire.

Commissioner Givens called the meeting to order and led the Pledge of Allegiance.

Commissioner Givens announced that Mayor Alt would not be in attendance as he had a prior commitment.

ACTION: The minutes of the June 18, 2014 meeting were approved on a motion made by Commissioner Jablonski. The motion was seconded by Commissioner VanReenen 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 Jablonski and approved by all present.

Resolution R7-2014 Strategic Demolition and Smart Growth Impact Fund Grant Application

Ms. Terri Thomas, Assistant Planner, stated she was appearing on behalf of Ms. Jeanne Minner, Planning Director.

Ms. Thomas stated Ms. Minner was applying for a Strategic Demolition and Smart Growth Impact Grant in the amount of \$120,000 on behalf of Minihane's Irish Pub and Restaurant to assist in the planned expansion of the restaurant deck. She stated this type of grant was used to redevelop underutilized sites. Ms. Thomas added that the Town was under no financial obligation under the grant.

Commissioner VanReenen stated his understanding that the grant was not a loan to the Town, and that the Town was simply a mediator of funds.

Commissioner Givens queried the audience for comments regarding the application.

Mr. Anthony Bernard questioned if the grant was to be repaid, and if interest would accrue. Commissioner VanReenen stated the grant was not a loan. Commissioner Jablonski stated the Governor allocated funds in each budget year for grants of this type.

Commissioner Givens reiterated that the grant application had no financial impact on Elkton.

ACTION: Resolution R7-2014 Strategic Demolition and Smart Growth Impact Fund Grant Application was approved on a motion made by Commissioner Piner. The motion was seconded by Commissioner Givens and approved by all present.

Resolution R8-2014 Community Grant Application

Ms. Thomas stated Ms. Minner was applying for \$125,000 of Community Legacy Grant funds for parking lot improvements for the public parking lot located at 117 – 119 West Main Street. She stated the project builds on the improvements completed and planned at the adjacent Minihane's Irish Pub and Restaurant.

Commissioner VanReenen confirmed the application was for grant funding. Ms. Thomas answered in the affirmative.

ACTION: Resolution R8-2014 Community Grant Application was approved on a motion made by Commissioner Jablonski. The motion was seconded by Commissioner VanReenen and approved by all present.

Town Administrator's Report

Project 2014-006 Road Restoration – Bid Opening

Mr. George unsealed and announced the Road Restoration Project 2014-006 Bid amounts. The Bid results were as follows:

Name	Address	Bid Price
Meadows Construction, Inc.	266 Little New York Road Rising Sun, Maryland 21911	\$238,700.00
Sam's Construction LLC	P.O. Box 9827 Wilmington, Delaware 19809	\$222,400.00

Mr. George stated it appeared Sam's Construction, LLC was the low bidder, and requested the Board's approval to move forward with the Notice of Award.

Commissioner VanReenen noted that Meadows and Sam's Construction typically bid on Town projects, and asked why that was the case.

Mr. George stated of the 4 contractors that attended the Pre-bid meeting, 2 submitted bids. He said the other 2 contractors may not have bid due to the relatively short period of time in which the project was to be completed, or they may simply be too busy.

Old Business

Commissioner Jablonski noted that she did not attend the June 18, 2014 meeting due to planned vacation however she viewed the video, and noted a comment from the audience inquiring about information from a requested Closed Meeting. She noted a Closed Meeting Form from the State of Maryland, outlining the parameters under which the Mayor & Commissioners could request a closed meeting, and stated she would share the information with anyone interested.

Commissioner Piner, referring to the Board's discussions at the June 25, 2014 workshop regarding a Recreation / Community Center, stated he wanted to Board to keep the plan at the forefront.

Commissioner Piner, referring to the Board's previous discussions regarding parking meters, stated the Security Guard who patrols the grounds at Union Hospital expressed concerns that removal of parking meters would result in hospital employees using the parking spaces.

Commissioner VanReenen, referring to the recent Warner Road Rehabilitation project, stated the tower had to be drained and refilled upon completion of the project. He questioned if contractor paid to have the tank refilled, and if so, was the payment allocated to the Water Fund. Mr. George explained that the price to fill the tower was part of the contractor's initial bid.

Discussion ensued regarding the project specifications, refilling of the tank and costs associated with the process.

Commissioner VanReenen stated he signed up for email alerts from the Town's website, and urged residents to do the same.

Commissioner VanReenen, referring to a previous agreement between the Town and Southside LLC, which included donation of open space property to the Town, stated his desire to meet with all parties involved in a workshop to discuss the parameters of the agreement.

Commissioner Piner, referring to the Southside LLC Planned Unit Development of the parcel and the resulting agreement, stated the project was in the review process.

Commissioner VanReenen, referring to the agreement, questioned the status of the water tower.

Commissioner Jablonski's Report

Commissioner Jablonski stated she subscribed to email updates via the Town's website, and commended Ms. Cheyne Richardson, Administration Office Clerk, for posting the notices.

Commissioner Jablonski stated she was pleased to see increased attendance at Town meetings.

Commissioner Jablonski, referring the Town's Charter and Code, stated the document was the Board's rulebook, and expressed support for a review of the Charter and Code.

Commissioner Jablonski stated the Color Vibe 5k walk/run held on June 28, 2014 was a success, noting that 1,300 people participated. She thanked the Elkton Police Department and Department of Public Works (DPW) for their assistance during the event. She stated 25 volunteers assisted with the event, noting 6 were from the Boys & Girls Club of Cecil County and the remainder from the community at large.

Commissioner Jablonski noted an accumulation of trash at the Farmers Market. Commissioner Givens echoed Commissioner Jablonski's concerns regarding the trash.

Commissioner Jablonski wished all in attendance a safe and happy Independence Day.

Commissioner Givens' Report

Commissioner Givens asked Mr. Dan Handley, Director, DPW, to confirm the department utilized a Purchasing Agent. Mr. Handley answered in the affirmative.

Commissioner VanReenen's Report

Commissioner VanReenen stated the Color Vibe 5k was a success.

Commissioner VanReenen, referring to the former gas station located at the intersection of Route 40 and Landing Lane, questioned if underground storage tanks remained onsite, and if so, were they routinely inspected. Mr. George stated he was unaware of any underground storage tanks, adding the vessels would be under State of Maryland jurisdiction. He stated he would make an inquiry regarding the area.

Commissioner VanReenen questioned if DPW vehicles were tracked in any way. Referring to delivery companies, he asked if routes were created with efficiency in mind. Mr. George stated the town did not utilize tracking devices on their vehicles, adding that companies such as UPS and Federal Express utilized time management for very large delivery routes. Mr. Handley added that DPW staff had pre-determined routes that minimized down time.

Commissioner VanReenen, referring to the Board's previous discussions concerning utilization of Howard's Pond should the Water Treatment Plant race be temporarily unusable, stated the Town received an email from a resident who expressed concerns about using Howard's Pond for fishing if the Board moved forward with the project. Commissioner VanReenen stated he respected the resident's concerns however the ability to utilize the ponds for a backup in the event of an issue in the race was of a bigger benefit to all citizens.

Commissioner Jablonski, referring to the Howard's Pond concept, stated the idea sprang from a previous meeting with representatives from the Department of Environment (MDE), Army Corps of Engineers and Severn Trent. She offered to arrange a meeting of those who attended the original meeting and the Board in order to obtain the full history of the project.

Public Comment

Mr. Anthony Bernard expressed appreciation to the Board for efforts in resolving issues in his neighborhood.

Mr. Bernard stated he compared Elkton's water and sewer rates with several areas and expressed concerns that the Town's fees were higher than cities such as Boston and New York.

Former Mayor Joseph Fisona, referring to the Board's previous discussions concerning parking meters and the Town's Parking Enforcement Official's impending departure, stated the Town received \$23,000 in parking fines, adding his neighborhood of Turnquist needed parking enforcement.

Commissioner Jablonski questioned the number of neighborhoods that utilized the Town's Parking Enforcement Official. Chief Donnelly responded there were residential streets near downtown that utilized permit parking, and that Turnquist was the only development that utilized the Town's Parking Enforcement Official.

Mr. Keith Thompson, referring to Mr. Anthony's comments regarding water and sewer rates, stated not all municipalities billed water and sewer rates as a standalone fee. He stated municipalities such as Newark, Delaware, subsidized their water and sewer rates with their Electric Department, adding his concerns regarding minimum billing costs, especially when it impacted seniors on fixed incomes.

Mr. Thompson reiterated his previous suggestion of an infrastructure audit for the Town. He stated the Town's infrastructure was old and would soon need repair.

Commissioner Piner, expressing support for concerns regarding water and sewer minimum billing rates, questioned if minimum billing could be halted for unoccupied homes. Mr. Repole stated the Town's Charter and Code currently required minimum billing on all properties, regardless of occupation status. Mr. George interjected the Board could amend the Charter and Code, cautioning that funds received from water and sewer billing sustained operational costs of the Town's Wastewater Treatment Plant (WWTP), as well as paying debt services for the facility. He stated if payment from one customer was eliminated, another customer would have to make up the difference.

Commissioners Givens and VanReenen concurred with Commissioner Piner's statements. Commissioner Jablonski, referring to a previous rate study performed by Municipal Financial Services Group, suggested the Board revisit the study to obtain an understanding of why the current rates were established.

Mr. Bob Boerner stated he did not support suspension of water sewer billing for unoccupied dwellings.

Ms. Pat Opal stated she understood a property owner's concerns regarding minimum billing on a vacant dwelling however she did not support discontinuation of billing. She expressed support for a "pay as you use" scale.

Mr. George stated the water and sewer payment scale was based upon operation and delivery costs. He stated if users "opted out" of paying the fees, the cost to the remaining users would increase. He added the WWTP was upgraded to meet Environmental Protection Agency (EPA) and MDE standards, the result of which was

\$124,000 per month in operating costs and \$1.5 million per year in debt service for 20 years. He noted the Town was also required to have a backup water supply in the event of catastrophic failure of the Water Treatment Plant, hence the water purchase agreement with Artesian Water Maryland.

Mr. Bob Litzenberg, referring to the recently completed Warner Road Water Tower Rehabilitation Project, questioned if the contractor was responsible for costs associated with refilling the tank. Commissioner VanReenen stated he understood the costs of filling the tank were built into the contract. Mr. Litzenberg questioned who paid the costs of refilling the tank. Commissioner Jablonski stated the water that was used to refill the tank was placed into the distribution system therefore users would pay for the water.

Mr. Litzenberg, referring to the Board's discussions regarding parking meters, stated the Town was due approximately \$75,000 in outstanding parking fines, and suggested the Town utilize "boots" or towing on repeat offenders or those with outstanding fines.

Mr. George stated the Town's Charter and Code did not authorize the use of "boots" or towing, adding that the Board could enact an Ordinance to provide the authority to do so.

Mr. Joe Vanasky congratulated Chief Donnelly on his recent appointment. Referring to the Color Vibe 5k walk/run, he stated street closures were initiated earlier than necessary.

Mr. David Clark, referring to parking meters, asked if individual meters could be tracked to determine which devices were being utilized.

Mr. Clark requested maintenance of stormwater ponds in the Buttonwoods neighborhood.

Mr. Bob Boerner, referring to unpaid parking tickets, suggested revocation of owners' vehicle insurance.

Motion to Adjourn

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

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

Commissioner Givens adjourned the meeting at 8:25 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.