

The Mayor and Commissioners of the Town of Elkton

MINUTES

November 5, 2014

The Mayor and Commissioners of the Town of Elkton (the “Board”) held their first regularly scheduled meeting in November on this date at 7:00 p.m. The following persons were present: Mayor Robert J. Alt; Commissioners Charles H. Givens, Sr.; Mary Jo Jablonski; Earl M. Piner, Sr.; and Daniel R. VanReenen, Jr.; Town Administrator Lewis H. George, Jr.; Finance Director Steven H. Repole; Chief of Police Matthew Donnelly; Director of Public Works J. Daniel Handley; Director of Planning Jeanne D. Minner; Administration Office Secretary L. Michelle Henson; and Town Attorney Lisa Hamilton, Esquire.

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

Notice of Closed Meeting

On Wednesday October 15, 2014, at 9:16 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) (ii) any other personnel matter that affects one or more specific individuals. Attendance: Mayor Robert J. Alt; Commissioners Charles H. Givens, Sr.; Mary Jo Jablonski; Earl M. Piner, Sr.; Daniel R. VanReenen, Jr.; and Administration Office Secretary L. Michelle Henson.

Mayor Alt, referring to the Public Hearings scheduled at 7:05 and 7:10, advised the audience that separate sign in sheets were provided for anyone wishing to comment during the hearings.

ACTION: The minutes of the October 15, 2014 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 Jablonski. The motion was seconded by Commissioner Piner and approved by all present.

Mayor Alt stated the Town was operating within the Fiscal Year 2015 Budget, based on data from the first quarter of the Fiscal Year. He stated he would provide a formal update in January 2015.

Budget Amendment 2015-002

Mr. Repole presented Budget Amendment 2015-002 to recognize the forfeiture of \$1,500 in seized funds and their funding of undercover Police operations.

ACTION: Budget Amendment 2015-002 was approved on a motion made by Commissioner VanReenen. The motion was seconded by Commissioner Piner and approved by all present.

Budget Amendment 2015-003

Mr. Repole presented Budget Amendment 2015-003 to recognize Insurance proceeds from a totaled Ford Focus in the amount of \$15,375, combined with a fund balance of \$4,491, and their funding of a Ford F150 pickup truck, purchased at the State of Maryland negotiated price. Mr. Repole added that the pickup truck was purchased for the Building & Zoning Department.

ACTION: Budget Amendment 2015-003 was approved on a motion made by Commissioner Jablonski. The motion was seconded by Commissioner Givens and approved by all present.

Public Hearing

Community Development Block Grant Project Update – North Street Apartments

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

Ms. Jeanne Minner, Director of Planning, introduced herself to the Board. She stated the purpose of her appearance was to present an update on the North Street Apartment project, as required by Community Development Block Grant (CDBG) funding parameters.

Ms. Minner read and placed a copy of the project update into the record of the minutes. She recognized Mr. Frank Hodgetts, developer of the project, who in turn recognized Mr. Pat Wagner, a partner in the project.

Mayor Alt queried the Board for comments regarding the project.

Commissioner Givens questioned the parameters under which rents were established for individual apartments. Mr. Wagner stated the rent structure was based upon income.

Mayor Alt queried the audience for comments regarding the project, and hearing none, declared Public Hearing closed at 7:10 p.m.

Public Hearing

Community Development Block Grant Project Update – Raceway Sediment Removal Project

Mayor Alt declared the Public Hearing open at 7:10 p.m.

Ms. Minner stated the purpose of her appearance was to present an update on the Raceway Sediment Removal project, as required by CDBG funding parameters.

Ms. Minner read and placed a copy of the project update into the record of the minutes.

Mayor Alt queried the Board and audience for comments regarding the project, and hearing none, declared the Public Hearing closed at 7:14 p.m.

Memorandum of Understanding

Ms. Minner stated the Town previously applied for, and received, funding for sidewalk improvements under State Highway Administration (SHA) Transportation Alternatives Program (TAP) funding, and presented a Memorandum of Understanding (MOU) regarding the project.

Ms. Minner stated the project included design and construction of sidewalk improvements with nine crosswalk/curb ramp segments and approximately 0.15 miles of new sidewalk on East High Street between South Street and Locust Lane, and on Locust Lane between East High Street and Booth Lane.

Mayor Alt questioned if the Board had a deadline regarding the project. Ms. Minner stated the funding was approved in October 2013 with a five-year deadline to complete the project. She stated the project would move forward once the MOU was executed by Mayor Alt.

Mayor Alt queried the Board for comments regarding the MOU. Commissioner VanReenen questioned the Town's financial obligation for the project. Ms. Minner stated the Town's financial obligation was \$16,240 out of \$81,200 total cost for the project.

Commissioner VanReenen questioned if the \$16,240 was included in the current budget. Mr. Repole answered in the negative. Mayor Alt stated if the Board approved of the MOU, the \$16,240 would be budgeted in Fiscal Year 2016.

ACTION: The Memorandum of Understanding regarding sidewalk improvements under SHA TAP funding was approved on a motion made by Commissioner Piner. The motion was seconded by Commissioner VanReenen and approved by all present.

Resolution R10-2014 Affordable Rent Standards – Presented for Approval

Ms. Minner, referring to the North Street Apartment project, stated the Town requested and received, grant funding for the project, adding that the funds were passed through to the developer of the apartments. She stated the Department of Housing and Urban Development (HUD) required that grant recipients establish rent limits that fell within those established by HUD. She stated Resolution R9-2014 established the rent limits. Resolution R10-2014 was read and placed into the record of the minutes. Commissioner VanReenen questioned which department would ensure the Town's compliance with the established rent standards. Ms. Minner stated the Department of Planning would be responsible for compliance.

ACTION: Resolution R10-2014 Affordable Rent Standards was approved on a motion made by Commissioner Piner. The motion was seconded by Commissioner Givens and approved by all present.

Town Administrator's Report

Resolution R9-2014 – Charter Amendment – Detachment of Property Identified as Tax Map 312, Parcels 281, 328 and 737 – Presented for Adoption

Mr. George stated the Town annexed several parcels at the north end of Delancy Road in 2012. He stated the contract purchasers of the parcels, a partnership identified as Wilber, et al, planned to develop the property. He stated the development did not move forward, and the owner of 3 of the parcels, Mr. Mark Nemec, subsequently foreclosed on the property. Mr. George stated Mr. Nemec requested de-annexation of the property, as the parcels are not served by water / sewer.

Mr. George stated the process of de-annexation, or detachment, involved a Charter amendment, which was the purpose of Resolution R9-2014. He stated the detachment, if no opposition, would be effective in 50 days.

Mr. George presented Resolution R9-2014 – Charter Amendment – Detachment of property identified as Tax Map 312, Parcels 281, 328 and 737 for approval. He placed a copy of Resolution R9-2014 in the record of the minutes.

ACTION: Resolution R9-2014 – Charter Amendment – Detachment of property identified as Tax Map 312, Parcels 218, 328 and 737 was approved on a motion made by Commissioner Piner. The motion was seconded by Commissioner Givens and approved by all present.

Ordinance 3-2014 Amending Town of Elkton Code Chapter 2.16 Code of Ethics to Increase the Ethics Commission from 3 to 5 members – Presented for Introduction.

Mr. George presented Ordinance 3-2014 to amend the Town of Elkton Code Chapter 2.16 Code of Ethics to increase the Ethics Commission from 3 to 5 members, for introduction. A copy of Ordinance 3-2014 was placed in the record of the minutes.

ACTION: Ordinance 3-2014 Amending Town of Elkton Code Chapter 2.16 Code of Ethics to increase the Ethics Commission from 3 to 5 members was approved for introduction on a motion made by Commissioner Jablonski. The motion was seconded by Commissioner Piner and approved by all present.

Mayor Alt, noting that Ordinance 3-2014 was scheduled for adoption at the November 19, 2014 meeting, added it would be effective 20 days thereafter, stated the Ethics Committee would have 2 openings at that point.

Ordinance 4-2014 Amending the Town of Elkton Code by Repealing Title 5, Chapter 5.12 Taxicabs – Presented for Introduction

Mr. George presented Ordinance 4-2014 – Amending the Town of Elkton Code by repealing Title 5, Chapter 5.12 Taxicabs, for introduction. He stated Town Attorney John Downs

reviewed Chapter 5.12, and determined there was sufficient oversight at the State level regarding to taxicabs.

ACTION: Ordinance 4-2014 amending the Town of Elkton Code by repealing Title 5, Chapter 5.12 Taxicabs, was approved for introduction on a motion made by Commissioner Jablonski. Commissioner Piner seconded the motion.

Discussion

Mayor Alt, referring to the Town's ongoing review of the Charter and Code, queried Town Attorney Ms. Lisa Hamilton, Esquire for input.

Ms. Hamilton stated the Town's current Ordinance pertaining to taxicabs was antiquated and reiterated Mr. George's comments pertaining to the State of Maryland's existing oversight regarding the operation of taxicabs.

VOTE: Recognizing a motion and second regarding Ordinance 4-2014, Mayor Alt requested a vote. The record of the vote is as follows:

Mayor Alt: Aye

Commissioner Givens: Aye

Commissioner Jablonski: Motion

Commissioner Piner: Second

Commissioner VanReenen: Aye

Old Business / Mayor Alt's Report

Mayor Alt stated that he would combine Old and New Business items and requested that the Board do the same.

Mayor Alt stated the State Highway Administration (SHA) scheduled a Public Information meeting on November 12, 2014 regarding traffic roundabouts to be constructed in Cecil County, one of which was located at Red Hill Road and Muddy Lane. He stated the meeting was scheduled at 6:00 p.m. in the Elk Room of the Cecil County Administrative Building.

Mayor Alt stated the Department of Public Works (DPW) scheduled hydrant flushing on during the overnight hours of November 21 and 22, 2014. He stated residents should call DPW at 410-392-6636 ext. 142 with questions or concerns.

Mayor Alt announced he would not be in attendance at the December 3, 2014 meeting.

Mayor Alt recognized 2 residents of Wesley Street who were experiencing issues with the alley that ran behind their homes. Mr. Handley stated the alley would be addressed within the week.

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Mayor Alt, referring to a request for speed hump installation on Wesley Street, asked the Board to visit the area to get a perspective regarding the request.

Mayor Alt, referring to the Town's ongoing water audit, stated he was in the process of obtaining proposals for contracting meter inspection services, and would provide the information when received.

Mayor Alt stated the purpose of the water audit was not to find revenue, but to capture lost water.

Mayor Alt advised the Board that the Town sent out letters to residents regarding areas where one meter was feeding into an accessory apartment. He stated he expected feedback from residents, adding that he wanted to assure situations of this type were addressed correctly.

Mayor Alt stated he requested a list of churches and non-profits that did not pay for water / sewer, in order to identify all areas of water usage. He noted that donation of water / sewer service was not called out in the Town's Charter and Code, and requested that the Board determine a policy such as donation of the minimum billing amount, and charging for any amount above that. He stated initiation of a written policy provided future Boards with a history of billing procedures, noting the importance of providing consistency.

Mayor Alt requested information from Mr. Handley regarding wireless capability for reading meters.

Mayor Alt requested an appearance from a representative of Comcast Cable.

Mayor Alt, referring to previous discussions regarding a solar farm located on Town owned property, requested an update from Mr. George.

Mr. George responded that a representative from Standard Solar was scheduled to appear at the November 12, 2014 workshop.

Mayor Alt stated he previously asked Mr. Handley to obtain proposals regarding contracted landscaping services for the Town's stormwater management areas. Noting requirements regarding maintenance of the ponds, he stated he planned to supplement, not cut staff.

Regarding the Town's planned rehabilitation of the Walnut Hill Water Tower, Mayor Alt asked the Board to consider a creative slogan for placement on the tower during the painting phase.

Mayor Alt announced the Board of Zoning Appeals had an opening for an alternate member, and asked anyone who may be interested in serving to contact the Administration Office.

Commissioner Jablonski's Report

Commissioner Jablonski, referring to Mayor Alt's comments regarding the water tower, stated Mayor Alt coined the term "We Are Elkton" during his election campaign. She stated the phrase was being repeated on social media, and the recognition was building.

Commissioner Jablonski, referring to the recent Election, requested congratulatory letters to newly elected officials and a "Thank You" letter to Delegate David Rudolph.

Discussion

Commissioner Jablonski announced a seminar called "Economic Development and Your Community", which was being held on Thursday November 20, 2014 in the Community Room of the Elkton Municipal Building. Noting participants from several State departments, as well as Cecil County Economic Development, she invited the Board to attend.

Commissioner Piner's Report

Commissioner Piner, referring to his previous comments regarding an Employee Recognition Award, questioned the status of the program. Mr. George stated the Human Resources Director was working on the program.

Commissioner Piner, recognizing Mr. Blankenship, resident of Wesley Street, stated he also spoke with him regarding the alley behind his home.

Noting Commissioner Jablonski's ex-officio role with the Planning Commission, Mayor Alt asked the Board to consider taking an active role in a specific department, not as oversight but to provide a better understanding of the department to the rest of the Board. He stated each Board member could provide a report to the remainder of the Board, in coordination with the department manager. He asked the Board members to provide a choice by the next meeting.

Commissioner Givens' Report

Commissioner Givens, responding to Mayor Alt's statements regarding Board members working with specific departments, stated he would work with the Elkton Police Department.

Commissioner Givens reiterated Mayor Alt's request for a representative from Comcast to attend an upcoming meeting.

Commissioner Givens requested maintenance of James Street in the vicinity of Route 279.

Commissioner Givens requested replacement of a "speed hump" sign on Bethel Street.

Commissioner Givens, referring to ongoing parking issues in the Buttonwoods neighborhood, reported residents were painting parking assignment numbers in individual

parking spaces. Mr. George stated there were areas at which additional parking spots could be created, stating the project would cost approximately \$20,000 - \$30,000, adding the funds could be included in the Fiscal Year 2016 Budget.

Commissioner VanReenen's Report

Commissioner VanReenen, referring to a Neighborhood Watch Group initiated in the Walnut Hill neighborhood, commended Officer Josh Leffew for his work with the residents, stating Officer Leffew was prepared, articulate and engaging when meeting with the group. Commissioner VanReenen stated he hoped the Police Department would reach out to other Homeowners Associations and involve residents in community watches.

Discussion

Commissioner Piner, referring to previous discussions regarding equipment maintenance at DPW, stated the department does maintain records regarding equipment.

Commissioner Piner, referring to Mayor Alt's comments regarding Board members working with specific departments, stated he would work with Parks & Recreation, adding that he initiated an after school program on Tuesday and Thursday at the Elkton Middle School gym.

Mayor Alt noted that Commissioner Jablonski was working with Planning & Zoning, Commissioner Piner was working with Parks & Recreation, and Commissioner Givens was working with EPD. He asked Commissioner VanReenen to work with DPW, and stated he would work with Finance, Human Resources and Administration.

Public Comment

Mr. Robert Litzenberg stated he received a notice from the Town regarding an accessory apartment on his property, advising him the unit would be billed as a separate unit for water / sewer. He noted the apartment has been existence since the home was built in the 1940's.

Mr. Litzenberg stated he purchased the home, which was not in Town limits at the time, in the 1970's. He said the property was annexed into the Town in the late 1970's, reiterating he never received a separate bill for the accessory apartment.

Noting the Town's minimum billing of 9,000 gallons, Mr. Litzenberg stated if the Town billed the accessory apartment as a separate unit, he would begin receiving 2-9,000 gallon minimum bills. He noted his current billing, which has always included the accessory apartment, meets or slightly exceeds the minimum amount.

Mr. Litzenberg requested that the Board consider amending its water / sewer billing to a per-gallon basis.

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Discussion ensued regarding disposal of yard waste and tree debris. Mayor Alt, referring to the Town's prohibition of open burning, suggested the Board consider permitting seasonal burning of yard waste.

Mr. Litzenberg expressed support for Mayor Alt's comments regarding water / sewer billing for churches and non-profits. He suggested that all non-profits, such as the Red Cross, Little League, Boys & Girls Club, etc., be included in the inventory. Mayor Alt stated the Board would review billing for all non-profits for Fiscal Year 2016 Budget discussions. Commissioner Jablonski added that Cecil County municipalities in which Boys & Girls Club facilities were located provided services such as water / sewer and grass maintenance.

Mr. Charles Blankenship stated he was one of the residents of Wesley Street to whom Mayor Alt referred with respect to the driveway, and thanked the Board for addressing the situations.

Mr. Blankenship requested a review of water / sewer billing for the Elkton Masonic Lodge located at North and High Streets.

Mr. Keith Thompson thanked the Board for attending the VFW carnival and EPD for assisting. He thanked Mayor Alt for cooking breakfast for the event.

Hearing no additional business to come before the Board, Mayor Alt 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.