

## **The Mayor and Commissioners of the Town of Elkton**

### **MINUTES**

May 19, 2010

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 Fisona; Commissioners Charles H. Givens; Mary Jo Jablonski and Earl M. Piner, Sr.; Town Administrator Lewis H. George, Jr.; Assistant Town Administrator Kim Kamp; Elkton Police Department Chief William Ryan; Finance Director Steven Repole; Department of Human Resources Director Venus Kincaid; Zoning Administrator J. Craig Trostle; Department of Public Works Director Mark Turnbull; 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 5, 2010 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.

### **Presentation to Elkton Police Officer First Class Todd Finch**

Mayor Fisona presented a Certificate of Special Recognition to Elkton Police Officer First Class Todd Finch for his actions to save the life of a man suffering cardiac arrest on February 25, 2010.

Cecil County Emergency Services Assistant Chief of Field Operations Michael Deckard also presented a Certificate of Special Recognition to Officer Finch.

### **Introduction of New Employee**

Ms. Venus Kincaid introduced Code Enforcement Official John Smith.

### **Public Hearing**

**Fiscal Year 2011 Annual Budget**

**Ordinance 3-2010 Presented for Introduction**

Mayor Fisona declared the Public Hearing open at 7:08 p.m.

Mayor Fisona queried the audience for comments regarding the proposed Fiscal Year 2011 Budget.

Mr. Robert Litzenberg requested that the Board provide more time for the public to review the proposed budget.

Referring to the proposed budget, he stated that the recipient of Main Street Funding was the Elkton Alliance, and said Commissioner Jablonski should not vote on the budget item. Mr. Wilson stated Commissioner Jablonski voted on the entire budget.

Mr. Litzenberg asked for clarification of listed Finance Department salaries. Mr. Repole stated that Finance Department salaries were funded from Finance as well as the Water and Sewer Fund budgets.

Mr. Litzenberg questioned the status of a proposed Clerk/Receptionist position in the Human Resources Department. Mayor Fisona stated the position was funded in the proposed budget.

Mr. Litzenberg questioned the cost of overtime for the Elkton Police Department compared to other departments. Mayor Fisona stated Elkton Police Officers accrued additional overtime for special events and court appearances.

Mr. Gary Storke requested an upgrade to the meeting room's audio system. He stated speakers could not be heard.

Mr. Storke questioned how the Board planned to fund the proposed defined benefit pension plan for the Elkton Police Department. He expressed concerns regarding future funding and related expenses associated with the plan.

Mr. James Crouse questioned the amount of unreserved and undesignated funds, and asked why the proposed budget did not list the amount of cash reserves. Mr. Repole stated the Town's June 2009 balance sheet showed a \$5 million in unreserved and undesignated funds, adding that he anticipated \$500,000 less in the fund at the end of this fiscal year. Mr. Crouse questioned why the Town's cash on hand was not listed in the proposed budget. Mr. Repole stated that the "cash on hand" to which Mr. Crouse referred was considered an asset, and that the funds were not listed as part of the proposed budget. He said budgets detailed anticipated expenses and revenues, not cash on hand.

Mr. Crouse asked the Board to consider reductions in taxes.

Mr. Gene Herman requested more interaction between the Board and taxpayers.

**Ordinance 3-2010 – Fiscal Year 2011 Annual Budget**

**Presented for Introduction**

Mr. George presented Ordinance 3-2010-Fiscal Year 2011 Annual Budget for introduction. He read the ordinance into the record of the minutes.

Mr. George stated Ordinance 3-2010 adopted the Real Property Tax Rate of .4734/\$100 of assessed value, and maintained the Personal Property Tax Rate of \$1.11/\$100 of assessments. He asked the Board to adopt the rates in order for the Town to notify the State Department of Assessments and Taxation and the Cecil County Treasurer of the rates prior to the May 23, 2010 deadline.

**ACTION:** Commissioner Piner made a motion to approve Ordinance 3-2010-Fiscal Year 2011 Annual Budget for introduction, and to adopt the Real Property Tax Rate of .4734/\$100 of assessed value, and to adopt the Personal Property Tax Rate of \$1.11/\$100 of assessments. Commissioner Givens seconded the motion, which was approved by all present.

Mayor Fisona declared the Public Hearing closed at 7:39 p.m.

**Severn Trent Environmental Services  
Water/Wastewater Treatment Services Report-March and April 2010**

Mr. Ken Benner, Area Manager, Severn Trent stated the Maryland Rural Water Associated named the Town's upgraded Wastewater Treatment Plant ("WWTP") "Wastewater System of the Year". He presented a plaque of the designation to the Board.

**Town Administrator's Report**

**Resolution R3-2010-Business Personal Property Tax Cap**

Mr. George presented Resolution R3-2010-Business Personal Property Tax Cap for approval. He stated the resolution raised the Personal Property Tax Cap from \$10 million to \$15 million, which affected 3 large businesses in Elkton. He said the ordinance would be presented for adoption at the June 2, 2010 Mayor and Commissioners meeting.

**ACTION:** Resolution R3-2010 Business Personal Property Tax Cap was approved on a motion made by Commissioner Givens. The motion was seconded by Commissioner Piner and approved by all present.

**Ordinance 2-2010 - Crediting Major Facilities Charges - Presented for Introduction**

Mr. George presented Ordinance 2-2010 Crediting Major Facilities Charges for introduction, which he read into the record of the minutes. He said the ordinance provided the authority to issue credits for connection to infrastructure when a structure

was replaced and utilized existing connections. Mr. George said the ordinance would be presented for adoption at the June 2, 2010 Mayor and Commissioners meeting.

**ACTION:** Ordinance 2-1020 Crediting Major Facilities Charges was approved for introduction on a motion made by Commissioner Piner. The motion was seconded by Commissioner Givens and approved by all present.

### **Elkton Police FOP Collective Bargaining Agreement-Presented for Approval**

Mr. George presented the Elkton Police FOP Collective Bargaining Agreement for acceptance and execution. He said the agreement included a defined benefit program for Officers and Lieutenants but not civilian employees.

Commissioner Piner expressed concerns regarding the length of time and funds involved in bringing the agreement to the table.

**ACTION:** The Elkton Police FOP Collective Bargaining Agreement was accepted for execution on a motion made by Commissioner Piner. The motion was seconded by Commissioner Jablonski and approved by all present.

### **Grant of 20' Utility Easement from Ulysses, LLC to the Town of Elkton Regarding Property Located at 103 East Pulaski Highway**

Mr. George presented a Grant of a 20' Easement from Ulysses, LLC to the Town of Elkton for the purpose of relocation of water and sewer infrastructure at 103 East Pulaski Highway. He stated the developer of the parcel planned to build a Sonic Drive In on the site.

**ACTION:** The Grant of a 20' Utility Easement from Ulysses, LLC to the Town of Elkton regarding property located at 103 East Pulaski Highway was approved on a motion made by Commissioner Givens. The motion was seconded by Commissioner Jablonski and approved by all present.

### **Commissioner Givens' Report**

Commissioner Givens requested an upgrade of the meeting room's audio system.

### **Public Comment**

Officer Madhu Kurup, FOP President, thanked the Board for approving the Collective Bargaining Agreement.

Mr. John Litzenberg stated he previously requested a waiver of Major Facilities Fees at vacant parcels he planned to develop at Collins and Bethel Streets. He said the houses on the parcels had been demolished but water and sewer infrastructure existed,

and he felt he should not have to pay water and sewer fees. He asked if the properties would be grandfathered under the ordinance.

Mr. George stated that the ordinance, as written, restricted the credit to properties redeveloped within 5 years.

Ms. Beth Moran requested that the Board consider an equitable pension plan for non-Police employees. She stated she wanted to establish an open line of communication with the Board to discuss the matter. Commissioners Givens and Jablonski concurred with Ms. Moran.

Mr. Griff Ellison echoed Ms. Moran's statement, adding that the non-Police employees should have been considered at the same time as the Police employees affected by the plan were being considered. Commissioner Givens concurred with Mr. Ellison's remarks.

Ms. Kathy Saienni requested that the Board look at other Town employees and Departments as they did the Police regarding the Defined Benefit Pension Plan.

### **Motion to Adjourn**

Commissioner Givens made a motion to adjourn the meeting. The motion was seconded by Commissioner Jablonski and approved by all present.

Hearing no additional business to come before the Board, Mayor Fisona adjourned the meeting at 8:15 p.m.

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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](http://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.