

The Mayor and Commissioners of the Town of Elkton

MINUTES

July 7, 2010

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: Mayor Joseph Fisona; Commissioners Charles H. Givens, Sr.; Charles E. Hicks, V; Mary Jo Jablonski and Earl M. Piner, Sr.; Town Administrator Lewis H. George, Jr.; Assistant Town Administrator Kimberly Kamp; Finance Director Steven Repole; Elkton Police Executive Officer Matthew Donnelly; 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.

Notice of Closed Meeting

Pursuant to State Government Article § 10-508 (a) (1) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation or performance evaluation of appointees, employees or officials over whom the Town has jurisdiction; or any other personnel matter that affects one or more specific individuals; a Closed Meeting was held on Wednesday, June 16, 2010 at 8:18 p.m. in the Mayor and Commissioners Conference Room at 100 Railroad Avenue, Elkton, Maryland. The following persons were in attendance: Mayor Joseph Fisona; Commissioners Charles H. Givens, Sr., Charles E. Hicks, V, Mary Jo Jablonski, Earl M. Piner, Sr.; Town Administrator Lewis H. George, Jr.; and Town Attorney H. Norman Wilson, Jr.

ACTION: The minutes of the June 16, 2010 meeting were approved on a motion made by Commissioner Givens. The motion was seconded by Commissioner Hicks 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 Givens. The motion was seconded by Commissioner Jablonski and approved by all present.

Budget Amendment 2010-020

Mr. Repole presented Budget Amendment 2010-020 to budget the receipt of a State of Maryland Grant in the amount of \$26,870 for the purpose of updating the Town's Comprehensive Plan.

ACTION: Budget Amendment 2010-020 was approved on a motion made by Commissioner Piner. The motion was seconded by Commissioner Givens and approved by all present.

**Severn Trent Environmental Services
Water/Wastewater Treatment Services Report for the Months of May and
June 2010**

Mr. Ken Benner, Area Manager, Severn Trent Environmental Services, presented the Water/Wastewater Treatment Services report for the months of May and June 2010. A copy of Mr. Benner's report was placed in the record of the minutes.

Mr. Benner stated a delegation from South Korea visited the Town's newly upgraded Wastewater Treatment Plant ("WWTP") and was impressed with the facility's low nutrient output.

Mr. Benner stated the Maryland Department of the Environment ("MDE") conducted a compliance inspection on the WWTP. He said the inspection went well.

Mr. Benner presented a check in the amount of \$105,274.11, which he said was due the Town as a result of the reconciliation of estimated payments and actual expenses relating to chemicals, utility and other operating costs of the Water and Wastewater Treatment Plants from December 1, 2008 – November 30, 2009.

**All American Sports Academy – Request for Alcohol Prohibition Waiver for
Outdoor Event July 18, 2010**

Mr. Chuck Henze, representing All American Sports Academy and Mr. Wes Walker introduced themselves to the Board. Mr. Henze stated he was withdrawing his request for the Alcohol Prohibition Waiver due to cancellation of the outdoor event scheduled for July 18, 2010.

Mr. Henze stated he originally appeared before the Board on June 2, 2010 to request permission to hold the event. He said he was unaware of the requirement to request the waiver at that time.

Commissioner Jablonski questioned the parameters under which an applicant would apply for an Alcohol Prohibition Waiver.

Mayor Fisona told Mr. Henze that he did not mention his intent to sell alcohol at the upcoming event, and it did not occur to the Board to ask. Mr. Henze stated he did not mention it because he did not think it was an issue.

Mr. Wilson, referring to a previous outdoor event at Mr. Henze's facility, asked Mr. Henze if he sold alcohol at that event. Mr. Henze answered in the affirmative. Mr. Wilson asked Mr. Henze if the Liquor Board confined the sale of alcohol indoors for the event, because Mr. Henze had not received approval to sell alcohol from the Town. Mr. Henze answered in the affirmative, adding that when he appeared before the Board on June 2, 2010, he assumed the Board's approval covered the sale of alcohol outside.

Commissioner Piner expressed support for the activities of the All American Sports Academy, adding that he felt Mr. Henze should not have stated the Board should have assumed he would be selling alcohol at the event, especially since the event was described as a fundraiser for kids.

Commissioners Hicks and Givens concurred with Commissioner Piner's comments.

Town Administrator's Report

Ordinance 4-2010 – Amending Zoning Ordinance Article XII, Supplementary Use Regulations, Section 19 Festivals, Events of Public Interest or Special Events, Occasional, Outdoor (22.20) – Presented for Approval

Mr. George stated Ordinance 4-2010 was presented to the Board for introduction on June 16, 2010. He said the ordinance corrected a reference to a chapter that no longer existed.

ACTION: Ordinance 4-2010 was approved on a motion made by Commissioner Jablonski. The motion was seconded by Commissioner Piner and approved by all present.

Ordinance 1-2010 – Amending Zoning Ordinance Article XIII, Density and Dimensional Regulations, Section 4.8 (f) Building Setback Requirements, Walls and Fences, Materials and Composition – Presented for Approval

Mr. George stated Ordinance 1-2010 was presented to the Board for introduction on June 16, 2010. He stated the ordinance provided for non-lethal electric fences in the BI Zone. A copy of Ordinance 1-2010 was placed in the record of the minutes.

ACTION: Ordinance 1-2010 was approved on a motion made by Commissioner Givens. The motion was seconded by Commissioner Hicks and approved by all present.

Ordinance 5-2010 – Amending Zoning Ordinance Article XII, Supplementary Use Regulations, Section 29 Housing for the Elderly or Handicapped (1.430) – Presented for Approval

Mr. George stated Ordinance 5-2010 was presented to the Board for introduction on June 16, 2010. He stated the ordinance amended the permitted minimum lot size to 1 acre. A copy of Ordinance 5-2010 was placed in the record of the minutes.

ACTION: Ordinance 5-2010 was approved on a motion made by Commissioner Jablonski. The motion was seconded by Commissioner Piner and approved by all present.

Ordinance 7-2010 – Police Pension Plan – Presented for Introduction

Mr. George introduced Paul Madden, Esq., to present Ordinance 7-2010. Mr. Madden provided a summary of the ordinance, a copy of which was placed in the record of the minutes.

Mr. Madden stated the Police Pension Plan complied with Internal Revenue Service (“IRS”) regulations. He said the plan required the formation of a committee comprised of Town Administration and FOP representatives to oversee the plan.

ACTION: Ordinance 7-2010 – Police Pension Plan was approved for introduction on a motion made by Commissioner Piner. The motion was seconded by Commissioner Jablonski and approved by all present.

Assistant Town Administrator’s Report

Ordinance 6-2010 – Stormwater Management – Presented for Adoption

Ms. Kamp stated Ordinance 6-2010 was presented to the Board for introduction on June 16, 2010. A copy of Ordinance 6-2010 was placed in the record of the minutes.

ACTION: Ordinance 6-2010 was approved on a motion made by Commissioner Givens. The motion was seconded by Commissioner Hicks and approved by all present.

Mayor Fisona’s Report

Mayor Fisona stated there was a vacancy on the Board of Housing Appeals, and requested a motion to appoint Mr. Dale Frederick to fill the vacancy, the term of which expires January 31, 2013.

ACTION: The request to appoint Mr. Dale Frederick to fill the vacancy on the Board of Housing Appeals for the term which expires January 31, 2013 was approved on a motion made by Commissioner Givens. The motion was seconded by Commissioner Jablonski and approved by all present.

Commissioner Jablonski’s Report

Commissioner Jablonski questioned the status of renovations to a property located at Delaware and East Main Street. Mr. George stated the renovation project was moving forward.

Commissioner Jablonski commended the Departments of Parks & Recreation, Public Works and Police for the successful July 4th celebration.

Commissioner Jablonski requested a meeting with the Cecil County Liquor Board.

Commissioner Piner's Report

Commissioner Piner questioned the status of out-of-state tag enforcement. Lt. Donnelly stated enforcement efforts were ongoing. Commissioner Piner expressed concerns regarding motorists running Stop signs and cutting through gas stations, and requested additional traffic law enforcement.

Commissioner Givens' Report

Commissioner Givens thanked Mr. George for placing cones at the intersection of Collins and High Streets. He stated vehicles that were parked there created a hazard.

Commissioner Givens requested a Resolution acknowledging the service of retired Cecil County Public Schools Superintendent Mr. Henry Shaffer.

Commissioner Givens reminded the Board of upcoming dinner meeting of the Maryland Municipal League Cecil Harford Chapter on July 15, 2010.

Commissioner Givens expressed concerns regarding blighted properties throughout the Town. He stated the City of Havre de Grace successfully addressed its issues with blight. He suggested a meeting with the City of Havre de Grace's Code Enforcement Official.

Commissioner Hicks' Report

Commissioner Hicks expressed gratitude for the opportunity to attend the Maryland Municipal League Summer Convention in Ocean City. He stated the convention provided many educational opportunities.

Commissioner Hicks thanked the Parks & Recreation Department for ongoing efforts to replace playground equipment in the Delancy Village neighborhood.

Commissioner Hicks questioned the status of a temporary fence at 139 East Main Street. Mr. George stated the fence was scheduled for removal.

Public Comment

Mr. James Brady expressed concerns regarding tall grass and weeds at the Town's Department of Public Works. He stated he received Code Violation notice for his property, and asked that the Town review possible Code Violations on its property.

Mr. Brady stated he requested a Code Violation history report from the Town's Code Enforcement Official.

Mr. Brady expressed disappointment regarding a denial of a claim he placed with the Town's insurance company regarding damage to his property.

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 Jablonski. The motion was seconded by Commissioner Piner and approved by all present.

Mayor Fisona adjourned the meeting at 8:06 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.