

The Mayor and Commissioners of the Town of Elkton

MINUTES

May 12, 2010

A public meeting (workshop) of the Mayor and Commissioners of the Town of Elkton (“the Board”) was held on this date at 4:00 P.M., with the following persons present: Mayor Joseph Fisona, Commissioners Charles H. Givens, Sr., Mary Jo Jablonski and Earl M. Piner; Town Administrator Lewis H. George, Jr.; Assistant Town Administrator Kim Kamp; Finance Director Steven Repole; Chief of Police William Ryan; Director of Human Resources Venus Kincaid; Director of Planning Jeanne Minner; Assistant Finance Director Beth Moran; Administration Office Secretary L. Michelle Henson; and Town Attorney H. Norman Wilson, Jr.

Mayor Fisona called the Workshop meeting to order at 4:00 p.m.

Discussion – Request for Electric Fence Amendment to Zoning Ordinance

Ms. Cindy Vaughan, Business Development Director for Electric Guard Dog Security Company, introduced herself to the Board. She stated the purpose of her appearance was to request an amendment to the Town’s Zoning Ordinance to permit electric fences in commercial zones.

Ms. Vaughan stated the electric fence was constructed ten feet behind an existing fence. She said the fence was constructed in such a way that it could not be inadvertently touched by a bystander, or child playing on the outside fence. She stated the fence was powered by a 12-volt battery that delivered a pulsing shock, and would not cause serious injury to anyone who came in contact with it.

Commissioner Jablonski expressed concerns regarding children making contact with the fence. Ms. Vaughan reiterated that the electric fence was ten feet behind an existing fence that was typically eight feet high. She said the fence was designed to deliver a pulsing shock, so a person would not be held in place by the voltage.

Ms. Vaughan stated the fences were not used in residential zones. Ms. Minner questioned if the company employed safeguards if the area in which the fence was erected was adjacent to a residential area. Ms. Vaughan stated the perimeter fence would be designed to keep children away from the electric fence. She added that warning signage was posted on the perimeter fence.

Mayor Fisona questioned if the Planning Commission heard the request. Ms. Minner stated the Planning Commission had an informal discussion about the request. She said she wanted the Board to have background information if the Planning Commission decided to move forward with the Zoning Ordinance Amendment.

Commissioner Jablonski questioned if the height of the perimeter fence could be mandated by the Town. Ms. Vaughan stated that the electric fence had to be two feet higher than the perimeter fence.

Discussion – Investment Rates – Local Banks

Mr. Repole stated the Town's funds were at PNC and Columbia Bank in Elkton. He asked the Board for direction regarding investment of Town funds in various banks. He asked for a mechanism to use prior to moving funds to another bank or investment. He said the first priority was safety, the second priority was liquidity and the third priority was return on investment. Commissioner Piner stated he would take Mr. Repole's advice regarding utilization of various investment programs offered by local banks. Commissioner Givens stated Mr. Repole should make written recommendations to the Board prior to moving funds from one investment to another. Commissioner Jablonski agreed with Commissioner Givens' comments.

Discussion – FY 2011 Budget

Mr. Repole, while referring to a summary sheet, stated Mayor Fisona, after meeting with Department Managers, made some changes to the proposed Fiscal Year 2011 Budget.

Mr. Repole advised the Board that the State Highway Administration ("SHA") notified the Town that Highway User Revenue funding was further reduced from approximately \$51,000 to approximately \$21,000.

Mr. Repole stated the proposed FY 2011 Budget included an increase in the Business Personal Property Tax Cap, from \$10 million to \$15 million. He said the actual rate of \$1.11/\$100 of the assessment remained unchanged since 2001.

Mr. Repole said the proposed FY 2011 Budget included the adoption of the Constant Yield Tax Rate ("CYTR"), which increased from the rate of .464/\$100 of assessments to .4734/\$100 of assessments. He advised the Board that due to a decrease in Property Assessments, if the Board chose to keep the current tax rate, it would result in an additional budget deficit, adding that increasing the tax rate, which would maintain the same amount of revenue, would result in a lower budget deficit. He said the deficit would be addressed by using \$1,254,480 from the unreserved and undesignated fund balance.

Mayor Fisona queried the Board regarding a consensus to increase the Property Tax Rate to .4734/\$100 of assessments, and to increase the Business Personal Property Tax Cap from \$10 million to \$15 million. It was the consensus of the Board to increase the Property Tax Rate to .4734/\$100 of assessments, and to increase the Business Personal Property Tax Cap from \$10 million to \$15 million. Mr. George stated the increases would be presented for introduction at the May 19, 2010 meeting.

Commissioner Givens questioned if the proposed budget addressed anticipated increases in trash hauling fees. Mr. Repole stated the Town's contract suggested an increase of \$3.00 per quarter to address anticipated increases in trash hauling fees however the additional revenue was not budgeted.

Discussion ensued regarding anticipated increases in tipping fees at the Cecil County Central Landfill. Mr. Repole stated \$75,000 was budgeted in anticipation of the increased tipping fees.

Commissioner Givens questioned why an additional staff person was added to the Human Resources budget. Ms. Kincaid responded that she and Mayor Fisona previously discussed the need for a Clerk/Receptionist in the Human Resources Department.

Discussion ensued regarding Human Resource staff duties and the duties that would be assigned to the Clerk/Receptionist.

Mr. George suggested that Ms. Kincaid prepare a list of duties for the proposed position.

Mayor Fisona queried the Board for a consensus to keep the proposed Human Resources Clerk/Receptionist position in the budget. It was the consensus of the Board to keep the proposed Human Resources Clerk/Receptionist position in the budget.

Discussion – Proposed Elkton Police FOP Collective Bargaining Agreement

Mr. George stated FOP President Officer Kurup delivered a copy of the proposed Elkton Police FOP Collective Bargaining Agreement. He said the agreement called for no Cost of Living Allowance ("COLA") for 2 years, and no enhancement to the proposed Defined Benefit Pension Plan for 3 years. He added the agreement called for the Town to implement and fund the start up costs of a Defined Benefit Pension Plan. He said the other components of the agreement were similar to previous contracts.

Mr. George stated he planned to present the agreement for the Board's approval at the May 19, 2010 meeting.

Commissioner Piner questioned the start up costs of the agreement. Mr. Repole stated the most recent cost estimate from April 2009 was \$32,500 initial one-time fee for an Actuarial study and legal fees. He said the Town could expect ongoing expense of about \$14,000 per year in addition to the Town's required contribution to the fund.

Commissioner Piner questioned if the contract could be amended to a year to year basis. Mr. Repole stated a Defined Benefit Plan, by its nature, could not operate on a year to year basis. He said each year an Actuarial study would determine the Town's contribution to the fund.

Mayor Fisona queried the Board for a consensus for presentation of the agreement for approval at the May 19, 2010 meeting.

It was the consensus of the Board to have the agreement presented for approval at the May 19, 2010 meeting.

Discussion – Ordinance 2-2010 – Crediting Major Facilities Charges

Mr. George stated the Town's Code did not provide the Board the authority to grant Major Facilities Charge Credits. He said the proposed Ordinance 2-1020 addressed that issue. Mr. George read the proposed Ordinance into the record of the minutes.

Mayor Fisona queried the Board for a consensus for Mr. George to present Ordinance 2-2010 for introduction at the May 19, 2010 meeting. It was the consensus of the Board to have Ordinance 2-2010 presented for introduction at the May 19, 2010 meeting.

Request for Carnival – 801 Elkton Boulevard

Ms. Kamp stated Mr. Paul Stine requested to hold a carnival at 801 Elkton Boulevard May 25 – 29, 2010. She said Mr. Stine received permission from the property owner to hold the event.

Ms. Kamp stated the Town Code required approval from the Board, and that the request was to be made 90 days prior to the event. She said the Town Zoning Ordinance called out certain requirements, but did not mention the requirement of Board approval.

Mayor Fisona queried the Board for a consensus regarding approval of the carnival event at 801 Elkton Boulevard May 25 – 29, 2010. Commissioner Jablonski stated the event should be over by 10:00 p.m. each night. It was the consensus of the Board to permit the carnival at 810 Elkton Boulevard May 25 – 29, 2010, on the condition that the event was closed each night at 10:00 p.m.

Hearing no additional business to come before the Board, Mayor Fisona adjourned the meeting at 5:23 p.m.

L. Michelle Henson
Administration Office Secretary

