

The Mayor and Commissioners of the Town of Elkton

MINUTES

April 2, 2008

The Mayor and Commissioners of the Town of Elkton (the "Board") held their first regularly scheduled meeting in April on this date at 7:00 P.M. The following persons were present: Mayor Joseph Fisona; Commissioners Charles H. Givens, Sr., Mary Jo Jablonski, Earl M. Piner, Sr., and C. Gary Storke; Town Administrator Lewis H. George, Jr.; Director of Planning Ms. Jeanne D. Minner; Elkton Police Chief William Ryan; Human Resources Director Venus Kincaid; Administration Office Secretary L. Michelle Henson; and Town Attorney H. Norman Wilson, Jr., Esq.

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) (9), conduct collective bargaining negotiations or consider matters that relate to the negotiations; a Closed Meeting was held at 7:48 P.M. on Wednesday March 19, 2008 in the Mayor and Commissioners Conference Room at 100 Railroad Avenue, Elkton, Maryland 21921. The following persons were present: Mayor Joseph Fisona; Commissioners Charles H. Givens, Sr., Mary Jo Jablonski, Earl M. Piner, Sr. and C. Gary Storke; Town Administrator Lewis H. George, Jr.; Administration Office Secretary L. Michelle Henson; and Town Attorney H. Norman Wilson, Jr., Esq.

ACTION: The minutes of the March 19, 2008 meeting were approved on a motion made by Commissioner Jablonski. The motion was seconded by Commissioner Givens 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 Storke. The motion was seconded by Commissioner Piner and approved by all present.

KCI Technologies, Inc. Engineering Services Report – March, 2008

Ms. Sabine Watson, P.E. appeared on behalf of KCI Technologies, Inc.

Ms. Watson, referring to the report previously submitted to the Board, presented the March, 2008 Municipal Engineering Summary, updating the Board on KCI's review of subdivision/land development plans and other engineering activities which occurred during the month. A copy of the report was placed in the record of the minutes.

Mayor Fisona questioned the status of the Artesian Interconnection project. Ms. Watson responded that verification of an existing gas line was necessary prior to boring operations for the interconnection. Commissioner Storke questioned the timeline for the process. Ms. Watson estimated it would take 1 month. Mr. George interjected the realignment was due to a permit requirement from the State Highway Administration (“SHA”), adding the realignment resulted in a revision to the plans, which would be reviewed by Maryland Department of the Environment (“MDE”). He said Cecil Soil might require a new Sediment and Erosion Control Plan. Mayor Fisona asked for an overall timeframe to complete the process. Ms. Watson responded it was difficult to provide a timeline for MDE review. Commissioner Storke asked if the project was under way on the Delaware side. Mr. George responded he would inquire about the Delaware side of the project and advise the Board.

Ms. Watson stated the water appropriation permit was still under review by MDE.

She said the Municipal Parking Lot project was proceeding with the State Highway Administration (“SHA”) coordination of the signalization of the North Street and Railroad Avenue intersection. Mr. George said he was meeting with SHA representatives to determine acquisition of land, which was required for placement of SHA improvements at the intersection.

Ordinance 4-2008 Presented for Adoption

Ms. Jeanne Minner presented Ordinance 4-2008 for adoption, stating the ordinance was approved for introduction at the March 19, 2008 Mayor and Commissioners meeting. She said the purpose of Ordinance 4-2008 was to amend the Elkton Zoning Ordinance to distinguish libraries, museums and art galleries from art or cultural centers as having an occupancy of 50 persons or greater and to amend the Supplementary Use Regulations to eliminate unnecessarily restrictive language.

ACTION: Ordinance 4-2008 was approved for adoption on a motion made by Commissioner Givens. The motion was seconded by Commissioner Jablonski and approved by all present.

Ordinance 5-2008 Presented for Adoption

Ms. Jeanne Minner presented Ordinance 5-2008 for adoption, stating the ordinance was approved for introduction at the March 19, 2008 Mayor and Commissioners meeting. She said the purpose of Ordinance 5-2008 was to amend the Elkton Zoning Ordinance to include language regarding dog and cat grooming salons and to permit dog and cat salons in the C-1 and C-2 zones.

ACTION: Ordinance 5-2008 was approved for adoption on a motion made by Commissioner Jablonski. The motion was seconded by Commissioner Piner and approved by all present.

Ordinance 6-2008 Presented for Adoption

Ms. Jeanne Minner presented Ordinance 6-2008 for adoption, stating the ordinance was approved for introduction at the March 19, 2008 Mayor and Commissioners meeting. She said the purpose of Ordinance 6-2008 was to amend the Elkton Zoning Ordinance to permit indoor recreation in the BI Zone.

ACTION: Ordinance 6-2008 was approved for adoption on a motion made by Commissioner Jablonski. Commissioner Piner seconded the motion. Commissioner Storke opposed the motion. The record of the vote is as follows:

Mayor Fisona: Aye

Commissioner Givens: Aye

Commissioner Jablonski: Motion

Commissioner Piner: Second

Commissioner Storke: Nay

American Red Cross – Update to the Board and Request for Lease Extension

Messrs. Dale Valle, Chief Operating Officer, and Mark Hutton, Treasurer of the American Red Cross of the Delmarva Peninsula, were introduced to the Board. Mr. Hutton stated the purpose of their appearance was to update the Board on American Red Cross activities and services offered to the citizens of Elkton, and to request an extension of the Lease Agreement between the Town and the Red Cross for the property located at 207 Blue Ball Avenue. He said the current lease expired March 30, 2009.

Mr. Valle said services offered by the Red Cross included disaster relief for people displaced by fire, health and safety training and lifeline assistance. He said the Red Cross partnered with local emergency management and FEMA to provide disaster relief services as well.

Mr. Hutton stated the Red Cross received no government-based financial support. He said the Red Cross, in response to increasing operational expenses, recently initiated a cost cutting strategy, which included personnel cuts at its Wilmington, Delaware offices, and began a \$500,000.00 fund raising campaign to offset expenses. He said the Red Cross planned to relocate 4 to 8 employees to the facility on Blue Ball Avenue, which required installation of additional telephone and computer equipment infrastructure. He said the investment in infrastructure was the reason for the lease extension request.

Commissioner Storke questioned the length of the lease extension. Mr. Valle said 2 to 3 years would be beneficial. Mr. George stated a 3-year extension would not impose a restriction on the Town's future plans for the building.

ACTION: The request for a lease extension by the American Red Cross was approved for 3 years from its current expiration on a motion made by Commissioner Storke. The motion was seconded by Commissioner Givens and approved by all present.

Town Administrator's Report

Ordinance 1-2008 (8% Sewer Rate Adjustment) Presented for Introduction

Mr. George presented Ordinance 1-2008 for introduction. He said the ordinance would raise sewer rates for in- and out-of-town users by 8%. He said the increase in rates was based on analysis provided by Municipal and Financial Services, which recommended the incremental increases to properly fund the upgrade, operation and maintenance of the Town's Wastewater Treatment Facility.

ACTION: Ordinance 1-2008 was approved for introduction on a motion made by Commissioner Storke. The motion was seconded by Commissioner Givens and approved by all present.

Ordinance 2-2008 Presented for Adoption

Mr. George presented Ordinance 2-2008 for adoption, stating the ordinance was approved for introduction at the March 19, 2008 Mayor and Commissioners meeting. He said the ordinance established 2-hour parking limits on North Street from 219 North Street to Main Street.

ACTION: Ordinance 2-2008 was approved for adoption on a motion made by Commissioner Jablonski. Commissioner Piner seconded the motion. Commissioners Storke and Givens opposed the motion. The record of the vote is as follows:
Mayor Fisona: Aye
Commissioner Givens: Nay
Commissioner Jablonski: Motion
Commissioner Piner: Second
Commissioner Storke: Nay

Public Works Agreement – South Stream Phase I

Mr. George presented a Public Works Agreement for South Stream Phase I, a 56-unit development near Whitehall Road.

ACTION: The Public Works Agreement for South Stream Phase I was approved on a motion made by Commissioner Piner. The motion was seconded by Commissioner Givens and approved by all present.

Mayor Fisona's Report

Mayor Fisona questioned the status of interviews for open positions within the Town. Ms. Kincaid provided a brief overview of interview activities.

Proclamation – Fair Housing Month

Mayor Fisona presented a Proclamation declaring April 2008 as Fair Housing Month in Elkton.

ACTION: The Proclamation of April 2008 as Fair Housing Month in the Town of Elkton was approved on a motion made by Commissioner Jablonski. The motion was seconded by Commissioner Piner and approved by all present.

Commissioner Storke's Report

Commissioner Storke requested the Board adopt a procedure regarding clarification of decisions made by the Planning Commission. He said the purpose for his request was to avoid the sidebar discussions that occurred regarding Ordinance 6-2008 at the March 19, 2008 Mayor and Commissioners meeting. Commissioner Jablonski stated the Planning Commission made recommendations to the Board, which could be adopted or amended at the Board's discretion. Commissioner Storke said the Board should vote on an ordinance strictly as advertised, and, if amended by the Board, the amended ordinance should be re-advertised. Mayor Fisona asked Mr. Wilson to research a policy to adopt a procedure as requested by Commissioner Storke.

Commissioner Givens' Report

Commissioner Givens questioned the status of the United States Army Corps of Engineers ("USACE") flood study. Mr. George stated he met with representatives of the USACE regarding funding received by the corps to begin design of the improvements approved in the original Flood Mitigation Plan. He said he expected formal notice of the initiation of the design phase in June 2008.

Commissioner Givens questioned if gas saving measures for Town vehicle use had been initiated. Mr. George stated he would initiate a conservation plan if the Board so desired.

Commissioner Givens questioned the status of the Meadow Park track-paving project. Mr. George said the cost of the project exceeded available funds, and the project was put on hold until the next budget cycle.

Commissioner Givens questioned the space limitations at the Municipal Building. Discussion ensued regarding space demands by increased staff and records retention.

Commissioner Piner's Report

Commissioner Piner announced the Little League Parade would be held on Friday April 4, 2008.

Public Comment

Mr. Robert Litzenberg questioned if a proposed truck facility at Route 279 requested annexation. Ms. Minner responded in the positive.

Mr. Ronald Rae suggested utilization of existing buildings in the downtown to accommodate various Town departments.

There being no additional business to come before the Board, Mayor Fisona adjourned the meeting at 8:07 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.townofelkton.org. The minutes, in hard copy format, are retained indefinitely by the Town of Elkton, Administration Office, 100 Railroad Avenue, Elkton, Maryland 21921. The Maryland Public Information Act provides that the minutes of public meetings be made available to the public upon request. Please contact the Town of Elkton by telephone at (410) 398-0970, by facsimile at (410) 392-6633, or by email at elkadsec@iximd.com to request a copy of these minutes.