

The Mayor and Commissioners of the Town of Elkton

MINUTES

June 18, 2008

The Mayor and Commissioners of the Town of Elkton (the "Board") held their second regularly scheduled meeting in June 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.; Assistant Town Administrator Kimberly Kamp; Finance Director Steven Repole; Elkton Police Chief William Ryan; Human Resources Director Venus Kincaid; Director of Planning Jeanne Minner; 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) (3) consider the acquisition of real property for a public purpose and matters directly related thereto; and (7) consult with counsel to obtain legal advice; a Closed Meeting was held on Wednesday June 4, 2008 in the Mayor and Commissioners Meeting Room at the Elkton Municipal Building, 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 June 4, 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 Givens. The motion was seconded by Commissioner Piner and approved by all present.

Mr. George introduced Ms. Kimberly Kamp, Assistant Town Administrator.

Administration of Oath of Office Elkton Police Department – Chief William Ryan

Chief Ryan administered the Oath of Office to Officers Todd Finch, Kevin Forster, Anthony Peticca and Madhu Kurup. The new officers were introduced to the Board.

Introduction of Ms. Stephanie Garrity, Health Officer, Cecil County Health Department

Ms. Stephanie Garrity, Health Officer, Cecil County Health Department, was introduced to the Board, and provided a brief overview of services provided by the Cecil County Health Department.

Public Hearing

Ordinance 9-2008 – Amending the Elkton Zoning Ordinance

Presented for Introduction – Ms. Jeanne Minner, Director of Planning

Mayor Fisona declared the Public Hearing open at 7:12 P.M.

Ms. Jeanne Minner, Director of Planning, presented Ordinance 9-2008 for introduction. She said the purpose of Ordinance 9-2008 was to correct an error in the Zoning Ordinance by specifying that Train Stations will be permitted in the C-1 and C-2 zones. A copy of Ordinance 9-2008 was placed in the record of the minutes. Ms. Minner stated the Planning Commission recommended approval of Ordinance 9-2008 at the June 9, 2008 meeting.

Ordinance 10-2008 – Amending the Elkton Zoning Ordinance

Presented for Introduction – Ms. Jeanne Minner, Director of Planning

Ms. Minner presented Ordinance 10-2008 for introduction. She said the purpose of Ordinance 10-2008 was to remove a duplication of regulations in the Elkton Zoning Ordinance regarding Day Care facilities. A copy of Ordinance 10-2008 was placed in the record of the minutes. Ms. Minner stated the Planning Commission recommended approval of Ordinance 10-2008 at the June 9, 2008 meeting.

Ordinance 11-2008 – Amending the Elkton Zoning Ordinance

Presented for Introduction – Ms. Jeanne Minner, Director of Planning

Ms. Minner presented Ordinance 11-2008 for introduction. She said the purpose of Ordinance 11-2008 was to amend the Table of Minimum Parking Requirements under Hospitals by removing the requirement of two (2) parking spaces per bed, or per one hundred fifty (150) square feet, and adding the requirement of one (1) parking space per two hundred fifty (250) square feet. A copy of Ordinance 11-2008 was placed in the record of the minutes. Ms. Minner stated the Planning Commission recommended approval of Ordinance 11-2008 at the June 9, 2008 meeting.

Mayor Fisona queried the audience for comment regarding Ordinances 9-2008, 10-2008 and 11-2008.

Dr. Ken Lewis, representing Union Hospital of Cecil County, offered comments regarding Ordinance 11-2008. He expressed support for Ordinance 11-2008, saying it was beneficial to the hospital's short- and long-term expansion plans. He said the current

parking situation at the hospital was consistent with the requirement of 1 space per 150 square feet of facility, which resulted in an excess of parking spaces. He said the nature of hospital care changed since the 1994 regulations, which were based on semi-private rooms, adding the majority of rooms were now private. He stated the footprint of the hospital illustrated the substantial use of hospital space dedicated to services, such as education, that were previously confined to non-clinical areas. He said these services had no significant impact on parking but were still figured in for parking requirements, resulting in a surplus of parking spaces.

Mayor Fisona questioned the number of employees at the hospital. Dr. Lewis, stated the hospital had 1,060 full and part-time employees, adding that staffing was spread over a 24-hour, 7-day per week schedule.

Discussion ensued regarding capacity and expandability of the hospital's parking garage.

Commissioner Storke questioned if the hospital's administration expected new construction parking requirements to be grandfathered with regard to the new regulations. Dr. Lewis said Ordinance 11-2008, if approved, would result in a surplus of parking for the hospital. He said the hospital would propose that all construction prior to 1998 would not be grandfathered.

Discussion ensued regarding the hospital's evaluation of employees using the municipal lot as opposed to parking designated by the hospital.

Hearing no further public comment, Mayor Fisona declared the Public Hearing closed at 7:30 p.m.

ACTION: Ordinance 9-2008 was approved for introduction on a motion made by Commissioner Givens. The motion was seconded by Commissioner Jablonski and approved by all present.

ACTION: Ordinance 10-2008 was approved for introduction on a motion made by Commissioner Givens. The motion was seconded by Commissioner Piner and approved by all present.

ACTION: Ordinance 11-2008 was approved for introduction on a motion made by Commissioner Piner. The motion was seconded by Commissioner Jablonski and approved by all present.

Town Administrator's Report

Mr. George presented a Project Participation Agreement ("PPA") from the United States Army Corps of Engineers ("USACE") with regard to the ongoing Big Elk Creek Flood Protection Project. He provided a brief history of the project, stating that the PPA was the next step toward installation of channel stabilization apparatus. He said the PPA

would require the Town to take responsibility for maintenance when the project was complete. He added the Town would be responsible for disposal of thousands of yards of dredge material taken from the site, as well as erosion and sediment control.

Mr. Wilson stated he reviewed the PPA, and said the project was designed to mitigate nuisance flooding, and would not prevent flooding from a major storm event. He added that a major storm event could possibly destroy the stabilization apparatus, which could result in a huge expense for the Town.

Mayor Fisona questioned the timeline for completion of the project. Mr. George stated the project would not commence for at least another year.

Commissioner Jablonski expressed concerns regarding the upfront expense and uncertainty of the success of the project.

Commissioner Storke stated the Town spent hundreds of thousands of dollars over the years with regard to the flooding issue, and stated the project, when completed, would only mitigate nuisance flooding. He reiterated Mr. Wilson's statement that the channel stabilization apparatus could be destroyed by a major storm event. He expressed concern regarding the ongoing cost to taxpayers of maintenance for the channel.

Commissioner Givens concurred with Commissioners Jablonski and Storke.

It was the consensus of the Board to not move forward with the USACE PPA. Mr. George stated he would advise the USACE of the Board's decision.

Mayor Fisona's Report

Resolution R2-2008 – Digital Television Conversion

Mayor Fisona requested that Mr. George read Resolution R2-2008 – Digital Television Conversion into the record of the minutes.

ACTION: Resolution R2-2008 – Digital Television Conversion 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 expressed support for an Ordinance regarding persons appearing "topless" in public places.

Commissioner Piner's Report

Commissioner Piner expressed concern regarding the lack of sidewalks on the Delaware Avenue bridge. Mr. George stated the Town made numerous requests for a

pedestrian walkway on the bridge from the Maryland State Highway Administration. He said the Town could take the initiative and build a separate walkway. Commissioner Givens suggested signage advising motorists to watch for pedestrians.

Commissioner Piner questioned the status of streetlight repair at Hollingsworth Manor. Ms. Henson stated the work request was placed with Delmarva Power.

Commissioner Piner questioned if the Department of Public Works would trim tree limbs that were obstructing signs in Hollingsworth Manor. Mr. George answered in the affirmative.

Commissioner Givens' Report

Commissioner Givens questioned a penalty imposed by the Maryland Department of Environment ("MDE"). Mr. George responded that the fine was imposed under the Consent Agreement between the Town and MDE with regard to the state mandated upgrade of the Town's Wastewater Treatment Facility.

Commissioner Givens questioned if the Town utilized online banking. Mr. Repole answered in the negative.

Commissioner Givens said he received a request from a citizen on Bethel Street for removal of a speed hump warning sign from her property.

Commissioner Storke's Report

Commissioner Storke questioned if the Town had a mosquito spraying contract. Mr. George answered in the affirmative.

Commissioner Storke expressed concern regarding the increase in Town resources devoted to yard waste and tree limb removal / chipping by the Department of Public Works.

Commissioner Storke asked Mr. George to inspect the speed hump at Gilpin Avenue near Walnut Lane, saying the device was becoming worn and ineffective.

Public Comment

Ms. Rebecca McKinney requested Police presence during the July 4th holiday in Hollingsworth Manor. She commended Mr. Charles Hicks, Code Enforcement Official, for his efforts in the neighborhood.

Mr. Robert Litzenberg commended the Board for rejecting the USACE PPA.

Motion for a Closed Meeting

Pursuant to State Government Article, § 10-508 (9) conduct collective bargaining negotiations or consider matters that relate to the negotiations; Commissioner Jablonski made a motion for a Closed Meeting. The motion was seconded by Commissioner Piner and approved by all present.

There being no additional business to come before the Board, Mayor Fisona adjourned the meeting at 8:25 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. 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.

Mayor and Commissioners Meeting Minutes

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