

The Mayor and Commissioners of the Town of Elkton

MINUTES

July 2, 2008

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., Earl M. Piner, Sr., and C. Gary Storke; Town Administrator Lewis H. George, Jr.; Finance Director Mr. Steven Repole; Assistant Finance Director Ms. Beth Moran; Human Resources Director Venus Kincaid; Administration Office Secretary L. Michelle Henson; and Town Attorney H. Norman Wilson, Jr., Esq. Commissioner Mary Jo Jablonski was excused from the meeting.

Mayor Fisona called the meeting to order, and led the Pledge of Allegiance.

Notice of Closed Meeting

On Wednesday, June 18, 2008, at 8:25 P.M., during the regularly scheduled meeting of the Mayor and Commissioners of the Town of Elkton (the "Board"), a closed meeting was requested and approved by all present pursuant to State Government Article § 10-508 (a) (9), conduct collective bargaining negotiations or consider matters that relate to the negotiations.

Attendance: 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.; Finance Director Steven Repole; Human Resources Director Venus Kincaid; Chief of Police William Ryan; Administration Office Secretary L. Michelle Henson; and Town Attorney H. Norman Wilson, Jr., Esq.

ACTION: The minutes of the June 18, 2008 meeting were approved on a motion made by Commissioner Givens. The motion was seconded by Commissioner Storke 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.

KCI Technologies, Inc. Engineering Services Report – June, 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 June 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.

Ms. Watson presented a report regarding the preliminary investigation of the municipal use of a well located at the Knights of Columbus property. A copy of Ms. Watson's report was placed in the record of the minutes.

Commissioner Storke questioned the condition of the well and associated equipment. Ms. Watson stated the pump and well head were not in good shape.

Mayor Fisona queried the Board for a consensus to authorize KCI to move further in its investigation of the well and its possibilities. Commissioner Storke, noting Commissioner Jablonski's absence, stated the entire Board should discuss the matter in depth at a workshop.

Town Administrator's Report

Ordinance 9-2008 – Amending the Elkton Zoning Ordinance with Regard to Train Stations – Presented for Adoption

Mr. George presented Ordinance 9-2008 for adoption. He said Ordinance 9-2008 permitted train stations in the C-1 zone. He said the ordinance was approved for introduction at the Mayor and Commissioners June 18, 2008 meeting.

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

Ordinance 10-2008 – Amending the Elkton Zoning Ordinance with Regard to Nursery Schools – Presented for Adoption

Mr. George presented Ordinance 10-2008 for adoption. He said Ordinance 10-2008 corrected the Table of Permissible Uses, removing duplication in the language. He said the ordinance was approved for introduction at the Mayor and Commissioners June 18, 2008 meeting.

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

Ordinance 11-2008 – Amending the Elkton Zoning Ordinance with Regard to Parking Requirements for Hospitals

Mr. George presented Ordinance 11-2008 for adoption. He said Ordinance 11-2008 was approved for introduction at the Mayor and Commissioners June 18, 2008 meeting.

Commissioner Storke, referring to comments by the hospital's administration at the June 2, 2008 Public Hearing, expressed concerns that Union Hospital would request that parking regulations be grandfathered to 1998, resulting in a relaxation of parking requirements for new construction, and asked Mr. Wilson if that would be possible.

Mr. Wilson stated Ordinance 11-2008 would govern parking requirements for new construction as of its effective date, adding that the hospital could not request relaxation of parking requirements based on outdated criteria.

Mr. Dave Gipson, Director of Facilities for Union Hospital, stated that his understanding was when Ordinance 11-2008 became effective, parking requirements for future projects would be determined based upon the entire hospital campus. Commissioner Storke stated that parking requirements for future hospital projects would be based upon the individual project, not the entire campus. Mr. Wilson concurred with Commissioner Storke's statement.

ACTION: Ordinance 11-2008 was adopted on a motion made by Commissioner Givens. Commissioner Piner seconded the motion. Commissioner Storke opposed the motion. The record of the vote is as follows:

Mayor Fisona: Aye

Commissioner Givens: Motion

Commissioner Jablonski: Aye

Commissioner Piner: Second

Commissioner Storke: Nay

Project # 2008-001 Road Restoration Project Bid Announcement

Mr. George reported that 3 bids had been received for Road Restoration Project #2008-001 and read the results of the bids into the record of the minutes. The bids were recorded as follows:

Name	Address	Bid Price
Diamond Materials	924 South Heald Street Wilmington, Delaware 19801	\$ 476,125.75
American Infrastructure	2011 Bel Air Road Fallston, Maryland 21047	\$ 517,777.00
Harmony Construction	305 West Newport Gap Pike Wilmington, Delaware 19804	\$ 399,177.25

Mr. George requested that the Board tentatively award the bid to Harmony Construction.

ACTION: Project #2008-001 was tentatively awarded to Harmony Construction 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 stated he received a copy of a request from Cecil County Commissioners President to the State Highway Administration ("SHA") to lower the speed limit on Route 213 north of Elkton, beginning at the Walnut Lane neighborhood, ending at the I-95 overpass.

Mayor Fisona queried the Board for a consensus regarding an Ordinance requiring people to wear shirts in Elkton. Commissioner Piner stated he was not in favor of such an ordinance. Commissioner Givens concurred with Commissioner Piner.

Commissioner Storke's Report

Commissioner Storke questioned the removal of the MBAV, LLC agreement from the agenda shortly before the meeting. He expressed concerns that citizens who were interested in the topic came to the meeting unaware that the item had been pulled.

Commissioner Piner concurred with Commissioner Storke. He stated the Board should implement a time limit for changing the agenda.

Commissioner Givens concurred with Commissioners Storke and Piner.

Mayor Fisona requested Mr. George to bring the MBAV, LLC agreement before the Board for discussion.

Mr. George presented the MBAV, LLC agreement to the Board. Mayor Fisona queried the Board for discussion.

Commissioner Storke expressed concerns that the agreement relied on many pieces of a puzzle coming together, and questioned the Town's liability if one of the pieces fell through.

Mr. Wilson stated that the agreement was to hire Mr. Vaughn to investigate acquisition and sale of certain property, adding that the agreement clarified that each sale or acquisition in the agreement was contingent upon the successful sale or acquisition of each component, so if one piece of the puzzle failed, the entire agreement would be moot.

Commissioner Storke stated his support for a recreation center, and stated his concerns regarding funding sources to make it successful. He stated concerns that the Board had not fully discussed the issue. He additionally questioned the impact of placing a retail building in front of the Elk Landing property.

Commissioner Piner stated he respected Commissioner Storke's concerns, and stated the agreement with MVAB, LLC was designed to assist the Town in determining if the entire project was possible. He stated that the Town needed a recreational center. He expressed his support for the agreement, and recommended that the issue be discussed at the July 9th workshop in order to have Commissioner Jablonski participate in the discussion.

It was the consensus of the Board to discuss the topic at the July 9, 2008 workshop.

Commissioner Givens' Report

Commissioner Givens stated he learned of Police Officers in other municipalities incorporating walking patrols to enhance community policing and conserve energy.

Public Comment

Ms. Rebecca McKinney reported illegal fireworks in the Hollingsworth Manor and asked for additional Police presence during the July 4th holiday.

Mr. James Crouse asked that the meeting agenda clearly spell out agenda item topics. He questioned if the Town sent requests for proposals to other consulting firms before initiating an agreement with MVAB, LLC. Mayor Fisona answered in the negative.

Mr. Crouse requested that the Town place a cap on costs associated with the Knights of Columbus well exploration project.

Mr. Crouse expressed concerns regarding the Artesian interconnection, saying if the Town purchased water from Artesian, fees could increase dramatically.

Mr. Ronald Rae reiterated Mr. Crouse's concerns regarding increasing water rates.

Motion for a 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; Commissioner Givens made a motion for a Closed Meeting. The motion was seconded by Commissioner Storke and approved by all present. Mayor Fisona announced the meeting would not reconvene.

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 the approval of said minutes, 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 via email at elkadsec@iximd.com to request a copy of the minutes.