

# The Mayor and Commissioners of the Town of Elkton

## MINUTES

August 20, 2008

The Mayor and Commissioners of the Town of Elkton (the "Board") held their second regularly scheduled meeting in August 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 Kim 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.

**ACTION:** The minutes of the August 6, 2008 meeting were approved on a motion made by Commissioner Piner. The motion was seconded by Commissioner Jablonski 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 Storke and approved by all present.

### **Budget Amendment 2009-001**

Mr. Repole presented Budget Amendment 2009-001 to recognize the July 4<sup>th</sup> Fireworks Sponsorship by Season's Pizza, which was utilized to reduce the use of anticipated fund balance and to purchase an additional lawn mower for the Parks and Recreation Department.

**ACTION:** Budget Amendment 2009-001 was approved on a motion made by Commissioner Piner. The motion was seconded by Commissioner Jablonski and approved by all present.

### **Recognition of Elkton Police Department Participation in Cecil County Public School System**

Mr. Dick Schaeffer, Cecil County Public Schools Superintendent, was introduced to the Board. He said the purpose of his appearance was to publicly thank the Elkton Police Department for its participation in the public school system.

Mr. Schaeffer acknowledged Chief Ryan, stating that the Chief was an asset to the school system, and expressed appreciation for the assignment of an additional school officer.

**Recognition of Mr. Billy Davis – 35 Years of Service – Department of Public Works**

Mayor Fisona presented Mr. Billy Davis a Certificate of Recognition for 35 years of service in the Department of Public Works.

**Public Hearing – Rezoning Request  
Request of Montgomery Station 801, LLC to rezone parcel located at 801 Elkton Boulevard, Tax Map 310, Parcel 736, from present Zoning Classification BI (Business Industrial) to BP (Business Park Overlay Zone)**

Mayor Fisona declared the Public Hearing open at 7:15 p.m.

Ms. Jeanne Minner presented a request of Montgomery Station 801, LLC to rezone the parcel located at 801 Elkton Boulevard from its present zoning classification of BI (Business Industrial) to BP (Business Park Overlay Zone).

She stated the Planning Commission, at its August 11, 2008 meeting, heard the application and recommended approval of the rezoning request, based upon findings of facts, a copy of which were placed in the record of the minutes.

Mayor Fisona queried the audience for comments regarding the application. Hearing none, he declared the Public Hearing closed at 7:20 p.m.

**ACTION:** The request of Montgomery Station 801, LLC to rezone the parcel located at 801 Elkton Boulevard from its present zoning classification of BI (Business Industrial) to BP (Business Park Overlay Zone) was approved on a motion made by Commissioner Storke. The motion was seconded by Commissioner Givens and approved by all present.

**Environmental Resources Management Comprehensive Plan Review**

Mr. Michael Bayer, Senior Urban Planner, representing Environmental Resources Management (“ERM”), provided a Power Point Presentation regarding the timeline for implementation of the Town’s Comprehensive Plan Review.

Mayor Fisona questioned if Mr. Bayer would elicit citizen input. Mr. Bayer responded in the affirmative, stating Ms. Minner stipulated the need for public participation in the Comprehensive Plan review process.

Commissioner Piner stated the school system was an important component of the review process.

Commissioner Givens questioned if Mr. Bayer would provide additional follow up to the Board. Mr. Bayer answered in the affirmative, stating he would attend a subsequent workshop meeting.

Commissioner Piner said the public input session schedule should be advertised for optimum citizen participation.

**Town Administrator's Report**

**Project 2008-003 Meadow Park Track Project Bid Announcement**

Mr. George announced the Project 2008-003 Meadow Park Track Bid amounts. The Bid results were as follows:

<b>Company Name</b>	<b>Address</b>	<b>Base Bid</b>
GrassBusters Landscaping Co., Inc.	935 Rahway Drive Newark, DE 19711	\$ 271,112.50
Harmony Construction of Maryland, Inc.	305 West Newport Pike Wilmington, DE 19804	\$ 219,323.05
Meadows Construction, Inc.	266 Little New York Road Rising Sun, MD 21911	\$ 210,086.03
Richards Paving, Inc.	9 Bellecor Drive New Castle, DE 19720	\$ 340,879.57

Mr. George stated Meadows Construction, Inc. was the apparent low bidder, adding that the bid was within range of the budgeted expense.

**ACTION:** The bid submitted by Meadows Construction, Inc. of \$210,086.03 to perform Project 2008-003 Meadow Park Track Paving, was approved on a motion made by Commissioner Piner. The motion was seconded by Commissioner Jablonski and approved by all present.

**Speed Hump Installation – Washington Avenue, Lincoln Avenue, Roosevelt Boulevard**

Mr. George stated the Town received a request for speed hump installation at Washington Avenue, and, pursuant to the Board's policy regarding speed hump installation; a survey was issued to Washington Avenue residents, as well as Lincoln Avenue and Roosevelt Boulevard. Mr. George reported the results of the survey, stating a majority of residents on Lincoln, Washington and Roosevelt requested speed hump installation. A copy of the survey results was placed in the record of the minutes. Mr. George stated the Speed Hump Policy required Board approval prior to placement of speed humps.

Commissioner Storke suggested a single speed hump could be installed on a trial basis.

Commissioner Jablonski questioned if any residents of the area in question were in the audience. Mr. Dick Reed stated he lived in the neighborhood, and suggested the installation of one speed hump on Washington Avenue. He expressed concerns regarding emergency response vehicles negotiating the devices.

Ms. Debbie Storke expressed opposition to speed hump installation on Lincoln Avenue. She cited noise issues created by cars crossing the devices, as well as concerns about safety and snow plowing equipment.

Mayor Fisona queried the Board for a decision regarding speed hump installation.

Commissioner Piner stated the Speed Hump Policy was in place, and the Board should follow the policy. Commissioner Jablonski concurred with Commissioner Piner.

**ACTION:** Commissioner Piner made a motion for the installation of one speed hump on Washington Avenue. The motion died for lack of a second.

Mayor Fisona queried the Board regarding installation of speed humps on Lincoln Avenue and / or Roosevelt Boulevard.

Hearing no response, Mayor Fisona stated there would be no speed humps installed on Lincoln Avenue, Washington Avenue or Roosevelt Boulevard.

### **Assistant Town Administrator's Report**

#### **Ordinance 12-2008 – Rental Housing – Presented for Introduction**

Ms. Kamp presented Ordinance 12-2008 – Rental Housing, for introduction, a copy of which was placed in the record of the minutes.

Commissioner Givens questioned if additional enforcement staff was required. Ms. Kamp stated that the program would be initiated in phases in order to limit the impact on budgeting and staffing.

Commissioner Storke expressed concerns that landlords would pass rental unit registration fees on to tenants, increasing tenants' financial burdens.

Mayor Fisona stated the purpose of the ordinance was to protect the Town from bad landlords.

Commissioner Jablonski commended Ms. Kamp regarding her sample Landlord / Tenant education pamphlet, which was distributed to the Board.

**ACTION:** Ordinance 12-2008 was approved for introduction on a motion made by Commissioner Jablonski. The motion was seconded Piner. 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

### **Ordinance 15-2008 – Keeping of Livestock and Fowl – Presented for Adoption**

Ms. Kamp presented Ordinance 15-2008 – Keeping of Livestock and Fowl, for adoption; a copy of which was placed in the record of the minutes.

**ACTION:** Ordinance 15-2008 was adopted on a motion made by Commissioner Jablonski. The motion was seconded by Commissioner Piner and approved by all present.

### **Mayor Fisona's Report**

Mayor Fisona announced Cecil County Tourism presented a Partnership Appreciation Award to the Town.

Mayor Fisona stated he received his annual dues notice from the Maryland Mayors' Association, and requested a motion to authorize the \$65.00 payment.

**ACTION:** The request to authorize the payment of \$65.00 to renew Mayor Fisona's membership in the Maryland Mayors' Association was approved on a motion made by Commissioner Givens. The motion was seconded by Commissioner Piner and approved by all present.

### **Commissioner Storke's Report**

Commissioner Storke expressed appreciation to Season's Pizza for sponsorship of the Town's Fourth of July fireworks event, and suggested the Board officially recognize the contribution.

Commissioner Storke questioned the status of a meeting of Native Americans at the Historic Elk Landing property. Mayor Fisona stated the event would be rescheduled to 2009 due to a conflict with Fall Fest, scheduled on September 20, 2008.

### **Commissioner Givens' Report**

Commissioner Givens stated the Board needed to develop a policy to address abandoned / boarded up properties.

Commissioner Givens stated the Board needed to review the Charter for clearer definition of its individual roles. Commissioner Jablonski concurred with Commissioner Givens.

Mayor Fisona suggested that the Board provide Mr. George dates on which it would be convenient to review of the Town Charter.

### **Commissioner Jablonski's Report**

Commissioner Jablonski questioned the status of the Town's computer networking project. Ms. Kamp said she awaited proposals regarding completion of the network, and stated her appreciation to Cecil County Government's Information Technology Department for its input and assistance.

Commissioner Jablonski requested enforcement regarding prostitution in the downtown area.

### **Public Comment**

Ms. Rebecca McKinney expressed concerns regarding unattended children in the Hollingsworth Manor neighborhood.

Ms. Rose Brown stated she lived in the vicinity of the Test Well No. 4 project, and questioned the status of drilling. She expressed concerns that her well, and those of her neighbors, could be adversely affected due to the drilling and subsequent drawdown test.

Ms. Debbie Storke questioned information regarding the requirements under Ordinance 12-2008 would be sent to landlords. Mr. George replied landlords would be notified of the requirements via mail.

Mr. Terrance Dear expressed interest in preservation of critical areas, and stated his concerns for the wells and source aquifer in the vicinity of the Test Well No. 4 project.

Ms. Patty Clifton stated she lived on Frenchtown Road, in the vicinity of the Test Well No. 4 project, and said her well failed during a drawdown test performed in the area in 2002. She expressed concerns that her well would fail during a subsequent draw down test.

Mr. George stated that the Town's contractor was in the process of drilling Test Well No. 4, and draw tests had not commenced. He said draw tests would not move forward until after the Board met with residents.

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Commissioner Givens questioned the status of the Test Well No. 4 project. Mr. George responded that the casing was being placed on August 21<sup>st</sup>.

Mayor Fisona said the process was to be stopped after placement of the well casing, adding that the process would remain halted until residents had an opportunity to meet with KCI's hydrogeologist.

Commissioner Storke said the Maryland Department of the Environment ("MDE") was monitoring the Test Well No. 4 project, adding he understood the residents' concerns.

Hearing no additional business to come before the Board, Mayor Fisona adjourned the meeting at 9:16 p.m.

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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](http://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 [administration@elkton.org](mailto:administration@elkton.org) to request a copy of the minutes.