

The Mayor and Commissioners of the Town of Elkton

MINUTES

November 5, 2008

The Mayor and Commissioners of the Town of Elkton (the "Board") held their first regularly scheduled meeting in November 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; Human Resources Director Venus Kincaid; Director of Water and Wastewater Operations Doug Connell; Chief of Police William Ryan; Administration Office Secretary L. Michelle Henson; and Town Attorney H. Norman Wilson, Jr. Esquire.

Notice of 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; and (7) consult with counsel to obtain legal advice; a Closed Meeting was held on Wednesday October 15, 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.; Zoning Administrator J. Craig Trostle, Jr.; 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 October 15, 2008 meeting were approved on a motion made by Commissioner Givens. The motion was seconded by Commissioner Piner 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 Jablonski. The motion was seconded by Commissioner Givens and approved by all present.

Budget Amendment # 2009-008

Mr. Repole presented Budget Amendment #2009-008 to transfer \$200.00 from Planning & Zoning-Master/Other Planning to Planning & Zoning-Repairs/Maintenance to cover unexpected repair costs to the large format printer.

ACTION: Budget Amendment #2009-008 was approved on a motion made by Commissioner Storke. The motion was seconded by Commissioner Givens and approved by all present.

Budget Amendment #2009-009

Mr. Repole presented Budget Amendment #2009-009 to transfer \$6,275.00 from Administration-Salary, FICA, and Health Insurance to Administration-Contracted Services to cover the estimated additional information technology costs.

ACTION: Budget Amendment #2009-009 was approved on a motion made by Commissioner Piner. The motion was seconded by Commissioner Jablonski and approved by all present.

**KCI Technologies, Inc.
Engineering Services Report - Month of October 2008**

Mr. Ryan Flickinger, P.E., appeared on behalf of KCI Technologies, Inc.

Mr. Flickinger, referring to the report previously submitted to the Board, presented the October 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.

Commissioner Storke questioned the 24-hour pump test of municipal well # 3. Mr. Flickinger responded the Maryland Department of the Environment ("MDE") requested a 24-hour test of the well to determine if additional water supply was available to the Town's system in a drought scenario.

Commissioner Storke expressed concerns that the well pump could fail under a 24-hour test. Mr. Connell stated the well pump typically ran 20 to 22 hours per day, and the additional hours of operation should not have an adverse impact on the pump.

Mr. Flickinger stated the test was a part of an overall budgeting account of all of the Town's water availability. He said if the test proved additional capacity, that could be considered a portion of the back up supply which was required by MDE, and the Town could buy less water from Artesian via the interconnection.

Mr. George interjected that MDE determined if the Town could maximize its draw of groundwater it would minimize the cost associated with purchasing water from Artesian.

Mr. Connell suggested the pump test could be deferred until completion of the Artesian Interconnection.

Mayor Fisona queried the Board for a decision to defer the 24-hour pump test of Well # 3 until completion of the Artesian Interconnection.

It was the consensus of the Board to defer the 24-hour pump test of Well # 3 until completion of the Artesian Interconnection.

Recommendation for Award - Construction Contractor - Artesian-Elkton Interconnection Project

Mr. Flickinger stated the Town received 10 bids for the Artesian-Elkton Interconnection Project. He stated Eastern States Construction presented the low bid for the project, adding that the bid packet was complete and contained no errors. He said Eastern States received numerous positive references as well. Mr. Flickinger stated KCI's recommendation was to award the bid to Eastern States Construction.

ACTION: KCI's recommendation to award the Artesian-Elkton Interconnection bid to Eastern States Construction was approved on a motion made by Commissioner Storke. The motion was seconded by Commissioner Givens and approved by all present.

Comcast Cablevision Service Availability Update

Messrs. Tom Worley, Area Director of Government & Community Affairs, and Chris Comer, Director of Government & Community Affairs, introduced themselves to the Board.

Mr. Comer stated Comcast Cablevision was studying the cost and infrastructure needed for delivery of High Definition Cable and Video on Demand to Elkton area residents. He said Comcast hoped to have the services available in 2009. Commissioner Givens invited Messrs. Worley and Comer to return in February 2009 to update the Board on Comcast's progress.

Town Administrator's Report

Recommendation for Construction Phase Services - KCI - Artesian-Elkton Interconnection Project

Mr. George presented KCI's proposal for construction phase services for the Artesian-Elkton Interconnection Project.

ACTION: The KCI proposal for construction phase services for the Artesian-Elkton Interconnection Project was approved on a motion made by Commissioner Storke. The motion was seconded by Commissioner Givens and approved by all present.

Severn Trent Contract

Mr. George presented a 5-year agreement from Severn Trent for operation and maintenance of the Town of Elkton's Water & Wastewater Treatment Facilities.

Commissioner Storke questioned if counsel reviewed the contract. Mr. Wilson answered in the affirmative.

ACTION: The 5-year agreement from Severn Trent for operation and maintenance of the Town of Elkton's Water & Wastewater Treatment Facilities was approved on a motion made by Commissioner Jablonski. The motion was seconded by Commissioner Piner and approved by all present.

Commissioner Storke stated the upgrades to the Town's Wastewater Treatment Plant were due to MDE regulations. He said he was discouraged by the anticipated costs associated with running the plant and expressed concerns regarding the financial impact on the public.

Assistant Town Administrator's Report

ESMEC Energy Trust

Ms. Kamp presented a proposal from Eastern Shore of Maryland Educational Consortium ("ESMEC") Energy Trust. She said the trust allows public entities such as schools and local governments to purchase energy and other fuels at wholesale rates. She said the trust was recommended by Mr. Craig Whiteford, Cecil County's Budget Director. She anticipated the Town could save approximately \$95,000.00 in energy costs, and requested the Board's approval to participate in the trust. She said the cost of the application was \$500.00, and added the annual fee of approximately \$4,000.00 included access to consultants and attorneys.

Commissioner Piner suggested the Town perform its own energy audit to determine energy savings prior to joining the Energy Trust. He stated the Energy Trust should document the anticipated savings prior to the Town executing a contract.

ACTION: The request to apply for membership in the Eastern Shore of Maryland Educational Consortium Energy Trust was approved on a motion made by Commissioner Givens. The motion was seconded by Commissioner Jablonski and approved by all present.

Mayor Fisona's Report

Mayor Fisona, referring to a memo from Mr. Repole, stated the Town did not bill the Cecil County Library for water and sewer service. Mr. George stated the Board voted in 1976 not to bill the library for water and sewer services. Mr. Repole asked if the Board wanted to continue the practice.

ACTION: Commissioner Givens made a motion to continue the practice of non-billing of water and sewer services to the Cecil County Library. The motion was seconded by Commissioner Jablonski and approved by all present.

Mayor Fisona questioned the status of installation of the fence at the Wastewater Treatment Facility. Mr. George stated the contractor was in the process of installing the fence.

Mayor Fisona stated he was planning to attend a Water Summit with Mr. George and Ms. Kamp in Aberdeen on November 7, 2008. He queried the Board for comments on a previously distributed Memorandum of Understanding regarding the creation of a regional consortium of local governments to address water supply issues.

Mr. Wilson stated the Memorandum of Understanding was vaguely worded. He suggested Mayor Fisona attend the meeting to gain information, but not execute any agreements until specific information was obtained.

Appointment to Board of Zoning Appeals

Mayor Fisona requested a motion to appoint Mr. Jared Roudybush to the Board of Zoning Appeals to fill a seat left vacant by the resignation of Ms. Cindy Fetterolf, whose term expired January 31, 2011.

ACTION: The request to appoint Mr. Jared Roudybush to the Board of Zoning Appeals, for the term November 6, 2008 to January 31, 2011, was approved on a motion made by Commissioner Jablonski. The motion was seconded by Commissioner Piner and approved by all present.

Commissioner Jablonski's Report

Commissioner Jablonski stated she received many positive comments regarding the newly paved track at Meadow Park. She said the track was now available to many new users, such as roller skaters and people with strollers.

Commissioner Jablonski questioned if the Board planned to bag parking meters for the Holiday Season, from Thanksgiving to New Years Day.

ACTION: The request to bag parking meters for the Holiday Season, from Thanksgiving to New Years Day, 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 concern about an email from Severn Trent regarding issues of flow restrictions from the reservoir. Mr. Connell stated he met with

Mr. Flickinger earlier in the afternoon to investigate possible reasons for the restrictions, and would follow up with the Board.

Public Comment

Ms. Rebecca McKinney expressed concerns about crime and Police response in the Hollingsworth Manor neighborhood.

Mr. Robert Litzenberg stated he received a telephone solicitation for a donation to the Elkton Police Department. Chief Ryan stated the solicitation did not originate from the Elkton Police Department, and stated it was an FOP fundraiser.

Mr. Litzenberg questioned if the Town utilized local engineering firms. Mr. George answered in the affirmative.

Mr. Paige Cardel asked for enforcement regarding a “dirt bike” motorcycle in the Hollingsworth Manor neighborhood. He stated the motorcycle was very loud, and the rider drove it throughout the evening.

Ms. Gloria Veasey echoed Mr. Cardel’s statements and requested drug enforcement in the Hollingsworth Manor neighborhood.

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; and (9) conduct collective bargaining negotiations or consider matters that relate to the negotiations; Commissioner Piner made a motion for a Closed Meeting. The motion was seconded by Commissioner Jablonski and approved by all present.

Mayor Fisona announced the meeting would not reconvene.

Hearing no additional business to come before the Board, Mayor Fisona adjourned the meeting at 8:53 p.m.

L. Michelle Henson,
Administration Office Secretary

AN AUDIO AND VIDEO RECORDING OF THIS MEETING RETAINED AT THE
ADMINISTRATION OFFICE

Mayor and Commissioners Meeting Minutes

November 5, 2008

Page 7 of 7

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 administration@elkton.org to request a copy of these minutes.