



The Mayor and Commissioners of the Town of Elkton

Resolution R3 - 2004

A RESOLUTION of the Mayor and Commissioners of the Town of Elkton declaring that twenty percent (20%) or more of the registered voters of the town have submitted a petition to amend the Charter of the Town of Elkton and that the proposed amendment shall be placed on the ballot at the next general election.

WHEREAS, the Mayor and Commissioners are the elected representatives of Elkton's citizens and are the legislative body of the Town of Elkton, a chartered, home-rule government authorized by the Constitution of the State of Maryland, Article XI-E; and

WHEREAS, the Mayor and Commissioners received a petition to amend the Charter of the Town of Elkton on February 18, 2004, after which said petition was examined, and the names and addresses of the persons signed thereon were verified as registered voters of the town by the Board of Supervisors of Elections; and further, that the total number of registered voters signing said petition to amend the Charter comprised twenty percent (20%) or more of the town's registered voters; and

WHEREAS, the Mayor and Commissioners, in accordance with the provisions of Article 23A, § 11., et seq., pursuant to the aforementioned requisites, and after having reached a consensus to do so, shall cause the proposed amendment to the Charter of the Town of Elkton to be placed on the voting ballot for the next municipal election.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Commissioners of the Town of Elkton, as follows:

1. That the following proposed amendment to the Charter of Town of Elkton, as presented to the Mayor and Commissioners on February 18, 2004, shall be included on the voting ballot for the municipal election scheduled for **Tuesday, May 25, 2004, 7:00 A.M. to 8:00 P.M.:**

Charter of the Town of Elkton

Article IX. Town Officers and Personnel

§ C9-4., Compensation of personnel.

- A. The compensation of all officers and employees of the town shall be set by the budget or by other ordinance passed by the Mayor and Board of Commissioners.

B. Employees of the Town of Elkton Police Department may organize and bargain collectively. A. In order that employees of the Town of Elkton Police Department may participate in the formulation and implementation of personnel policies effecting their employment, they shall have the right to organize and bargain collectively through representatives of their choosing, subject to procedural regulations that the Council shall provide by law. The Council shall provide by law a labor code for employees of the Town of Elkton Police Department which shall include the following: (1) The manner of establishing units appropriate for collective bargaining; (2) The manner of designating or selecting bargaining representatives; and (3) Definitions for remedies for unfair labor practices. The Council is authorized to negotiate through its designated representatives with collective bargaining representatives of police employees. In the event the Council's designated representatives and the representatives of the police employees are unable to negotiate and agree upon a collective bargaining agreement by March 1 of the relevant year, the Council and the police employees are authorized to submit to binding arbitration any disputed issues arising out of the negotiation of the collective bargaining agreement. The disputed issues shall be submitted to an impasse panel consisting of three persons who shall be selected as follows: (1) The Council and the employee organization shall each select one member within three days after the request for the convening of the panel. (2) The two members so selected shall select a third member within three days of their selection; if the two members are unable to agree to the third member, they shall make their selection from a panel maintained by an independent third party agency agreeable to all parties; if the parties are unable to agree on the independent third party agency, the third member shall be selected from a panel maintained by the Federal Mediation and Conciliation Service of the United States Department of Labor. The third member of the panel so selected shall serve as its chairperson. The panel shall hold a hearing on all disputed issues within thirty (30) days of the selection of its chairperson and shall issue its final decision within thirty (30) days of the conclusion of the hearing. The decision of the panel shall be final and binding upon the Council and the employee organization. The cost of the impasse panel proceedings shall be divided equally between the parties. Nothing herein contained shall be constructed as prohibiting the impasse panel from mediating the dispute at any time after it is referred to it prior to the issuance of its final and binding decision. In addition, the Council and police employees are authorized to submit to binding arbitration any disputes arising out of the interpretation of, or the application of, any collective bargaining agreement. Nothing herein shall be deemed to authorize a labor strike by any public employee.

2. That the voting ballot shall state that a voter may vote in favor of the proposed amendment or vote against the proposed amendment.
3. That a copy of this resolution shall be posted at the Elkton Municipal Building and at

such other public place(s) as the Mayor and Commissioners deem appropriate upon its enactment for a period of not less than four (4) weeks prior to the municipal election.

4. That a copy of this resolution shall be published in the Cecil Whig weekly for a period of not less than four (4) weeks immediately preceding the municipal election.
5. That a copy of this resolution shall be posted at the place(s) for voting on the date and at the time of the municipal election.

**** END OF SECTION ****

READ AND PASSED THIS 17TH DAY OF MARCH, 2004

The Mayor and Commissioners
of the Town of Elkton

Joseph L. Fisona, Mayor
Jean A. Broomell, Commissioner
John K. Burkley, II, Commissioner
Charles H. Givens, Commissioner
C. Gary Storke, Commissioner