

## **The Mayor and Commissioners of the Town of Elkton**

March 3, 2021

In order to comply with Governor Larry Hogan's declaration of a State of Emergency as part of Maryland's response to COVID-19, and in order to limit public gatherings during this time, the Mayor and Commissioners of the Town of Elkton (the "Board") conducted a virtual meeting on this date at 12:00 p.m. The following persons participated via computer and/or telephone: Mayor Robert J. Alt; Commissioners Jean A. Broomell, Charles H. Givens, Sr., Robert M. Massimiano and Earl M. Piner, Sr.; Town Administrator Lewis H. George, Jr.; Finance Director Steven H. Repole, CPA; Director of Planning Jeanne D. Minner; Chief of Police Carolyn Rogers; Planning Assistant Nick Cannistraci; Assistant Town Administrator Joseph V. Zurolo; Director of Public Works J. Daniel Handley, P.E.; Senior Administrative Specialist L. Michelle Henson; and Town Attorneys Lisa Blackson, Esquire and John P. Downs, Esquire.

Mayor Alt called the meeting to order at 12:00 p.m. and lead the participants in the Pledge of Allegiance.

**ACTION:** The minutes of the February 17, 2021 virtual meeting were approved on a motion made by Commissioner Givens. The motion was seconded by Commissioner Broomell and approved by all present with no corrections or amendments.

### **Budget Amendment 2021-03**

Mr. Repole presented Budget Amendment 2021-03 to recognize the forfeiture of \$1,500 in Seized Funds and their funding of Undercover Police Operations.

**ACTION:** Budget Amendment 2021-03 was approved on a motion made by Commissioner Piner. The motion was seconded by Commissioner Broomell and approved by all present.

### **Discussion - Comcast Franchise Agreement Renewal**

Assistant Town Administrator Joseph Zurolo stated Comcast notified the Town that its Franchise Agreement to operate within Elkton is up for renewal. He stated the Cable Act requires a specific timeframe for advertising and conducting a Public Hearing once notice of renewal is received. He stated the Public Hearing is scheduled for April 7, 2021, at which time the Franchise Agreement will be presented for approval. Mr. George stated that an estimated \$225,000 in revenue from the Comcast Franchise Agreement is included in the Fiscal Year 2022 Budget.

Commissioner Broomell questioned the status of the Comcast "lift zone" regarding free WIFI access to the Neighborhood Community Center. Mr. Zurolo stated he advised Department of Parks & Recreation Director Mary Magaw of the lift zone opportunity.

**Ordinance 1-2021**

Amending the Elkton Zoning Ordinance, Article X, Permissible Uses, Section 7.2.  
Regarding Veterinarian Services - Presented for Adoption

Ms. Minner stated Ordinance 1-2021 was introduced on March 3, 2021, and is being presented today for adoption. She stated the purpose of Ordinance 1-2021 is to provide veterinary practices in the BI (Business Industrial) Zone via a Special Exception.

Discussion ensued regarding permitting of veterinary practices in BI Zone by right, as the activity is permitted in all other Commercial Zones without requiring a Special Exception.

Mayor Alt queried the Board for a consensus regarding removal of the Special Exception requirement from Ordinance 1-2021. It was the consensus of the Board to remove the Special Exception requirement from Ordinance 1-2021.

**ACTION:** Ordinance 1-2021, amending the Elkton Zoning Ordinance, Article X, Permissible Uses, Section 7.2. regarding permitting of veterinary services in the BI Zone by right was adopted on a motion made by Commissioner Givens. The motion was seconded by Commissioner Massimiano and approved by all present.

**Ordinance 2-2021**

Amending the Elkton Zoning Ordinance, Article X, Permissible Uses, Section 7.2 and Article XII Supplementary Use Regulations. Regarding Commercial Apartments - Presented for Adoption

Ms. Minner stated Ordinance 2-2021 was introduced on March 3, 2021, and is being presented today for adoption. She stated the purpose of Ordinance 2-2021 is to permit commercial apartments in the RO (Residential-Office) Zone.

**ACTION:** Ordinance 2-2021 was adopted on a motion made by Commissioner Broomell. The motion was seconded by Commissioner Piner and approved by all present.

**Town Administrator's Report**

**Public Works Agreement Bakers Hill Phase II  
Presented for Approval**

Mr. George presented a Public Works Agreement (PWA) between the Town and Baker's Hill, LLC regarding completion of Ben Boulevard and construction of infrastructure associated with Erin Court at the Hickory Knoll neighborhood. He requested the Board's approval of the PWA contingent upon completion of all outstanding criteria, including the Town's receipt of as-built drawings for Ben Boulevard.

**ACTION:** The Public Works Agreement between the Town and Baker's Hill, LLC was conditionally approved on a motion made by Commissioner Massimiano. The motion was seconded by Commissioner Piner and approved by all present.

**Public Works Agreement Elkton Commerce Center, Parcel I, Phase 1 Southfields Presented for Approval**

Mr. George presented a Public Works Agreement (PWA) between the Town and DRI TCC Elkton 1, LLC regarding Parcel I, Phase 1 at the Southfields project regarding construction of the entrance road, water and sewer, and stormwater infrastructure. Mr. George requested the Board's approval of the PWA contingent upon the developer addressing outstanding issues with stormwater management at the site.

**ACTION:** The Public Works Agreement between the Town and DRI TCC Elkton 1, LLC was conditionally approved on a motion made by Commissioner Piner. The motion was seconded by Commissioner Broomell and approved by all present.

**Waiver of Major Facilities Fees Agreement - D. R. Horton, Inc.**

Mr. George, referring to the Board's waiver of Major Facilities Fees in order to spur development in Elkton, stated the current waiver expires on May 31, 2028. He stated the Town subsequently received a request from DR Horton, Inc., the builder associated with the single family homes in the Southfields Planned Unit Development (PUD) for an extension of the waiver in order to construct 334 single family homes on parcels C, C1 & H. He stated the term of the requested waiver is May 31, 2022 - May 31, 2028.

**ACTION:** The waiver of Major Facilities Agreement between the Town and D.R. Horton, Inc. was approved on a motion made by Commissioner Givens. The motion was seconded by Commissioner Piner and approved by all present.

**Mayor Alt's Report**

Mayor Alt, referring to recent discussions the Board has had with the Elkton Housing Authority (EHA) regarding its current situation, stated he and Mr. George participated in a virtual meeting with representatives of the Department of Housing and Development (HUD) to discuss EHA. He stated the meeting was educational and provided perspective on the need to assure appointees possess the skills required to provide oversight of EHA.

Mr. George stated he requested resumes associated with appointee recommendations from the EHA Board Chair, but has not yet received the material. Mayor Alt stated he will wait until requested resumes are received and reviewed prior to making any appointments to the EHA Board.

Mayor Alt, referring to the ongoing work associated with the Historic Elk Landing Foundation site, stated the Town received donations to complete renovations to structures on the property.

Mayor Alt, referring to the Town's newly constructed Neighborhood Community Center (NCC), expressed his hope to have an official ribbon cutting in the near future. He stated the NCC would not have come to fruition without the efforts of Commissioners Givens, Piner, and the late Commissioner Jablonski.

Mayor Alt stated he and Commissioners Broomell and Massimiano had the privilege of surprising Commissioners Givens and Piner with dedicating each of the facility's 2 basketball courts in their honor, naming one court Givens Court and the other Piner Court.

### **Commissioner Givens' Report**

Commissioner Givens expressed appreciation for the honor of having one of the courts named for him. He stated his gratitude and that area youth are the beneficiaries of the NCC.

Commissioner Givens expressed support for the work accomplished at the Historic Elk Landing Foundation.

### **Commissioner Piner's Report**

Commissioner Piner expressed appreciation for the honor of having one of the courts named for him at the NCC. He stated it was completely unexpected.

Commissioner Piner stated the NCC is offering limited programs to preschool and youth, including sports, arts and crafts and open gym.

### **Commissioner Broomell's Report**

Commissioner Broomell questioned if the Town will hold the Independence Day Fireworks event this year. Mayor Alt stated the Board can discuss the event at the March 10th workshop.

Discussion ensued regarding the Fireworks event. Commissioners Givens and Massimiano expressed support for scheduling the event.

Commissioner Broomell requested cleaning of the Walter Baker Bridge on Route 213.

Commissioner Broomell questioned the parameters of fee waivers associated with Parks & Recreation Programs. Mr. George stated the program fee waivers are based upon income.

### **Commissioner Massimiano's Report**

Commissioner Massimiano offered congratulations to Commissioners Givens and Piner regarding the court dedication.

Commissioner Massimiano offered his assistance with the Town's planned Independence Day Fireworks event.

Commissioner Massimiano expressed interest in placing lights across Main Street in the Downtown area. Mr. Handley stated the existing poles are not high enough to permit potential truck traffic to pass.

Commissioner Massimiano requested electric service to the pavilion located adjacent to Eder Park.

Commissioner Massimiano stated he plans to conduct a fishing rodeo at Howards Pond this year. Chief Rogers expressed support for a fishing rodeo, stating Elkton Police Officers will participate in the event.

Commissioner Massimiano stated his plans to conduct a celebration this summer commemorating his 35 years in business in Elkton. Discussion ensued regarding the timeframe for Commissioner Massimiano's celebration.

Mayor Alt stated the Maryland Municipal League Summer Conference is scheduled for the last week in June.

Ms. Jessica Price, Executive Director, Elkton Alliance, stated the Alliance received State of Maryland grant funding for Main Street businesses, adding that applications will be accepted until April 15th.

### **Public Comment**

Mr. Tom Rathburn, representing DRI TCC Elkton 1, LLC, thanked the Board for approval of the PWA associated with Parcel I, Phase 1 at Southfields.

Ms. Pat Opal stated the Historic Elk Landing Foundation has a before and after photograph illustrating the progress at the site on its website at [www.elklanding.org](http://www.elklanding.org)

Ms. Opal stated videographer Ken Burns is producing a documentary regarding the 250th anniversary of the Revolutionary War, adding her hope that Elk Landing will be included in the film.

Hearing no additional business to come before the Board, Mayor Alt adjourned the virtual meeting at 12:54 p.m.

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L. Michelle Henson  
Sr. Administrative Specialist

A VIDEO RECORDING OF THIS MEETING RETAINED AT THE ADMINISTRATION  
OFFICE

Mayor & Commissioners Virtual Meeting Minutes  
March 3, 2021

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](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.