

**MAYOR AND COMMISSIONERS
TOWN OF NORTH EAST
106 S. MAIN STREET
NORTH EAST, MARYLAND 21901**

June 23, 2010

The Town Meeting was called to order by Mayor Robert F. McKnight at 7:00 PM. Present were Commissioners Eric B. Braley, Hilary A. Crothers-Moore, Kena L. Koch, and Paul A. Stark, Town Administrator Melissa B. Cook-Mac Kenzie, North East Police Chief Darrell Hamilton, Maintenance Supervisor Phil Meekins, Director of Planning Betsy Vennell and Clerk/Treasurer Anne Barker.

The Pledge of Allegiance was recited.

**-PUBLIC HEARING – FISCAL YEAR 2010-2011 GENERAL FUND AND
WATER FUND BUDGETS-**

The Public Hearing was called to order at 7:01 PM. The purpose of the public hearing is to allow the public to comment on the FY 2010-2011 General and Water Fund Budgets. The Town Administrator read the public notice into the record. No one signed up to speak. No one commented from the floor. The Public Hearing was closed at 7:02 PM.

-APPROVAL OF MINUTES-

A motion to approve the minutes of May 26, 2010 was made by Commissioner Braley, seconded by Commissioner Crothers-Moore and approved by all.

A motion to approve the Budget Workshop minutes of June 9, 2010 was made by Commissioner Koch, seconded by Commissioner Crothers-Moore and approved by all.

A motion to approve the minutes of June 9, 2010 was made by Commissioner Stark, seconded by Commissioner Braley and approved by all.

-GUESTS-

Jane Schuler, ARC N. Chesapeake Region re: Use of North East Community Park

Jane Schuler, representing the ARC N. Chesapeake Region, is requesting the use of the North East Community Park on October 23, 2010 from 10 AM to 2 PM for a Drumming up Awareness Event to draw awareness to those who have physical and mental disabilities. A bucket brigade of 100 people will be running at the same time. People will be asked to bring their own picnic lunches. The event will allow parents to meet parents and let people know what resources are available to help them. Upper Chesapeake Counseling, Department of Health and ARC representatives will be on site.

Town Board approved August 25, 2010.

A motion to enter into a park lease agreement with ARC N. Chesapeake Region for the use of the North East Community Park on October 23, 2010 was made by Commissioner Crothers-Moore, seconded by Commissioner Stark and approved by all.

Patricia Gillespie – 31 Mahogany Drive

Patricia Gillespie, 31 Mahogany Drive, asked the Board to reconsider the \$100 fee she was charged for paying her March 31, 2010 water bill after the final due date. Discussion was held on the water billing process, the water bill fee, and the reason for imposing the fee. Ms. Gillespie asked the Board to work out a better plan for payment.

Lance Rowe, 32 S. Main Street re: Water Usage

Representing 32 S. Main Street were Lance Rowe, Karl Fockler, Esquire and new partner, Kevin McDevitt. They wish to obtain permits for renovations to 32 S. Main Street. One of the prints submitted to the Town differed from that submitted to the County. The proposed renovations will require water allocation be obtained for an additional 32 seats. The plans must be re-submitted with original architectural stamp. Mrs. Vennell sent a letter in April, 2010 advising the owners that the County will not accept mark outs on plans. Mr. McDevitt distributed packages to the Town Board containing water and sewer benefit analysis, water usage history for 32 S. Main Street and three other Main Street restaurants, and the Allocation for Sanitary Sewer and Public Water Capacity Policies and Procedures for Cecil County maintained systems. Mayor McKnight stated the Town must apply a standard when granting water allocations. The standard is based on peak demand. Mrs. Cook-MacKenzie would like time to review the paperwork submitted by Mr. McDevitt and then a meeting could be set up for further discussion.

Martha Barchowski and Mary Jo Jablonski – Boys and Girls Club re: Fall Gala

Martha Barchowski, President, and Mary Jo Jablonski, Interim Executive Director of the Cecil County Boys and Girls Club, are requesting the use of the North East Community Park on October 2, 2010 for their Fall Gala. A 60' by 60' foot tent will be erected by A & M Tent who will set up the tent the day before. Water and sewer lines will need to be marked. The Boys and Girls Club will ask to borrow the hubble system from the North East Lion's Club for electric. They would like to have alcohol at the event. Port-a-pots will be rented. The Town's Planning and Zoning Office will require a copy of their approved County building permit before occupying the tent.

A motion to enter into a lease agreement with the Cecil County Boys and Girls Club for the use of the North East Community Park on October 2, 2010 for their Fall Gala was made by Commissioner Braley, seconded by Commissioner Stark and approved by all.

A recess was called at 8:35 PM.

The meeting was called back to order at 8:41 PM.

-PUBLIC COMMENT-

None.

-ADOPTION OF RESOLUTIONS AND ORDINANCES-

Resolution No. 2010-06-01 Fiscal Year 2010-11 General Fund Budget and Water Fund Budget

A motion to approve Resolution No. 2010-06-01 to adopt the Fiscal Year 2010-11 General Fund Budget and Water Fund Budget was made by Commissioner Crothers-Moore, seconded by Commissioner Koch and approved by all.

Resolution No. 2010-06-02 Rates for Water Service Charges, Ready to Serve Charges, Bulk Charges, Connection Fee Charges, Major Facilities Fee Charges, etc. for Fiscal Year 2010-11

A motion to approve Resolution No. 2010-06-02 to adopt rates for Water Service Charges, Ready to Serve Charges, Bulk Charges, Connection Fee Charges, Major Facilities Fee Charges, etc. for Fiscal Year 2010-11 was made by Commissioner Braley, seconded by Commissioner Crothers-Moore and approved by all.

Resolution No. 2010-06-03 Medical Insurance Contribution

A motion to approve Resolution No. 2010-06-03 to adopt the Employee Medical Insurance Contribution was made by Commissioner Braley, seconded by Commissioner Koch and approved by all.

Resolution No. 2010-06-04 Dental Insurance Contribution

A motion to approve Resolution No. 2010-06-04 to adopt the Employee Dental Insurance Contribution was made by Commissioner Crothers-Moore, seconded by Commissioner Stark and approved by all.

Resolution No. 2010-06-05 Vision Insurance Contribution

A motion to approve Resolution No. 2010-06-05 to adopt the Employee Vision Insurance Contribution was made by Commissioner Braley, seconded by Commissioner Koch and approved by all.

Resolution No. 2010-06-06 Life Insurance Contribution

A motion to approve Resolution No. 2010-06-06 Life Insurance Contribution was made by Commissioner Stark, seconded by Commissioner Crothers-Moore and approved by all.

Resolution No. 2010-06-07 Administrative Fee Schedule

A motion to approve Resolution No. 2010-06-07 to adopt the FY 10-11 Administrative Fee Schedule was made by Commissioner Crothers-Moore, seconded by Commissioner Koch and approved by all.

Resolution No. 2010-06-08 Christmas Bonus (Personnel Manual Amendment)

A motion to approve Resolution No. 2010-06-08 to amend the Personnel Policy and Procedures Manual Chapter 4. Compensation: Article 3. Other Payment Benefits; Section 4-303. Christmas Bonus was made by Commissioner Braley, seconded by Commissioner Stark and approved by all.

Resolution No. 2010-06-09 Medical Insurance Contribution – Retirees

A motion to approve Resolution No. 2010-06-09 to adopt the Medical Insurance Contribution for Retirees was made by Commissioner Koch, seconded by Commissioner Braley and approved by all.

Resolution No. 2010-06-10 Risk Management Policy

A motion to approve Resolution No. 2010-06-10 to adopt the Risk Management Policy was made by Commissioner Crothers-Moore, seconded by Commissioner Stark and approved by all.

-REPORTS-

Ron Carter, Severn Trent

Due to a family emergency, Ron Carter, Severn Trent, was excused from tonight's meeting. The May 2010 Water Distribution Monthly Report will be entered into the record on Mr. Carter's behalf.

Mayor McKnight

Mayor McKnight was the guest speaker at the June 17, 2010 North East Chamber of Commerce Meeting and attended the June 14, 2010 Annual Flag Day Ceremony.

Commissioner Stark

Commissioner Stark requested the May, 2010 North East Police Department monthly report be made part of the record.

Commissioner Crothers–Moore

Commissioner Crothers-Moore attended the June 17, 2010 North East Chamber of Commerce Meeting.

Commissioner Braley

Commissioner Braley attended the June 14, 2010 Annual Flag Day Ceremony, the June 15, 2010 Planning Commission Meeting and the June 17, 2010 North East Chamber of Commerce Meeting.

Commissioner Koch

Commissioner Koch attended the June 14, 2010 Annual Flag Day Ceremony.

Town Administrator

The Town Administrator attended the following meetings:

- 1) May 27th Water System Improvement Project Meeting with Transviron and Severn Trent regarding a response to the contractor, American Infrastructure, concerning the punch list.
- 2) May 27th Contractor regarding bidding on a portion of the Courts of Mallory /Phase One – Remedial / Completion work
- 3) May 27th Board of Appeals Meeting
- 4) May 27th Mayor regarding the fiscal year 2010-2011 Budgets
- 5) June 2nd Department Head Meeting
- 6) June 2nd Department Head Meeting
- 7) June 7th Department Head Meeting
- 8) June 8th Jeff Isaacs, Chief Hamilton NEPD and Betsy Vennell, Director of Planning regarding the July 2010 North East Fire Company Carnival
- 9) June 9th Mayor and Transviron, Inc. regarding the completion of the Water System Improvement Project

Additional Reports by the Town Administrator

- 1) Entech Engineering, Inc. – In response to questions at the May 26, 2010 meeting, Entech's report is due on or before July 27th.

- 2) County Refuse Rate and Recycling Program Update – the Board of County Commissioners, in spite of indicating they were going to move forward with the rate and policy changes decided on June 1, 2010 to postpone the vote until June 15, 2010. Based upon the information that was provided to the Town at the end of May 2010 the Town's budget is proposed assuming the changes are approved.
- 3) Courts of Mallory/Phase One/Remedial/Completion Work Update – One contractor has indicated he will provide a bid by June 10, 2010. I have advised another contractor, if he plans to bid, I need his bid by the close of business tomorrow. At that point I will review with the Mayor on Friday where we are bid wise.
- 4) Mrs. MacKenzie attended the Courts of Mallory Homeowners Association Meeting. In attendance was the Home Owners Association Management Company.
- 5) The North East Fire Company has signed the Special Event Agreement and paid the deposit for police security for the upcoming carnival.
- 6) The Town has received a 5% credit towards the liability premium from Local Government Insurance Trust for FY 2010-11. Mrs. Barker was thanked for her work in completing the paperwork.
- 7) Chief Hamilton submitted an application for the Cops Hiring Program.
- 8) The annual net income from Converge electric buy back program will be \$3,969.

-UNFINISHED BUSINESS-

Jackson House – Tenant

Maryland Salt Water Association is interested in using the Jackson House. Commissioner Koch will be meeting with representatives of the Association.

North East Community Park – Park Planting Plan

After the last Town Meeting, the Mayor and Commissioners visited the North East Community Park to review the landscape plan for the State Mitigation Plan for 200 Cherry Street. Four of the dead trees will be removed and two replanted further east.

A motion to approve the Mitigation Plan for 200 Cherry Street was made by Commissioner Koch, seconded by Commissioner Crothers-Moore and approved by all.

-NEW BUSINESS-

Chesapeake Club – H2 – Water Re-Allocation Request

A motion to enter in a water service agreement for the Chesapeake Club H-2 for 18,900 gallons of water per day was made by Commissioner Crothers-Moore, seconded by Commissioner Stark and approved by all.

Rock On, LLC (College Crossing) – Public Works Extension

A motion to extend the Public Works Agreement for Rock On, LLC (College Crossing) for one year was made by Commissioner Koch, seconded by Commissioner Braley and approved by all.

Cecil-Harford Chapter of the MML – Quarterly Meeting

Commissioner Braley will represent the Town at the July 15, 2010 quarterly meeting of the Cecil-Harford Chapter of the Maryland Municipal League.

North East Commerce Center Lot 7B – Public Works

A motion to extend the Public Works Agreement for North East Commerce Center Lot 7B for one year was made by Commissioner Braley, seconded by Commissioner Crothers-Moore and approved by all.

Courts of Mallory Phase 1 – Remedial Construction Work – Bids Award

A motion to award HIE Contractors for Section 2 \$(6,150.00) and Section 5 (\$3,200.00) and to award Dennis Reynolds for Section 1 (\$177,624.54 excluding Item No. 9), Section 3 \$(15,750.00) and Section 4 (\$5,760.00 excluding Item No. 4) for the Remedial Construction Work for Courts of Mallory Phase 1 was made by Commissioner Stark, seconded by Commissioner Crothers-Moore and approved by all. (Please see attached.)

-MISCELLANEOUS-

Donation of Public Safety Lot Car

Per Mayor McKnight's recommendation, a motion to donate the current North East Police Department lot car to the Town of Charlestown was made by Commissioner Crothers-Moore, seconded by Commissioner Braley and approved by all.

-APPROPRIATIONS-

A motion to approve Purchase Order No. 5889 to Principio East, LLC in the amount of \$1,460.00 for playground mulch was made by Commissioner Crothers-Moore, seconded by Commissioner Koch and approved by all.

A motion to approve Budget Amendment No. 2010-12 to credit Water Fund Assets MLGIP – Water Fund and debit MLGIP – Replacement/Reserve in the amount of \$245,500.00 to transfer the Budget Expense from the Water Fund Operating Savings Account to the Replacement/Reserve Savings Account per the FY 08-09 Audit was made by Commissioner Braley, seconded by Commissioner Koch and approved by all.

A motion to approve Budget Amendment No. 2010-13 to credit Water Fund Assets MLGIP – Water Fund and debit MLGIP – Operations and Maintenance in the amount of \$50,105.07 to transfer the Operations and Maintenance Budgeted Expenditures from the Water Fund Operating Savings Account to the Operations and Maintenance Savings Account per the FY 08-09 Audit was made by Commissioner Crothers-Moore, seconded by Commissioner Stark and approved by all.

A motion to approve Budget Amendment No. 2010-14 debit General Fund Revenue Reserve Restricted (R1662) and credit Public Works Courts of Mallory Phase 1 Expense in the amount of \$258,563.00 was made by Commissioner Crothers-Moore, seconded by Commissioner Koch and approved by all. The proceeds will be transferred to the Town's Public Works Engineering Escrow Account.

A motion to approve Budget Amendment No. 2010-15A to debit General Fund Revenue Grant-Maryland State Highway (R1882) in the amount of \$2,000.00 and to credit General Fund Expenses Public Safety Salaries (6000010) in the amount of \$1,700.00 and Payroll Taxes (6000020) in the amount of \$300.00 to reverse Budget Amendment No. 2010-07 as the funds will not be used prior to June 30, 2010 was made by Commissioner Braley, seconded by Commissioner Crothers-Moore and approved by all. The North East Police Department intends to implement and complete the "Saturation Patrols" by August 30, 2010. A budget amendment will be submitted for approval at the first meeting in Fiscal Year 2011.

A motion to approve Budget Amendment 2010-15B to credit General Fund Safety Capital Outlay (6000250) in the amount of \$12,500.00 and to debit Public Safety Auto Expenses (6000120) in the amount of \$11,000.00 and debit Public Safety Telephone Expenses (6000145) in the amount of \$1,500.00 to transfer available monies from Capital Outlay to Auto and Telephone Expenses for FY 09-10 was made by Commissioner Crothers-Moore, seconded by Commissioner Koch and approved by all.

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A motion to approve the invoices presented for payment was made by Commissioner Braley, seconded by Commissioner Crothers-Moore and approved by all.

-BUSINESS FROM THE FLOOR-

None.

-ADJOURNMENT-

With there being no further business to discuss, a motion to adjourn was made by Commissioner Koch, seconded by Commissioner Crothers-Moore and approved by all. The meeting ended at 9:13 PM.

Respectfully submitted,

Anne F. Barker, Clerk/Treasurer

Attest:

Robert F. McKnight, Mayor