

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

September 22, 2010

The Town Meeting was called to order by Mayor Robert F. McKnight at 7:00 PM. Present were Commissioners 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 and Clerk/Treasurer Anne Barker. Commissioner Eric B. Braley was absent due to being out of town for work.

The Pledge of Allegiance was recited.

-APPROVAL OF MINUTES-

A motion to approve the minutes of September 8, 2010 was made by Commissioner Koch, seconded by Commissioner Crothers-Moore and approved by Commissioners Koch and Crothers-Moore and Mayor McKnight. Commissioner Stark abstained as he was not present during the meeting. The motion passed.

-GUESTS-

J. D. Ervin, President of Maryland Chief's Association – Presentation

J. D. Ervin, President of the Maryland Chief's Association, presented a Governor's Citation to Chief Darrell Hamilton for 30 years of dedicated and outstanding service with the North East Police Department.

-PUBLIC COMMENT-

None.

-APPOINTMENTS-

A motion to make the following appointments:
Brian Morgan, Planning Commission Member – 5 year term expires 10/3/2015
Michael Kline, Planning Commission Member – 5 year term expires 11/21/2015
Maurice Tenney, Board of Appeals Member - 2 year term expires 10/8/2012
Peg Hardin, Board of Appeals Member – 1 year term expires 10/8/2011
Merion Martino, Board of Appeals Member – 2 year term expires 10/8/2012
Cheryl Hite, Board of Appeals Alternate Member – 1 year term expires 10/8/2011
was made by Commissioner Stark, seconded by Commissioner Koch and approved by all.

-INTRODUCTION/ADOPTION OF RESOLUTIONS AND ORDINANCES-

Town Board approved October 13, 2010.

North East Zoning Ordinance No. 2010-09-02 - Amendments

North East Zoning Ordinance No. 2010-09-02 Amending the Town of North East Zoning Ordinance: Article 5. District Regulations. Section 5-6. Paragraph 3.i. "VC" Village Commercial District Regulations; adding language in Paragraph 3. i. to provide for offices, professional or business purposes with an existing footprint in excess of 1,000 square feet.; Amending Article 9. Administrative Mechanisms, Part 1 Planning Commission; Board Of Appeals; Section 9-2. Meetings Of The Planning Commission; Paragraph 1. to address schedule requirements and Section 9-7. Meetings Of The Board Of Appeals; Paragraph 1. to address schedule requirements; Amending Article 12. Standards For Open Space, Buffer Yards And Landscaping; Section 12-9 Street Tree Requirements, adding planting requirements; Section 12-12. Financial Security Of Plantings. Renaming all references in Title and text from "financial security" to "surety"; adding text to Paragraph 2. to address surety required by the town and modifying Paragraph 3 with regard to reduction of surety and planting schedule; Amending Article 12. Appendix A, adding Paragraph c. to address bufferyard berms with side slopes; Adding Appendix A-1. Landscape Standards and Specifications; Amending the Table Of Contents and Index Pages to reflect amendments to the text was introduced.

North East Zoning Ordinance No. 2010-09-03 - Amendment

North East Zoning Ordinance No. 2010-09-03 Amending the Town of North East Zoning Ordinance; Article 8. Nonconforming Uses, Section 8-7 Amending Title and adding text to address Nonconforming Lots of Record With Conforming Single Family Dwellings; Amending the Table of Contents and Index Pages to reflect amendments to the text was introduced. The Town Administrator reported the Planning Commission was requesting the Mayor and Commissioners initiate this amendment in order to have it effective sooner. Normally the Planning Commission makes a formal recommendation to the Mayor and Commissioners but in this case they can not because it was not an advertised action item on their September 21, 2010 agenda. The matter started out as a report from the Zoning Administrator. However, the Planning Commission agreed with the report and wanted to act upon it immediately. The Zoning Administrator explained to the Planning Commission that the only way to have a Zoning Ordinance amendment be initiated in September was for the Mayor and Commissioners to do so. The Planning Commission proceeded with a vote to make that request. Mayor McKnight is not comfortable with introducing a Zoning Ordinance amendment that has not followed the previously established process. Commissioners Stark and Koch agreed. Commissioner Crothers-Moore recused herself from discussion. Mayor McKnight asked for a copy of the Planning Commission motion to request the Town Board initiate the adoption of this ordinance.

-ADOPTION OF RESOLUTIONS/ORDINANCES-

Town Board approved October 13, 2010.

Ordinance No. 2010-09-01 Non-Exclusive Franchise Fee to Chesapeake Utilities, Inc.

A motion to adopt Ordinance No. 2010-09-01 Non-Exclusive Franchise Fee to Chesapeake Utilities, Inc. adding the condition that all fees associated with passing the ordinance are paid by Chesapeake Utilities, Inc. was made by Commissioner Koch, seconded by Commissioner Stark and approved by all.

-REPORTS-

Ron Carter, Severn Trent Services

Ron Carter, Severn Trent Services, gave the August, 2010 water distribution monthly report. Commissioner Stark reported complaints of odor from North East Isles residents following the water main work on W. Cecil Avenue by the contractor performing work for Cecil County Department of Public Works. Mr. Carter will flush hydrants in that area tomorrow. Mr. Carter also reported that the results of the TTHM and Haa5 tests performed on September 8, 2010 indicated the Town is well within the compliance levels which are a clear indication that the addition of sodium permanganate and chlorine dioxide is working as hoped.

Town Administrator

The Town Administrator attended the following meetings:

1. September 9th Implementing credit card machine payments
2. September 9th Supplying water to the Town of Rising Sun
3. September 14th PSC Case
4. September 16th Subdivision of Demond property in preparation of Acquisition
- 5, September 20th Department Head Meeting
- 6, September 21st Courts of Mallory Phase One dedication
7. September 22nd Landscaping of Islands and Bump Outs
8. September 22nd Fiscal year 2009-2010 Audit

Additional Reports:

1. Phil Meekins, Maintenance Supervisor has ordered four bicycle racks for the North East Community Park.
2. Per the Chesapeake Utilities Franchise Agreement, the Town will be meeting with the company's attorney to begin negotiations.

-UNFINISHED BUSINESS-

Jackson House

Town Board approved October 13, 2010.

A tentative meeting has been scheduled for September 24, 2010 with Ken Simmers.

State Highway Administration Annual Pre-Tour

With there being no further additions, the letter to the State Highway Administration will be sent.

-NEW BUSINESS-

Maryland Municipal League - Municipal Government Works Month

A motion to proclaim November, 2010 to be Municipal Government Works Month was made by Commissioner Koch, seconded by Commissioner Crothers-Moore and approved by all.

Trick or Treat

The Office will email the Board as soon as the County establishes the date and time of Trick or Treat.

Guys Lane

The Town Board was given a package pertaining to Guys Lane and the conditions placed on installing individual service lines and meter crocks for the homes. The Board was asked to review the information provided for discussion at the next Town Board Meeting.

23 Cedar Alley – Water Allocation Request

A motion to enter into a water service agreement for 2 additional apartments and to back bill the account for the difference between three units and when it was converted to five units was made by Commissioner Koch, seconded by Commissioner Stark and approved by all.

Ridgely Forest Phase 1 – Water Allocation Extension Request

The water allocation for Ridgely Forest Phase 1 expires on December 13, 2010. However, the developer is not current on his fees.

A motion to extend the water service allocation for Ridgely Forest Phase 1 contingent on all outstanding fees being paid within two weeks after receiving an invoice from the Town was made by Commissioner Crothers-Moore, seconded by Commissioner Koch and approved by all.

-MISCELLANEOUS-

Christmas Dinner

The Nauti-Goose Restaurant is not available the first Sunday of December for the annual Christmas Dinner. They do have the second Sunday open. The Board would like Mrs. Barker to obtain a price from other restaurants in order to have the dinner on the first Sunday in December.

-APPROPRIATIONS-

A motion to approve Purchase Order No. 5866 to Hertrich Fleet Services in the amount of \$21,861.00 for the new police vehicle was made by Commissioner Stark, seconded by Commissioner Koch and approved by all.

A motion to approve Purchase Order No. 6017 to East Coast Emergency in the amount of \$4,013.83 to install the police lighting package in the new police vehicle was made by Commissioner Stark, seconded by Commissioner Crothers-Moore and approved by all.

A motion to approve Purchase Order No. 6018 to CL Technologies in the amount of \$3,738.00 for the 100 Watt scan mobile (radio) for the new police vehicle was made by Commissioner Stark, seconded by Commissioner Koch and approved by all.

A motion to approve Budget Amendment No. 2011-03 to credit Water Fund Operating Reserve and to debit Water Fund Capital Expenditures Capital Outlay in the amount of \$23,140.48 for the purchase of the Dionex Chromotagraph for the Rolling Mill Water Treatment Plant for chlorite testing was made by Commissioner Crothers-Moore, seconded by Commissioner Koch and approved by all.

A motion to approve Budget Amendment No. 2011-04 to credit General Fund Revenue Grant – Civic Organizations in the amount of \$2,400.00 and to debit General Fund Public Works Salaries in the amount of \$2,158.80 and Payroll Taxes in the amount of \$241.20 for the additional 180 hours from the Cecil County Department of Social Services Summer Youth Program Employment was made by Commissioner Koch, seconded by Commissioner Crothers-Moore and approved by all.

A motion to approve Budget Amendment No. 2011-05 to credit General Fund Revenue Grant-Wilmapco and to debit General Fund Planning and Zoning Expenses Comprehensive Rezoning in the amount of \$4,400.00 for grant proceeds from Wilmapco to complete the Town's Subdivision Regulations and Road Code Revisions was made by Commissioner Koch, seconded by Commissioner Stark and approved by all.

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

-BUSINESS FROM THE FLOOR-

Robin Crothers, Benjamin Lumber Co., inquired about the Town of Rising Sun purchasing water from the Town of North East. The discussion at this time is exploratory and no formal request has been made.

-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 7:36 PM.

Respectfully submitted,

Anne F. Barker, Clerk/Treasurer

Attest:

Robert F. McKnight, Mayor