

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

September 8, 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, and Kena L. Koch, Town Administrator Melissa B. Cook-Mac Kenzie, Maintenance Supervisor Phil Meekins and Clerk/Treasurer Anne Barker. Commissioner Paul A. Stark and North East Police Chief Darrell Hamilton were absent as they were on vacation.

The Pledge of Allegiance was recited.

A moment of silence was observed in memory of Ethel Stewart, long time North East resident and grandmother of North East Police Officer Thomas Daniels.

-APPROVAL OF MINUTES-

A motion to approve the corrected minutes of July 28, 2010 was made by Commissioner Crothers-Moore, seconded by Commissioner Koch and approved by all.

A motion to approve the minutes of August 25, 2010 was made by Commissioner Koch, seconded by Commissioner Crothers- Moore and approved by all.

-GUESTS-

Karen Prince, 83 White Birch Drive re: Water Payment

Karen Prince, 83 White Birch Drive, did not attend tonight's meeting.

-PUBLIC COMMENT-

None.

-INTRODUCTION OF ORDINANCES-

Ordinance 2010-09-01 Non-Exclusive Franchise Fee to Chesapeake Utilities, Inc.

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-ADOPTION OF RESOLUTIONS/ORDINANCES-

Resolution No. 2010-09-01 – Establish Credit Card Policy and Convenience Fee

Town Board approved Sept. 22, 2010.

A motion to approve Resolution 2010-09-01 to accept credit cards for payment of bills, services and fees and add a "convenience fee" in the amount of \$5.00 to each transaction when using this method of payment effective October 1, 2010 was made by Commissioner Braley, seconded by Commissioner Crothers-Moore and approved by all.

Resolution No. 2010-09-02 – Designating Constitution Week

A motion to approve Resolution No. 2010-09-02 designating September 17th to 23rd, 2010 as Constitution Week was made by Commissioner Crothers-Moore, seconded by Commissioner Koch and approved by all.

-REPORTS-

Town Administrator

The Town Administrator attended the following meetings regarding:

1. August 26th Town's Energy Efficiency and Conservation Block Grant
2. August 26th North East Board of Appeals meeting
3. August 27th Ron Carter with Severn Trent Services
4. August 30th Department Head meeting
5. August 31st Telephone conference with Tom Kemp, Esquire regarding the Nauti-Goose Variance Hearing
6. September 1st Alyson Willans with Severn Trent Services Technical Department
7. September 1st North East Board of Appeals hearing
8. September 2nd Entech Engineering and Severn Trent Services
9. September 2nd Resident of 801 South Main Street
10. September 2nd Representatives of Clark Turner Companies regarding surety
11. September 2nd Mayor's Association meeting
12. September 3rd Employee meeting with the Town's representative for Nationwide Retirement Solutions
13. September 7th Department Head meeting
14. September 7th Director of Planning
15. September 8th Town Board meeting

Additional Reports:

1. On behalf of Commissioner Stark, the August, 2010 North East Police Department Monthly Report will be made part of the record.
2. Per a meeting with representatives of Clark Turner Signature Homes, the paving of Courts of Mallory Phases 2 and 3 will begin soon.

-UNFINISHED BUSINESS-

Jackson House – tenant

Mrs. Cook-Mac Kenzie will contact the prospective tenant.

Annual State Highway Administration Pre-tour – Request of State

The Board has no additional items to add to the request to the State.

North East Community Park - Bicycle Racks

Estimates have been obtained locally for the bicycle racks to be installed in the North East Community Park. Depending on who makes the racks, they may have to be made and then sent to be power coated. The Board would like four racks to be purchased. Bids will be solicited from two qualified suppliers.

Water Distribution System – Violation of TTHM and HAA5

The Board was given a copy of the August 30, 2010 letter to MDE as part of the update for the recent violations of TTHM and HAA5 standards. A Compliance Plan was submitted to MDE by the August 31, 2010 deadline, a consultant is to be retained by November 30, 2010 and the consultant is to submit recommendations to MDE by May 31, 2011. Since the last meeting, test results have shown the plants are in compliance with MDE regulations. As of September 1, 2010 Alyson Willans, STES, has come onboard as consultant per one of MDE's requirements. Ms. Willans spent a day evaluating the water system and she believes adding additional chemicals should solve the violations. Some work may need to be done to the clear well. Water samples will be taken on September 10, 2010. The goal is to have Ms. Willans submit recommendations to MDE by September 30 2010 well in advance of the May 31, 2011 deadline.

-NEW BUSINESS-

Candlelight Ridge – Public Works Extension

A motion to approve a one year extension for the Candlelight Ridge Public Works Agreement was made by Commissioner Braley, seconded by Commissioner Crothers-Moore and approved by all.

Northwoods Section IV – Water Allocation Extension Request

A motion to approve the water allocation extension request for Northwoods Section IV for another two years was made by Commissioner Koch, seconded by Commissioner Braley and approved by all.

Montgomery Brothers, Inc. Parcel 1167 Lots 6, 7, 8 and 9

A motion to enter into a water service agreement for Lots 6, 7, 8 and 9 of Parcel 1167 was made by Commissioner Crothers-Moore, seconded by Commissioner Koch and approved by all.

Richard and Linda Ann Shumway, 162 Razor Strap Road – Water Allocation Request

A motion to enter in to a water service agreement for one single family dwelling for 162 Razor Strap Road was made by Commissioner Crothers-Moore, seconded by Commissioner Koch and approved by all.

2011 Triathlon – Use of North East Community Park

A motion to enter into a park lease agreement for the use of the North East Community Park for the August 14, 2011 Triathlon was made by Commissioner Braley, seconded by Commissioner Crothers-Moore and approved by all.

Rising Sun's 150th Anniversary Commemorative Book

The Town has been asked to place an ad in the Rising Sun's 150th Anniversary Commemorative Book. Mrs. Cook-MacKenzie will obtain more information for the Board.

Transviron, Engineer Agreement Phases 6,6A & 7

The Town sent a letter on August 25, 2010 to Transviron, Inc. advising them they were in breach of contract for the Water System Improvement Phases 6, 6A & 7. The deadline to respond was yesterday and Transviron's response has been forwarded to the Town Attorney. He has recommended the Town proceed at the appropriate time with notification they are in default of their contract. Per discussion, a motion to send Transviron a letter notifying them of default of their contract, if necessary, at the appropriate time as determined b the Town's Attorney handling this matter was made by Commissioner Braley, seconded by Commissioner Crothers-Moore and approved by all. Commissioner Koch asked to see a copy of the default letter prior to it being sent. A motion to amend the previously made motion to include providing a copy of the letter to the Board for their review prior to it being sent was made by Commissioner Braley, seconded by Commissioner Crothers-Moore and approved by all.

-MISCELLANEOUS-

The Maintenance Department will be starting their winter hours of 7 AM to 3 PM on Monday, September 13, 2010.

-APPROPRIATIONS-

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

-BUSINESS FROM THE FLOOR-

Grace Miller, 403 Merrey Street, reported there will be a 9/11 memorial program at the North East United Methodist Church on September 11, 2010 at 7 PM. A World Trade Tower survivor will be the guest speaker.

Robin Crothers, Benjamin Lumber Co., asked about the water service agreement expiration terms. The agreement has now been changed to automatically renew at the end of two years for another two years contingent on all fees being current.

-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 7:33 PM.

Respectfully submitted,

Anne F. Barker, Clerk/Treasurer

Attest:

Robert F. McKnight, Mayor

Town Board approved Sept. 22, 2010.