

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

NORTH EAST, MARYLAND 21901

January 14, 2015

The Town Meeting was called to order by Mayor Robert F. McKnight at 7:00 PM. Present were Commissioners Kena Koch, Paul Stark, Hilary Crothers-Moore, Eric Braley, Chief Darrell Hamilton, Director of Finance Ken Natale, Director of Planning Betsy Vennell, Utility Clerk Stephanie R. Dean and Town Attorney Dennis S. Clower. Town Administrator Melissa B. Cook-Mac Kenzie was absent due to illness.

The Pledge of Allegiance was recited.

-PUBLIC HEARING-

Rezoning Case R-2015-01-01: Capital Development Associates, Inc. 29 South Main Street, North East, Maryland 21901. Applicant/owner has requested a change in the North East Zoning District Classification for 101 Mill Lane, North East, Maryland. Also known as Parcel 0265 found on Tax Map 400 to be changed from the current classification of "R-1" Single Family Residential District to "V-C" Village Commercial Zoning District.

The Public Hearing for Rezoning Case R-2015-01-01 was called to order by Mayor McKnight at 7:28 PM. The court reporter, Penny Comeau of Bel Air Reporting, swore in all members of the public intending to testify regarding the rezoning case. Due to the applicant/owner not being present and after consultation with the Town Attorney, the Mayor announced that the public hearing would be continued to January 28, 2015 at 7:00 p.m. at the North East Town Hall Meeting Room. Mayor McKnight invited anyone that wanted to testify in favor of or against the rezoning application could do so tonight. Ms. Connie Muller'Thym, 17 South Main Street, North East, Maryland testified that she supports the rezoning. Ms. Muller'Thym indicated that she would relocate her counseling office to 101 Mill Lane if the application is approved.

-APPROVAL OF MINUTES-

None

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-GUESTS-

Ms. Karen Dojan, Weyrich, Cronin & Sorra – Town Auditor

Ms. Karen Dojan was present to review with the Board the Town's Audited Financial Statements for year ending June 30, 2014.

Residents of Wallace Avenue

The residents were present to express their concerns regarding recent negative activity in their neighborhood. The following concerns were voiced:

Complainant: Kelly Justus 111 Wallace Avenue

Complainant: Monica Penhollow 202 South Mauldin Avenue

Complainant: Mike Demond 115 Wallace Avenue

Complaint #1 – 107-109 Wallace Avenue

The complainants came to complain about 107-109 Wallace Avenue. This outline gives a description of all the complaints, by residence and the Planning Office will only address a portion of these complaints: Two houses at the front of the property do not contain the 'condemnation' signs that they used to have on the front. They have been ripped off. Windows are open and the window sills are falling off. The roofs are collapsing. There have been several items such as mattresses, debris, trash, trash bags that have been disposed on the property. In regards to the landscaping, trees are growing through the structures along with poison ivy on the property.

The small house at the back of the property housed an occupant who has lifetime rights to reside at the property. However the occupant has moved to Florida and there are no other people occupying the house. The residence is in horrible condition with the roof ready to fall in and general livability type code violations of health and environment are occurring.

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There are also children that reside at the property and the residence's on Wallace Avenue are very concerned for the children's safety.

Residents were told by the Director of Planning, that the Town has regulations which they can go pursue in regards to trash, debris, and weeds on the property. They were also advised the town would look into the situation with the family living in conditions, as this could be a livability code issue with Cecil County.

Monica Penhollow advised she has contacted and met with Mark Dean, from Cecil County Permits and Inspections who indicated he didn't have any information on file about the condemnation of the houses. The Director of Planning, Betsy Vennell told the residents that in this situation with condemnation, the Town does not have jurisdiction. This is handled by Cecil County. The residents inquired about securing the property by the Town or County. The Director of Planning told the residents she would contact Pat Conway, Director of Permits and Inspections for Cecil County to find out what the information was in regards to these structures.

Both Mayor McKnight and the Director of Planning Betsy Vennell explained some of the roadblocks with a bankruptcy. However, the Town of North East, Planning and Zoning Assistant has had some good results with her perseverance in some of these cases.

Complaint #2 – No Parking Sign

The "no parking" sign was removed by a snow plow several years ago and although they have requested a replacement, they have not seen one as of yet. The Supervisor of Maintenance, Phillip Meekins, told the public he has replaced the no parking sign a few times. He stated he was unaware it was stolen once again, and will replace it.

Complaint #3 – Barrier at the end of Wallace Avenue

The residents stated that it has been vandalized repeatedly. They requested another barrier be placed to stop the foot traffic. The Supervisor of Maintenance, Phillip Meekins the Maintenance Supervisor, indicated he would look into placing a guard rail at the end Wallace Avenue. They discussed if it was owned by the Board of Education, perhaps the Town could have a conversation with them and ask them to place a fence or get permission to place a fence on the residence property.

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Complaint #4 - Turner Park Tennis Courts

The residents complained about a lack of mowing, weeds growing and the debris at the tennis courts. Mayor McKnight asked The Supervisor of Maintenance, Phil Meekins to look into this matter, and clean up the area if it is Turner Park property.

Complaint #5 - Street Light

The residence have complained have complained several times about the street light being out. Chief Darrell Hamilton of the North East Police Department indicated they called Delmarva on Monday. Another resident indicated the street light was working again but it is extremely dim, to the point of only a tiny bit of light coming from this street light. The residents did indicate it is too dark on the street and Mayor McKnight indicated that Delmarva typically has a specific lumen light they can install in a residential area, however, the Town can place a call and find out if the lighting is up to standard.

Complaint #6 - 106 Wallace Avenue

The residents are of the opinion that this property is an “addict house” due to the traffic coming and going at all times of the night.

Complaint #7 – Westover Place

The residents complained of the children from development Westover Place, always coming and going in and out through the school property, across from Turner Park. The residence from Wallace Avenue are requesting either a fence and or additional patrols. Mr. Demond requested that the police frisk the individuals walking by, as they are permitted to do this in New York City, and if they can do this, we can certainly have laws which we could change to do this as well. He stated that the children need to be driven out of our neighborhoods. The Town of North East needs to set a standard, that it will not be tolerated in our town.

Complaint #8 – Police Patrol

When the Police were called about doing additional patrol checks on Wallace Avenue they were told , the road is hard to turn around in for patrols as they would have to enter their driveways.

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Complaint #9 – 111 Wallace Avenue Burglary Follow-Up

The residence complained that the police did not follow up with them after the investigation in the burglary at 111 Wallace Avenue. Chief Darrell Hamilton reported the investigation is suspended but explained the wording doesn't mean that the investigation has ended. He explained the process the police officers use to recover stolen property such as checking with pawn shops and other methods to see if the stolen items are registered or for sale at other locations/sites.

-PUBLIC COMMENT-

None

ADOPTION OF RESOLUTION AND ORDINANCES:

None

-REPORTS-

Mayor McKnight

Mayor McKnight attended a meeting with Mayor Eberhardt from the Town of Perryville and Mayor Alt from the Town of Elkton at the North East Town Hall. They discussed the County's Draft Water and Sewer Plan. .

Mayor McKnight advised that he has filed for running for re-election in the next Town of North East's election.

Commissioners Kena L. Koch

None

Commissioner Paul Stark

Commissioner Stark entered the December 2014 Crime and Traffic breakdown report for the North East Police Department.

Commissioner Eric Braley

None

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Commissioner Hilary Crothers-Moore

None

Director of Finance and Administration

Training on the Town's software was conducted last week and staff of the Finance Department was shown more efficient ways to enter and extract data from the system. There are 15 hours of funded training remaining will be scheduled later. There is a report that we need from the system for water consumption that they are looking into to see if anyone else has requested a similar report to be built that they could just give us.

The Director of Finance and Administration also established two additional funds for the town, a Capital Projects and Agency Fund. The \$2 million streets and sidewalks project should not be reported as part of the general funds because it is not a normal capital item and will distort the data in the general fund when comparing across the years. The town holds money from developers in escrow to pay for inspection, legal and other fees. This money is not available to the Town to use for its own purposes so it needs to be reported as a separate fund.

The Director of Finance and Administration will be re-working the chart of accounts to bring it in line with the Government Finance Officers Association recommended chart of accounts so that our data is more consistent with other governments for comparison purposes. Most of the accounts, this won't be a problem however, they may need to do a substantial programming modification in order for the account structure for revenues to be brought into line. He is in the process of writing an "Accounting Policies & Procedures Manual" documenting processes and internal controls, once it is done he will run it by the Auditors to make sure there are no internal control issues.

Also, the only company that responded to the RFP for propane was SchagrinGAS Company. Their bid was "Benchmark" (their weighted average cost from buying gas from (Canada and Delaware City). Currently an effective price if \$1.59 per gallon.

-MISCELLANEOUS-

None

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-UNFINISHED BUSINESS-

Boys and Girls Club – Concept of New Building

The Board has been asked to move forward with the concept of the Boys and Girls Club building on land the Town owns (portion of Turner Park). Questions such as term of the agreement, liability, etc. will need to be answered before the Board is comfortable instructing the Town Administrator to move forward on their behalf. Discussion will be continued at the next Board meeting.

North East Community Park – Docking Facility

In response to previous discussions regarding the docking regulations for the North East Community Park Floating Docks, the Town Administrator previously presented a draft amendment to the Town Code of Ordinances section 4-509, subsection 3, paragraph o that would permit reserving a portion of the dock. The Board was urged to review the draft and return to the next Board meeting with comments.

-NEW BUSINESS-

Board of Appeals Chairperson

In accordance with The North East Zoning Ordinance. Article 9. Administrative Mechanisms, Section 9-10, Board of Appeals Officers, Paragraph 1. If the Board of Appeals does not elect a chairman by the end of January each year, the Mayor and Commissioners are to appoint a chairperson. A motion to appoint Gabrielle D. Oldham as the Board of Appeals Chairman was made by Commissioner Stark, and seconded by Commissioner Crothers-Moore, and approved by all.

RFP: Credit Cards Processing & Merchant Services – Bid Tabulation

Value Payment Systems from Nashville, TN was the recommended vendor by Direcit of Finance Ken Natale a motion to award the contract was made by Commissioner Braley, seconded by Commissioner Koch.

February 2015 Town Election will be held on February 9, 2015 at the North East Town Hall Meeting Room, 106 South Main Street North East, Maryland. The polls are opened

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at 7:00 a.m. - 7:00 p.m. The following candidates have placed their name in nomination for the following seats:

Mayor – Robert F. McKnight (Incumbent)

Commissioners – Kena L. Koch and Paul A. Stark (Incumbent)

-MISCELLANEOUS-

None

-APPROPRIATIONS-

A motion to approve Budget Amendment 2015-009 FY 2014-2015 was made by Commissioner Braley, seconded by Commissioner Crothers-Moore and approved by all.

A motion to approve Purchase Order No. 10517 to Keystone Alliance in the amount of \$2775.00 for updating the Water Asset Listing for the audit was made by Commissioner Koch, seconded by Commissioner Stark and approved by all.

A motion to approve Purchase Order No. 10518 & 10542 to Venable, LLP in the amounts of \$26,905.37 and \$28,415.00 for Water Service Area Dispute with Cecil County was made by Commissioner Crothers-Moore, seconded by Commissioner Stark and approved by all.

A motion to approve Purchase Order No. 10520 to Water Quality Financing Administration – MDE in the amount of \$753,841.66 for Phase 3A&4 Principle & Interest & Phase 6A&7 Principle & Interest was made by Commissioner Koch, seconded by Commissioner Braley and approved by all.

A motion to approve Purchase Order No. 10531 to Intercon Truck Equipment in the amount of \$24,470.00 for installation of body, gate & snow plow pack. Also the installation of the V box spreader and Hopper was made by Commissioner Stark, seconded by Commissioner Crothers-Moore and approved by all.

A motion to approve Purchase Order No. 10659 to Uline in the amount of \$4,512.00 for 90 gallon yellow storage cabinets was made by Commissioner Braley, seconded by Commissioner Koch and approved by all.

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A motion to approve Purchase Order No. 10560 to Dennis Clower, Esquire in the amount of \$1,265.00 the review of fees for the Zoning Ordinance, Smoke Shop, AT & T cell tower lease, Road & Storm Drain Contract Review was made by Commissioner Crothers-Moore, seconded by Commissioner Stark and approved by all.

A motion to approve Purchase Order No. 10549 to Vanguard in the amount of \$279,284.88 for the installation of water meters was made by Commissioner Koch, seconded by Commissioner Braley and approved by all.

A motion to approve the invoices presented tonight for payment was made by Commissioner Braley, seconded by Commissioner Koch 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 Crothers-Moore, seconded by Commissioner Braley and approved by all. The meeting ended at 8:54 PM.

Attest:

Respectfully submitted,



Robert F. McKnight, Mayor


Stephanie Racine-Dean, Utility Clerk

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