

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

September 9, 2015

The Town Meeting was called to order by Mayor Robert F. McKnight at 7:00 PM. Present were Commissioners Paul Stark, Michael Kline, Hilary Crothers Moore. Also present were Police Chief Darrell Hamilton, Director of Finance and Administration Ken Natale, Town Administrator Melissa B. Cook-Mac Kenzie and Director of Planning Betsy Vennell. Commissioner Eric Braley and Head Clerk Stephanie Dean were absent from the meeting.

The Pledge of Allegiance was recited.

-APPROVAL OF MINUTES-

A motion to approve the minutes of August 26, 2015 was made by Commissioner Stark, seconded by Commissioner Kline, Commissioner Crothers-Moore abstained from voting because she was not present for the August 26, 2015 meeting. The motion passed.

-APPOINTMENTS-

None.

-PUBLIC COMMENT-

None.

-OATH OF OFFICE-

None.

ADOPTION OF RESOLUTION AND ORDINANCES-

1. Ordinance No. 2015-08-01 Chesapeake Utilities Corporation Granting of a Non-Exclusive Franchise

Mrs. Cook-MacKenzie reported that Ordinance No. 2015-08-01 is identical as introduced at the last Town Board meeting, except the reference to the Annotated Code of Maryland, which has been updated. Commissioner Kline made a motion to approve Ordinance No. 2015-08-01; Commissioner Crothers-Moore seconded the motion, and the motion was approved by all.

REPORTS-

Mayor Robert McKnight

None.

Commissioner Paul Stark

None.

Commissioner Kline

Commissioner Kline submitted the Maintenance Report for August 2015 into the public record.

Commissioner Crothers-Moore

None.

Director of Finance and Administration, Ken Natale

Mr. Natale reported the auditors were at the North East Town Hall last week and the Town should be able to file the audit on time this year.

Town Administrator, Melissa B. Cook-Mac Kenzie

The Town Administrator reported the following:

1. The Crossing Guard emergency capacity position which was thought to be filled, has fallen through. After conversation with Police Chief Darrell Hamilton, it was decided that they will place an advertisement in the paper for this position.
2. The Water Plant's Chief Operator has retired. Ron Carter would like to move an existing employee into this open position, and then re-hire another employee. Mrs. Cook-MacKenzie reported that Ron Carter is looking at changes to the job description, which she will present at the next Board meeting.
3. The Administrative Assistant to Police Chief Darrell Hamilton has submitted a resignation for retirement. The job description was revised in July 2015, and this position will be advertised in the newspaper this week.

4. Commissioner Kline previously inquired about Speed Humps installation on Thomas Avenue. Ms. Cook-MacKenzie referenced the Speed Hump Policy and read from the policy that the east side of Thomas Avenue is identified as a primary use for emergency vehicles, therefore, it is not eligible for speed humps. Ms. Cook-MacKenzie reported that the Speed Hump Policy may be amended from time to time, and the last revision was in 2012. Mayor McKnight reported that he would like to invite the Chief of the Fire Company, Steve Piatelli, to come to the Town Board to see how the installation of speed humps would impact them if they are installed on the east side of Thomas Avenue. Mrs. Cook-MacKenzie reported she would contact Mr. Piatelli and give him the locations where the speed humps would be installed, and it may be decided that the speed hump location would not impact emergency vehicles.

Painting speed humps on the roadway versus installation of speed humps, to create an illusion of speed humps may was discussed by the Board. Ms. Cook-MacKenzie reported she would explore that option as well, acknowledging that this would only provide a temporary solution.

Chief Darrell Hamilton reported that his officers have recently performed radar in this area and are issuing warnings. In addition, the street signs have been reviewed and will be updated, and the school cross-walks will be re-painted.

-UNFINISHED BUSINESS-

Park Regulations – Kayak Rentals at NE Community Park

The Mayor and Commissioners met with Mr. Kelly Benson on July 8, 2015 and granted Mr. Benson the ability to store his kayaks at the North East Town Park inside the kayak trailer for a period of 60 days, while he worked with the North East Planning Department with the regulations. Mrs. Cook-MacKenzie reported that Mrs. Vennell submitted a letter to the Mayor and Commissioners last week, with a report that Mr. Benson had not been into the Planning Office for any discussion of regulations.

Mrs. Cook-MacKenzie reported that an opinion was received from the Town's Attorney that the trailer parked at the North East Community Park is not permitted. Mrs. Cook-MacKenzie stated that she recommends that Mr. Benson go back to the original plan which she outlined for him, and further stated that if Mr. Benson is unwilling, the North East Police Department will enforce this matter, prohibiting the commercial operation at the North East Community Park.

Mrs. Cook-MacKenzie reported that the Planning Office received a complaint yesterday from a gentleman who contacted the North East Town Hall several months ago and requested to rent kayaks from the North East Community Park, and he was told no, as it was not a permitted use. The gentleman was very annoyed with the Planning Office that was told no, as he recently learned that the Town authorized a kayak rentals business to be located at the Park.

Mrs. Cook-MacKenzie reported that she has done research which shall be presented at the next Board meeting, in the event that the Board wants to move ahead with regard to vendors at the North East Community Park. The research involves the Town Board's obligations and requirements, including Request for Proposals and a bidding process.

Mayor McKnight recommended that they take the recommendation from the Planning Office that the kayak rental business conducted at the North East Community Park cease and desist immediately and that would include leaving the kayak rental trailer at the Park. The North East Police Department shall be prepared to enforce this, if necessary. A letter shall be sent from the Planning Office to Mr. Benson tomorrow, September 10, 2015, which informs Mr. Benson of these requirements. Commissioner Kline, Commissioner Crothers-Moore and Commissioner Stark agreed to this plan of action.

In God We Trust-Haven Community Church:

Mr. Michael Berdinka from the Haven Community Church came before the Town Board on August 26, 2015 and requested that the Mayor and Commissioners display the national motto, "In God We Trust" in the Meeting Room. No decision was made by the Board that evening, therefore, Mr. Berdinka was invited to return to this evening's meeting. Mayor McKnight expressed concern about a comment which was made at the last meeting by Mr. Berdinka who reported that their organization "would defend the Town, should the Town be challenged". Mayor McKnight reported that he is concerned that if the Board make a decision to install this plaque, it potentially exposes the Town to a lawsuit. Mayor McKnight reported that he is of the opinion that the Town not install the plaque due to the potential liability of the Town. Commissioner Stark agreed that the placement of the plaque could potentially open the Town up to a lawsuit. Commissioner Crothers-Moore stated that she has no opinion. Commissioner Kline was concerned about the other religions and deities which may also request to install a plaque in the Town Meeting Room, and that this action could open up a can of worms. Mrs. Cook-MacKenzie stated that displaying a plaque would make the Town Meeting Room a non-neutral area. Mayor McKnight reported to Mr. Berdinka that it is not the individual personal beliefs of Board members which make this decision, but, the Board must answer for all 4,000 residents.

Correction of an invoice regarding Purchase Order No.12826

Ms. Cook-MacKenzie reported a correction from the August 26, 2015 purchase order amount from C N A for Road Repairs for \$2,472.00. The correct number is \$39,265.00.

Commissioner Kline made a motion to correct the change order as stated. Commissioner Stark seconded the motion, and the motion as approved by all.

-NEW BUSINESS-

Relay for Life Event-September 19, 2015:

Ms. Cook-MacKenzie reported that the Relay for Life event will be conducting their annual event in September. They have requested that a portion of Church Street between South Main Street and Mauldin Avenue be closed during the event, 2:00 pm – 8:00 pm. The closure will not affect any of the property owners on Church Street. The North East Police Department and the North East Maintenance Department have no problems with the request. Commissioner Stark made a motion to allow the street closure, Commissioner Crothers-Moore seconded the motion and the motion was approved by all.

-MISCELLANEOUS-

Proposed North East Branch Library:

Mayor McKnight reported that he had received a letter from Denise Davis, Cecil County Public Library, reporting that County Commissioner Hodge and County Commissioner Schneckenburger are challenging the size of the proposed North East Branch Library, as well as the amount of money being set aside for the proposed library. Ms. Davis is concerned that now that the land for the library has been obtained, efforts will be made to reduce the size of the proposed library. Mayor McKnight reported a meeting shall be conducted regarding the proposed library on September 22, 2015 at the Cecil County Administration Building and Ms. Davis has requested the Town's support at that meeting. Mrs. Cook-MacKenzie stated she would reach out to Ms. Davis to forward any factual information which would assist the Town at the meeting, and recommended that Mayor McKnight reach out to Mayor Alt to attend that meeting, as well. Mayor McKnight recommended a letter be written from the Town Board to Commissioner Hodge and Commissioner Schneckenburger to strongly encourage them to move forward with the proposed library plans as originally designed, and requested Ms. Cook-MacKenzie prepare the letter for the Boards signature. The letter will be sent to them along with the Town's presence at the September 22, 2015 meeting.

Ms. Cook-MacKenzie

At the August 12, 2015 meeting, Ms. Geneva Rhoades, of Rolling Mill Lane, inquired about the status of the bridge replacement on Rolling Mill Rd. Mrs. Cook-MacKenzie had previously been told the bridge was slated for replacement in the County's Capital Improvement Plan for Fiscal Year 2017 but said she would check again with the County.

Mrs. Cook-MacKenzie reported after talking with the County she was informed the bridge was not part of the CIP for FY 2017 and she was unsure of when the bridge would be replaced by the County.

-APPROPRIATIONS-

A motion to approve Purchase Order No. 12826 to CNA in the amount of \$22,811.16 for payment of the Street and Sidewalk project: Timberbrook Design and Thomas Avenue inspections was made by Commissioner Crothers-Moore, seconded by Commissioner Kline 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.

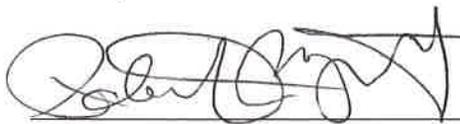
-BUSINESS FROM THE FLOOR-

None.

-ADJOURNMENT-

With there being no further business to discuss, a motion to adjourn was made by Commissioner Crothers-Moore, seconded by Commissioner Kline, and approved by all. The meeting adjourned at 7:38 P.M.

Attest:



Robert F. McKnight, Mayor

Respectfully submitted,


Betsy Vennell, Director of Planning