

MINUTES
Town of Easton Council Meeting
October 18, 2010

PRESENT AT CONVENING

Council President John F. Ford
Councilmember Kelley K. Malone

Councilmember Pete Leshner
Councilmember Leonard E. Wendowski

IN ATTENDANCE

Also in attendance were the Town Manager Mr. Robert F. Karge, Town Attorney Ms. Sharon VanEmburch, and Town Clerk Mrs. Kathy Ruf.

Mayor Willey and Mrs. Cook were excused.

CONVENING

At 7:00 p.m., President Ford called the meeting to order.

OPENING PRAYER BY MR. LESHER AND PLEDGE OF ALLEGIANCE.

Mr. Leshner opened the meeting with prayer and led the audience in the Pledge of Allegiance.

APPROVAL OF MINUTES OF OCTOBER 4 AND OCTOBER 13, 2010 MEETINGS.

Upon motion by Mr. Leshner seconded by Ms. Malone and carried unanimously, minutes of the October 4 and October 13, 2010 meetings were approved as written.

MS. RUTH HIGGINS ADDRESSING COUNCIL TO DEDICATION OF FLAG POLE

Ms. Ruth Higgins was present and invited the Council to attend the Flag Pole Dedication on Sunday, October 31, 2010 at noon to 12:30 p.m. in honor of and in memory of America's Veterans. She stated they will gather outside on the corner of Peachblossom Road and Trippe Avenue at St. Mark's United Methodist Church for the service by the new flag pole. Ms. Higgins stated that they are honored that the Adjutant General of the Maryland National Guard, BG Adkins, will raise the flag that day.

ITEMS BY THE TOWN MANAGER.

Mrs. Gould has advised that Easton Little League clean up days will be October 30 and November 7.

Mr. Karge stated that the Little League has offered to redo the Butler and Easton Club field as they did the Championship Field at North Easton Park.

Upon motion by Mr. Wendowski, seconded by Ms. Malone approval was granted

Mr. Karge stated that Mrs. Shirley Wright has forwarded her intent to resign as Executive Assistant to the Chief of Police; effective December 24, 2010.

APPROVAL OF BID FROM BARR TRUCK GROUP SALISBURY FOR A NEW FLAT BED DUMP TRUCK WITH SNOW PLOW AND STAINLESS STEEL V-BOX SPREADER IN THE AMOUNT OF \$109,878.00.

Upon motion by Mr. Leshner seconded by Ms. Malone and carried unanimously, approval of the bid in the amount of \$109,878 from Barr Truck Group Salisbury for a new flat bed dump truck with snow plow and stainless steel v-box spreader was approved.

Mr. Karge stated that the Town is soliciting bids for the Tanyard Branch Watershed project. He stated bids came in higher than expected but the apparent low bid of \$594,000 was received by Dixie Construction. He stated that the Town has been in contact with MDE and they may fund the additional amount. He asked for Council approval with the caveat to go forward if funding is secured.

Upon motion by Mr. Leshner seconded by Ms. Malone and carried unanimously; approval was granted with the caveat for additional funding to be received from MDE as outlined by town staff.

Mr. Karge discussed the ongoing Dutchman's Lane project. He stated that it is not a town of Easton project but the road is owned and maintained by Talbot County. He stated that the county's engineering staff has been trying to upgrade for a number of years. Mr. Karge advised that the new county mgr Mr. Craig is very well aware of the concerns and has addressed e-mails.

Bramble is accomplishing paving throughout the town and is to be completed approximately the end of next week.

Mr. Karge discussed a letter received from Senator Colburn that he will forward to the Council. He stated that Senator Colburn is asking the Council for a letter requesting state funds for Dover Bridge. The letter should be sent by November 30.

Mr. Karge discussed trees at Mistletoe Hall Farm and a report from Mr. Hause. Mr. Hause has suggested that the Airport through their consultant or at their expense submit a Forest Conservation Plan for review by the Town Easton.

Discussion of implementing a Tree Board occurred.

Ms. Malone stated she was in favor of re instituting the Tree Board.

Mr. Wendowski asked if the Parking Commission had disbanded.

Ms. Malone asked Mr. Karge to find out if the meeting that was supposed to have been scheduled in August had happened and if this meeting had been open to members of the public who have ideas for a parking solution.

Mr. Karge, Mr. Hause and Mayor Willey will give the council their thoughts about re enacting the tree board.

Mr. Karge stated a meeting had been held recently with the RTC Task Force and the Park Board. Discussion occurred regarding Project Open Space funds.

Mrs. Gould, Park and Recreation Director asked Mr. Karge to relay to the Council that the Park Board recommends parking to be located with multi athletic fields at the RTC Park.

APPROVAL OF 2010 WATERFOWL FESTIVAL TRANSPORTATION PLAN.

Upon motion by Ms. Malone seconded by Mr. Leshner and carried unanimously; approval of the 2010 Waterfowl Festival Transportation Plan as recommended by Easton Police Department was approved.

ORDINANCE NO. 578, "AN ORDINANCE OF THE TOWN OF EASTON REENACTING WITH AMENDMENTS PORTIONS OF CHAPTER 6 BUILDING CODES, FOR TEMPORARY STRUCTURES AND REVISING THE ZONING REGULATIONS TO ADD PROVISIONS DEFINING AND REGULATING THE USE; MARKETPLACE BUILDINGS" AND;

Mr. Wendowski stated he will abstain. He stated that he has concerns with the Marketplace temporary buildings.

President Ford stated that the Ordinance will apply to the entire CR District.

Mr. Leshner stated that Mr. Richardson has done a commendable job. He thanked him for working to draft business friendly legislation.

Upon motion by Mr. Leshner seconded by Ms. Malone; Ordinance No. 578 was approved following a roll call vote of those members present. Ms. Malone, Mr. Leshner, and Mr. Ford voted in favor with Mr. Wendowski abstaining.

RESOLUTION NO. 5964, "A RESOLUTION OF THE TOWN OF EASTON REVISING THE TOWNS' LICENSE, APPLICATION, PERMITS, INSPECTION, CERTIFICATE AND OTHER FEES."

Upon motion by Mr. Leshner seconded by Ms. Malone; Resolution No. 5964 was approved following a roll call vote of those members present. Ms. Malone, Mr. Leshner, and Mr. Ford voted in favor with Mr. Wendowski abstaining.

PUBLIC HEARING TO HEAR PUBLIC COMMENTS REGARDING THE REVISION OF THE CONDITIONS OF THE APPROVAL FOR ORDINANCE NO. 461 WHICH GRANTED THE AMENDMENT TO A PLANNED UNIT DEVELOPMENT FOR ELM STREET DEVELOPMENT.

At 7:35 p.m., President Ford opened the Public Hearing to hear public comments regarding the amendment to the PUD for Elm Street Development.

Mr. Karge stated that there had been meetings at the staff level with Mr. Burlbaugh from Elm Street and his attorney. Mr. Karge stated that the staff feels that a bond should be place for the amount proposed for the contribution.

Mr. Mike Burlbaugh, Elm Street Development, stated that they are very much supportive of this clarification. He stated that the previous enacted Conditions of Approval are very vague. He stated that the original condition did not require a bond. Mr. Burlbaugh discussed the structure of payments to be paid out. Mr. Burlbaugh stated that he would like the opportunity to take this to a meeting he is attending on Wednesday. He asked President Ford to leave the record open and come back to the issue.

President Ford stated that the Public record will be left open until the next meeting.

Mr. Wendowski stated that he would like to have the entire town benefit from Elm Street's contribution to the Affordable Housing Fund.

President Ford stated that he counters due to the fact that the original benefit is for that specific neighborhood.

Mr. Leshar stated that he is sympathetic to the original intent of the ordinance.

Mr. Wendowski suggested that the renovations and/or restorations be accomplished in all areas town in need of repairs.

Ms. Malone stated that she was sympathetic to Mr. Wendowski's concerns and needed more time to think about it before she made up her mind.

At 7:46 p.m., President Ford opened the Public Hearing for public comments.

Ms. Libby Dawkins, 11 Throrogood Lane was present and stated that she was not able to get the agenda.

At 7:48 p.m., President Ford stated that the public record would be kept open until the next meeting. He stated that written comments can be directed to Mr. Karge for distribution.

ORDINANCE NO. 582, "AN ORDINANCE OF THE TOWN OF EASTON AMENDING THE CONDITIONS OF APPROVAL FOR ORDINANCE 461, WHICH GRANTED THE AMENDMENT TO A PLANNED UNIT DEVELOPMENT FOR ELM STREET DEVELOPMENT, LC, TO MODIFY THE REQUIREMENTS FOR RENOVATIONS AND/OR RESTORATIONS."

President Ford brought Ordinance No. 582 to the floor for a first reading.

REVIEW OF ACCOUNTS PAYABLE INVOICES TOTALING \$676,316.16.

Upon motion by Mr. Leshar; seconded by Mr. Ford and carried unanimously, accounts payable invoices totaling \$676,316.16 were approved for payment.

ITEMS BY MEMBERS OF THE COUNCIL

Ms. Malone's stated that her computer crashed two weeks ago and she is off line until the first week of November.

Mr. Wendowski stated he recently attended Bark in the Park Saturday and the Comprehensive Economic Strategy meeting this afternoon. He will forward the Power Point presentation from the meeting.

President Ford asked those present to save the date for the Easton 300th Anniversary Finale Friday, December 3.

President Ford reminded those present about the EVFD Bull Roast scheduled for November 6. Ms. Malone stated she has tickets.

President Ford commended Mrs. Bollman for the Historic displayed in the Council's Chambers He stated that they are a nice change that ties in well with Easton's 300th Anniversary.

ADJOURN

At 7:51 p.m., upon motion by Mr. Leshar, seconded by Ms. Malone and carried unanimously, President Ford adjourned the regularly scheduled meeting.

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Kathy M. Ruf, Town Clerk