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4 **TOWN OF EASTON, MARYLAND**
5 **Easton Town Hall**
6 **14 S. Harrison Street**

7 March 17, 2014

8
9 **PRESENT AT CONVENING**

10
11 Mayor Robert C. Willey 14 Councilmember Kelley K. Malone
12 Council President John Ford 15 Councilmember Pete Leshner
13 Councilmember Megan M. Cook 16 Councilmember Leonard E. Wendowski, Sr.

17
18 Also present was the Town Attorney Mrs. Sharon VanEmburch, Town Planner Mr. Thomas and Town Clerk Mrs.
19 Kathy Ruf.

20
21 **OPENING REMARKS BY MR. WENDOWSKI AND PLEDGE OF ALLEGIANCE.**

22
23 Mr. Wendowski gave opening remarks and led those present in the Pledge of Allegiance.

24
25 **APPROVAL OF MINUTES OF FEBRUARY 18, 2014 MEETINGS.**

26
27 Upon motion by Mr. Leshner seconded by Ms. Malone and carried unanimously, minutes of the February 18, 2014
28 meetings were approved.

29
30 **ITEMS BY MAYOR WILLEY.**

31
32 Mayor Willey stated that the budget workshops will be held Monday and Tuesday at 6:30 p.m.

33
34 Mayor Willey stated that there are talented groups working for the Town of Easton. He stated that they know their
35 responsibilities and do them well; Easton Volunteer Fire Department, Easton Police Department, Easton Utilities
36 as well as Public Works that does well with snow removal and day to day obligations. Mayor Willey stated the
37 Town of Easton has the most talented workforce ever.

38
39 Mayor Willey stated that the County's meeting with the Talbot County municipalities will be held March 31, 5:00
40 p.m. He hopes the county will address tax differential and how it's computed.

41
42 Mayor Willey stated that the he has received notice that the Town's Community Legacy request has not been
43 funded.

44
45 Mayor Willey discussed a Movie to be shown at Talbot County Library regarding the high cost of war on drugs.

46
47 Mayor Willey stated that the Town of Easton Application for sustainable community designation has been
48 approved.

49
50 Mayor Willey stated that he has a request from Larry Denton, Historical Society asking for parking spaces every
51 Tuesday. Mayor Willey stated that staff would consider the request.

52
53 **ITEMS BY THE TOWN ATTORNEY.**

54
55 Ms. VanEmburch discussed a request for the approval of a Chick-fil-A race Saturday March 29 at 9:00 a.m. She
56 stated that the request included permission to erect a covered scaffolding archway and permission to come into the
57 park at 5:30 a.m. Ms. VanEmburch stated that the applicant has worked with Easton Police Department to come up
58 with an acceptable route. Easton Police Department recommends approval.

59
60 Upon motion by Mr. Leshner seconded by Ms. Malone carried unanimously, the race as submitted by Easton Police
61 Department was approved.

62
63 Ms. VanEmburch stated that Easton Parks and Recreation Department will be partnering with Pickering Creek to
64 clean-up of Rails-to trail April 5. You may contact Lorraine Gould if interested to help.

65
66 Ms. VanEmburch stated that Rotary is planning to place flags in the town parks for Memorial Day. She stated that
67 town staff will meet with them Thursday to confirm details.
68

69 **MS. RUTH SULLIVAN, PRESIDENT SOROPTIMIST INTERNATIONAL OF TALBOT COUNTY AND**
70 **MEMBERS OF THE CLUB TO RECEIVE PROCLAMATION FOR TALBOT SOROPTIMIST MONTH.**

71
72 Ms. Malone presented the Soroptimist International of Talbot County Proclamation for the month of March.

73
74 **MR. JEFFERSON HUBBARD, MARYLAND SOCIETY OF SURVEYORS; EASTERN SHORE**
75 **CHAPTER TO RECEIVE PROCLAMATION FOR NATIONAL SURVEYORS WEEK.**

76
77 Mr. Leshar presented Mr. Hubbard a Proclamation for National Surveyors Week.

78
79 **MR. JOHN DYNAN, EASTON BUSINESS ALLIANCE TO ADDRESS COUNCIL ON ACTIVITIES.**

80
81 Mr. Dynan discussed recent events in Easton. He stated that Ms. Julie Corson is now working in a full time
82 capacity as Director for Easton Business Alliance. He discussed what is considered downtown by the Alliance. Mr.
83 Dynan stated that they are the only entity promoting Easton worldwide. He stated that they intend to use
84 #DiscoverEaston on the welcome boards outside of Easton for events. Mr. Dynan stated that the Gallery Walk will
85 go back to Friday evenings starting April 4; Saturdays will be used for family events. He discussed the quarterly
86 business meeting that will occur at the Resource Center at 8:30 a.m. April 24. The Sixth Annual Talbot County
87 Appreciation Breakfast is scheduled. Mr. Dynan stated that they also intend to reach out to St. Michaels.

88
89 **LETTER OF INTENT REGARDING TOWN OF EASTON ECONOMIC DEVELOPMENT PROJECT**
90 **AND REFUNDING REVENUE BONDS FOR THE BENEFIT OF THE WILLIAM HILL MANOR**
91 **INCORPORATED.**

92
93 Ms. VanEmburch briefed on the Economic Development Project and Refunding Revenue Bonds for William Hill
94 Manor. She stated that it is for refinancing of previous bonds and does not incur any responsibility of the town. Ms.
95 VanEmburch stated that it does not pledge the full faith and credit of the town. The public hearing for the
96 refinancing of the revenue bonds is scheduled for April 7, 7:15 p.m. and the intention is to vote on the resolution at
97 that time.

98
99 **RESOLUTION NO. 6023, "A RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE**
00 **AND SALE BY TOWN OF EASTON, PURSUANT TO THE MARYLAND ECONOMIC**
01 **DEVELOPMENT REVENUE BOND ACT, SECTIONS 12-101 TO 12-118, INCLUSIVE, OF THE**
02 **ECONOMIC DEVELOPMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AS**
03 **AMENDED (THE "ACT"), AS ITS LIMITED OBLIGATIONS AND NOT UPON A PLEDGE OF ITS**
04 **FAITH AND CREDIT OR TAXING POWER, OF ONE OR MORE SERIES OF ITS BONDS (AS**
05 **DEFINED IN THE ACT) IN AN AMOUNT NOT TO EXCEED \$28,000,000 FOR THE PURPOSE OF (1)**
06 **REFINANCING ALL OR A PORTION OF THE COSTS OF THE ACQUISITION AND**
07 **IMPROVEMENT BY THE WILLIAM HILL MANOR INCORPORATED (FORMERLY KNOWN AS**
08 **EMA/WHM ACQUISITION, INC.), A NONPROFIT MARYLAND CORPORATION, OF THE**
09 **CONTINUING CARE RETIREMENT COMMUNITY KNOWN AS "WILLIAM HILL MANOR"**
10 **LOCATED AT 501 DUTCHMAN'S LANE, EASTON, MARYLAND 21601 (THE "ORIGINAL**
11 **FACILITY") BY REFUNDING (A) THE OUTSTANDING (I) TOWN OF EASTON (MARYLAND)**
12 **RETIREMENT COMMUNITY REVENUE BONDS (WILLIAM HILL MANOR FACILITY) SERIES**
13 **2004 A, (II) TOWN OF EASTON (MARYLAND) TAXABLE RETIREMENT COMMUNITY REVENUE**
14 **BONDS (WILLIAM HILL MANOR FACILITY) SERIES 2004B AND (III) TOWN OF EASTON**
15 **(MARYLAND) RETIREMENT COMMUNITY REVENUE BONDS (WILLIAM HILL MANOR**
16 **FACILITY) SERIES 2004C EXTENDABLE RATE ADJUSTABLE SECURITIES (EXTRAS), ISSUED IN**
17 **THE ORIGINAL AGGREGATE PRINCIPAL AMOUNT OF \$18,600,000 AND (B) THE OUTSTANDING**
18 **TOWN OF EASTON TAXABLE VARIABLE RATE DEMAND/FIXED RATE REVENUE BONDS**
19 **(WILLIAM HILL MANOR FACILITY) SERIES 2009 B AND D ISSUED IN THE ORIGINAL**
20 **AGGREGATE PRINCIPAL AMOUNT OF \$9,775,000, (2) PAYING A PORTION OF THE COSTS OF**
21 **VARIOUS RENOVATIONS AND IMPROVEMENTS TO THE ORIGINAL FACILITY, AND (3)**
22 **PAYING THE COSTS OF ISSUANCE OF SUCH BONDS AND OTHER TRANSACTION-RELATED**
23 **COSTS; DESCRIBING THE ADMINISTRATIVE FEE WITH RESPECT TO THE LOAN AGREEMENT**
24 **TO BE PAID BY THE FACILITY APPLICANT; RESERVING IN TOWN OF EASTON CERTAIN**
25 **RIGHTS CONCERNING THE ISSUANCE OF SUCH BONDS; GENERALLY DESCRIBING THE**
26 **PUBLIC PURPOSES TO BE SERVED AND THE FINANCING TRANSACTION TO BE**
27 **ACCOMPLISHED; SPECIFYING THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF SUCH**
28 **BONDS THAT MAY BE ISSUED; AUTHORIZING THE MAYOR OF TOWN OF EASTON TO**
29 **SPECIFY, PRESCRIBE, DETERMINE, PROVIDE FOR OR APPROVE CERTAIN MATTERS,**
30 **DETAILS, FORMS, DOCUMENTS OR PROCEDURES APPROPRIATE TO THE AUTHORIZATION,**
31 **SALE, SECURITY, ISSUANCE, DELIVERY, OR PAYMENT OF OR FOR SUCH BONDS; AND**
32 **SPECIFYING AND DESCRIBING VARIOUS MATTERS IN CONNECTION THEREWITH, AS**
33 **REQUIRED OR PERMITTED BY THE ACT.**

34
35 President Ford introduced Resolution No. 6023.

36

37 **CONTINUATION OF THE PUBLIC HEARING TO DISCUSS THE REQUEST OF WILLIAM STAGG**
38 **OF LANE ENGINEERING AND JAY DONEGAN, OF THE JAY DONEGAN COMPANY (APPLICANT)**
39 **ON BEHALF OF RICHARD BERNSTEIN FAMILY L.P., FOR A PLANNED UNIT DEVELOPMENT**
40 **(PUD) TO CONSTRUCT A 55,879 SQUARE FOOT HARRIS TEETER GROCERY STORE WITH 11,700**
41 **SQUARE FEET OF ADDITIONAL RETAIL USE.**

42
43 At 7:33 p.m., President Ford continued the public hearing. The Town Attorney administered the oath for witness
44 testimony.

45
46 Mr. Bill Stagg, Lane Engineering was present on behalf of Jay Donegan Company. Mr. Stagg introduced Mr.
47 Showalter. Mr. Stagg asked that the resolution be corrected. He stated that there is an additional retail space of
48 12,150. Mr. Stagg discussed changes to the site plan and bus drop off area as requested by the council.

49
50 Ms. Cook stated that she appreciates the effort made to screen the parking from Marlboro Avenue.

51
52 Mr. Leshar discussed the wetlands plantings. Mr. Stagg stated that they are existing plantings and are on average of
53 15-18'.

54
55 At 7:47 p.m., President Ford closed the public hearing.

56
57 **CONSENSUS ON THE REQUEST OF WILLIAM STAGG OF LANE ENGINEERING AND JAY**
58 **DONEGAN, OF THE JAY DONEGAN COMPANY (APPLICANT) ON BEHALF OF RICHARD**
59 **BERNSTEIN FAMILY L.P., FOR A PLANNED UNIT DEVELOPMENT (PUD) TO CONSTRUCT A**
60 **55,879 SQUARE FOOT HARRIS TEETER GROCERY STORE WITH 11,700 SQUARE FEET OF**
61 **ADDITIONAL RETAIL USE.**

62
63 Mr. Wendowski stated that this is an excellent project. He stated that the Planning Commission comments have
64 been addressed and he is in support of the application.

65
66 Ms. Malone emphasized that the zoning ordinance standards and stated that the revised plans do include a bus
67 shelter although this is a PUD. She stated that she is very pleased with the changes addressed in the plan. Ms.
68 Malone stated that she applauds Ms. Cook for concerns regarding the parking. Ms. Malone stated that she thinks
69 the Plan is in compliance with the spirit of the Comprehensive Plan and she is satisfied with the traffic study.

70
71 President Ford discussed the conditions that the Planning and Zoning Commission has requested.

72
73 Ms. Malone stated that she supports the conditions of the Planning and Zoning Commission.

74
75 Mr. Leshar stated that he is quite pleased with the changes such as the screening on Marlboro Avenue. He stated he
76 will support the project with reservations with the conditions as prescribed by the Planning and Zoning
77 Commission. Mr. Leshar stated that his approval is contingent on providing a bus stop.

78
79 Mrs. Cook stated that she is in support of the project. She stated that she believes Easton is a regional shopping
80 center for Talbot County. Ms. Malone stated she thinks this is a good addition to Waterside Village. She stated
81 that this is a great design and that she also is in support of the Planning and Zoning conditions and the bus stop.

82
83 President Ford stated that he is not in support of the Harris Teeter project. He discussed the points the Town
84 Attorney stated must be met. He stated his one issue is that he is not anywhere certain that he is in the right but he
85 just can't shake the thought that the addition of a full service grocery store will diminish the efforts for a full scale
86 grocer in the town center. President Ford stated that the approval may incentive a grocer to invest in the town
87 center but he will not support the application. President Ford stated that he would like to add that there has not
88 been a more responsive applicant and he applauds their efforts. President Ford stated that the request of the
89 application passes 4-1.

90
91 The President of the Council discussed the upcoming process where the Town Attorney will draft an ordinance that
92 will be introduced at the next meeting.

93
94 **ORD. 636, "AN ORDINANCE OF THE TOWN OF EASTON REPEALING AND REENACTING**
95 **THE IMPACT FEE SCHEDULE AND PRESCRIBING, WHEN NECESSARY, THE**
96 **ALTERNATE ADMINISTRATION THEREOF."**

97
98 President Ford stated that this ordinance was tabled at the previous meeting. He stated that the bulk of changes to
99 the ordinance calculates the impact fee to be significantly lower.

100
01 Mr. Wendowski noted that the large portion of amounts is for Parks and Recreation.

02
03 Upon motion by Mr. Leshar, seconded by Ms. Malone and carried, Ordinance No. 636 passed 4 to 1 with Mr.
04 Wendowski voting no.

05

06 **REVIEW OF INVOICES TOTALING \$418,000.77 AND INVOICES TOTALING \$648,365.78.**

07
08 Upon motion by Mr. Lesher seconded by Ms. Cook and carried unanimously, invoices as submitted were approved
09 for payment.

10
11 **ITEMS BY MEMBERS OF THE COUNCIL**

12
13 Mr. Wendowski stated that his three year term on Talbot County Economic Development Commission needs a
14 council member for their first meeting in July. He stated his term will expire before the next meeting.

15
16 Ms. Malone thanked Mr. Wendowski for his faithful diligence on that Commission.

17
18 Mrs. Cook stated that the East End Neighborhood Association Cleanup is scheduled for April 5 with a rain date of
19 April 12.

20
21 President Ford stated that during the April 21 Council meeting, the Tree Board will have a presentation.

22
23 Mr. Wendowski discussed a Talbot County Economic Development breakfast scheduled for April 24 at the
24 Milestone from 8:30 a.m. to 10:00 a.m. The firm that will be recognized in Easton is the Daylight Building
25 Improvement located at Dover and Washington. It was the council's consensus to award the recipient.

26
27 **CLOSED SESSION § 10-508(A)(3). CONSIDER A MATTER THAT CONCERNS THE PROPOSAL FOR**
28 **A BUSINESS OR INDUSTRIAL ORGANIZATION TO LOCATE, EXPAND, OR REMAIN IN THE**
29 **STATE.**

30
31 At 8:14 p.m., upon motion by Mr. Lesher, seconded by Ms. Malone and carried unanimously, President Ford
32 convened into Closed Session to discuss business retention.

33
34 **RECONVENE INTO REGULAR SESSION.**

35
36 At 8:41 p.m., upon motion by Mr. Lesher seconded by Ms. Malone and carried unanimously, President Ford
37 adjourned the regularly scheduled meeting.

38
39
40 _____
41 Kathy M. Ruf, Town Clerk
42