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2
3 **TOWN OF EASTON, MARYLAND**
4 **Easton Town Hall**
5 **14 S. Harrison Street**

6 May 19, 2014

7
8 **CLOSED SESSION.**

9
10 President Ford called the meeting to order at 6:04 p.m.

11
12 President Ford convened into closed session by unanimous roll call vote to consider the acquisition of real
13 property for a public purpose and matters directly related thereto, and; to consult with counsel to obtain legal
14 advice (CITATION: § 10-508(a)(3), and; § 10-508(a)(7).

15
16 **ADJOURN.**

17
18 At 6:56 p.m., upon motion by Mr. Leshner, seconded by Mr. Wendowski and carried unanimously, President
19 Ford adjourned the Closed Session.

20
21 **REGULAR MEETING:**

22
23 **PRESENT AT CONVENING**

24
25 Mayor Robert C. Willey
26 Council President John Ford
27 Councilmember Megan M. Cook
28 Councilmember Kelley K. Malone
29 Councilmember Pete Leshner
30 Councilmember Leonard E. Wendowski, Sr.

31
32 Also present was the Town Manager Mr. Robert F. Karge, Town Attorney Mrs. Sharon VanEmburch, Town
33 Planner Mr. Thomas and Town Clerk Mrs. Kathy Ruf.

34
35 President Ford stated that the council held a meeting in Closed Session this evening prior to the regular meeting.

36
37 **OPENING REMARKS BY MR. WENDOWSKI AND PLEDGE OF ALLEGIANCE.**

38
39 Mr. Wendowski gave opening remarks and led those present in the Pledge of Allegiance.

40
41 **APPROVAL OF MINUTES OF MAY 5, 2014 MEETINGS.**

42
43 Upon motion by Mr. Leshner seconded by Ms. Malone and carried unanimously, minutes of the May 5, 2014
44 meetings were approved as written.

45
46 **FIRE BOARD REPORT.**

47
48 Chief Sonny Jones, Jr. stated that the Department will be attending the Annual State Fire Convention in Ocean
49 City the third week in June. He asked permission to take the town's trucks.

50
51 Upon motion by Mr. Leshner seconded by Mrs. Cook, permission was granted.

52
53 Chief Jones stated that the current ladder truck is now permanently placed out of service.

54
55 1st Assistant Chief Engineer Jason Spies stated that he took the truck to Harrisburg, PA last week. He asked for
56 permission to put the new truck in service.

57
58 Upon motion by Mr. Leshner, seconded by Mrs. Cook, permission was granted.

59
60 Chief Jones extended an invitation to the Mayor and Council to stop by the firehouse to tour the ladder truck.

61
62 **ITEMS BY MAYOR WILLEY.**

63
64 Mayor Willey stated that he will have discussion relative to the budget later on the agenda.

65
66 **APPOINTMENTS TO EASTON AFFORDABLE HOUSING BOARD.**

67
68 Upon motion by Mr. Wendowski, seconded by Mr. Leshner and carried unanimously, Mr. Otis Sampson and Ms.
69 Leona Murray were re-appointed to the Easton Affordable Housing Board for a three year term.

70
71 **ITEMS BY THE TOWN MANAGER.**
72

73 Mr. Karge discussed South Street residents' complaints that they cannot back out of their location. Mr. Karge
74 stated that the staff recommended that the council authorize No Parking signs so people can get in and out of their
75 residences as well as the staff belief that this area has historically been no parking on the south side. He stated that
76 the residents would be notified of the change.

77
78 Mr. Karge discussed the Public Assembly permits for Harrison Street concerts that have been approved by Chief
79 Spencer.

80
81 Mr. Karge discussed Mr. Edward Pinder's passing. Mr. Karge extended deepest condolences to his family. He
82 stated that Mr. Pinder has been on the Park Board for a number of years.

83
84 **LETTER FROM MS. NANCY ANDREW, EXECUTIVE DIRECTOR FOR HABITAT FOR HUMANITY**
85 **REQUESTING LETTER OF SUPPORT FOR HABITAT CHOPTANK COMMUNITY DEVELOPMENT**
86 **BLOCK GRANT.**
87

88 Ms. Andrew was present and stated that she is happy to answer questions.

89
90 Ms. Andrew stated that she is asking council for a letter of support to go with CDBG application. The funds are to
91 be used for the redevelopment along Port Street.

92
93 Upon motion by Mr. Leshner, seconded by Ms. Malone and carried unanimously, permission was granted to draft a
94 letter in support of the CDBG project.

95
96 **PRESENTATION OF THE DRAFT WINDMILL BRANCH WATERSHED MANAGEMENT PLAN.**
97

98 Mr. Zach Smith, Deputy Town Planner stated that the plan has been funded by the Fish and Wildlife Foundation.

99
00 Dr. Neely Law commended Town of Easton staff on their participation. Dr. Law presented the Windmill Branch
01 Watershed report and the strategies for implementation of the plan. Dr. Law discussed the priority projects for
02 BMP implementation. She discussed pollutant reduction estimates.

03
04 Ms. Malone asked that the town's regulations be reviewed to see if there's need for improvement.

05
06 Mr. Leshner stated that the town is doing our part. He thanked staff for the spearheading approach.

07
08 Ms. Malone asked that things to help the bay be posted on the Town's website.

09
10 Mr. Karge stated that the information was present under the Tanyard Branch's information as well.

11
12 **RESOLUTION NO. 6026, "A RESOLUTION OF THE TOWN OF EASTON MAKING FORMER**
13 **APPOINTEES OF THE EASTON UTILITIES COMMISSION THAT HAVE SERVED IN THAT**
14 **CAPACITY FOR AT LEAST TWELVE YEARS AND THEIR SPOUSES ELIGIBLE FOR INCLUSION**
15 **IN THE HEALTH INSURANCE PLAN AVAILABLE TO EASTON UTILITIES RETIREES."**
16

17 Upon motion by Mr. Leshner, seconded by Mr. Wendowski and carried unanimously Resolution No. 6026 was
18 passed.

19
20 **RESOLUTION NO. 6027, "A RESOLUTION OF THE EASTON TOWN COUNCIL ADOPTING**
21 **AMENDMENTS TO THE APPROVED TOWN OF EASTON SUSTAINABLE COMMUNITIES PLAN**
22 **(THE "SUSTAINABLE COMMUNITY"), PURSUANT TO THE ATTACHED REVISED SUSTAINABLE**
23 **COMMUNITY MAP AND OTHER DOCUMENTATION AS MAY BE REQUIRED BY THE**
24 **MARYLAND DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (THE**
25 **"DEPARTMENT")".**
26

27 Mr. Thomas was present to discuss the Sustainable Communities Plan Amendments and programs that encourage
28 revitalization. Mr. Thomas distributed a revised map which now includes all of Mistletoe Hall Farm. He stated that
29 the map may be amended later to include Talbot Commerce Park.

30
31 Ms. Tracy Ward was present for questions related to the Food Hub which may be proposed to located at Mistletoe
32 Hall Farm.

33
34 Upon motion by Mr. Leshner, seconded by Ms. Malone and carried unanimously, Resolution No. 6026 was
35 approved.

36
37 **PUBLIC HEARING TO DISCUSS THE REQUEST OF TALBOT COUNTY, MARYLAND FOR A**
38 **LICENSE AGREEMENT TO ALLOW TALBOT COUNTY TO CUT DOWN AND CROWN TREES**

39 **LOCATED ON PROPERTY OWNED BY THE TOWN OF EASTON WHICH IS PARCEL 138 ON TAX**
40 **MAP 25 AND IS MORE COMMONLY KNOWN AS MISTLETOE HALL FARM.**

41
42 At 7:50 p.m., President Ford opened the public hearing.

43
44 Michael L. Pullen, Esq., County Attorney presented the FAA Part 77 Compliance for Easton Airport and Mistletoe
45 Hall. Mr. Pullen introduced Trooper 6 Cpl. Brian Francis, Aviation Command Paramedic for MSP (Trooper 6 is
46 the Maryland State Police Helicopter Unit).

47
48 Trooper 6, Cpl. Brian Francis discussed the safety aspects of moving to Easton Airport. He stated that Easton is
49 their hub. Cpl. Francis stated that there is a crew of four stationed at Easton Airport. MSP does not bill for their
50 services. He stated that they are funded thru vehicle registrations. Cpl. Francis stated that they cover duties 24/7
51 365 days a year. He discussed flight rules and restrictions. Cpl. Francis stated that they do not take off under
52 instrument conditions but can recover and land with instrument conditions.

53
54 Sean N. Hammer, C.M., Maryland Aviation Administration gave a brief overview of the Maryland Economic
55 Impact of Reports Final Report 2013 prepared for the Maryland Aviation Administration. He stated that the
56 impacts are quantified in terms of jobs, employee earnings, business revenue, state and local taxes and federal
57 aviation-specific taxes.

58
59 Mr. Jack Pettit, (Cooke's Hope) President Easton Airport Advisory Board stated he learned to fly at Easton Airport
60 15 years ago when he retired. He discussed the safety and environmental improvements made at the Airport over
61 the past 15 years. Mr. Pettit discussed the necessity and safety requirements using the Instrument Landing Systems.
62 He stated that the airport has been self-sufficient and has received \$18.4 million FAA Grants. Mr. Pettit discussed
63 hazard removal and mitigation necessary to make Easton a safer airport.

64
65 Ms. Jenifer Lutz, URS Corp, Consulting Engineer discussed obstructions at the airport and the federal deadline.

66
67 Mr. Bill Stagg, Lane Engineering, LLC Landscape Architect discussed the Forest Conservation Plan prepared for
68 Mistletoe Hall Farm. Obstruction removal does not require mitigation until the road is cleared for future
69 development. Mr. Stagg stated that the county is offering to make the town whole and replenish 0.95 acres/
70

71 Mr. Mike Pullen, County Attorney discussed aviation law and navigable air space. He stated that the county is
72 prepared to do the necessary work for public safety. Mr. Pullen stated that the County will compensate the town for
73 any loss due to lack of farming. He stated that it is their intention to restore the site to the town's inspection. Mr.
74 Pullen discussed an amendment to the forest conservation ordinance. Mr. Pullen stated that the County is reliable
75 partner and the county and town share a common interest.

76
77 Mr. Pullen stated that the County needs permission to enter the site by July 11.

78
79 At 9:10 p.m., President Ford invited comments from the floor.

80
81 Mr. Corey Pack, County Council thanked participants for their work in putting this presentation together for
82 consideration. Mr. Pack stated that this one more example of what can be accomplished when everyone works
83 together to work as a partner. Mr. Pack stated that safety should be the main consideration.

84
85 Mr. James O'Connor Mulberry Drive stated he is a pilot and his flight operation is out of Easton Airport. He stated
86 he is a 20 year naval veteran and feels that the ILS is highly valuable for pilots and safety. Mr. O'Connor stated
87 that most of his trips originate from home the base. He stated that Easton Airport is a great asset; with the ILS
88 installation, tower and the drain system. Mr. O'Connor asked the council to consider taking the trees down.

89
90 Mrs. VanEmburch advised the council that the voting can occur tonight on both pieces of legislation. She
91 discussed the county's time frame if the vote was to occur at the next meeting. She stated that the county would
92 like permission to move forward for bid purposes.

93
94 President Ford stated that the county's presentation was extremely well done. Mr. Ford stated that he believes that
95 the ILS is a valuable asset to that airport. He stated that the issue is not to remove trees. President Ford stated that
96 the Forest Conservation Plan helps clarify the town's responsibility. He stated that he is supportive of everything
97 heard tonight.

98
99 Mr. Wendowski stated that he is comfortable to vote on the resolution and license.

00
01 Mrs. Cook agrees that the trees need to come down.

02
03 Mr. Leshar stated that he is supportive of approving the resolution and license. He stated that he respects the need
04 for public comment. Mr. Leshar stated that he is supportive of the proposal. He thanked the town and county for
05 getting to this amicable point.

06

07 Ms. Malone stated that she is convinced that the ILS needs to remain at Easton Airport. She stated that she needs
08 more time to review the mitigation requirements.

09
10 At 9:33 p.m., President Ford closed the public hearing. President Ford stated that written comments will be
11 accepted until close of business Friday.

12
13 **RESOLUTION NO. 6028, "A RESOLUTION OF THE TOWN OF EASTON AUTHORIZING THE**
14 **EXECUTION OF A LICENSE AGREEMENT TO ALLOW THE CUTTING OF TREES DESIGNATED**
15 **AS OBSTRUCTIONS TO NAVIGATION ON PROPERTY OWNED BY THE TOWN WHICH IS**
16 **PARCEL 138 ON TALBOT COUNTY TAX MAP 25 AND MORE COMMONLY KNOWN AS**
17 **MISTLETOE HALL FARM."**

18
19 President Ford introduced Resolution No. 6028 for a first reading.

20
21 **ORDINANCE NO. 641, "AN ORDINANCE OF THE TOWN OF EASTON TO AMEND THE EASTON**
22 **TOWN CODE, CHAPTER 31, FOREST CONSERVATION, TO EXEMPT THE CUTTING OR**
23 **CLEARING OF TREES ON AIRPORT PROPERTY TO COMPLY WITH THE REQUIREMENTS OF 14**
24 **CFR § 77.25, RELATING TO OBJECTS AFFECTING NAVIGABLE AIRSPACE, PROVIDED THAT**
25 **THE FEDERAL AVIATION ADMINISTRATION HAS DETERMINED THAT THE TREES ARE**
26 **HAZARD TO AVIATION."**

27
28 President Ford introduced Ordinance No. 641 for a first reading.

29
30 **RESOLUTION NO. 6029, "A RESOLUTION OF THE TOWN OF EASTON AUTHORIZING THE**
31 **EXECUTION OF AN ADDENDUM TO THE PURCHASE AND SALE AGREEMENT DATED**
32 **DECEMBER 18, 1995, BETWEEN THE TOWN OF EASTON AND THE RESOLUTION TRUST**
33 **CORPORATION (N/K/A FEDERAL DEPOSIT INSURANCE CORPORATION), RECEIVER FOR**
34 **THE SECOND NATIONAL FEDERAL SAVINGS BANK."**

35
36 Mrs. VanEmburch discussed the town purchasing the RTC property in 1995. She stated that the FDIC is willing to
37 sign an addendum to allow amending the original resolution. She stated that the amendment is just to remove a
38 restriction and clarifying that the total acreage does not primarily have to be a park. The Town Attorney stated that
39 it is still necessary to go thru the normal process to sell town property and solicit bids.

40
41 Ms. Malone clarified that the total acreage is 58; the park encompasses 17 acres. She stated that the majority has
42 not been developed as a park.

43
44 Upon motion by Mr. Leshner, seconded by Ms. Malone; Resolution No. 6029 passed unanimously.

45
46 **DISCUSSION ON FY2014/15 BUDGET.**

47
48 Mayor Willey discussed budget adjustments. He stated he has moved several items totaling \$393,000 from next
49 year's budget to this year's purchases and is currently \$154,000 off from revenues. Mayor Willey stated that there
50 would be no savings for restructuring the outstanding bonds. He suggested a line of credit if necessary. Mayor
51 Willey discussed the items that have been purchased.

52
53 President Ford discussed Ms. Julie Corson's budget revision. He stated that the town should look at EBA as an
54 investment and support them as much as possible.

55
56 President Ford stated that the intention is to act on the budget on June 2.

57
58 **REVIEW OF INVOICES TOTALING \$505,009.72.**

59
60 Upon motion by Mr. Leshner seconded by Mrs. Cook and carried unanimously, invoices totaling \$505,009.72 were
61 approved.

62
63 **ADJOURN.**

64
65 At 10:03 p.m., upon motion by Mr. Leshner, seconded by Mrs. Cook and carried, the regularly scheduled meeting was
66 adjourned.

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68
69 _____
Kathy M. Ruf, Town Clerk