

February 2, 2012

Executive Session –

At 6:35 PM Councilman Danielson made a motion to hold an Executive Session to discuss personnel matters, seconded by Councilwoman Case, the motion passed unanimously.

All Council members were present as well as Don Mulrine, Town Administrator, Karen Monteith, Clerk-Treasurer and Sharon VanEmburch, Town Attorney.

The Council held discussion on personnel regarding the replacement of the Planning & Codes Director; Town Administrator's performance evaluation and the contract; and Attorney representation at the Council meetings.

At 6:57 PM Councilman Danielson made a motion to close the executive session to relocate down stairs for the Council's regular monthly meeting, seconded by Councilman Clendaniel, passing unanimously.

Regular Meeting

Mayor Porter called the regular meeting of the Denton Town Council to order at 7:00 PM on this date leading everyone in the Pledge of Allegiance to the Flag.

Mayor Porter announced that the Town Council had held an executive session earlier on this date to discuss personnel matters.

Mayor Porter asked that the record reflect that all Council members were present.

Councilman Clendaniel made a motion to approve the minutes of the January 5, 2012 regular meeting, seconded by Councilwoman Case, passing unanimously.

Public Hearing

None

Petitions, Remonstrance's and Communication

Letters of Support – Market St. Public House –St. Patrick's Day Event

Discussion was held following Unfinished Business Agenda #1. (See below)

Ordinances and Resolutions

There were no pending Ordinances or Resolutions up for discussion at this time.

Reports of Officers, Board and Committees

None

Unfinished Business

Agenda #1 – Tax Differential

Councilman Clendaniel provided an update from the Caroline County Tax Differential Committee meetings and explained that the formula being proposed would decrease the tax differential by \$.01. The proposed decrease in the tax differential will increase the property taxes paid by Denton property owners by approximately \$20,000. He announced that the proposal will be presented to the County Commissioners for review on Feb. 14, 2012, and a public hearing will be held on Feb. 28, 2012.

Mayor Porter questioned why the formula does not take into account that Denton's population increases during the day and the amount of backup support the Denton Police Dept. provides to the Caroline County Sheriff's Office. Mayor Porter states that this is not a tax increase to the Council, but is a tax increase to the citizens, and stated that the Citizens of Denton need to attend the hearing and present facts as to why the formula is not taking into account the proper stats to create a formula that is fair.

Councilman Gregory concurred that the formula should take into account the stats of assisting the CCSO, number of employees in Denton during the day that significantly increases the population, the Town providing bus detail assistance, the school crossing guard and the amount of tax exempt property within the Town of Denton that results in a loss of revenue. And that the Town still maintains trash collection, water/sewer services, and planning & codes. Councilman Gregory questioned why the County does not create a tax on unincorporated subdivisions that adds to the pollution of the Chesapeake Bay.

Mayor Porter recommended that the board members email a list of talking points to be publicized and shared with the Citizens, and stated that he will be meeting with Ms. Visintainer, of the Caroline County Administration Office, to get a better understanding of the formula.

Letter of Support – Market St. Public House St. Patrick’s Day Event

The Market Street Public House will be holding their annual St. Patrick’s Day event on March 17, 2012. The event includes serving alcohol on a portion of South Second Street, which requires special permission from the Caroline County Liquor License Commission.

Councilman Gregory made a motion to approve the Mayor to sign a letter of support for the event, seconded by Councilman Clendaniel. The motion passed unanimously.

Agenda #2 – Pathway’s Project Award

Mr. Mulrine provided an update on the Pathway’s Project and announced that two bids were received and are being reviewed. The bids will be presented to the Council for consideration to award the bids at the March meeting.

Agenda #3 – Ethics Amendment

Mrs. VanEmburch announced that the Town had received a response from the State Ethics Board. They will be holding a hearing on March 15, 2012 to listen to testimony and make a decision on the Town’s request for a waiver to the requirements. Mrs. VanEmburch discussed the hearing process, and asked the Council to decide who should attend and represent the Town. She mentioned that Delegate Jeannie Haddaway-Ricco was introducing legislation to reduce the requirements to Municipalities.

The Council will make a decision as to who will be representing the Town during the hearing at the next Council meeting.

Councilman Gregory said in light of the County Tax Differential Hearing being held the same night as the MML meeting, that he would be attending the Tax meeting instead.

New Business

Agenda #1 – Procurement Policy Revision

The Town’s current Procurement Policy allows Town Staff to make purchases up to \$5,000 without Council approval. As requested at the last Council meeting, this item was placed on the agenda to discuss increasing the limit to \$10,000.

Mr. Mulrine stated that the procurement policy had not been reviewed and updated since 1995. He will be drafting a new ordinance for consideration at a future meeting.

Agenda #2 – Energy Grant Award

Mr. Mulrine mentioned that the Town was awarded a \$21,000 Energy Grant last year. Staff is researching placing solar panels on the police building.

Councilman Gregory made a motion to accept the grant award, seconded by Councilman Danielson, passing unanimously.

Agenda #3 –2012 MML Main Street Booth

The Maryland Municipal League Convention is scheduled for June 24-27, 2012. In an effort to keep a Denton presence at the event, staff asked the Council if they wished to participate with a booth at the event. The cost of the booth is \$200 and includes 2 passes for the convention. During past events the booth had received many inquiries regarding Downtown and Tourism.

Councilman Gregory made a motion to authorize staff to reserve a booth for \$200.00, seconded by Councilman Danielson. In discussion, staff was told to inquire with Mrs. Jacobs and Mrs. Mackel to see if they would like to be involved. The motion passed unanimously.

Agenda #4- Wal-Mart Legion Road Closure

Staff met with Kersher Engineering, Bowman Engineering and RIV Construction about closing Legion Road to through traffic once road work commences in March/April around the Wal-mart site. The road will still be accessible to Denton Plaza and Subway/Dunkin Donuts, and access to the Denton Public Works facility would be from Foy Road. The Wal-mart engineering firm, Bowman and contractor, RIV Construction requested to close the road for 6 months. Staff's position is that the majority of the road work can be done in 3 months and they will allow temporary closures beyond the three months, until the road work is completed. Chief Cox added that the extent of the construction could be dangerous and for public safety, he supports the three month closure. Staff is requiring the road work be bonded.

Mayor Porter stated that the Fire Dept. has reviewed and provided their views on the effect of the closure.

Councilman Danielson made a motion to support staff and approve a three month closure of Legion Road to be determined by staff, seconded by Councilwoman Case, passing unanimously.

Agenda #5 – Water Bill Abatement Request

The Council reviewed a request that was submitted by Mr. George Nier of 3 N. First St. Mr. Nier was requesting an opportunity to address the Council concerning a high water bill. Mr. Nier was not in attendance, but staff advised he had made payment arrangements earlier on this date.

Councilman Gregory made a motion to deny the request, seconded by Councilman Danielson, passing unanimously.

Agenda #6 – Well #6 Power Application

The Council reviewed a request submitted by the Denton Public Works Department seeking approval to proceed with applying for new electrical service needed for the Well #6 project on Camp Road. The application requires a \$5,000 deposit that would be charged to the water fund.

Councilman Danielson made a motion to approve the submission of the application, seconded by Councilman Clendaniel. In discussion, Mr. Mulrine explained that the Town has been awarded \$498,000 in Maryland Dept. of Environment funding for the project. The Town will be asked to contribute \$10,000 for the electric. Councilman

Gregory recommended that staff continue to negotiate for additional funding. The motion passed unanimously.

Agenda #7 – Caroline County Chamber of Commerce Map

Discussion was previously held regarding the Town contributing to the Caroline County Chamber of Commerce Map. Mr. Mulrine mentioned that if the Council wanted to contribute, that unused election funds for legal fees could be redistributed to cover the cost.

Councilman Clendaniel made a motion to approve the Town to contribute towards the map, seconded by Councilwoman Case, passing unanimously.

Miscellaneous

Mayor Porter asked if there was support to contribute \$50.00 towards the Caroline Day activities scheduled in Annapolis for February 15, 2012

Councilman Gregory made a motion to fund \$50.00, seconded by Councilwoman Case, passing unanimously.

Mayor Porter observed safety issues with the location of the Corrections vans in front of the courthouse sticking out and obstructing the view of pedestrian crossing. Chief Cox was asked to address moving the designated Correction van parking to the other side of the cross walk.

Councilman Clendaniel shared a citizen complaint about the 4th St. and Randolph St. drainage ditches and problems with sewer back-ups. Mr. Mulrine will check with Denton Public Works.

Councilman Danielson shared a citizen inquiry about whether the sirens on the poles were necessary any more. Mayor Porter answered “yes” that the sirens are necessary. He stated that with the technology used today, the sirens are not used as much as they use to be.

Mayor Porter mentioned that there have been some concerns raised by Council members regarding the Denton Development Corporation. He stated that the concerns are related to the DDC and not town staff. Mayor Porter asked the Council members to provide him their concerns in writing to be reviewed. Mayor Porter mentioned that this would be Mr. Bill Kastning’s last Council meeting and wished him the best of luck in his new job.

With no further discussion Councilman Clendaniel made a motion to close the meeting at 8:14 PM, seconded by Councilman Danielson, passing unanimously.

Respectfully submitted,

*Karen L. Monteith,
Clerk - Treasurer*