

September 3, 2015

Executive Session – 6:30 PM

At 6:30 PM, Councilman Porter made a motion to hold an Executive Session to discuss a personnel item, “The Town Administrator’s Annual Performance Evaluation”. The motion was seconded by Councilman Branson, passing unanimously.

This session was held in the first floor meeting room of the New Town Hall at 4 N. Second Street.

Present

The Mayor, Councilman Clendaniel, Councilman Porter and Councilman Branson were present for this session. Councilwoman Lightner was absent due to illness.

Staff present during this session included Don Mulrine, Town Administrator, and Karen Monteith, Clerk-Treasurer.

Discussion

At 6:30 PM, the Town Council discussed the Town Administrator’s Annual Performance Evaluation as a Board.

At 6:35 PM, Mr. Mulrine joined the Council for a brief discussion on the evaluation. The Mayor will meet with Mr. Mulrine on an individual basis and go over the evaluation in more detail at a later date.

At 6:39 PM Councilman Clendaniel made a motion to close the Executive Session, seconded by Councilman Branson, passing unanimously.

The Executive Session was adjourned and the Council relocated to the Councils meeting room upstairs to prepare for the regular monthly meeting.

Regular Meeting

Mayor McNinch 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 McNinch mentioned that the Council held an executive session earlier this evening at 6:30 to discuss a personnel item – The Town Administrator’s Annual Personnel Evaluation.

Mayor McNinch asked that the record reflect that all Council members were present, with the exception of Councilwoman Lightner, who was absent due to an illness.

Councilman Clendaniel made a motion to approve the minutes of the August 6, 2015 Regular Meeting as presented, seconded by Councilman Branson, passing unanimously.

Public Hearing

None

Petitions, Remonstrance’s and Communication

None

Ordinances and Resolutions

Resolution #817 – Public Works Equipment Purchase

A Resolution authorizing the Town to purchase a 2015 Caterpillar Inc. Model 247B3 AC Multi Terrain Loader with attachments, to be financed through PNC Bank.

Councilman Clendaniel made a motion to authorize the purchase and adopt Resolution #817, seconded by Councilman Porter. The motion passed unanimously.

Resolution # 818 – Diem Annexation Agreement Amendment

A Resolution of the Town of Denton approving an amendment to the October 3, 2005 Annexation Agreement and the October 3, 2010 Amended Annexation Agreement between the Town of Denton and Ronald Diem and Jennie Diem. The amendment allows an extension for the Diem's to continue their cattle operation.

Councilman Clendaniel made a motion to adopt Resolution #818, seconded by Councilman Porter, passing unanimously.

Reports of Officers, Board and Committees

None

Unfinished Business

Agenda #1- HVAC System Replacement – FACES Building

One of the HVAC units at the Fiber Arts Center of the Eastern Shore (FACES) building is in need of replacement. The Town would like to replace it using grant funds from the MEA Grant. Only a portion of this unit may be replaced using the grant funds. The Town would have to come up with the rest of the funds.

Mr. Mulrine recommended deferring this item as he continues to identify funding. No action was taken.

Agenda #2 – Crouse Park

Mr. Mulrine provided an update on the project. As per discussions with State Highway Administration, the State will grant approximately \$400,000 toward the project. The Town will need to identify other funding sources for the Town match of approximately \$102,000.

The Town will send a letter to SHA to acknowledge the grant funds in writing and seek authorization for the Town to move forward with the project, while identifying funding for the match.

Councilman Branson made a motion to authorize the Mayor to sign a letter to State Highway Administration, seconded by Councilman Clendaniel, passing unanimously.

Agenda #3 - Power Agreement APPI

Mr. Mulrine and Mr. Les Katona, of APPI Energy, provided an update and went over the next steps for reaching out to seek offers for renewing the Town Electricity Supply Contract which is up for renewal in October.

Councilman Clendaniel made a motion to approve renewing the Power Agreement with APPI, seconded by Councilman Branson, passing unanimously.

Agenda #4 - Duffy Track

Mr. Mulrine shared a notice received from Mr. Tolbert Rowe, of the Caroline County Board of Education, regarding the Duffy Lands to use for an Intermediate School Location. The BOE has indicated that they are not in a position, at this time, to commit to acquiring the land for another school.

Councilman Clendaniel made a motion to authorize the Town Administrator to draft a letter for the Mayor to sign, to be sent to the State Highway Administration to release the Town's interest in this property. The motion was seconded by Councilman Branson, passing unanimously.

Agenda #5 – 8 N. 4th St. Demolition

Mr. Mulrine asked the Council for approval to demolish the dwelling at 8 N. 4th St., indicating the structure contains asbestos and is deteriorating beyond reconstruction.

Mayor McNinch asked if the Historical Society has approved.

Mr. Mulrine stated that Mr. JOK Walsh is aware and approves.

Councilman Branson made a motion to demolish 8 N 4th St., seconded by Councilman Porter.

In discussion, Councilman Porter asked how the Town was going to afford the demolition cost.

Mr. Mulrine announced he has received approval to use the State of Maryland Strategic Demolition Grant Funding that has been awarded and is being used by Caroline County Habitat for Humanity.

Mr. William Clemens, Director of Habitat for Humanity, provided an update on the status of the SDG Grant.

With no further questions, the Mayor asked for a vote on the motion on the floor approving to demolish this dwelling.

The motion passed unanimously.

New Business

Agenda #1 – Board of Appeals Temporary Alternate Member Appointment

In order to have a quorum for the Board of Appeals Special Exception Public Hearing scheduled for September 14th, it is necessary to appoint a temporary alternate member. The two regular members are abstaining from voting due to a conflict of interest. The applicant, Brian Tyler, is the Alternate Member and will recuse himself.

Staff recommended to have Ms. Jennifer Shull appointed as the temporary alternate member, due to her previous experience with the Town's Board of Appeals.

Councilman Branson made a motion to appoint Ms. Jennifer Shull as a Temporary Alternate on the Board of Appeals, seconded by Councilman Porter. The motion passed unanimously.

Agenda #2 – FY2017 Homestead Tax Credit Cap

This item was placed on the agenda for discussion to see if the Council wanted to make any changes to the Homestead Tax Credit Percentage for July 1, 2016. The Homestead Tax Credit is available to all owner occupied residential properties in which the real estate tax on a qualifying property cannot increase by more than 5% each year, no matter how much the assessment changes. The Tax Credit Cap has remained the same since July 1, 2008, when the Council decreased the percentage from 10% to 5%.

The Council did not wish to make any changes at this time and took no action.

Agenda #3 - 2016 Health Benefits Open Enrollment

The State of Maryland Health Benefits Open Enrollment for Town Employees and Council members begins October 15, 2015 – for the Plan Year January 1, 2016 through December 31, 2016.

Informational only, no action was taken.

Agenda #4 - Town Curfew

Discussion was held regarding having a Town Curfew.

Informational only, no action was taken.

Miscellaneous

Mr. Mulrine mentioned that Chief Cox is working on purchasing 2 new police vehicles, seeking preliminary approval to move forward with securing the vehicles. Will place a Resolution on the October agenda to officially approve.

Councilman Clendaniel made a motion to approve the Chief moving forward to place a hold and secure the vehicles, seconded by Councilman Branson. The motion passed unanimously.

Mr. Drummond asked for the Council to consider going into an Executive Session before closing the meeting, so that he may give them an update on litigation on the Alley/Jesmer case.

Mayor McNinch commented that Summerfest was a huge success.

Councilman Branson thanked the Town Administrator and Staff for all the extra work that was done to make the downtown look really nice for the event.

Mayor McNinch concurred stating it was truly a community effort and also mentioned how great the new banners look and the refreshed bulletin boards.

Mayor McNinch mentioned the Farm to Table Event, and that is was very successful. Councilman Clendaniel commended Patti Wood for all of her efforts to make this such a great event.

Mayor McNinch shared that she recently toured the UniSite facility in the Industrial Park and talked about how fascinating and incredible their operations are.

Mrs. Audrey Clemens shared a comment from one of their new staff members who stated that Summerfest was like a Hallmark Movie.

Mrs. Clemens stated that they attended the Farm to Table and it was a wonderful event.

Mrs. Clemens announced that the Caroline County Habitat for Humanity 5K is scheduled for September 9th and they have expanded into Queen Anne with a Walk.

Mayor McNinch and Councilman Porter announced that the Denton Volunteer Fire Dept. will be holding their annual Crab Fest on Sept. 19th.

At 7:43 PM, Councilman Clendaniel made a motion to go into Executive Session for the purpose of discussing pending litigation on the Alley/Jesmer at 700 Gay St. The motion was seconded by Councilman Porter, passing unanimously.

Executive Session

The Town Attorney discussed some legal issues with the Council.

At 8:18 PM, Councilman Branson made a motion to close the Executive Session and reopen the Regular Meeting, seconded by Councilman Clendaniel, passing unanimously.

Regular Meeting Resumed

The Mayor announced that the Council discussed some legal matters with the Town Attorney during the closed session and that no decisions were made.

With no further discussion, Mayor McNinch adjourned the meeting at 8:19 PM.

*Respectfully submitted,
Karen L. Monteith,
Clerk - Treasurer*