

Council of the Town of La Plata  
Town Hall, La Plata, Maryland  
Regular Meeting – 7:00 PM  
August 8, 2006

Present: Mayor Gene Ambrogio, Councilman R. Wayne Winkler, Councilman C. Keith Back, Councilwoman Paretta D. Mudd, Councilman Vic E. Newman; Michelle D. Miner, Interim Town Manager; Judith T. Frazier, Town Clerk

Town staff: Joseph W. Norris, Town Treasurer

*Pursuant to the requirement of Annotated Code of Maryland State Government Article Section 10-509(c)(2), these statements are included in these minutes:*

*▶ A closed session of the Council of the Town of La Plata was held at 4:36 PM, Monday, July 24, 2006, in the La Plata Town Hall.*

*Present: Mayor Ambrogio, Councilmen Winkler, Back, Mudd and Newman; Michelle D. Miner, Interim Town Manager; Patricia L. Bembe, Assistant Town Manager; Judith T. Frazier, Town Clerk*

*On a motion made by Councilman Back, seconded by Councilman Newman, and by unanimous consent of the members present, the session was closed. The authority under which the session was closed was Annotated Code of Maryland State Government Article Section 10-508(a)(1)(i) – Discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction. The purpose of the meeting was to interview potential candidates for the position of Town Manager and to discuss Town Manager recruitment process. Action taken: The Town Council interviewed two candidates for the position of Town Manager. The Town Council directed Ms. Bembe to call a specific Town Manager candidate and advise that the Town Council is offering the job at specified salary, inquire as to sufficiency of the benefits package, and request a response by Tuesday, August 1. The meeting adjourned at 7:21 PM.*

*▶ A closed session of the Council of the Town of La Plata was held at 8:06 PM, Tuesday, July 25, 2006, in the La Plata Town Hall.*

*Present: Mayor Ambrogio, Councilmen Winkler, Back and Newman; Michelle D. Miner, Interim Town Manager; Judith T. Frazier, Town Clerk*

*On a motion made by Councilman Newman, seconded by Councilman Winkler, and by unanimous consent of the members present, the session was closed. The authority under which the session was closed was Annotated Code of Maryland State Government Article Section 10-508(a)(1)(i) – Discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of*

*appointees, employees, or officials over whom it has jurisdiction. The purpose of the meeting was to discuss the performance evaluation of the Town Treasurer. Action taken: The Town Council agreed on a format for the evaluation and agreed to schedule a closed session on August 15, 2006, at 5:00 PM, to conduct the performance evaluation. The meeting adjourned at 8:21 PM.*

▶ A closed session of the Council of the Town of La Plata was held at 5:40 PM, Tuesday, August 1, 2006, in the La Plata Town Hall.

*Present: Mayor Ambrogio, Councilmen Winkler, Back Mudd, and Newman; Michelle D. Miner, Interim Town Manager; Patricia L. Bembe, Assistant Town Manager; Judith T. Frazier, Town Clerk*

*On a motion made by Councilman Winkler, seconded by Councilman Newman, and by unanimous consent of the members present, the session was closed. The authority under which the session was closed was Annotated Code of Maryland State Government Article Section 10-508(a)(1)(i) – Discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction. The purpose of the meeting was to discuss Town Manager recruitment process. Action taken: The Town Council directed Ms. Bembe to call a specific Town Manager candidate and schedule another interview, which the Council agreed to conduct in a closed session on Tuesday, August 8, at 5:00 PM. The meeting adjourned at 5:57 PM.*

#### Minutes:

Mayor Ambrogio called the meeting to order at 7:00 PM and asked Burkey Boggs to lead the Pledge of Allegiance.

#### Approval of July minutes

Councilman Back moved to approve the minutes of the July 11 joint work session with the County Commissioners, July 18 special meeting, July 18 closed session, July 18 regular meeting, July 24 special meeting, July 24 closed session, July 25 special meeting and work session and July 25 closed session. Councilman Winkler seconded the motion and it passed by unanimous vote.

#### Petitions, Communications, Appearances, and Public Forum

Mike Runfola, 113 Morris Drive, asked about three topics:

(1) Need for directional signs and directional painted markings on the roadbed at the intersection of Heritage Green Parkway and Crain Highway, leaving the Wawa property, like the signage in place on the opposing (eastern) side of the intersection. Mayor Ambrogio responded that Town staff research revealed that the roadbed in question is private property. He noted that

letters will be written to the property owner to ask them to paint the directional markings on the roadbed, and to the State to ask them to install the directional signs.

(2) The pond at the Community Bank corner of Heritage Green Parkway has held water all summer long and is a breeding ground for mosquitoes. Mayor Ambrogio responded that Town staff investigated the pond, including TV inspection of the pipe to assure there was no blockage. They advise that the pond is doing the job it was designed to do. The Director of Planning and Zoning will be asked to revisit the site and investigate further.

(3) The article in the latest issue of *Town Notes* contained information regarding the new utility rates. Mr. Runfola suggested including the previous rates as a point of reference.

### Legislation

Ordinance 06-11 International Building Code 2003 (For Adoption) – For the purpose of adopting the International Building Code 2003, with certain modifications and additions, as the building code for the Town of La Plata, with certain exceptions; providing for the administration and enforcement of that code; specifying penalties for violations; providing that the provisions of this Ordinance are severable; and all matters generally related thereto.

Ordinance 06-12 International Residential Code for One-and Two-Family Dwellings 2003 (For Adoption) – For the purpose of adopting the International Residential Code for One- and Two-Family Dwellings 2003, with certain modifications, as the code for the design and construction of certain one- and two-family dwellings and townhouses in the Town of La Plata; providing for the administration and enforcement of that code; specifying penalties for violations; providing that the provisions of this Ordinance are severable; and all matters generally related thereto.

Ordinance 06-13 International Electrical Code–Administrative Provisions 2003 (For Adoption) – For the purpose of adopting the International Electrical Code-Administrative Provisions 2003, with certain modifications, as the code for the regulation, and control of the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of electrical systems in the Town of La Plata; providing for the administration and enforcement of that code; specifying penalties for violations; providing that the provisions of this Ordinance are severable; and all matters generally related thereto.

Ordinance 06-14 International Mechanical Code 2003 (For Adoption) – For the purpose of adopting the International Mechanical Code 2003, with certain modifications, as the mechanical code for the Town of La Plata; providing for the administration and enforcement of that code; specifying penalties for violations; providing that the provisions of this Ordinance are severable; and all matters generally related thereto.

Ordinance 06-15 International Energy Conservation Code 2003 (For Adoption) – For the purpose of adopting the International Energy Conservation Code 2003, with certain modifications, as the energy conservation code for the Town of La Plata; providing for the administration and enforcement of that code; specifying penalties for violations; providing that the provisions of this Ordinance are severable; and all matters generally related thereto.

Ordinance 06-16 International Fuel Gas Code 2003 (For Adoption) – For the purpose of adopting the International Fuel Gas Code 2003, with certain modifications, as the code for the regulation and control of the design and installation of fuel gas systems and gas-fired appliances in the Town of La Plata;

providing for the administration and enforcement of that code; specifying penalties for violations; providing that the provisions of this Ordinance are severable; and all matters generally related thereto.

Ordinance 06-17 International Existing Building Code 2003 (For Adoption) – For the purpose of adopting the International Existing Building Code 2003, with certain modifications, as the code for the repair, alteration, change of occupancy, addition, and relocation of existing buildings in the Town of La Plata; providing for the administration and enforcement of that code; specifying penalties for violations; providing that the provisions of this Ordinance are severable; and all matters generally related thereto.

Ordinance 06-18 International Fire Code 2003 (For Adoption) – For the purpose of adopting the International Fire Code 2003, with certain modifications, as the fire code for the Town of La Plata; providing for the administration and enforcement of that code; specifying penalties for violations; providing that the provisions of this Ordinance are severable; and all matters generally related thereto.

Ordinance 06-19 International Plumbing Code 2003 (For Adoption) – For the purpose of adopting the International Plumbing Code 2003, with certain modifications, as the plumbing code for the Town of La Plata; providing for the administration and enforcement of that code; specifying penalties for violations; providing that the provisions of this Ordinance are severable; and all matters generally related thereto.

Ordinance 06-20 International Property Maintenance Code 2003 (For Adoption) – For the purpose of adopting the International Property Maintenance Code 2003, with certain modifications, as the property maintenance code for the Town of La Plata; providing for the administration and enforcement of that code; specifying penalties for violations; providing that the provisions of this Ordinance are severable; and all matters generally related thereto.

Ms. Miner explained that Ordinances 06-11 through 06-20 provide for the adoption of the 2003 International Building Code (IBC), and that all are components of IBC 2003 that the Town needs to adopt.

Mayor Ambrogio moved to adopt Ordinances 06-11 through 06-20. Councilman Newman seconded the motion. Following discussion, the motion passed by unanimous vote.

Ordinance 06-21 Major Facilities Fees in the Old Town Utility District (For Introduction) – For the purpose of revising the exemption to the application of the Town’s Major Facilities Fee on properties located in the Old Town Utility District; providing for the use of monies currently in the Town’s Major Facilities Fund and revenues to be contributed to the fund on and after a certain date; providing for the severability of the provisions of this Ordinance; and all matters generally related to the Town’s Major Facilities Fee.

Ms. Miner read the purpose clause of Ordinance 06-21.

Resolution 06-8 (For Introduction) - A Resolution authorizing the acquisition of certain property owned by Henry J. Stehr and Anita S. Gibson by eminent domain for the purposes of the construction of Heritage Green Parkway; determining that acquisition of such property for the construction of Heritage Green Parkway is for a public purpose; and matters relating generally thereto.

Mayor Ambrogio read the purpose clause of Resolution 06-8.

### Unfinished Business

#### Grant Application – Southern Maryland Carousel Group, Inc.

Councilman Newman stated he had copies of correspondence dating back to 2001 which indicated Town Council support of the Carousel Museum project and which indicated the Town would contribute \$7500 towards a matching funds type grant, which grant the Carousel Group did not receive. Mayor Ambrogio stated that the Carousel Museum at that time was to be placed within the Town of La Plata.

Councilman Back moved to deny the application of Southern Maryland Carousel Group, Inc. for a grant in the amount of \$6,000. Councilman Winkler seconded the motion. During discussion before the vote it was noted that the Town Council supports the Carousel Museum endeavor but believes they need to raise at least 25% of their \$1 million goal, proving that it is a feasible, viable project, before the Town invests Town funds in the project. The Town Council agreed to direct Ms. Miner to draft a letter of support to the Carousel Museum Group, to be signed by the Town Council, to advise the Carousel Museum Group that, once they raise 25% (\$250,000) of their goal, the Town Council would approve a grant or adopt a carousel animal. Vote on the motion: the motion passed by unanimous vote.

### New Business

#### Motion to schedule additional work session

Mayor Ambrogio moved to schedule an additional work session on August 10, at 5:00 PM, to discuss draft election law reform legislation. Councilman Winkler seconded the motion and it passed by unanimous vote.

#### Motion to conduct closed session

Mayor Ambrogio moved to conduct a closed session on August 15, 2006, at 4:30 PM, pursuant to *Annotated Code of Maryland* Section 10-508(a)(1)(i) – Discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction. Councilman Back seconded the motion. Roll call vote: Mayor Ambrogio and Councilmen Winkler, Back, Mudd and Newman voted aye. Motion carried by unanimous vote.

#### Award bids

Councilman Newman expressed concern that the Redwood Lake spillway repair replaces everything except the original valve, and indicated he wanted a stipulation in the motion accepting the price quotes for this work to include that before the project is complete, Town staff

examine the valve to determine if it should be replaced. In response to Mayor Ambrogio's question, Ms. Miner advised that the excavation price information requested by the Council had been included in their meeting packets, but that she had no prior knowledge of the issue regarding the valve and would need to discuss it with Steve Schroeder, the Town's Project Manager.

Councilman Winkler moved to suspend regular bidding procedures pursuant to Section 43-5 of the Town Code, for the purpose of accepting the price quotes from Darbie and Son's Excavating, Inc. for excavation and demolition of the spillway structure, and from Deane Guy Masonry, Inc. for construction of the spillway structure, both related to the Redwood Lake spillway repair; the price quote from Hunt Ford, Inc. for a new utility body truck; and the price quote from Mid-Atlantic Waste System for two snow plows. Councilman Winkler seconded the motion and it passed by unanimous vote.

#### Redwood Lake spillway repair

Mayor Ambrogio moved to accept the price quote from Darbie and Son's Excavating, Inc. in the amount of \$20,550.00, for excavation and demolition of the spillway structure at Redwood Lake, and the price quote from Deane Guy Masonry, Inc., in the amount of \$11,325.00, for construction of the spillway structure at Redwood Lake, with the stipulation that the valve be examined and replaced, if necessary, prior to the completion of this project. Councilman Newman seconded the motion and it passed by unanimous vote.

#### New utility body truck

Mayor Ambrogio moved to accept the price quote from Hunt Ford, Inc. in the amount of \$40, 710.11, for a new utility body truck. Councilwoman Mudd seconded the motion. Following discussion, the motion passed by unanimous vote.

#### Two snow plows

Mayor Ambrogio moved to accept the price quote from Mid-Atlantic Waste System in the amount of \$7,219.20 each, for the purchase of two snow plows. Councilman Winkler seconded the motion. Following discussion, the motion passed by unanimous vote.

#### Commission reports

Councilman Back advised that the Planning Commission did not meet in August.

Councilwoman Mudd reported that the Beautification Commission has a plan to redo the plantings along La Grange Avenue. Councilwoman Mudd advised that she has received requests from several of the business owners along La Grange Avenue who want parking spaces. Councilwoman Mudd named as examples: Dr. Ferrero's office, the office in the former Carrico house, and the Norris office building.

Councilman Mudd moved to direct Town staff to research and to obtain price information from Civil Construction, while they are working on St. Mary's Avenue, for installing curb cuts and parking along La Grange Avenue, prior to redoing the plantings. Councilman Newman seconded the motion and it passed by unanimous vote.

Councilman Winkler praised the efforts of the owners of the DeAngelis Building for their work in constructing an office building from the damaged building it was, and noted he hoped the Town would acknowledge them in some way when they open the building.

Mayor Ambrogio reported on the upcoming concerts and movies on Friday and Saturday evenings at the Town Hall. Mayor Ambrogio also reported that the St. Mary's Avenue streetscape project will provide for a beautiful street that all will be proud of, and noted that the light fixtures will be pedestrian-friendly and provide less light pollution.

There being no further business, Councilman Newman moved to adjourn at 7:40 PM. Councilman Back seconded the motion and it carried.

Submitted by:

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Judith T. Frazier  
Town Clerk