

Council of the Town of La Plata  
Town Hall, La Plata, Maryland  
Regular Meeting – 7:00 PM  
May 9, 2006

Present: Mayor Gene Ambrogio, 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; Cathy Flerlage, Director of Planning and Zoning

*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 7:41 PM, Tuesday, April 18, 2006, in the La Plata Town Hall.*

*Present: Mayor Ambrogio, Councilmen Winkler, Back, Mudd and Newman; Michelle D. Miner, Interim Town Manager; Judith T. Frazier, Town Clerk; Joseph W. Norris, Town Treasurer; Frederick C. Sussman, Town Attorney*

*On a motion made by Councilman Newman, seconded by Councilman Back, 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. Action taken: The Town Council directed Ms. Miner to send written notice to an applicant who was interviewed and advise he is not being offered the Town Manager job. The Town Council directed Ms. Miner to advise an applicant who was interviewed that the Town's offer stands as is, and that the Council is open to discussion and would like to interview him again to discuss this in person. The Town Council agreed on an advertisement for the Town Manager position and directed Ms. Miner to place it in the Maryland Municipal League's publication again. The meeting adjourned at 8:04 PM.*

*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 1:06 PM, Saturday, April 29, 2006, in the La Plata Town Hall.*

*Present: Mayor Ambrogio, Councilmen Winkler, Back, Mudd and Newman; Michelle D. Miner, Interim Town Manager*

*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 interview a potential candidate for position of Town Manager and discuss Town Manager recruitment process. Action taken: The Town Council interviewed a candidate for the position of Town Manager. The Town Council directed Ms. Miner to ask the Town Treasurer to obtain prices on long- and short-term disability insurance and to research house financing options. The meeting adjourned at 2:06 PM.*

*► A closed session of the Council of the Town of La Plata was held at 5:33 PM, Tuesday, May 2, 2006, in the La Plata Town Hall.*

*Present: Mayor Ambrogio, Councilmen Winkler, Back, and Mudd; Michelle D. Miner, Interim Town Manager; Judith T. Frazier, Town Clerk; Joseph W. Norris, Town Treasurer; Frederick C. Sussman, Town Attorney*

*On a motion made by Councilman Winkler, seconded by Councilman Back, 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 Sections 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; and 10-508(a)(3) - Consider the acquisition of real property for a public purpose and matters directly related thereto. The purpose of the meeting was to discuss Town Manager recruitment and to discuss acquisition of property for sidewalks. Action taken: The Town Council received information they requested from the Town Treasurer regarding prices on long- and short-term disability insurance and house financing options, and directed the Town Treasurer to research group coverage and confirm the cost with the insurance company. The Town Council agreed on terms regarding house financing options and directed Ms. Miner and Mr. Norris to contact the applicant to explain the housing finance option agreed upon. Regarding acquisition of property for sidewalks, no action was taken. The meeting adjourned at 6:23 PM.*

Minutes:

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

#### Approval of April minutes

Councilman Newman moved to approve the minutes of the April 4 special meeting and work session, April 4 closed session, April 10 special meeting, April 10 closed session, April 11

work session and regular meeting, April 18 special meeting and work session, April 18 closed session, April 25 special meeting, April 25 joint meeting with County Commissioners, April 25 work session, April 29 special meeting and April 29 closed session. Councilwoman Mudd seconded the motion and it passed by unanimous vote.

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

##### State of the Town report

Mayor Ambrogio read the State of the Town report. *[Attached to the original minutes.]*

##### Charles Street Task Force: recommendations regarding pedestrian safety

Steve Abell, Greg Welker and other members of the Task Force were present to provide a summary of their recommendations and discuss their report with the Town Council. *[Copy attached to the original minutes.]* During the discussion, the topic of the railroad crossing on Charles Street was mentioned. Mr. Welker said that State Highway Administration will make arrangements to perform the work to pave both sides of the tracks. The Town Council thanked the Task Force for a job well done.

##### Presentation by Tom O'Farrell, Chairman, Parks and Recreation Commission – request for hardscape funding at the memorial garden near the Charles County Fire Museum.

Mr. O'Farrell and Sharon Zimmer described the hardscaping proposed for the memorial garden and requested \$11,700 to pay for the hardscape.

##### Public Forum

Linda Redding, who stated she is a former Town resident now residing in Nanjemoy, advised she wished to ask the Faison representatives what thought they gave to their buildings being a benefit to the community, and encouraged building “green buildings” and being concerned about the environment.

David Cooksey remarked it would be nice if the 1926 tornado memorial plaque could be added to the Town's memorial garden. Mary Beth Chandler advised it was currently located in the lobby of Milton Somers School.

##### Legislation

Ordinance 06-7 Town of La Plata FY2006-2007 Tax Rate (For Adoption) – For the purpose of adopting the Town of La Plata FY2006-2007 Tax Rate; and all matters generally relating thereto.

Mayor Ambrogio read the purpose clause of Ordinance 06-7.

Councilman Newman moved to adopt Ordinance 06-7. Councilwoman Mudd seconded the motion and it passed by unanimous vote.

Ordinance 06-8 Town of La Plata FY2006-2007 Financial Plan/Budget (For Introduction) – For the purpose of adopting the Town of La Plata FY2006-2007 Financial Plan/Budget; and all matters generally relating thereto.

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

Ordinance 06-9 Fee Schedule (For Introduction) – For the purpose of adopting the Fee Schedule, dealing with fees set by the Town of La Plata; and all matters generally relating thereto.

Mayor Ambrogio read the purpose clause of Ordinance 06-9.

Resolution 06-5 Surplus Radio Equipment (For Adoption) – For the purpose of determining that certain radio equipment owned by the Town is no longer needed for public use and authorizing the conveyance of such surplus radio equipment; and all matters generally related to the disposition and conveyance of such surplus radio equipment.

Mayor Ambrogio read the purpose clause of Resolution 06-5.

Councilman Back moved to adopt Resolution 06-5. Councilman Newman seconded the motion and it passed by unanimous vote.

#### Public hearings

Ordinance 06-8 Town of La Plata FY2006-2007 Financial Plan/Budget – For the purpose of adopting the Town of La Plata FY2006-2007 Financial Plan/Budget; and all matters generally relating thereto.

Mayor Ambrogio called the hearing to order. The Clerk entered into the record the Certification of Publication of the notice of the hearing in the April 19, 2006 edition of the Maryland Independent.

Mayor Ambrogio asked if anyone wished to speak. No one wished to speak.

There being no speakers, Mayor Ambrogio closed the hearing at 7:40 PM.

Ordinance 06-9 Fee Schedule – For the purpose of adopting the Fee Schedule, dealing with fees set by the Town of La Plata; and all matters generally relating thereto.

Mayor Ambrogio called the hearing to order. The Clerk entered into the record the Certification of Publication of the notice of the hearing in the April 19, 2006 edition of the Maryland Independent.

Mayor Ambrogio asked if anyone wished to speak. No one wished to speak.

There being no speakers, Mayor Ambrogio closed the hearing at 7:41 PM.

Traditional Neighborhood Development (TND) designation request by GP Homes, LLC on Parcels 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 16, 26, and 27 of Heritage Green.

Mayor Ambrogio called the hearing to order. The Clerk entered into the record the Certification of Publication of the notice of the hearing in the April 19, 2006 edition of the Maryland Independent.

Charis Lapas, Lois Page and Nicholas Tryfon, of GP Homes, David Cooksey and Dan Anderton, of Loiederman Soltesz, and Pat Faux, of the Faux Group, Inc., were present to provide a PowerPoint presentation and describe how this request for TND has met the criteria for granting that designation.

Mayor Ambrogio asked if anyone wished to speak.

Linda Redding asked if environmentally friendly chemicals would be used on the golf course, to which Pat Faux responded yes, and discussed other environmentally friendly considerations.

Sandra Mitchell, La Plata, encouraged the retention of the existing natural tree buffer on both sides of Rosewick Road, and noted that during her tenure on the Charles County Planning Commission they recommended the buffer be retained. Mrs. Mitchell encouraged the developer to keep the big trees.

Tom O'Farrell, Parks and Recreation Commission chairman, noted that the Commission promotes pedestrian paths and asked if a north-south path is proposed. Ms. Faux responded that a hiker/biker path is planned from Rosewick Road down to Charles Street across from Willow Lane, with a small connection at Caroline Drive.

In response to Councilman Newman's question regarding how fertilizers will be prevented from entering the Clarks Run stream, Mr. Cooksey advised that measures will be taken to provide for careful control of applications and noted that they are required to treat storm water two ways before it enters streams. Regarding use of gray water on the golf course, Mr. Cooksey advised that MDE has strict regulations on such use near residential houses, but that the developer is willing to look into the use of gray water.

Mary Beth Chandler, 900 Anne Arundel Avenue, asked if there would be an irrigation system on the golf course, to which Mr. Cooksey replied they would be using lakes on the property to supply the irrigation system, and that the water will not come from the Town water supply or aquifers.

There being no other speakers, Mayor Ambrogio closed the hearing at 8:21 PM.

Resolution 06-4 Rosewick Limited Partnership Annexation – 74.6032 Acres – For the purpose of authorizing the annexation of 74.6032 acres, more or less, of land into the corporate limits of the Town of La Plata by amending the corporate limits of the Town; establishing certain terms, conditions and circumstances applicable to such land and to the owners thereof; providing for the zoning of such land upon annexation; and all matters relating to the annexation of such 74.6032 acres of land, more or less, into the Town of La Plata.

Mayor Ambrogio called the hearing to order. The Clerk entered into the record the Certification of Publication of the notice of the hearing in the March 31, April 7, April 14, and April 21, 2006 editions of the Maryland Independent.

Mayor Ambrogio read the zoning recommendation portion of the memorandum from the Planning Commission to the Town Council, dated May 9, 2006, and acknowledged the letter from the County Commissioners of Charles County to the Town, dated May 1, 2006. The Clerk entered both documents into the record.

Roger Wright, of Faison, explained aspects of “efficiency of buildings” in response to a question posed earlier in the meeting by Linda Redding [under “Public Forum”].

Mayor Ambrogio asked if anyone wished to speak.

Linda Redding stated her same question stands. [Under “Public Forum”]

Councilwoman Mudd noted the presence of Commissioners Cooper and Smith and asked if the rumor she heard was true that the name of Rosewick Road is to be changed to St. Charles Parkway. Commissioner President Cooper responded that it was never discussed and was the first he’d heard of it. Ms. Flerlage remarked that the information was provided by a staff member of Emergency Services Department as part of a meeting to re-address properties on Rosewick Road, which the staff member advised will be called St. Charles Parkway. Commissioner President Cooper advised that staff has not brought it to the Commissioners. Commissioners Cooper and Smith advised they will look into it.

There being no other speakers, Mayor Ambrogio closed the hearing at 8:34 PM.

### Unfinished Business

#### St. Mary’s Avenue paving bid

Councilman Back moved to award the bid for the St. Mary’s Avenue streetscape improvement project to Civil Construction, Inc. in the amount of \$343,000. Councilman Newman seconded the motion. In discussion before the vote, Councilman Newman expressed concern regarding the low amount of the bid and asked if they were bidding on the same materials. Mr. Schroeder assured the Council that all bidders had the same plans and

information regarding materials and type of asphalt to be used, and advised he checked on this bidder at the request of the Town Council and found no reason to reject the bid. Mayor Ambrogio advised he met with Civil Construction representatives and said they advised they use no subcontractors, except for striping and stamped paving. They also advised they would begin the work on June 1 and complete it as soon as possible. Councilwoman Mudd advised she researched other projects bid on by Civil Construction and found no big discrepancies between bids. Vote on the motion: Mayor Ambrogio and Councilmen Back and Newman voted aye; Councilwoman Mudd voted nay. The motion passed by majority vote.

#### New Business

##### Approval of hardscape funding for Phase One of the Memorial Garden at the Charles County Fire Museum

Mr. Norris announced that GP Homes has offered to donate the \$11,700 for the hardscape at the memorial garden. This announcement was met by a round of applause. Mayor Ambrogio suggested including GP Homes' name on a plaque at the garden. He also asked Mary Beth Chandler to speak with the County Commissioners about relocating the 1926 tornado memorial plaque to the garden, noting that Commissioner Smith seemed enthusiastic about doing so.

##### Approval of All Pro Asphalt quote for swale and paving repair on Worcester Street

Mayor Ambrogio moved to accept the quote of \$3,900 from All Pro Asphalt for swale and paving repair to correct the drainage issue on Worcester Street. Councilman Newman seconded the motion and it passed by unanimous vote.

##### Budget transfers and amendment

Mr. Norris explained that the transfers are to (1) repay the \$60,000 that Capital Projects Fund owes the General Fund; (2) pay two years at \$25,000 per year from Sanitation Fund Net Assets to the Vehicle Replacement Fund – which was budgeted but never transferred; and (3) to authorize the expenditure of \$6,000 for the siren installed near the La Plata firehouse.

Councilman Back moved to (1) transfer \$60,000 from Fund Balance of the General Fund as a grant to the Capital Projects Fund, and to then transfer \$60,000 as payment in full to the General Fund; (2) transfer \$50,000 from Sanitation Fund Net Assets to the Vehicle Replacement Fund; and (3) amend the FY06 General Fund Budget, Capital Outlay for the Public Safety Department, by adding to or increasing the spending authority in the amount of \$6,000 for installation of a siren. Councilwoman Mudd seconded the motion and it passed by unanimous vote.

Traditional Neighborhood Development (TND) designation request by GP Homes, LLC on Parcels 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 16, 26, and 27 of Heritage Green.

Councilman Back moved to grant the TND designation request by GP Homes, LLC on Parcels 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 16, 26, and 27 of Heritage Green. Councilwoman Mudd seconded the motion and it passed by unanimous vote.

### Commission Reports

Speaking on behalf of the Parks and Recreation Commission, Councilman Newman thanked GP Homes for their donation to the memorial garden.

Councilman Back reported on topics discussed at the May 2 Planning Commission meeting.

Mayor Ambrogio reported on the Celebrate La Plata Day event held on April 29. In response to Mayor Ambrogio, Ms. Miner announced that this year's Memorial Day Ceremony will be held on Monday, May 30, at 11:00 AM.

There being no further business, Councilman Newman moved to adjourn at 9:02 PM. Councilman Back seconded the motion and it carried.

Submitted by:

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Judith T. Frazier  
Town Clerk