

Council of the Town of La Plata
Town Hall, La Plata, Maryland
Regular Meeting – 7:00 PM
May 22, 2007

Present: Mayor Gene Ambrogio, Councilman Scot D. Lucas, Councilwoman Paretta D. Mudd, Councilman Vic E. Newman; Joseph W. Norris, Acting Town Manager; Judith T. Frazier, Town Clerk

Town Staff: Chief Cassin B. Gittings, Officer Jeffrey G. Hitaffer, Officer Thomas Johnston, La Plata Police Department

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 5:31 PM, Thursday, April 26, 2007, in the La Plata Town Hall.

Present: Mayor Ambrogio, Councilmen Winkler, Back and Mudd; Joseph W. Norris, Acting Town Manager; Judith T. Frazier, Town Clerk

On a motion made by Mayor Ambrogio, 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 Town Manager recruitment. Action taken: Upon motion duly made, seconded and adopted by unanimous vote, the Council adopted Resolution 07-6, Employment Agreement between the Town of La Plata and Daniel J. Mears. The meeting adjourned at 6:00 PM.

▶ A closed session of the Council of the Town of La Plata was held at 4:50 PM, Monday, May 14, 2007, in the La Plata Town Hall.

Present: Mayor Ambrogio, Councilmen Goldsmith, Lucas and Mudd; Joseph W. Norris, Acting Town Manager; Judith T. Frazier, Town Clerk; Frederick C. Sussman, Town Attorney

On a motion made by Mayor Ambrogio, seconded by Councilwoman Mudd, 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(7) – Consult with legal counsel to obtain legal advice. The purpose of the meeting was to discuss Developers Rights and Responsibilities Agreement (GP Homes-Heritage Green.) Action taken: Authorized the Town Attorney to send his annotated version of the Agreement to the attorneys for GP Homes. The meeting adjourned at 6:10 PM.

► *A closed session of the Council of the Town of La Plata was held at 6:47 PM, Tuesday, May 22, 2007, in the La Plata Town Hall.*

Present: Mayor Ambrogio, Councilmen Lucas, Mudd and Newman; Joseph W. Norris, Acting Town Manager; Judith T. Frazier, Town Clerk

On a motion made by Mayor Ambrogio, seconded by Councilman Lucas, 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 appointments to Boards and Commissions. Action taken: The Council agreed to appoint the nominees recommended by the Mayor. The meeting adjourned at 6:58 PM.

Minutes:

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

General Election Results

The Clerk read into the record the results of the General Election held May 1, 2007. Councilman, Ward I candidates: James Goldsmith received 75 votes; Reginald Kearney received 11 votes. Councilman, Ward II candidate: Scot D. Lucas received 13 votes.

Approval of April minutes

Councilman Newman moved to approve the minutes of the April 10 closed session, April 10 work session, April 17 work session-quarterly meeting with County Commissioners, April 24 regular meeting, April 26 special meeting, and April 26 closed session. Councilwoman Mudd seconded the motion. Vote on the motion: Mayor Ambrogio and Councilmen Mudd and Newman voted aye; Councilman Lucas abstained. The motion passed by majority vote.

Treasurer's Report

Mayor Ambrogio acknowledged receipt of the Treasurer's report dated April 30, 2007.

Petitions, Communications, Appearances, and Public Forum

Oath of Office - Officer Jeffrey G. Hitaffer

Chief Gittings administered the Oath of Office to Officer Hitaffer.

Public Forum (No one wished to speak.)

Public Hearing

Ordinance 07-9 Traditional Neighborhood Development – Frontage on Public Green Space; Thoroughfare Designs – For the purpose of allowing a principal building's front door to open directly to a frontage line on a public green space, under certain circumstances; providing clarification as to the location within the Code of design criteria for standard Town thoroughfares; specifying that the Planning Commission shall have flexibility to consider and approve alternative thoroughfare designs within a designated TND only; providing that the provisions of this Ordinance are severable; and all matters generally relating thereto.

Mayor Ambrogio called the hearing to order at 7:10 PM. The Clerk entered into the record the Certification of Publication of the notice of the hearing in the May 2, 2007 edition of the Maryland Independent. Mayor Ambrogio acknowledged receipt of the memorandum to the Town Council from Cathy Flerlage, Director of Planning and Zoning, dated May 22, 2007, which contained the staff report and the Planning Commission's recommendation that the Town Council adopt Ordinance 07-9, and it was entered into the record.

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

Mayor Ambrogio closed the hearing at 7:11 PM.

Mayor Ambrogio moved to adopt Ordinance 07-9. Councilwoman Mudd seconded the motion and it passed by unanimous vote.

Legislation

Resolution 07-7 Schedule of Holidays – FY2007-2008 (For introduction and consideration of adoption) – For the purpose of adopting the schedule of holidays to be observed by the employees of the Town of La Plata for FY2007-2008; and all matters relating to said schedule of holidays.

Mayor Ambrogio moved to adopt Resolution 07-7. Councilman Lucas seconded the motion and it passed by unanimous vote.

Unfinished Business (none)

New Business

Budget amendments

Mayor Ambrogio moved to amend the FY07 Budget as outlined in the document labeled "Budget Amendments", dated May 22, 2007, by:

1. Appropriating an additional \$120,000 from fund balance to (130-010) Law.
2. Appropriating an additional \$11,050 from fund balance to (135-070) Vision.
3. Appropriating \$35,000 from fund balance to (135-084) Transportation Study.
4. Appropriating \$350,000 from fund balance to (140-100) Capital Construction and Acquisition.

5. Appropriating \$6,000 from fund balance to (330-010) Public Safety Operating Expense – Siren Test and Repairs.
6. Appropriating an additional \$41,050 from vehicle reserve fund to (500-098) Sanitation Vehicle Replacement.
7. Appropriating an additional \$250,000 from retained earnings to (640-560) I and I Study and Rehabilitation.

Councilman Newman seconded the motion and it passed by unanimous vote.

Appointments to Boards and Commissions

Mayor Ambrogio read his recommendations of appointments to certain Boards and Commissions. Councilman Newman moved to approve the Mayor’s recommended appointments. Councilwoman Mudd seconded the motion and it passed by unanimous vote.

Beautification Commission

Toni Knisley	to a fill an unexpired 4-year term which began 11-14-06
Judy Norris	appoint to a 4-year term
Mary Waid	appoint to a 4-year term

Board of Appeals

Freddie L. Curry	reappoint to a 3-year term
Burkey W. Boggs	reappoint to a 3-year term
Roy G. Hale	effective June 1, 2007, appoint to a 3-year term
Pierre Dickson	alternate member effective June 1, 2007, appoint to fill an unexpired 3-year term which began 8-23-05

Design Review Board

Lila Bredbenner	appoint to fill an unexpired 4-year term which began 6-10-04
David Gallagher	appoint to a 4-year term

Planning Commission

Debra W. Posey	alternate member	reappoint to a 2-year term
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Motion to rescind instruction to MES regarding Well No. 8 work

Mr. Norris explained the need to rescind the previous action taken April 10, 2007, advising that following consultation with the Town Attorney, there appears to be insufficient supporting negative documentation/evidence to allow the Town to direct MES to not select the lowest bidder. During discussion, concern was expressed that the contract price will increase due to change orders, and it was noted that this situation appears to be an example which supports the need to have an engineer on Town staff.

Mayor Ambrogio moved to rescind the action taken by the Council on April 10, 2007 to “instruct MES to select the ‘lowest/best’ bidder vs. the ‘lowest’ bidder for Well No. 8 work.” Councilman Newman seconded the motion. Following discussion, the motion passed by unanimous vote.

Mayor Ambrogio moved to instruct MES to select the lowest bidder for the Well No. 8 work, and to provide written notice to MES of the Council's decision to rescind the previous instruction in favor of instructing them to select the lowest bidder for the Well No. 8 work. Councilman Lucas seconded the motion. During discussion before the vote, Mr. Norris confirmed that MES will bring to the Town Manager contract changes, if any are proposed. Vote on the motion: passed by unanimous vote.

Commission Reports (none)

Testing of Early Warning Devices/Sirens

Mayor Ambrogio announced that on Thursday, June 7, the Town will be conducting a test of the early warning devices/sirens located throughout the community. The test will start at approximately 7:00 PM, and may continue for up to 30 minutes. The test will include tones and verbal warnings for severe weather events and other potential hazardous situations. Currently, the Town has early warning devices at the following locations: King's Grant, Clarks Run, Town's wastewater treatment plant, Charles County Courthouse, and La Plata Firehouse on Shining Willow Way.

Mr. Norris advised that staff was exploring costs associated with a mass mailing of postcards to advise residents about this test. A brief discussion ensued regarding the need to install an electronic message board on the property near the Steffens Building at the corner of Charles Street and La Grange Avenue.

There being no further business, Mayor Ambrogio moved to adjourn at 7:32 PM. Councilwoman Mudd seconded the motion and it passed by unanimous vote.

Submitted by:

Judith T. Frazier
Town Clerk