

Council of the Town of La Plata
Town Hall, La Plata, Maryland
Regular Meeting
June 8, 2004, 7:00 PM

Present: Mayor William F. Eckman, Councilman Wayne Winkler, Councilman Thomas W. Fritz, Councilman Gene Ambrogio, Councilman Roy G. Hale; Douglas R. Miller, Town Manager; Patricia L. Bembe, Assistant Town Manager; Judith T. Frazier, Town Clerk

Town staff: Joseph W. Norris, Town Treasurer; Chief Cassin B. Gittings, La Plata Police Department

Guests: (see roster)

●Pursuant to the requirement of Maryland Annotated Code State Government Article Section 10-509(c)(2), this statement is included in these minutes:

A closed session of the Council of the Town of La Plata was held at 4:35 PM, Thursday, June 3, 2004, in the La Plata Train Station, 101 Kent Avenue.

Present: Mayor Eckman, Councilmen Winkler, Fritz, Ambrogio and Hale

On a motion made by Councilman Winkler, seconded by Councilman Hale, and by unanimous consent of the members present, the session was closed. The authority under which the session was closed was Maryland Annotated Code Section 10-508(a)(1)(i): 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 the annual performance evaluations of the Town Manager and Town Treasurer. No action was taken. The meeting adjourned at 5:49 PM.

●Pursuant to the requirement of Maryland Annotated Code State Government Article Section 10-509(c)(2), this statement is included in these minutes:

A closed session of the Council of the Town of La Plata was held at 9:30 AM, Saturday, June 5, 2004, in the La Plata Town Hall conference room.

Present: Mayor Eckman, Councilmen Winkler, Fritz, Ambrogio and Hale; Douglas R. Miller, Town Manager

On a motion made by Councilman Winkler, seconded by Councilman Hale, and by unanimous consent of the members present, the session was closed. The authority under which the session was closed was Maryland Annotated Code Section 10-508(a)(1)(i): 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 continuation of the annual performance evaluations of the Town Manager and Town Treasurer. Action taken: continuation of performance evaluations of the Town Manager and Town Treasurer. No action was taken. The meeting adjourned at 1:55 PM.

●Pursuant to the requirement of Maryland Annotated Code State Government Article Section 10-509(c)(2), this statement is included in these minutes:

A closed session of the Council of the Town of La Plata was held at 4:00 PM, Monday, June 7, 2004, in the La Plata Train Station, 101 Kent Avenue.

Present: Mayor Eckman, Councilmen Winkler, Fritz, Ambrogio and Hale; Douglas R. Miller, Town Manager

On a motion made by Councilman Winkler, seconded by Councilman Hale, and by unanimous consent of the members present, the session was closed. The authority under which the session was closed was Maryland Annotated Code Section 10-508(a)(1)(i): 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 continuation of the annual performance evaluations of the Town Manager and Town Treasurer. Action taken: continuation of performance evaluations of the Town Manager and Town Treasurer. No action was taken. The meeting adjourned at 5:55 PM.

Minutes:

Mayor Eckman called the meeting to order at 7:00 PM and then led the Pledge of Allegiance.

Approval of May minutes

Councilman Fritz made a motion to approve the minutes of the May 11 and May 25, 2004 regular meetings. Councilman Ambrogio seconded the motion and it passed by unanimous vote.

Petitions, Communications and Appearances

Town Seal – Richard C. Baldus

Mayor Eckman read and presented a Town Seal to Rick Baldus for his service on the Parks and Recreation Commission from March 26, 1996 to June 1, 2004, and on the Design Review Board from May 14, 2002 to June 1, 2004.

Proclamation – Pedestrian Safety Awareness and Enforcement Month, June 2004

Mayor Eckman asked Councilman Ambrogio to read and present the Proclamation to Chief Cassin B. Gittings, La Plata Police Department. Chief Gittings advised that the La Plata Police Department received a grant in the amount of \$1,500 to conduct an education and enforcement program for pedestrian crosswalks.

Public hearing

Ordinance 04-8 Town of La Plata Financial Plan/2004-2005 Budget and Tax Rate – For the purpose of adopting the Town of La Plata Financial Plan/2004-2005 Budget and Tax Rate; and all matters generally relating thereto.

Ordinance 04-9 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 Eckman opened the hearing. Mr. Miller entered into the record the Certification of Publication that the hearing notice was properly published in the May 21, 2004 edition of the Maryland Independent.

Mr. Miller provided an overview of Ordinance 04-8 and Ordinance 04-9.

Mayor Eckman asked if anyone in the audience wished to speak regarding Ordinance 04-8 and Ordinance 04-9. No one wished to speak.

Councilman Winkler remarked that he is aware it takes two Public Works employees to read a ground meter and only one to read a remote reader-type meter, and noted that there had been past discussions by the Town Council to replace ground meters. Mr. Miller acknowledged that the Town has been looking to replace our current meters with versions that can be read by an electronic wand and entered into a hand-held device to interface with the computer system for billing. He indicated that this replacement program would begin in FY 2006. Mr. Norris acknowledged he is researching information about these devices. Councilman Fritz asked that SMECO be revisited regarding this.

There being no speakers and no further discussion by the Council, Mayor Eckman closed the hearing.

Legislation

Ordinance 04-5 2004 Comprehensive Rezoning Map (For Adoption) – For the purpose of adopting a new comprehensive rezoning map for the Town of La Plata; and all matters relating to said Map.

Councilman Winkler made a motion to adopt Ordinance 04-5. Councilman Hale seconded the motion. In discussion before the vote, Mr. Miller noted that the zoning map displayed during the hearing process was attached to the ordinance. Vote on the motion: unanimous.

Ordinance 04-8 Town of La Plata Financial Plan/2004-2005 Budget and Tax Rate (For Adoption) – For the purpose of adopting the Town of La Plata Financial Plan/2004-2005 Budget and Tax Rate; and all matters generally relating thereto.

Amendment No. 1

Intent: Since construction of the new Town Hall will not be complete in FY2004, the appropriations approved but not fully expended in FY2004 will need to be carried over to FY2005. The FY2005 account entitled “Town Hall Capital – Construction” replaces the FY2004 account entitled “La Grange Avenue Town Hall Capital.”

In Attachment 1 – Ordinance 04-8, on page 4 of **FY2005 General Fund Budget**, Expenses, under the heading General Services, below the line item Equipment Replacement, add a new line for an account entitled Town Hall Capital – Construction and the FY2005 Recommended amount, to read as follows:

Town Hall Capital – Construction Any balance unspent from the Approved Budgeted Amount in FY2004 Budget of \$2,826,564, which is the Guaranteed Maximum Price to construct the new town hall.

Mayor Eckman and Mr. Norris briefly explained Amendment Number 1 to Ordinance 04-8.

Councilman Hale made a motion to adopt Amendment Number 1 to Ordinance 04-8. Councilman Fritz seconded the motion and it passed by unanimous vote.

Councilman Winkler made a motion to adopt Ordinance 04-8 as amended. Councilman Ambrogio seconded the motion and it passed by unanimous vote.

Ordinance 04-9 Fee Schedule (For Adoption) – For the purpose of adopting the Fee Schedule, dealing with fees set by the Town of La Plata; and all matters generally relating thereto.

Amendment No. 1

On page 15, line 600, immediately after “ten dollars”, strike “AND FIFTY CENTS (\$10.50) ((\$10))” and replace with “(\$10)”, to read as follows:

D. The account maintenance fee for each utility account shall be ten dollars ~~AND FIFTY CENTS (\$10.50) ((\$10.))~~ (\$10) per quarter.

Councilman Fritz made a motion to adopt Amendment Number 1 to Ordinance 04-9. Councilman Hale seconded the motion and it passed by unanimous vote.

Councilman Winkler made a motion to adopt Ordinance 04-9 as amended. Councilman Ambrogio seconded the motion and it passed by unanimous vote.

Unfinished Business

Paula Winkler, report from Beautification Commission (At the request of Ms. Winkler, to be provided at a future meeting.)

Council reports

Councilman Hale announced that the Town would have the third annual July 4 event at the Train Station. He also reported that the Memorial Day service went very well and noted that due to the weather everyone moved into the Town Hall. Councilman Hale stated he believed that it was very important for the Town to conduct these two events to show our support of those who served our country.

Councilman Fritz reported that the Parks and Recreation Commission would be meeting on June 9, and that they still have need of two more members, which he hopes will be appointed from Wards 3 and 4.

Councilman Ambrogio reported on topics discussed at the Kent Avenue Revitalization Committee meeting held last week. He also noted there would be no meeting of the Committee in July; however, they plan to dedicate the park and basketball court in August.

Councilman Winkler reported that the La Plata Business Association will meet on June 23, and that the Historic District Commission, which meets on an as-needed basis, has not had need of a meeting. Councilman Winkler advised that letters had been sent to the owners of the two houses on Oak Avenue damaged by the tornado, advising the Town would help, but advising they needed to make progress toward completing repairs. Councilman Winkler also noted that the building site at the corner of Charles Street and North Oak Avenue, Mike Pellegrino’s former office location, needs to be cleaned up. He also noted that the Town needs regulations to prevent this type of situation.

Mayor Eckman reported on the status of the new Town Hall construction project and the streetscape project. In response to Mayor Eckman's question, Mr. Miller advised that bids for the police station project are due by Friday.

Appointment to Design Review Board

Mayor Eckman recommended that Jim Goldsmith be appointed to the Design Review Board effective June 10, 2004. Councilman Winkler made a motion to approve the appointment. Councilman Hale seconded the motion. In discussion before the vote, Councilman Winkler remarked that Mr. Goldsmith will be an asset to the Design Review Board. Councilman Ambrogio asked if Mr. Goldsmith would also remain on the Parks and Recreation Commission. Mayor Eckman advised he would, noting that Rick Baldus had also served simultaneously on both groups, and that he did not believe there would be any conflict. Vote on the motion: unanimous. Mayor Eckman advised there is still one opening on the Design Review Board.

New Business

Award bid for new mower

Bids were received from Hugh C. Gardiner, Inc. (Faulkner) for a used Kubota (\$12,000) and a new Kubota (\$19,000); and from Gardiner Outdoor Products Corp. for a 1435 Series 2 (\$20,559). Mr. Miller explained that the new mower would replace the existing Ferris mower, which is showing signs of age, and recommended awarding the bid to Hugh C. Gardiner, Inc., for the new Kubota, which meets the specifications per the Town's Public Works Department.

Councilman Hale made a motion to award the bid for a new Kubota mower to Hugh C. Gardiner, Inc. (Faulkner), in the amount of \$19,000. Councilman Winkler seconded the motion. In discussion before the vote, Mr. Miller clarified for Councilman Ambrogio that the Town Public Works Department had been consulted on this purchase and had developed the specifications for the 72" mower. He further clarified that Hugh C. Gardiner, Inc. had included the used 60" mower as an option. Vote on the motion: unanimous.

Award bid for paving overlay

Bids were received from All-Pro Asphalt: (1) Chestnut Court and repair patch at entrance to street before overlay (\$12,600), and (2) St. Mary's Avenue: Forest Lane to Town limit (\$37,900); and from Reliable Contracting Co Inc: Forest Lane to Town limit (\$53,980). Mr. Miller recommended that All-Pro Asphalt be awarded the bids (St. Mary's Avenue - \$37,900; Chestnut Court - \$12,600), and include paving to Queen Victoria Street on the St. Mary's Avenue bid, on a time and materials basis, if it was not included in their bid, and include repairing the pothole on Heritage Green Parkway that Councilman Hale brought to the Council's attention.

Councilman Fritz made a motion to award the bids to All-Pro Asphalt, with the changes discussed: include paving to Queen Victoria Street on the St. Mary's Avenue bid, on a time and materials basis, if it was not included in their bid, and include repairing the pothole on Heritage Green Parkway. Councilman Ambrogio seconded the motion and it passed by unanimous vote.

Public Forum

Jim Goldsmith advised that he and his neighbors are not satisfied with the landscaping in the buffer yard between his and his neighbors' Washington Avenue homes and the Safeway property, noting they appear to be doing the bare minimum and are not clearing the area of brush and poison ivy, which he said he would keep cut if they would level and seed the area. He also remarked that they had substituted white pines for the black pines because they said they couldn't find black pines; however, he advised that they are available but cost \$23.00 more than white pines. Mr. Goldsmith asked for the Town's support and asked that the occupancy permit not be issued for Safeway until they do a better job. Councilman Winkler remarked that he and the Beautification Commission chairman looked at the area earlier today and agreed that they are not following through on what they said they'd do. The Town Manager was directed to check on this.

Councilman Fritz asked when the mound of dirt would be removed on the Route 301 frontage of the Safeway property. Mr. Miller advised that the developer had initially thought the dirt would be marketable, but that has not been the case. Councilman Hale asked if it would be moved before Safeway opens, to which Mr. Miller responded it would be if that is the will of the Town Council. The consensus of the Council was that the dirt be removed before Safeway opens.

In response to Mayor Eckman, Chief Gittings advised that the new "Do Not Enter" sign at the CVS Hawthorne Drive entrance had been of some help.

Councilman Winkler advised that, on Wednesday morning, he and Don McGuire would conduct a warning sirens site location survey for SMECO, who will install the sirens in a week.

There being no further business, Councilman Fritz made a motion to adjourn at 7:55 PM. Councilman Winkler seconded the motion and it carried.

Submitted by:

Judith T. Frazier
Town Clerk