

COUNTY COUNCIL OF CECIL COUNTY
LEGISLATIVE SESSION MINUTES
LSD 2015-14
July 21, 2015

The County Council of Cecil County met in legislative session at the County Administration Building, 200 Chesapeake Blvd., Elk Room, Elkton, MD. The following members of the Council were present:

Robert Hodge, Council President
Dr. Alan McCarthy, Vice President
Joyce Bowsbey, Council Member
Dan Schneckenburger, Council Member
George Patchell, Council Member

NOTE: Audio recording of this meeting is available on the County website www.ccgov.org.

CALL TO ORDER

The meeting of the County Council of Cecil County of July 21, 2015 was called to order by President Hodge at 7:00 p.m. and opened with the Pledge of Allegiance.

MOMENT OF SILENCE

The Council observed a moment of silence.

APPROVAL OF AGENDA

On motion made by Vice President McCarthy, seconded by Councilman Schneckenburger, the Council moved to approve the legislative agenda of July 7, 2015, as presented. Motion carried unanimously.

PRESENTATIONS OF CERTIFICATES

Pete Bieniek, Solid Waste Management Division Chief, and Tanya Adams, Recycling Program Manager, assisted members of the County Council in recognizing 2014 Recycling Awards to Junkbeegone.com, Waste Management, Bestrans Inc., Elkton Recyclers Inc., Walmart, Town of Chesapeake City, Perryville Little League, and Perryville Junior Football League.

PUBLIC HEARING

Council Manager Massey stated for the record:

BILL NO. 2015-15 Supplemental Appropriation - Board of Education Capital Projects - BTOP

A Bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2016 in order to provide an additional \$580,000 of bond revenue and expenditure authority within the Board of Education Capital Projects fund to allow for the final phase of funding of the Broadband Technology Opportunities Program (BTOP) project.

Mr. Wein provided information on the Bill.

Council President Hodge asked for any questions or comments from Council Members. There were no comments.

Council President Hodge opened the public hearing for comments.

Joe Carabetta, Perryville, spoke in opposition to the Bill.
Diane Carabetta, Perryville, provided comments.

Council President Hodge concluded the public hearing on Bill No. 2015-15 and announced that final consideration of this Bill will be held on August 4, 2015.

Council Manager Massey stated for the record:

BILL NO. 2015-16 Budget Transfer - Wastewater Capital Improvement Program - Construct Highlands Interceptor Sewer Project

A Bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2016 in order to transfer existing bond budget authority within the Wastewater Capital Improvement Program budget a total amount of \$699,513, of which \$693,555 comes from the Construct Elkton West Sanitary Sewer – Sub-district project, and \$5,958 from the North East Inflow and Infiltration elimination project, to the Construct Highlands Interceptor Sewer project.

Mr. Wein provided information on the Bill.

Council President Hodge asked for any questions or comments from Council Members. Questions and comments ensued.

Council President Hodge opened the public hearing for comments.

Ed Cairns, Elkton, spoke in opposition to the Bill.
Joe Carabetta, Perryville, commented on the Bill.
Harold McCanick, Elk Neck, commented on the Bill.
Elizabeth Bolt, North East, spoke in opposition to the Bill.

Council President Hodge requested that the administration provide a summary of the cost and benefits of repairing the existing Highlands plant versus the cost of transferring the flow to Meadowview Wastewater Treatment Plant.

Council President Hodge concluded the public hearing on Bill No. 2015-16 and announced that final consideration of this Bill will be held on August 4, 2015.

Council Manager Massey stated for the record:

BILL NO. 2015-17 Budget Transfer - General Fund Capital Improvement Program - Courthouse Roof Replacement Project

A Bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2016 in order to transfer unencumbered bond budget authority within the General

Fund Capital Improvement Program budget to the Courthouse Roof Replacement Project, a total amount of \$59,378.70, of which \$37,203.57 comes from the Health Department Systemic Upgrade completed project and \$22,175.13 from the completed Fuel Management System project.

Mr. Wein provided information on the Bill.

Council President Hodge asked for any questions or comments from Council Members. There were no comments.

Council President Hodge opened the public hearing.

Joe Carabetta, Perryville, spoke in support of the Bill.

Ed Cairns, Elkton, spoke in support of the Bill.

Harold McCanick, Elk Neck, provided comments.

Council President Hodge concluded the public hearing on Bill No. 2015-17 and announced that final consideration of this Bill will be held on August 4, 2015.

APPROVAL OF MINUTES

On motion made by Vice President McCarthy, seconded by Councilman Schneckenburger, the Council moved to approve the legislative session minutes of July 7, 2015. Motion carried unanimously.

PUBLIC COMMENTS

June Reasin, Conowingo, commented on the West Cecil Health Center event.

Joe Carabetta, Perryville, commented on his wife's constitutional right to speak, Council proposed procedure, Holly Hall Elementary School project, school budget amendments and his property tax bill.

Diane Carabetta, Perryville, commented on being attacked, recycling awards, Council proposed procedure, and the chicken barbecue.

Tina Sharp, Fair Hill, commented on the Elkton Little League's senior championship.

Elizabeth Bolt, North East, commented on Charlestown Crossing rezoning case.

PRESIDENT AND COUNCIL COMMENTS

Councilman Schneckenburger commented on the value of West Cecil Health Center to the community. He will be attending the Cecil County Fair for the chicken barbecue, Economic Development meeting and 4H auction.

Councilwoman Bowsbey attended the West Cecil Health Center Fair last year and toured the facility. She will be attending the Cecil Fair and assisting at the chicken barbecue. She commented that the proposed change to the Council procedure will not eliminate the public hearing.

Councilman Patchell commented that he was glad to be back from vacation.

Vice President McCarthy commented that he was in favor of the Council procedure change but will support delaying the vote on any Bill if requested. He stated that he will be attending a Pearce Creek

update that is being held today. The proposed public water system and liner replacement will be discussed.

Council President Hodge thanks everyone for attending. He commented on his tour of the West Cecil Health Center. He also stated that the County Executive has no role in the rezoning process in response to a public comment that Charlestown Crossing had contributed to her campaign. In addition, he stated that the proposed Council procedure change may save the County money by expediting approval.

INTRODUCTION OF RESOLUTIONS

Council Manager Massey stated for the record:

RESOLUTION NO. 40-2015 Appointment—Commission on Aging - Sheila Murphy

A Resolution to confirm the appointment by the County Executive of Sheila Murphy to the Cecil County Commission on Aging, term to expire on June 30, 2017.

Vice President McCarthy provided comments in support of Ms. Murphy.

Introduced, read first time and order posted on July 21, 2015 and scheduled for consideration on August 4, 2015.

Council Manager Massey stated for the record:

RESOLUTION NO. 41-2015 Appointment—Local Development Council - S. Joseph Moore

A Resolution to confirm the appointment of S. Joseph Moore by the County Executive to the Cecil County Local Development Council to a four-year term to expire on July 31, 2019.

Mr. Wein provided information about the Resolution.

Introduced, read first time and order posted on July 21, 2015 and scheduled for consideration on August 4, 2015.

Council Manager Massey stated for the record:

RESOLUTION NO. 42-2015 Amendment – Policies and Procedures of Cecil County Council – Final Reading of Bills

A Resolution to amend the Council's Policies and Procedures to provide that the Council may adopt a Bill at the same legislative session of the public hearing.

Council President Hodge provided comments about this Resolution.

Introduced, read first time and order posted on July 21, 2015. The public hearing for Resolution No. 42-2015 will be advertised and scheduled on the Council legislative session on August 18, 2015.

CONSIDERATION OF RESOLUTIONS

Council Manager Massey stated for the record:

RESOLUTION NO. 35-2015 Budget Amendment - Board of Education Small Capital Budget - Holly Hall Elementary School Geothermal Systemic Repair

A resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2016 in order to provide the Board of Education's small capital budget within the General Fund, \$200,000 of additional expenditure appropriation authority to allow for the repair to the Holly Hall Elementary School Geothermal Systemic Repair.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution No. 35-2015.

Roll call vote: McCarthy - Y, Bowsbey - Y, Schneckenburger - Y, Patchell - Y, Hodge - Y. The motion was carried unanimously.

Council Manager Massey stated for the record:

RESOLUTION NO. 36-2015 Budget Amendment - Cecil College - Campus Master Plan

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2016 in order to provide the Cecil College budget within the General Fund, \$150,000 of unexpended FY2015 expenditure appropriation authority to be carried forward, allowing for the completion of the College's Campus Master Plan.

On motion made by Vice President McCarthy, seconded by Councilman Schneckenburger, the Council moved to approve Resolution No. 36-2015.

Roll call vote: McCarthy - Y, Bowsbey - Y, Schneckenburger - Y, Patchell - Y, Hodge - Y. The motion was carried unanimously.

Council Manager Massey stated for the record:

RESOLUTION NO. 37-2015 Budget Amendment - Grant Funds - Sheriff's Office - Medication Assisted Treatment/Reentry - Vivitrol

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2016 in order to provide a total of \$47,500 in additions to the General Fund Grants Budget awarded to the Cecil County Sheriff's Office.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution No. 37-2015.

Roll call vote: McCarthy - Y, Bowsbey - Y, Schneckenburger - Y, Patchell - Y, Hodge - Y. The motion was carried unanimously.

Council Manager Massey stated for the record:

RESOLUTION NO. 38-2015 Budget Amendment - Grant Funds - Health Department - Drug Free Communities Coalition

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2016 in order to provide a total of \$125,000 in additions to the General Fund Grants Budget awarded to the Health Department for the Drug Free Communities Coalition.

On motion made by Vice President McCarthy, seconded by Councilman Schneckenburger, the Council moved to approve Resolution No. 38-2015.

Roll call vote: McCarthy - Y, Bowsbey - Y, Schneckenburger - Y, Patchell - Y, Hodge - Y. The motion was carried unanimously.

Council Manager Massey stated for the record:

RESOLUTION NO. 39-2015 Budget Amendment - Establish Special Revenue - Other Grants Fund

A Resolution to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for the fiscal year ending June 30, 2016 in order to establish a new fund called Special Revenue – Other Grants to transfer grant and similar project estimated revenues and budgeted expenditures from the General Fund into the Special Revenue – Other Grants Fund.

On motion made by Vice President McCarthy, seconded by Councilman Schneckenburger, the Council moved to approve Resolution No. 39-2015.

Roll call vote: McCarthy - Y, Bowsbey - Y, Schneckenburger - Y, Patchell - Y, Hodge - Y. The motion was carried unanimously.

CALL FOR FINAL READING OF BILLS

Council Manager Massey stated for the record:

BILL NO. 2015-11 Approval - Agricultural Preservation District - Flying Plow Farm

A Bill to approve the petition of Sarah Rider and Tom Paduano for property located at 96 Charles Johnson Farm Lane, Rising Sun, MD 21911, also known as Flying Plow Farm (Tax Map 10, Grid 14, Parcel 256) requesting the establishment of an agricultural preservation district.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Bill No. 2015-11.

Roll call vote: McCarthy - Y, Bowsbey - Y, Schneckenburger - Y, Patchell - Y, Hodge - Y. The motion was carried unanimously.

OLD BUSINESS

Rezoning Case File 2015-03

File 2015-03; Applicant: Charlestown Crossing LLC and Charlestown Crossing Apartments LLC; Property Location: Rte 40; Election District : 5; Tax Map: 30; Parcels: 141 and part of 142; Request: Rezone 6.706 acres from Light Industrial (M-1) to High Density Residential (RM).

On motion made by Councilwoman Bowsbey, seconded by Vice President McCarthy, the Council moved to approve the application of Charlestown Crossing LLC and Charlestown Crossing Apartments LLC, to rezone 6.706 acres located at Route 40 from M-1 (light manufacturing) to RM (high density residential) based upon a mistake in the zoning classification of the property during the last comprehensive rezoning.

Roll Call Vote: McCarthy - Y, Bowsbey – Y, Schneckenburger - Y, Patchell – Y, Hodge - Y. Motion carried unanimously.

Council President Hodge asked the administration to investigate Ms. Bolt's property regarding excess water.

NEW BUSINESS

Cecil County Public Schools - Budget Amendment #21

On motion made by Councilwoman Bowsbey, seconded by Councilman Schneckenburger, the Council moved to approve budget amendment #21.

Roll Call Vote: McCarthy - Y, Bowsbey – Y, Schneckenburger - Y, Patchell – Y, Hodge - Y. Motion carried unanimously.

ADJOURNMENT

President Hodge adjourned the meeting at 8:31 p.m. by general consensus.

The next Council Legislative Session is scheduled for Tuesday, July 21, 2015 in the Elk Room of the County Administration Building, 200 Chesapeake Blvd., Elkton, Maryland.

Attest:



James Massey
Council Manager

Approved:



Robert Hodge
President

