

COUNTY COUNCIL OF CECIL COUNTY
LEGISLATIVE SESSION MINUTES
LSD 2014-08
June 3, 2014

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:

Dr. Alan McCarthy, Vice President
Joyce Bowsbey, Council Member
Michael Dunn, Council Member
Diana Broomell, Council Member
Robert J. Hodge, President

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 for June 3, 2014 was called to order by President Robert Hodge at 7:00 p.m. and opened with the Pledge of Allegiance.

MOMENT OF SILENCE

The Council observed a moment of silence.

CHANGES TO THE AGENDA

On motion made by Councilwoman Bowsbey, seconded by Council Vice President McCarthy, the Council moved to approve the agenda as revised. Motion carried unanimously.

PRESENTATIONS OF PROCLAMATIONS/CERTIFICATES

The Council presented certificates to twenty-one Boy Scouts from Troops 22, 131, 144, 173, 348, 443, and 444 for achieving First Class Rank.

PUBLIC HEARING

Council Manager Massey stated for the record:

BILL NO. 2014-15 – Amendment - Forest Conservation Regulations

An Act to amend the Cecil County Forest Conservation Regulations, Article II, Forest and Tree Conservation Definitions, to add Section 2.58 "Stream Restoration Project"; and Article III. Applications, to add exemptions for maintenance for retrofitting stormwater management structures and for stream restoration projects to Section 3.2K.

Eric Sennstrom, Director of Department of Planning and Zoning, provided information relevant to Bill No. 2014-15. There were no comments made by the public for this legislation.

President Hodge advised the public that the public hearing is closed for Bill No. 2014-15 and consideration will be scheduled for the June 17, 2014 Council Legislative meeting.

Council Manager Massey stated for the record:

RESOLUTION NO. 21-2014 – Surplus Property - Near Big Elk Creek Bridge - State Highway Administration

A resolution conveying land, easements and rights in and to the outermost lines designated “Right of Way Line” as shown and/or indicated on SHA Plat No. 54830.

Al Wein, Director of Administration, provided information relevant to Resolution No. 21-2014. Questions and comments ensued.

Public Comments in Support and Opposition

Joe Carabetta, Perryville, commented on resolution.
Harold McCannick, Elk Neck, commented on resolution.
David Neff, Conowingo, commented on resolution.

President Hodge advised the public that the public hearing is closed for Resolution No. 21-2014 and consideration will be scheduled for the June 17, 2014 Council Legislative meeting.

Council Manager Massey stated for the record:

RESOLUTION NO. 22-2014 – Amendment – Master Water and Sewer Plan - Chesapeake City

A Resolution to amend the Cecil County Master Water and Sewer Plan, Chapter 4, §4.1.4B Chesapeake City, to add text regarding the consolidation of the existing wastewater facilities on the north side of town and to amend the sewer service area map to add tax map: 43, Parcel: 26 as an S-2 service area.

Eric Sennstrom, Director of Planning & Zoning, provided information relevant to Resolution No. 22-2014. Questions and comments ensued.

Public Comments in Support and Opposition

Sandra Edwards, Chesapeake City, spoke in support of resolution.
Joe Carabetta, Perryville, spoke in support of resolution.
David Neff, Conowingo, spoke in support of resolution.
Harold McCannick, Elk Neck, commented on resolution.

President Hodge advised the public that the public hearing is closed for Resolution No. 22-2014 and consideration will be scheduled for the June 17, 2014 Council Legislative meeting.

Council Manager Massey stated for the record:

RESOLUTION NO. 23-2014 – Amendment – Master Water and Sewer Plan - 438 Red Toad Road - North East

A Resolution to amend the Cecil County Master Water and Sewer Plan, to add tax map: 25, Parcel: 84 to the Sewer Service Areas as a S-2 service area; for property located at 438 Red Toad Road, North East, owned by Mike McCormick and Marlene Matosky.

Eric Sennstrom, Director of Planning & Zoning, provided information relevant to Resolution No. 23-2014. Questions and comments ensued.

Public Comments in Support and Opposition

Dwight Thomey, Esq., Elkton, spoke in support of resolution.
Marlene Matosky, North East, spoke in support of resolution.
David Neff, Conowingo, spoke in support of resolution.

President Hodge advised the public that the public hearing is closed for Resolution No. 23-2014 and consideration will be scheduled for the June 17, 2014 Council Legislative meeting.

Council Manager Massey stated for the record:

RESOLUTION NO. 24-2014 – Designation - Historic District – Keiffer Brick House.

A Resolution to establish and designate the property located at One Old Farm House Road, Elkton, MD, District 3, Tax Map 309, Parcel 444 known as the Keiffer Brick House as a Historic District.

Eric Sennstrom, Director of Planning & Zoning, provided information relevant to Resolution No. 24-2014.

Public Comments in Support and Opposition

Joe Carabetta, Perryville, spoke in support of resolution.
David Neff, Conowingo spoke in support of resolution.
Patricia and Edgar Folk, III in support of resolution. (letter)

President Hodge advised the public that the public hearing is closed for Resolution No. 24-2014 and consideration will be scheduled for the June 17, 2014 Council Legislative meeting.

Council Manager Massey stated for the record:

RESOLUTION NO. 25-2014 – Amendment – Policies and Procedures of Cecil County Council – Opening Prayer

A Resolution to amend the Council's Policies and Procedures to repeal and reenact Section 3-9 Opening Prayer, pursuant to Section 303(e) of the Charter of Cecil County.

Councilwoman Broomell provided information relevant to Resolution No. 25-2014. Questions and comments ensued.

Public Comments in Support and Opposition

Barbara Kelly in support of resolution. (letter)
Pastor Jamison in support of resolution. (letter)
Catherine Butanis in support of resolution. (letter)
CM McCleary in support of resolution. (letter)
Alan Bosmeny in support of resolution. (letter)
Grace Bible Chapel in support of resolution. (letter)
Mary Joines in support of resolution. (letter)

David Neff, Conowingo, spoke in support of resolution.
Joe Carabetta, Perryville, spoke in support of resolution.
Valerie Falcioni, North East, spoke in support of resolution.
Tom Wilson, Rising Sun, spoke in support of resolution.

President Hodge advised the public that the public hearing is closed for Resolution No. 25-2014 and consideration will be scheduled for the June 17, 2014 Council Legislative meeting.

APPROVAL OF MINUTES

On motion made by Councilwoman Broomell, seconded by Councilman Dunn, the Council moved to amend page 2, under "President and Council Comments", sentence 1 as follows: "Councilwoman Broomell commented that her brother-in-law agreed to work on a substance abuse video of Cecil County citizens. Motion carries by a vote of 3 to 2, with Council President Hodge and Vice President McCarthy opposed.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve the minutes of the May 20, 2014 Council Legislative meeting, as amended. Motion carried unanimously.

PUBLIC COMMENTS

Harold McCannick, Elk Neck, commented on the Boy Scouts, voter registration, the budget, today's Council work session, and methadone clinics.
David Neff, Conowingo, commented on the budget, early voting and Shavuot.
Joe Carabetta, Perryville, commented on a tax cap and board appointments.

PRESIDENT AND COUNCIL COMMENTS

Councilwoman Broomell commented on amendments to Resolution No. 25-2014 regarding opening prayer at Council sessions. Ms. Broomell attended the Sheriff's forum at Pleasant View Baptist Church. She encouraged Sheriff candidates to attend the MACo Drug Abuse Symposium.

Councilwoman Bowsbey congratulated the Boy Scouts and Cecil Leadership graduates.

Councilman Dunn attended the awards ceremony at Rising Sun High School and presented the Cecil County Government Scholarship to Mai Hall.

Vice President McCarthy had no comments.

President Hodge had no comments.

INTRODUCTION OF BILLS

Council Manager Massey stated for the record:

Bill No. 2014-16 Amendment – Refuse Haulers – Commercial

A Bill to amend Part II, Chapter 285 (Refuse Haulers - Commercial) of the Cecil County Code; to add definitions and requirements of Commercial Refuse Haulers to establish account with County, provide

recycling information to customers annually, and provide report to multi-unit housing customers on amount of materials collected, as required by State law.

Scott Flanigan, Director of Department of Public Works, provided information relevant to the bill. Questions and comments ensued.

President Hodge advised the public that Bill No. 2014-16 would be scheduled for a public hearing 7/1/14 and tentative consideration at the July 15, 2014 Council Legislative meeting.

Council Manager Massey stated for the record:

Bill No. 2014-17 Amendments –Solid Waste and Recycling.

A Bill to amend Part II, Chapter 318 (Solid Waste and Recycling) of the Cecil County Code; to add definitions, specify vehicle account stickers, amend Recycling policies to require apartments or condominiums of 10 or more to provide recycling, amends Environmental Programs regarding materials accepted, specifies yard waste requirements and deletes tipping fee waiver for Cecil County Public Schools after June 30, 2015.

Scott Flanigan, Director of Department of Public Works, provided information relevant to the bill.

President Hodge advised the public that Bill No. 2014-17 would be scheduled for a public hearing 7/1/14 and tentative consideration at the July 15, 2014 Council Legislative meeting.

Council Manager Massey stated for the record:

Bill No. 2014-18 Amendments –Recycling Plan --2008-2017

A Bill to amend the Cecil County Recycling Plan for the period 2008-2017; updates plan and adds Apartment Building and Condominium Recycling Program.

Scott Flanigan, Director of Department of Public Works, provided information regarding the bill. Questions and comments ensued. Mr. Flanigan was asked to clarify if mobile home parks are included with this legislation.

President Hodge advised the public that Bill No. 2014-18 would be scheduled for a public hearing 7/1/14 and tentative consideration at the July 15, 2014 Council Legislative meeting.

INTRODUCTION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 32-2014 Approval - Girl Scouts Leadership Experience - Community Investment Tax Credit - Maryland Department of Housing and Community Development

A Resolution to approve support for an application from the Girl Scouts of the Chesapeake Bay for the Leadership Experience Project to the Maryland Department of Housing and Community Development under the Community Investment Tax Credit Program.

President Hodge provided information regarding resolution. Questions and comments ensued.

President Hodge advised the public that Resolution No. 32-2014 would be scheduled for consideration at the June 17, 2014.

Council Manager Massey stated for the record:

Resolution No. 33-2014 Amendment - Broadband Task Force – Extension

A Resolution to extend the Broadband Task Force to November 1, 2014, in order to complete their charge of developing a plan to expand affordable, reliable, high speed internet services to all Cecil County businesses and residences.

President Hodge provided information relevant to resolution. Questions and comments ensued. The Council requested an interim report from the task force.

President Hodge advised the public that Resolution No. 33-2014 would be scheduled for consideration at the June 17, 2014.

CONSIDERATION OF RESOLUTIONS

Council Manager Massey stated for the record:

Resolution No. 26-2014 – Appointment—Commission on Aging

A Resolution to confirm the appointment Wilma Fitzner to the Commission on Aging, for a three year term to expire in June 2017.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution No. 26-2014.

Roll Call Vote: McCarthy – Y, Bowsbey – Y, Dunn – Y, Broomell – Y, Hodge – Y. Motion carried unanimously.

Council Manager Massey stated for the record:

Resolution No. 27-2014 – Appointment—Cecil County Plumbing Board

A Resolution to confirm the County Executive's reappointment of Ronald Dixon, Thomas Vaughn and Melvin "Ted" Reburn to the Cecil County Plumbing Board, term to expire in May 2015.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution No. 27-2014.

Roll Call Vote: McCarthy – Y, Bowsbey – Y, Dunn – Y, Broomell – Y, Hodge – Y. Motion carried unanimously.

Council Manager Massey stated for the record:

Resolution No. 28-2014 – Appointments—Adult Public Guardianship Review Board

A Resolution to confirm the appointment by the County Executive of Beth Remillard and Stevens Remillard to the Adult Public Guardianship Review Board for three (3) year terms, respectively, to expire May 2017.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution No. 28-2014.

Roll Call Vote: McCarthy – Y, Bowsbey – Y, Dunn – Y, Broomell – Y, Hodge – Y. Motion carried unanimously.

Council Manager Massey stated for the record:

Resolution No. 30-2014 – Appointment—Agricultural Land Preservation Advisory Board

A Resolution to confirm the appointment by the County Executive of Norman Anderson, William Ewing, Charles Robinson to the Agricultural Land Preservation Advisory Board, terms to expire in August 2019.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Resolution No. 30-2014.

Roll Call Vote: McCarthy – Y, Bowsbey – Y, Dunn – Y, Broomell – Y, Hodge – Y. Motion carried unanimously.

CALL FOR FINAL READING OF BILLS

Council Manager Massey stated for the record:

Bill No. 2014-14 – Budget Transfer - Capital Budget - Star Route Road

A bill to amend the Annual Budget and Appropriation Ordinance for Cecil County, Maryland for FY2014 to transfer existing bond appropriation authority within the Capital Budget in the amount of \$283,700 from completed and closed Roads and Bridges Projects to the Star Route Road East Culvert Replacement (Phase 1) project, for the fiscal year ending June 30, 2014.

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Bill No. 2014-14.

Roll Call Vote: McCarthy – Y, Bowsbey – Y, Dunn – Y, Broomell – Y, Hodge – Y. Motion carried unanimously.

NEW BUSINESS

Cecil County Public Schools – Budget Amendment #10

On motion made by Vice President McCarthy, seconded by Councilwoman Bowsbey, the Council moved to approve Budget Amendment #10.

Roll Call Vote: McCarthy – Y, Bowsbey – Y, Dunn – Y, Broomell – Y, Hodge – Y. Motion carried unanimously.

ADJOURNMENT

President Hodge adjourned the meeting at 8:42 p.m. by general consensus.

The next Council Legislative Meeting is scheduled for Tuesday, June 17, 2014 at the Elkton Town Hall, 100 Railroad Avenue, Elkton, due to early voting.

Approved:

Robert Hodge
Council President

Attest:

James Massey
Council Manager