

**TOWN OF EASTON, MARYLAND
Easton Town Hall
14 S. Harrison Street**

December 19, 2011

PRESENT AT CONVENING

Mayor Robert C. Willey
Council President John Ford
Councilmember Kelley K. Malone

Councilmember Pete Leshner
Councilmember Leonard E. Wendowski, Sr.
Councilmember Megan M. Cook

IN ATTENDANCE

Also in attendance were the Town Manager Mr. Robert F. Karge, Sr., the Town Attorney Ms. VanEmburch and Town Clerk Mrs. Kathy Ruf.

CONVENING

At 7:00 p.m., President Ford called the meeting to order.

OPENING PRAYER BY MR. LESHER AND PLEDGE OF ALLEGIANCE.

Mr. Leshner opened the meeting with prayer and led the audience in the Pledge of Allegiance.

APPROVAL OF MINUTES OF DECEMBER 5, 2011 MEETING.

Upon motion by Mr. Leshner seconded by Mrs. Cook and carried unanimously, minutes of the December 5, 2011 meeting were approved as written.

MR. ERNIE SMITH TO PRESENT AWARDS FOR OLDE TYME HOLIDAY PARADE.

Mayor Willey introduced Mr. Ernie Smith for the presentation of awards.

Mr. Smith thanked the Town of Easton, the Town Council and Easton Police Department for their help with the parade. He awarded the following trophies:

Honorable Mention: Talbot Figure Skating Team

3rd Place: Talbot Humane Society

2nd Place: Busy Beavers 4H Club

1st Place: Chesapeake Christian School

Mayor's Trophy: The Country School

ITEMS BY THE MAYOR.

Mayor Willey discussed a letter from State Highway Administration indicating the request for a reduction of speed limit on Route 50 was not warranted.

Mr. Wendowski asked that the data for their finding be forwarded.

Mayor Willey stated he was in receipt of a letter from the State Ethics Commission letter stating that no exemption would be granted.

Mayor Willey stated that the invoices in this week's packet contained a bond payment as well as customary expenditures.

LETTER FROM EASTON VOLUNTEER FIRE DEPARTMENT, INC. ASKING APPROVAL OF THE ELECTION OF JAMES A. MCNEAL TO THE OFFICE OF CHIEF FOR THE YEAR 2012.

Upon motion by Mr. Wendowski seconded by Ms. Malone and approved unanimously the election of James A. McNeal to the office of Chief for the year 2012 was approved.

CHIEF JAMIE MCNEAL ADDRESSES COUNCIL UPDATE

Chief McNeal updated on Fire Department activities.

Chief McNeal stated that former Mayor C. Eugene Butler was recently inducted into the hall of fame of the Eastern Shore Volunteer Firemen's Association. Mr. Butler received a Certificate of Appreciation from Talbot County for his contributions.

Chief McNeal stated that a new pumper Engine 64 will be going into service after the holidays.

Chief McNeal discussed a recent hazardous waste incident at Shore Health System.

ITEMS BY THE TOWN MANAGER.

Mr. Karge stated that the Police Department has been vigorous in holiday patrols with good results and reminded everyone to be aware of their surroundings with the holiday season.

Mr. Karge discussed the Route 50 and Chapel Road speed letter received from State Highway Administration. He stated that Chief Spencer reported that he does not intend to let this drop.

Mr. Karge stated that a complaint has been received regarding basketball nets in streets. He discussed the prohibition already in place in the town code. He stated that it will be addressed on a complaint basis.

An annexation petition has been received but as of yet not accepted for completeness. The owner of the property is Mr. McNeal and it is north of Penco at the end of town.

Mr. Karge wished everyone a happy holiday and safe season.

Mr. Wendowski stated that Chief Spencer is working on statistics for accidents that have occurred at Glebe and Port Street.

ITEMS BY THE TOWN ATTORNEY.

Ms. VanEmburch discussed attending the meeting regarding the request for waiver of the ethics legislation. She stated that towns with a budget in excess of 3 million dollars were not granted exemption.

Mrs. Cook asked that the Town Attorney meet with the council to explain the State Ethics Ordinance when it has been submitted by the State.

RESOLUTION NO. 5989 FOR THE PURPOSES OF APPROVING AND CONSENTING TO THE NINTH AMENDED AND RESTATED TRUST AGREEMENT OF THE LOCAL GOVERNMENT INSURANCE TRUST (THE "TRUST").

Upon motion by Mr. Leshar seconded by Mrs. Cook and carried unanimously, Resolution No. 5989 was approved.

CONTINUATION OF WATERSIDE VILLAGE PUD AMENDMENT.

Mr. Bill Stagg, Lane Engineering introduced Mr. Michael Clemmer. He stated that they are not present to make a presentation of the plan. He stated that he wanted the council to be aware that they are ready to come back with a request for approval of Phase II at Waterside. He understands that it must go before the Planning Commission. They have listened to the Council and made a couple of changes regarding the size of the project, as well as summarized the things that have happened in the downtown. Mr. Stagg stated that the downtown is showing stability and has made progress. He stated that the new plan for Phase II is a smaller land use plan for Waterside Village and they have deleted the hotel. Mr. Stagg stated that the uses on the plan will be forthcoming.

PUBLIC HEARING ON THE REQUEST OF HH LAND, LLC, OWNER OF THE SUBJECT PROPERTY, LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF LOCUST LANE AND SALMON AVENUE. THE APPLICANT PROPOSES TO MODIFY THE PREVIOUSLY APPROVED LOCUST COMMONS PUD BY (1) REPLACING 13 TOWNHOMES WITH 8 SINGLE FAMILY DETACHED UNITS; (2) NOT CONSTRUCTING APPROXIMATELY 110 FEET OF PUBLIC SIDEWALK ALONG LOCUST LANE; AND (3) REQUESTING TOWN TRASH SERVICE RATHER THAN PRIVATE SERVICE FROM A CENTRAL DUMPSTER.

At 7:45 p.m., President Ford opened the Public Hearing.

The Town Planner, Mr. Thomas discussed the amendment request. He stated that the applicant is asking for Town of Easton trash service instead of a private service. Mr. Atwood, Planning and Zoning Chairman has

forwarded a letter stating that the Commission found the request to be consistent with the Comprehensive Plan subject to one condition; the addition of landscaping with trees.

Regarding the specific response from the Planning Commission for waiving of sidewalks and trash collection, Mr. Thomas stated that the Planning Commission is okay with sidewalk not being provided given it leads to a cemetery. Mr. Thomas stated that he would like to defer to town staff how trash should be picked up.

Mr. Milburn discussed the history of the project and the changes in the market. Mr. Milburn asked that the affordable housing contribution originally agreed upon be considered. He discussed costs incurred with the project.

Mr. Leshner asked that the developer work with the town to work to get trash collection.

Mr. Karge asked that he confer with town staff regarding the ability to pick up trash in the proposed development.

Mr. Milburn asked that the approval be subject to not having to construct 110' of public sidewalk along Locust Lane.

Mr. Basil Harrison resides at 303 Dixon Street and also owns property at 217 N Locust Street as well as two additional parcels adjacent to the proposed project. He stated he is glad to see the proposal moving into the right direction.

Mr. Al Silverstein, 300 Dixon Street, Unit 105 supports the project. He believes the project is much better than the project as previously proposed. Mr. Silverstein stated that he supports the project, likes the rendering and asked the council to approve the amendment.

Ms. Malone thanked Mr. Milburn for addressing the concerns and moving the project forward.

Mr. Leshner asked for clarification regarding the minimum of four door fronts. Mr. Milburn stated that it is correct for a minimum.

Mr. Leshner stated that the architectural concepts are commendable.

President Ford stated that the public record would be kept open until the end of business this week.

Mr. Leshner asked for clarification regarding the paper street Summit Lane. Mr. Harrison discussed the history of the street.

At 8:16 p.m. President Ford closed the public hearing.

LETTER FROM MR. JIM BENT, CHAIR EASTON AFFORDABLE HOUSING BOARD REGARDING AFFORDABLE HOUSING CONTRIBUTION FOR LOCUST COMMONS.

President Ford referred to the letter submitted by Mr. Bent and discussed the formula for contribution to the Affordable Housing program.

REVIEW OF INVOICES TOTALING \$1,940,799.83.

Upon motion by Mr. Leshner seconded by Ms. Malone and carried unanimously, invoices totaling \$1,940,799.83 were approved.

ITEMS BY MEMBERS OF THE COUNCIL

Ms. Malone discussed the two additional LED signs now on Route 50. She asked for clarification regarding a moratorium. Ms. Malone asked for discussion at the upcoming meeting.

Mr. Wendowski wished everyone a happy safe holiday.

Mrs. Cook reiterated good wishes for the holidays.

Mr. Ford stated that the meetings in January will be scheduled for on Tuesday January 3, and Wednesday January 18. The recycling public hearing will occur on Wednesday January 18 at 7:15 p.m.

Upon motion by Mr. Leshar seconded by Mrs. Cook and carried unanimously, President Ford adjourned the regularly scheduled meeting at 8:25 p.m.

Kathy M. Ruf, Town Clerk