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

July 20, 2015

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PRESENT AT CONVENING

9 Mayor Robert C. Willey
10 Council President John Ford
11 Councilmember Alan I. Silverstein
12 Councilmember Pete Leshner
13 Councilmember Ron E. Engle
14 Councilmember Megan M. Cook

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16 Also present was the Town Manager Mr. Robert F. Karge, Town Attorney Mrs. Sharon VanEmburch and Town
17 Clerk Mrs. Kathy Ruf.

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CALL TO ORDER.

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

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OPENING REMARKS BY MR. ENGLE AND PLEDGE OF ALLEGIANCE.

25 Mr. Engle gave opening remarks and led those present in the Pledge of Allegiance.

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APPROVAL OF MINUTES OF JULY 6, 2015 MEETING.

29 Upon motion by Mr. Leshner seconded by Mr. Silverstein and carried unanimously, minutes of the July 6, 2015
30 meeting were approved.

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ITEMS BY MAYOR WILLEY.

34 Mayor Willey discussed a challenge invitation from Mayor Russ Brinsfield from Vienna for the Great Tomato
35 Race on August 23.

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**COUNCIL CONFIRMATION FOR REAPPOINTMENTS TO THE PARKS AND RECREATION
ADVISORY BOARD AND APPOINTMENT TO THE TREE BOARD.**

40 Upon motion by Mr. Silverstein seconded by Mr. Leshner and carried unanimously, the re-appointments of Mr.
41 Michael Weise, Mr. Ken McFadden, Mr. Jeff Parks, Mr. Otis E. Sampson and Mr. Michael Brophy were approved
42 for another three year term commencing July 5, 2015.

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44 Upon motion by Mr. Leshner seconded by Mr. Engle and carried unanimously, Mr. Matthew Pluta's appointment to
45 the Tree Board was approved.

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ITEMS BY THE TOWN MANAGER.

49 Mr. Karge discussed the recent request for bid proposals for repairs for sidewalks and concrete work for the 2015-
50 2016 fiscal year and the lack of submittals. He stated the Town Engineer suggested awarding the bid to a local
51 contractor, Bowser Concrete for sidewalks and other work that needs to be accomplished.

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53 Upon motion by Mr. Leshner, seconded by Mr. Engle the bid was approved for Bowser Concrete to construct and
54 repair sidewalks as outlined in the request for proposal.

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**ORDINANCE NO. 662, "AN ORDINANCE OF THE TOWN OF EASTON TO AMEND SECTION 2-22
OF THE TOWN CODE FOR THE PURPOSE OF MODIFYING THE DISCLOSURE REQUIREMENTS
FOR EMPLOYEES AND APPOINTED OFFICIALS."**

60 Upon motion by Mr. Silverstein seconded by Mr. Leshner and carried unanimously, Ordinance No. 662 was
61 approved.

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**ORDINANCE NO. 663, "AN ORDINANCE TO AUTHORIZE AND EMPOWER THE TOWN OF
EASTON (THE "TOWN") TO ISSUE AND SELL, UPON ITS FULL FAITH AND CREDIT, ELEVEN
MILLION FIVE HUNDRED NINETY-FIVE THOUSAND DOLLARS (\$11,595,000) MAXIMUM
AGGREGATE PRINCIPAL AMOUNT OF ITS SERIAL OR TERM MATURITY, GENERAL
OBLIGATION, FULLY REGISTERED BONDS PURSUANT TO THE AUTHORITY OF SECTIONS 19-
301 TO 19-309, INCLUSIVE, AND SECTION 19-207 OF THE LOCAL GOVERNMENT ARTICLE OF
THE ANNOTATED CODE OF MARYLAND (2013 REPLACEMENT VOLUME AND 2014**

SUPPLEMENT) AND SECTION 19 OF ARTICLE VI OF THE CHARTER OF THE TOWN, THE BONDS, TO BE DESIGNATED “TOWN OF EASTON PUBLIC FACILITIES AND REFUNDING BONDS OF 2015”, THE NET PROCEEDS OF THE SALE THEREOF TO BE USED AND APPLIED FOR THE PUBLIC PURPOSES OF: (A) FINANCING OR REFINANCING ALL OR A PORTION OF THE ITEMS DESCRIBED ON EXHIBIT A TO THIS ORDINANCE, AND ALL RELATED ARCHITECTURAL, FINANCIAL, LEGAL, PLANNING AND ENGINEERING EXPENSES, (B) REFUNDING ALL OR A PORTION OF THE OUTSTANDING MATURITIES OF THE TOWN OF EASTON PUBLIC FACILITIES BONDS OF 2008 AND (C) PAYING ALL EXPENSES INCURRED IN THE ISSUANCE OF THE BONDS AND THE REFUNDING OF THE REFUNDED BONDS, WHICH EXPENSES MAY INCLUDE COSTS OF DOCUMENT PRODUCTION AND REPRODUCTION, ESCROW AND/OR VERIFICATION AGENTS, AND FINANCIAL ADVISORY AND COUNSEL FEES AND EXPENSES; PRESCRIBING THE FORM AND TENOR OF THE BONDS AND THE TERMS AND CONDITIONS FOR THE ISSUANCE AND SALE OF THE BONDS AT PUBLIC SALE, INCLUDING THE FORM OF THE NOTICE OF SALE; PRESCRIBING THE TERMS AND CONDITIONS OF THE BONDS AND ALL OTHER DETAILS INCIDENT TO THE ISSUANCE, SALE AND DELIVERY OF THE BONDS; PROVIDING THAT THE PROCEEDS OF SUCH BONDS, OR ANY MONEYS WHICH MAY BE DEEMED TO BE PROCEEDS, WILL NOT BE USED IN A MANNER WHICH WOULD CAUSE SAID BONDS TO BE ARBITRAGE BONDS; PROVIDING FOR THE APPOINTMENT OF A PAYING AGENT AND REGISTRAR FOR THE BONDS AND AN ESCROW AGENT FOR ANY OF SUCH BONDS BEING REFUNDED; COVENANTING TO LEVY AND COLLECT TAXES SUFFICIENT FOR THE PROMPT PAYMENT OF THE MATURING PRINCIPAL OF AND INTEREST ON THE BONDS AND PLEDGING THE TOWN’S FULL FAITH AND CREDIT AND UNLIMITED TAXING POWER TO THE PROMPT PAYMENT OF SUCH PRINCIPAL AND INTEREST; AND GENERALLY RELATING TO THE ISSUANCE, SALE, DELIVERY AND PAYMENT OF THE BONDS.”

President Ford brought Ordinance No. 663 to the floor for a first reading.

Mr. Karge discussed Ordinance No. 663 which would fund the entire FY 2015/2016 Capital Budget. He stated that it is an aggressive schedule with the intent of the Bond Counsel to sell the bonds October 2015.

RESOLUTION NO. 6053, “A RESOLUTION OF THE EASTON TOWN COUNCIL IN SUPPORT OF THE TOWN OF EASTON’S FY2016 NEIGHBORHOOD REVITALIZATION APPLICATION.”

Mr. Thomas discussed the proposal to submit an application for renovations at the Avalon Theatre.

Upon motion by Mr. Leshar seconded by Mr. Engle and carried unanimously, Resolution No. 6053 was approved.

RESOLUTION NO. 6054, “A RESOLUTION OF THE TOWN OF EASTON IN SUPPORT OF THE DOVER STREET REVITALIZATION PROJECT AND ITS APPLICATION FOR FUNDING.”

President Ford stated that Mr. Don Bibb was present if there were questions regarding Resolution No. 6054.

Upon motion by Mr. Silverstein seconded by Mr. Engle and carried unanimously, Resolution No. 6054 was approved.

PUBLIC HEARING TO DISCUSS THE REQUEST OF RYAN SHOWALTER, (APPLICANT) ON BEHALF OF EASTON SENIOR CARE LLC, FOR A PLANNED UNIT DEVELOPMENT (PUD) AMENDMENT TO REVISE THE CONDITIONS OF APPROVAL FOR THE 64 UNIT ASSISTED LIVING FACILITY NOW KNOWN AS CANDLELIGHT COVE (ORIGINALLY APPROVED AS COLONIAL MANOR HOMES).

At 7:18 p.m., President Ford opened the 7:15 p.m. scheduled public hearing to discuss the PUD Amendment to revise the conditions of approval for the 64 unit assisted living facility know known as Candlelight Cove.

Mr. Thomas discussed the application to amend the PUD for Candlelight Cove.

Mr. Thomas stated that the applicant would like to address changes to Condition No. 9 of the original approval regarding the use of the gravel road access into the property. He stated that they would like to remove that as part of the application.

Mr. Ryan Showalter, representing the applicant discussed the original approval and the request for the amendment. He discussed the proposed project amendment and the site use.

Mr. Showalter stated that the Planning & Zoning Commission recommended unanimously approval of the amendment and agreed that the plan is consistent with the Town’s Comprehensive Plan. He stated that Phase 2 will have the same architects as the previous project. Mr. Showalter discussed the approval yielding additional employment and additional beds at the assisted living facility.

Mr. Leshar asked for clarification on the owner of the gravel road.

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40 Mrs. Cook asked if Mr. Showalter would converse with the neighborhood regarding their concerns. He stated that
41 he would be happy to.

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43 Mr. Silverstein suggested looking at Earle Avenue to consider restrictions to park on one side of the street.

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45 The timeline for the extension of the rails-to-trails in the Earle Avenue was discussed. Mrs. VanEmburch stated
46 that she thinks the project will move forward quickly.

47
48 President Ford opened the public hearing for public comments.

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50 Mr. Michael Jacobs, 94 West Earle Avenue discussed his submittal regarding the gravel roadway. Mr. Jacobs
51 stated that the construction traffic should not go up and down Earle Avenue. He stated that there is no legitimate
52 reason why the gravel road cannot be used for construction and employees of Candlelight Cove. Mr. Jacobs
53 discussed the danger of the intersection of Earle Avenue and Washington Street. He urged the council to stay with
54 Condition 9 and not amend the PUD.

55
56 Mr. Gary Interdonato, 301 S. Washington Street, stated that he walks the rails-to-trails in both directions daily. Mr.
57 Interdonato discussed the danger of the left hand turn onto Washington Street from Earle Avenue during work
58 hours. He stated even without the construction planned, he perceives the area as a catastrophe waiting to happen.
59 He urged the council to consider safety and not put the public at risk.

60
61 Mr. Dick Bemis, 228 Wye Avenue, stated that he is not opposed to the Candlelight Cove expansion. He stated that
62 his concerns focus on the intersection of Earle Avenue and Wye Avenue. Mr. Bemis stated that the employees of
63 Candlelight Cove use Earle Avenue daily. He stated that construction traffic will add problems to an already
64 dangerous intersection. Mr. Bemis stated that he opposes eliminating Condition 9 in the best interest of the
65 community.

66
67 Mr. Engle discussed rails-to-trails and the necessity to pave the area. He stated that just having the gravel path
68 would be in violation of the grant.

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70 At 8:02 p.m., President Ford closed the public hearing but left the record open for written comments until Friday,
71 July 31. President Ford asked for comments from Public Works and Easton Police Department regarding concerns
72 discussed tonight.

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74 **PUBLIC HEARING ON RESOLUTION NO. 6048.**

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76 **RESOLUTION NO. 6048, "A RESOLUTION OF THE TOWN OF EASTON AMENDING RESOLUTION**
77 **5924 REGARDING THE RULES FOR THE TOWN PARKS TO SPECIFICALLY MODIFY THE PARK**
78 **HOURS AT NORTH EASTON SPORTS COMPLEX."**

79
80 At 8:03 p.m., President Ford opened the Public Hearing on Resolution No. 6048. He stated that it is his
81 understanding that the lights if approved, will be permitted on a case by case basis.

82
83 Mayor Willey discussed the youth activities during the busy seasons. He stated that by passing Resolution No.
84 6048, there would be more use of the fields. Mayor Willey stated that he did not believe that the lights would be in
85 use after 9:30 or 10:00 p.m. He discussed the possibility of bringing more tournaments to Easton and the economic
86 boost for the town. Mayor Willey stated that the Park Board is in favor of Resolution No. 6048. He stated that the
87 2016 capital budget contains a line item for the lights. Mayor Willey stated that with the increase in the use of the
88 park, there may be an opportunity for higher education and scouts present to evaluate the athletes.

89
90 President Ford asked how often the lights would be utilized and if the skate park which has been relocated to North
91 Easton Park would have the use of the lights.

92
93 Mr. Engle asked if practices would have the use of the lights. He stated that he is in favor of the lights being
94 utilized during practice times as well.

95
96 President Ford opened the floor for public comments.

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98 Mr. Len Foxwell, president of Easton Little League, stated that he is an enthusiastic supporter of Resolution No.
99 6048. Mr. Foxwell thanked the mayor and town council, staff and park board for their support. Mr. Foxwell stated
00 that North Easton Park is an elite park. He stated that they are aware there is \$200,000 earmarked in the town's
01 budget for field lighting in North Easton Park. Mr. Foxwell stated that the lights would be a significant investment
02 for the quality of life for children and the young population. Mr. Foxwell stated that the Town would be making a
03 savvy investment as it has been documented that tournaments generate 1.8 million economic dollars of income to
04 local businesses in communities that schedule six tournaments per year. Mr. Foxwell respectfully asked for the
05 support of the Town Council for the approval of Resolution No. 5924.

07 Dr. Wade Dressler, 29410 Palm Court stated that the town's support has been tremendous and thanked the council
08 for entertaining the resolution.

09
10 Mr. Scott Warner, 29347 Will Street, stated that the town has come a long way. Mr. Warner stated that he grew up
11 in Easton. He stated that he is also in support of lights for practice. Mr. Warner stated that the community has
12 stepped up to support these children and fields.

13
14 Ms. Ann Harrison, 8684 Skyview Drive, stated that she has been an Easton baseball family for ten years and it has
15 been a great experience. Ms. Harrison stated that she looks forward to being at the park after dark with lights.

16
17 Mr. Silverstein stated that the fields with lights at North Easton Park is a great asset.

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19 At 8:26 p.m., President Ford closed the public hearing. President Ford stated that comments can be submitted to
20 the town until close of business Friday.

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22 **REVIEW OF INVOICES TOTALING \$1,698,326.83.**

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24 Upon motion by Mr. Leshar seconded by Mr. Silverstein and carried unanimously, invoices totaling \$1,698,326.83
25 were approved.

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27 **ITEMS BY MEMBERS OF THE COUNCIL**

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29 Mr. Silverstein discussed his concerns with the numerous collection boxes for clothes, shoes, etc. placed throughout the
30 Town. He asked how the structures conform to the zoning codes. Mr. Thomas stated that he is willing to discuss the
31 receptacles with the Planning and Zoning Commission. Mr. Thomas stated that the receptacles are considered an
32 Accessory Structure.

33
34 Mr. Silverstein stated he has been contacted by owners of restaurants regarding cigarettes on sidewalks.

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36 Mrs. Cook reminded those present about National Night Out scheduled for Tuesday August 4, 5:00 p.m. to 9:00 p.m.

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38 **ADJOURN.**

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40 At 8:31 p.m., upon motion by Mr. Leshar seconded by Mr. Silverstein and carried unanimously, President Ford
41 adjourned the regularly scheduled council meeting.

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Kathy M. Ruf, Town Clerk