

**Regular Meeting
Town of Preston
May 5, 2008**

The regular meeting was called to order by Commissioner Ellery Adams at 7:00 p.m. Also present were Commissioner Bill Mills, Commissioner Robert Stacey, and Mimi Willis.

Attendance: Diane Wojcik, Keith Woolsoncroft, Ernie Crofoot, Abby Schmidt, Town Attorney Walter Palmer, Bill Willis, Harold and Marie Moxley, Wayne Barnhart, Ronnie Fearins, Kathleen Barry, Reg Maguire, Kevin Hauf, Chief Robert Reed.

- Ellery swore in Robert Stacey as the newly elected Commissioner. The Commissioners elected officers for the coming year. Bill Mills made a motion that Ellery Adams be President of the Commission, seconded by Robert Stacey. The vote was 2 ayes and 1 nay. Bill Mills made a motion that Robert Stacey be Vice-President of the Commission and Robert Stacey made a motion that Bill Mills be Vice-President. When the vote was taken Bill Mills voted for Robert Stacey and Robert Stacey voted for Bill Mills. A revote was taken and Ellery and Robert voted for Bill Mills to be Vice-President.

- Ellery then advised that Mr. Ernie Crofoot, Town Attorney for Caroline County Commission, and Diane Wojcik, of Caroline County Housing Program, were present. He also advised they both have a lot in interest in revitalizing the City of Jonestown, which is unincorporated. Ellery said we have had several meetings with the County Commissioners or their representatives.

- Mr. Crofoot spoke on issues regarding getting water to Jonestown.
 - He said the best resolution is to ask the Town of Preston to consent to extending their water system out to that area. In exchange, the County has promised that that extension would be without cost to the Town.
 - He said he provided the Town Attorney with a Memorandum of Understanding that there will be no cost to the Town. It basically says the County would insure, guarantee that there is no capital cost to the Town.
 - The County is willing to agree to master meter the water so that the County would pay that bill directly to the Town and take on the job of billing the individual property owners.
 - It was also discussed after our last meeting to possibly extend wastewater services, which could be done on the same basis discussed earlier.
 - He said the goal of the County is to resolve a health hazard. Ellery asked why there is a health hazard and Mr. Crofoot said the water source is not predictable both in quality and in treatment. Ellery asked if there is a shallow well and are there septic problems? Mr. Crofoot said it is possible and he would like to see both ends done.

- Ellery then said the fact that, even though it is not going to cost Preston anything, what is in it for Preston, what is the benefit? Mr. Crofoot said the drift he was getting from the government agencies is that grants would be available to Preston to help Jonestown. Mr. Crofoot said the State could provide incentives to both sides, some intangibles. Ellery said this is important enough that 2 more months wouldn't hurt anything to do a more in-depth study about the sewer and septic situation and what possibly could be done. Mr. Crofoot said it may be appropriate now to have a more in-depth assessment of the wastewater and septic situations. However, one of the timing issues with respect to the water that the County has is queuing up for this year's round of engineering grants and that sort of thing.

- Diane Wojcik said she heard the gentleman from MDE say he would look after the Town's system, both water and sewer, at no cost to the Town.

- She said even though the Town cannot apply for grants, all the Town would get would be grant funded.
- She has 3 applications pending for the State, and they must be in by May 15th. One is for a preliminary study to see what it would cost to take sewer to Jonestown and get the engineering done.
- She has an estimate on the cost of running a line from Preston to Jonestown for sewer; the construction portion alone would be \$135,000.00.

- Bill Mills asked Mr. Crofoot several questions including what would happen in the event of a catastrophe. He stated he believes everything should be in writing.

- Ellery then asked Diane Wojcik about the feasibility study. She said one of the grants is for the engineering, feasibility study which would cost about \$15,000. and they will give us the alternatives. One of the other grants is for housing rehab to continue, and the third is for the water meters, hook-ups, etc. through C.D.B.G. So far they are holding \$912,000. and they need to spend it.

- Mr. Crofoot said what the State is looking for is an official position from the Town so the County can get the grants for the studies, etc. He said he would take back the wastewater issue to the County and State and try and get a more authoritative statement from the State.

- Ellery said this is a "hard sell" to the residents of Preston and it will definitely have to be attractive to the Town. He said he would be interested in going to the meeting tomorrow in Caroline County and present the position of the entire Commission.

- Walter Palmer said one upside would be the Town may get a new water tower and some new infrastructure. He believes that if the Town says yes to the Memorandum of Understanding, he thinks the Town would have a better chance at getting our own wastewater addressed by M.D.E. Also, if the Jonestown income could be included for grants, it would improve our chances of getting grants.

- Ellery asked for the letter to the Board of Education to be signed by all 3 Commissioners.

- The minutes of the previous meeting were approved as presented.

Police Dept. Report: Chief Reed gave his report for April, including 1 arrest and a recovery of a stolen vehicle.

Public Works Report: Robert Stacey gave the Public Works report submitted by Dale Whitley:

- He cleaned the curbs on Chambers Street
- He replaced a faulty float switch on the pumping station
- He removed several railroad ties that had been discarded near the transfer station

- He had letters sent to homeowners whose properties border the retention pond asking they report any dumping to Town hall. He also installed a “no dumping” sign.

- He has been cutting grass and has sprayed for weeks on every sidewalk in town and at the lagoon.

- He has 15 trees to be planted by the transfer station as soon as the utility locates clear.

Unfinished Business: Ellery advised that the speed alert sign that was approved and purchased was not correct. Mimi went over what the original quote entailed for \$13,025.00 with a camera and software. The Commissioners wanted one that has a radar unit that could broadcast a message, and included a camera and trailer. The 15” box will only broadcast your speed limit, no other message. She said the 15” box on a trailer has a solar panel and 2 additional batteries and will be an additional \$4,000.00. The total cost would be between \$18,000. and \$20,000. out of highway. Ellery made a motion to nullify the action taken on March 3rd regarding the radar unit and to purchase the radar sign portrayed on page 8, bottom middle picture of All Traffic Solutions catalog at a maximum cost of \$20,000.00 a.s.a.p. Seconded by Bill Mills and unanimously approved.

- Ellery then advised that the Child Safety Grant deadline has passed. Mimi said she still hasn’t heard from the school regarding survey, so it is a moot point now.

- Appendix B “Stories of the Chesapeake” have been sent to the State for review. Our Town Manager attended a Public Hearing on April 23rd. Another meeting was held on May 1, 2008. We have not received written confirmation that we have been received into the organization as yet, making us eligible for grants for historic and tourism related items.

- Robert Stacey said the Town had \$4,800.00 for forestation and he went to Eastern Shore Nursery and purchased 100 trees of all types, approximately 6’ or better. He said he has 15 arborvitaes to be planted over in the park near the dumpster to close that in. They are 6’ to 8’ tall. If anyone has any suggestion where to plant them, let him know.

- Ellery then showed a booklet put out by Parks and Recreation, showing quite a few activities planned.

- Ellery asked Mimi about the status of the Fire Dept. request. She said she is still waiting for minutes and information from Planning and Zoning. Kathleen Barry said she would have them ready by their next meeting. Also, the application has already been approved. Ellery set in the public hearing on May 27th at 7 p.m.. Mimi said she would advertise it and she asked Mr. Fearins to post a sign stating the date, time and place to rezone from industrial to residential.

- Ellery asked Mimi about the forestation area and she said a resident is calling D.N.R. and Ms. Honezy again because residents are mowing and cleaning up the forestation area and they are not supposed to touch it. He is not going to stop calling until it gets enforced and it is up to the Town to enforce it. Ellery asked about the penalties for violation. Mimi said up to \$1,000.00 per day. Ellery suggested Mr. Malkus ask the Chief to join him and visit wherever there are violations. He can give them one more warning and show them the penalties; first violation-\$100.00; second violation-\$100.00-\$500.00; third and further violations-\$1,000.00. Robert Stacey made a motion to set the penalties as follows: first violation-\$100.00; second violation-500.00; third and further violations-\$1,000.00. The motion was seconded by Bill Mills and unanimously approved. It was suggested that the Town define what is noxious and what is not. Mr. Palmer said if it is put in writing, it should be clear and concise.

- Mr. Pennington from Bay Broadband wanted to know where we are with allowing an antenna on our water tower. Mimi said Joe McCormick said the antenna on the water tower is going to be removed and they think they can use the same brackets. Ellery said this issue will be tabled until next meeting. He asked Mimi to get copies of the contract for the Commissioners.

New Business: Ellery advised:

- Mr. Malkus has requested one additional hour per month for the cost of gasoline at \$22.00 per hour. Bill Mills made a motion to approve his request, seconded by Robert Stacey, unanimously approved.

- capacity fees will increase by 5% as of July 1, 2008.

- The April bills were approved for payment unanimously.

- The results of the straw poll for a new police station were as follows:

- 22 votes for a 3 stage building
- 24 votes for Mr. Barnhart’s house
- 54 votes for a concrete building
- 16 for “none”
- 2 for Sheriff’s Dept.

- Ellery then advised that, due to legal issues, the vote would be discussed in closed session and there will be a report after the closed session.

- Mimi asked if the 5% capacity fee increase was discussed. Ellery said it was discussed when she was out, as a point of information. He said the fees would be posted.

- Ellery suggested they review the financial statements. Bill Mills discussed the financial report he would like to get. Mimi said she could not give him the requested report, but she could give him a Profit and Loss Previous Year to Date comparison but won’t have the budget on it. She said she could give him a separate one called Profit and Loss Budget Performance that will give him the current budget and difference. She advised if he would like to meet with her or the auditor, at any time, to go over available reports, she would be glad to do so.

- She said there must be a balanced budget by May 15th and it has to be advertised in the paper for a public hearing; the first public reading in June will be at the June meeting, and the second public reading at the work session in June. Mimi said she would like to advertise it by May 19th. Ellery suggested meeting May 12th at 7 p.m. Mimi said she would post it.

- Chief Reed suggested fees for vendor’s permit, fingerprinting and accident reports. A motion was made for \$35.00 for vendor’s permit, which was seconded and unanimously approved. Finger print fees of \$25.00 were already established. A motion was made for accident report fees of \$25.00, which was seconded and unanimously approved.

- Ellery then discussed evening hours for the office to be open. He said Bill Mills' intention was to open one evening in addition to the normal working hours. Therefore, it would have to be on a day Fran works. Mimi asked what if Fran is on vacation and there is no one available to open up, since the memo states she is not to hire additional help? Ellery said to have someone sit in for the three hours when she can't make it. She said she would prefer Mondays. Ellery asked her to check with Fran about Mondays and advertise the additional hours.

- Ronnie Fearins said he rescheduled the public hearing on the zoning change for the fire company, due to a conflict. Is it necessary for him to be there? Bill Mills suggested they have a representative at the public hearing.

- Mimi asked Mr. Palmer if he checked into a Town committee having their own bank account. He said he did not have time to do so. Mimi said she did not think the Town could allow it and Mr. Palmer agreed. She suggested they might want to incorporate and not be part of the Town. They may be able to get grants then. Mr. Palmer said he would check into it and let her know.

After their closed session ended, the Commissioners came back to the regular meeting and reported a discussion was held as far as manning our police department and the results of the straw poll. Ellery reported the decision of the Commissioners at this time is to investigate actual prices and actual need before making a decision on a police building. When we have something firm, we will put it out for bids if that is the route we choose. He said they were not convinced the prices given were totally realistic and asked the Chief to come back with firm prices. They are also looking at other options that may be more suitable in an effort to keep the price down for an actual need rather than a maybe need.

Meeting was adjourned at 10:15 p.m.

Respectfully submitted,

Fran Johnson

On May 5, 2008, at 9:01 p.m., Commissioners Ellery Adams, Bill Mills and Robert Stacey, unanimously voted to hold a Special Meeting to consider a motion to go into an executive or closed meeting, under OMA Article 10-508 (a) Sect. 1, to discuss personnel matters. All three Commissioners voted for closure.

A closed meeting was held May 5, 2008 at the Preston Town Hall, from 9:02 p.m. to 10:10 p.m. Commissioners Ellery Adams, Bill Mills and Robert Stacey, and Mimi Willis, Town Attorney Walter Palmer, and Robert Reed were present. The meeting was closed under OMA Article 10.508(a)(1) to discuss personnel issues. Regarding the proposed police department building, the Commissioners decided to investigate actual prices and actual need to keep the cost down. The meeting was adjourned at 10:10 p.m.

On May 5, 2008, at 10:10 p.m., the Special meeting was reopened by Commissioners Ellery Adams, Bill Mills and Robert Stacey. Regarding the proposed police department building, the Commissioners decided to investigate actual prices and actual need to keep the cost down., which was to be reported in the regular meeting. The Special Meeting was adjourned at 10:11 p.m.

On April 8, 2008, at 8:44 a.m., Commissioners Ellery Adams, Bill Mills and Robert Stacey, unanimously voted to hold a Special Meeting to consider a motion to go into an executive or closed meeting, under OMA Article 10-508 (a) Sect. 1, to discuss personnel matters. All three Commissioners voted for closure.

A closed meeting was held April 8, 2008 at the Preston Town Hall, from 8:45 a.m. to 10:10 p.m. Commissioners Ellery Adams, Bill Mills and Robert Stacey, and Mimi Willis were present. The meeting was closed under OMA Article 10.508(a)(1) to discuss personnel issues. No action was taken. The meeting was adjourned at 9:00 a.m.

On April 8 2008, at 9:01 a.m., the Special meeting was reopened by Commissioners Ellery Adams, Bill Mills and Robert Stacey. Since no decisions were made in the closed meeting, the Special Meeting was adjourned at 9:02 a.m.