

**MINUTES - UTILITY COMMISSION MEETING**

**August 1, 2011**

MAYOR AND COUNCIL  
UTILITIES BOARD MINUTES  
August 01, 2011

The Mayor convened the Mayor and Council Utilities Board meeting on the above date at 7:00 P.M. All Councilmembers were present. The Assistant Clerk-Treasurer and Town Attorney were also present.

**APPROVAL OF THE MINUTES:**

Councilmember Price made a motion to approve the minutes of the Mayor and Council Utilities Board Meeting of July 05, 2011 as presented; Councilmember Nesspor seconded. All in favor, motion carried.

**SEWER ALLOCATION REPORT:**

The Assistant Clerk Treasurer read the sewer allocation report into the record.

**THE FOLLOWING ITEMS WERE DISCUSSED:**

Catholic Avenue has in the past several years have had problems with their water. The Town throughout the years have contemplated many ways to fix the issue but have never been able to find a way to resolve it without costing the town an excessive amount of money (\$100,000 plus), until recently. In talking with the residents that live on Catholic Avenue the Mayor and Council found that there used to be a fire hydrant at the corner of Catholic Avenue and Boundary Avenue that got struck by a car and knocked down some 30 years ago. The fire hydrant was never replaced and the water main that was connected to it was never turned back on to allow the flow of water to continue through the pipeline. We have recently replaced the fire hydrant and turned the water main back on. Having this done has fixed the problem with the water on Catholic Avenue.

With no other business to discuss a motion was made by Councilmember Price to close the meeting with a second from Councilmember Jones. Motion carried, meeting closed at 7:10 P.M.

Approved:

Robert E. Willis, Mayor

Olin B. Price, Councilmember

Susan A. Francis, Councilmember

Brian Nesspor, Councilmember

Brian Jones, Councilmember

## MAYOR AND COUNCIL

### WORKSHOP MINUTES

August 1, 2011

The Mayor convened the Mayor and Council Workshop meeting on the above date at 7:11 P.M. All Councilmembers were present. The Assistant Clerk-Treasurer and the Town Attorney were also present.

#### APPROVAL OF THE MINUTES:

Councilmember Francis made a motion to approve the minutes of the Mayor and Council Utilities Board Meeting of July 5, 2011 as presented; Councilmember Price seconded. All in favor, motion carried.

#### THE FOLLOWING ITEMS WERE DISCUSSED:

As of the end of last week the Ferry Park boardwalk has been completely refinished with new deck boards. We have repaired the legs to the benches that were in need of repair. There has been a new shower head and water fountain added to the end of the boardwalk. It has been brought to our attention that a handicap accessible ramp should be added to the boardwalk. We will have that done. The proceeds from the Carnival during the 4th of July celebration and a donation from the American Legion have allowed us to have these repairs and additions done to the Ferry Park beach. There will be a ceremony held at the beach in recognition of the American Legion for their donation.

The Mayor and Council had a discussion in regards to omitting the Lord's Prayer from being said at the beginning of their regularly scheduled Mayor and Council meetings held once a month on the second Thursday of each month. The matter will be discussed in further depth with our Town Attorney in our closed session at the end of this meeting; there are legalities that we need to take into consideration when it comes to this matter. We will then choose how to move forward in regards to this at that time. The discussion was then opened up to the public for their comments and thoughts in regards to this issue. There were many town residents who attended this meeting and some spoke out in favor of omitting the Lord's Prayer, and many spoke out in hopes to continue to have the Lord's Prayer recited just as it always has been. With there being so many people who came to speak out in regards to this issue it made for a rather lengthy discussion. I

have not included each individual's comments in the minutes but they are available to hear on the recorded tapes that can be found in the Town Clerk's office.

The Mayor and Council introduced revisions to the Charter and Election Code. There were board of election members present to provide their suggestions for the proposed revisions. The revisions will be formally introduced on September 8, 2011 during the regularly scheduled Mayor and Council meeting.

The Mayor and Council discussed a problem a town resident is having with feral cats. These cats are located at a property in the area of the lagoon. The cats are causing damage to vehicles and landscaping of neighboring property owners. Animal Control will not trap the cats. The neighboring property owners can take it upon themselves to set traps and turn them into the Humane Society, and then the Humane Society will take care of them accordingly. There is another cat colony located up by New Yarmouth and it seems to be doing well there. We think the only reason for this is simply because it's not located in an area with home owners in close proximity to it. The surrounding businesses don't seem to have had any problems with the cats at this location as of yet. The cats are taken care of by The Great Cat Rescue at this location. The Great Cat Rescue have told the town that they would be willing to move the colony that is causing problems across the street to an area that does not have any close proximity to any public residents. Unfortunately they have yet to do this. The Mayor would like to speak to Mrs. Jeannine Marsey of The Great Cat Rescue, to give them another chance, to relocate this cat colony. The Mayor and Council are also going to consult with the Town's Attorney to see what steps the town can take in accordance to this issue.

There was a letter written to the town from North Point Marina asking the town for reimbursement for road work that was done for their marina. This road work also included work on a portion of the town's property at the end of Walnut Street. The letter states that the owners of the marina tried to contact the town to ask how the town wanted to proceed with this repair work, and they never received any response from the town. They needed the work done to their property but it also entailed having the work done to the town road to be able to have their property fixed. Without hearing from the town North Point Marina proceeded to have the work done to their property as well as the work done to the road belonging to the town. Again, the letter is asking for reimbursement for the money they spent to repair the road (Walnut Street) belonging to the town. At the time of inquiring on receiving help from the town to fix this problem the town was in the middle of preparing for an upcoming election and had a new mayor recently sworn in. Whatever the reason may be, this was never brought to the council's attention and was lost in the shuffle. What we need to decide on tonight is whether the town is going to reimburse North Point Marina for taking it upon themselves to fix a piece of the town's property without the town's permission, which they had to fix the town's property in order to be able to fix their own property. If we do decide to reimburse North Point does this open the town up to other business' having work done

involving town property and expecting the town to reimburse them for the work done without having an approval from the town first. Because of the special circumstances involving this situation, the Mayor and Council decided to reimburse North Point Marina. Councilmember Price made a motion to reimburse North Point Marina 35% (\$3,132.50) for construction work done to town property on Walnut Street due to special circumstances. Councilmember Nesspor seconded. All in favor, motion carried.

Councilmember Nesspor brought a letter in with him that he received from a lady in response to a letter that he had in turn written to her. Councilmember Nesspor lives at the end of Walnut Street, and upon walking along his property he found a balloon with a letter attached that was sent out flying from Burtonsville, Maryland. The balloon also had a return envelope with it asking if anyone happened to find the balloon to please send a letter in return letting the sender know where it was found at. Councilmember Nesspor did indeed write a letter to the sender and in return received one from Henry (age 3) and his grandmother who had sent the balloon and belongings flying away on its journey. This just happens to be a neat little circumstance that happened to find its way to us here in Rock Hall.

Councilmember Price made a motion at 9:25 p.m. to move into an Executive Session - Under the Maryland Open Meeting's Law, Section 10-508, Subsection A, Paragraph 3 & 7 in order to consider the acquisition of real property for a public purpose and matters directly related thereto and to consult with Town Attorney to obtain legal advice concerning potential litigation. Councilmember Francis seconded the motion. All in favor, motion carried.

The Mayor and Council returned from their Executive Session at 11:45 p.m. to report that there were no actions taken during the Executive Session in regards to proposed land acquisition and consultation with the Town Attorney.

With there being no further business, Councilmember Price made a motion to adjourn at 11:47 p.m.; Councilmember Francis seconded. All in favor; motion carried.

Approved:

Robert E. Willis, Mayor

Olin B. Price, Councilmember

Susan A. Francis, Councilmember

Brian Nesspor, Councilmember