

**Galena Mayor & Council Meeting
September 3, 2019 Minutes**

The Meeting was called to order by Mayor, John Carroll, 7:00 p.m. on Tuesday, September 3, 2019.

Those in attendance were Mayor John Carroll, Council Members' Jackie Duhamell, Francis Bogdan and Sarah Merrell. Also, in attendance: Town Attorney Tom Yeager; Treasurer Barbara Shaw, Zoning Coordinator Kathleen Billmire, Clerk Pamela McCoy and Kent County Sheriff, Sgt. Lodge. Not present, Council Member Bert Piasecki.

Motions:

Approval of July 1, 2019 Minutes: **Council Member Duhamell motioned to accept July 1, 2019 Minutes. Council Member Bogdan second motion, all present were in favor. Motion carried.**

Approval of August 5, 2019 Minutes: **Council Member Duhamell motioned to accept the August 5, 2019 Minutes. Council Member Bogdan second motion, all present were in favor. Motion carried.**

Approval of Operation of Waste Water Treatment Facility Agreement with Kent County to be presented before Commissioners: **Council Member Duhamell motioned to accept the proposed Water & Wastewater Treatment Facility Agreement between the Town of Galena and County Commissioners with the edit to Article V. 5.1 regarding proration. Council Member Merrell second the motion. All present were in favor. Motion carried.** Through the efforts of Planning and Zoning Coordinator, Kathleen Billmire, the Mayor and Town Attorney, Tom Yeager drafted an agreement for Kent County Public Works operators and supervisors to benefit the town for the operation of town's Waste Water Treatment Plant. Chesapeake City has a similar agreement with Cecil County, and this was used as a template. If Council approves document, we then submit it to the County Commissioner for consideration, with Chris Drummond, Esq. to review. Time will run Sept 1, through Fiscal year-June 30, 2020. Trial for one-year. \$82,000.00 annually which will be pro-rated by days once agreed and approved *text change to Article 5. Titled document shall be Galena Water and Wastewater Treatment Facility.

Approval of Treasurer's Report: Revenue report July 8.33%, General Fund is .36% of budget, Sewer Fund is .03% of budget, and Water Fund is 0% of budget. Expense Report for July Activity without Capital Expenditures is 8.33% of the Year, General Fund is 6.81%, Sewer Fund is 7.78% and Water Fund is 7.88% of budget. Wynne Claim was paid in full \$1,069.00. July Bank balances: General Fund-\$336,763.16, Sewer Fund-\$573,173.63 and Water Fund-\$50,256.83 with a total balance of \$960,193.62. Bank registers-July. Status of delinquent 72 late notices mailed on 8/26, hang tags 9/19, shut offs 9/26. **Council Member Duhamell motioned to accept July 2019 treasurer's report; Council Member Bogdan second motion; All present were in favor. Motion carried.**

Approval of Accufund Program Contract: **Council Member Duhamell motioned to accept and allow Mayor the authority to sign contract if Accufund has agreed to changes of terms. Council Member Merrell second motion; All present were in favor. Motion carried.** Tom Yeager, town attorney reviews Accufund contract and recommends changing section 25, and Article 28 which both reference Boston, Massachusetts and needs to be changed to Kent County, MD. He points out that contract does not allow to terminate early and subject to automatic renewal unless 45 days' notice is given in advance. Tom suggested alternative language that contract will automatically renew unless we give 15 days or 20 days' notice at the most if they need more time, the reasoning for this since the town operates in a 30-day cycle with each meeting. Upgrading Accufund for hosting accounting program will allow multiple users access with select authorizations. A pay portal will allow customers to pay online. This has been purchased with an additional charge for cloud-based hosting. Upfront fee needed is \$2,160.00 with a one-time set up fee of \$500.00 then a quarterly charge of \$1,080.00 per year. The town will charge residents a processing fee if they wish to sign up to pay online.

Approval of one-time credit: Council Member **Merrell motioned to approve the One-Time Credit to Judith Bakker in the amount of \$739.35; Council Member Bogdan second motion; All present were in favor. Motion carried.**

Approval of September 3, 2019, Audio Minutes. **Council Member Bogdan motioned to the approval of the September 3, 2019, Audio Minutes. Council Member Duhamell second motion. All present were in favor.**

Adjournment: **Council Member Bogdan motioned to adjourn the meeting; Council Member Duhamell second motion, all present were in favor.** Meeting was adjourned at 9:17 p.m.

Recommendations/Comments:

Special Galena Police Patrol: Sgt. Lodge reported for the month of August 2019, 12 calls for service with a result of one criminal complaint, 47-traffic enforcement assignments, 11 non-criminal calls of service, 9 hours of special overtime used. 3 commercial vehicle inspections. Federal fiscal year grant is ending. Special services used in August \$382.48 with remaining balance of \$3960.34. Sheriff announced that September is Kent goes Purple Month which is Substance Abuse Awareness and brought wrist bands to be handed out. A 5K Color run event was held last weekend to kick off awareness and on September 14, the Purple Jamboree will be at 1pm. Zoning Coordinator, Kathleen Billmire brought to Sheriff's awareness speeding through Dogwood Village. A citizen reported a speeder, possibly an officer, however no further information was relayed, no known name, agency, address, or whether his personal car or agency marked vehicle was being driven. Sheriff offered any information regarding an officer should be reported and will be addressed.

Mike Bryant was sworn in by Mayor John T. Carroll, Jr. as an Alternate to the Planning and Zoning Commission.

Water/Sewer Report

The Mayor reported 11.84 tons of sludge removed for the month of August to landfill. No flow report from MES received for this month. Walking Bridge was inspected at Gateway Park by Maintenance Coordinator with cost analysis to replace.

Grants/Projects/Reports

Kathleen Billmire, Zoning Coordinator, reports there have been 8 items found by Ryan Wrangler at the WWTP and as of 8/12/2019 all items have been fixed. We are still awaiting reimbursement from Bearing from penalty.

Update to Georgetown Collection: target date for completion was set for August 24, 2019, however, pump station has issues where Delmarva is looking into solutions to get power. A meeting is to be held next month.

Trash & Recycling containers from Republic Services need to be picked up since they will no longer be providing service for the Town of Galena Zoning Coordinator, Kathleen Billmire has been trying to contact someone by email and leaving phone messages. She will take a second look at contract to see if anything is within for picking up containers when service has been terminated. Town will consider future contracts with vendors to have pick up date by a certain time or otherwise incur penalties.

AP Wireless has the revisions to review contract after a conference call suggested changes. Tom Yeager, town attorney is awaiting response.

DHCD Façade Grant: 100 S. Main Street, Oh So Sweet, painted entire building ending their project and have sent in for their reimbursement. Looking forward to new windows to be installed in Town Hall building in September. DHCH Façade Grant for FY 2020 will be decided in October.

Keeping MD Beautiful Grant: Leftover funding purchased samples of compostable containers and cutlery. The Mayor intends to deliver to local businesses. Our goal is to compile lists from businesses which are favorable use. Fire company may not be eligible. We want to save some funds for holiday season decorating in planters around town.

Zoning Coordinator, Kathleen Billmire issued one permit for 112 Laura Lane, new construction of home.

Code Enforcement concern with residents parking on sidewalk and in no parking zones or parking on wrong side of road. Kathleen has been diligently keeping detailed notes with photos viewing all areas of the town during several different times of the day before issuing warnings. Notifications to be sent out reminding residence who have fire hydrants to keep clear of debris and clearly visible.

Kathleen Billmire brought to Mayor and Council's consideration a text amendment for driveways and second driveways. The purpose of this request is to have guidelines and standards for driveways and second driveways within the Town of Galena. The town wants to protect the public health and safety of residents and emergency responders by establishing an entrance culvert, apron installations, driveway access and regulations on town roads and right of way access. Last month's discussion about second driveways lead to this issue when a resident in Dogwood Village started digging a temporary driveway without a permit. By including a standard guideline for driveway specs to be included in building permit, we could provide builders with driveway specs like the County and State have in place to enforce any violations. This will be optimal for drainage, storm water management with new construction and to be able to control what is put in place for residential and commercial zones. Our Ordinance states must be gravel or paved for permanent driveway. Tom Yeager, Town attorney, makes the correction to Kathleen's reference as mentioned Charter 59-13, that this is for the right of ways for cable tv lines mentioned. He believes there is no need to change the Charter. Tom redirects Kathleen's intentions to focus on the Town of Galena's Code of Ordinances, Zoning Ordinance and Subdivision Ordinance. Tom explains the procedure for a Charter Amendment, that it can be brought to referendum, meaning citizens can sign petition and with enough signatures, must be brought forth for a special election to be held within 40 days after its passed or be added to the ballot at the next scheduled election date. If a petition is not brought forth then it will become effective 50-days after. For this situation, for lots of record, when adding access to town streets our Zoning Ordinance says in Section 4; 'location and design for entrances and exits shall be in accordance with the requirement of implacable county regulations and standards. Mr. Yeager further explained the meaning that if we believe with what the county has in place and agree it is adequate, we do not need to make changes. The town could enforce by these county requirements. If the county requires a permit, we require a permit as we adopted the county policy in 1997. However, standards may have changed over the years. Noticeably, it does not show any specifics for aprons as well as some requirements the county has in place and does not fit for our town therefore, changes can be made to meet our own needs and standards. More data with further research is needed as the Town considers text amendments to be inserted in retrospect to the Town's needs and then in respect to the subdivision ordinance. For example, in the county provision 2.15 one that is explicable to entrances and exits with a maximum of two (2) entrances may be allowed in the first 200 feet of frontage, where we may want to consider how many entrances we want to allow per feet of frontage. It may be worth considering putting a setback requirement and add a provision with a variance. Maybe add as a provision for town engineer to review with respect to forward to inspector as to not cause a storm water management issue. The town will think of a reasonable number of feet and consider piping size. Clarification to road frontage means where ever a lot fronts a town street and for non-conforming (mirror or footprint what is in place) lots are mostly older homes not in the subdivision.

Park & Tree Committee - On September 16, 2019 at 6pm.

Outstanding Bond: Mr. Piasecki, the property developer agreed upon \$7,500 as settlement amount with the town to release the bond and any obligation to install any further sidewalks. The town will use this amount restricted to spend towards sidewalks repairs or replacements.

For the Good of the Town:

Barbara Shaw, Treasurer, will be in attendance to graduating ceremony of the Academy of Excellence as she has completed all required courses within program.

911 Ceremony will be held on September 11, 2019 at 7:10pm at the Galena Firehouse for the 18th Anniversary dedicated to Harry Pisapia.

Next COG Meeting is September 18, 2019 in Rock Hall.

ESAM Dinner Oct. 1, 2019 at Chesapeake College.

ESAM Crab Feast Oct.12, 1:00pm in St. Michaels.

MML Fall Conference, Oct. 13, 2019 in Cambridge.

Council Member, Merrell researching speed signs for the town. Citizen, William Graham, graciously offers the use of his radar gun to be used for her research.

Respectfully submitted,

Pamela L. McCoy

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Clerk