# Town Council
# MEETING MINUTES

Monday, June 12, 2023 - 4:30 PM
Council Chambers, Easton Town Office
14 S Harrison Street

**4:30 PM: Call to Order by Acting President Abbatiello.**

Mayor Megan JM Cook
Mr. Don Abbatiello
Ms. Maureen Curry
Mr. David Montgomery
Rev. Elmer Davis

Also present was the Town Manager, Mr. Don Richardson, Town Attorney Mrs. Sharon VanEmburgh, and Town Clerk Mrs. Kathy M. Ruf.

Acting President Abbatiello read a statement regarding the Closed Session which occurred at the June 5, 2023 meeting.

**Opening remarks and Pledge of Allegiance by Councilmember Rev. Davis.**

Rev. Davis gave opening remarks and led those present in the Pledge of Allegiance.

**Approval of Minutes.**

Minutes of the June 5, 2023 meeting.

Upon motion by Rev. Davis seconded by Mr. Montgomery and carried unanimously, the minutes of the June 5, 2023 meetings were approved as written.

Minutes of the June 5, 2023 Closed Session.

Upon motion by Rev. Davis seconded by Mr. Montgomery and carried unanimously, the minutes of the June 5, 2023 meetings were approved as written.

**Municipal Official Items.**

Items by Mayor Cook.

Mayor Cook reported that the ground breaking for Arc Chesapeake Region on Port Street occurred Tuesday as well as a joint quarterly meeting with the county with the other Talbot County municipalities. She said for those unable to attend the joint quarterly meeting, there are handouts in your mailbox. Ms. Cook stated that the main topic at the county meeting was the Adequate Public Facilities Ordinance. On Wednesday, Mayor Cook stated she attended the first responders community service put on by Blue Point Hospitality. The torch run was today throughout town and put on by Easton Police Department with approximately 50 walkers followed by lunch at EVFD.
Mayor Cook stated that the next regularly scheduled meeting will be held Tuesday, June 20 due to the observance of Juneteenth.
Mayor Cook stated she will be out of the office June 16 - June 23 on annual holiday. Mr. Abbatiello will be stepping in as Mayor.
Friday June 16 is the Police Cadet graduation and she will swear in the new patrolman Thursday evening.

Items by Town Manager

Approval for Windmill Branch Stream Restoration Project - Additional Work Recommendation.

Town Manager, Don Richardson discussed the $221,508.20 in change orders for the Windmill Branch Stream Restoration Project. Mr. Richardson stated that the addendums are with Ecotone and Coastal Resources. He stated the Town Engineer has found funds in the amount of $252,000 that remained from the Station Lane project.
Mr. Richardson stated that staff recommends approval.
Mr. Montgomery asked where Windmill Branch is. Mr. Richardson stated that the Tred Avon River comes up thru Easton Point, it goes thru ponds on either side of Oxford Road to the

back side of Bridge Street by the High School, by Ocean Gateway into the developments on the other side of Route 50.
Mr. Montgomery asked for clarification where the funding is coming from.
Mr. Richardson stated that the funds were from ARPA funds.
Ms. Curry asked for clarification where Station Lane is. Discussion occurred regarding the cost of the project.
Upon motion by Ms. Curry seconded by Rev. Davis and carried unanimously, the addendums for Windmill Branch Stream Restoration project were approved.

Award of Port Street Infrastructure Project.

Upon motion by Rev. Davis seconded by Ms. Curry and carried unanimously, the Award of Port Street Infrastructure Project was approved. The Town Manager stated the project will be done in phases to AUI which is the low bidder. Mr. Richardson stated this will be done in phases. This portion of the project is from Jowite Street to the other side of the Parkway in front of Londonderry. This award is for $1,248,542.35 to AUI who was the low bidder. He stated the budgeted amount is in excess $2,000,000. Mr. Richardson stated that bond money and ARPA money will be involved for the project.
Mr. VanEmburgh stated we are looking to value engineer the upcoming portions of the project.
The Town of Easton is responsible for purchasing the materials; AUI will be used for construction, Gillespie will be the provider for physical concrete structures in the amount t of $46,513.62. The recommendation is to award the construction to AUI with the acquisition of the structure. Mr. Abbatiello questioned if it would be beneficial to buy the materials for the upcoming portion of the project. The Town Engineer stated that he did not recommend buying materials before construction due to the possibility of value engineering the next portion of the project as we may need different sizes of the material. The Town Engineer stated that AUI is ready to commence.
Any other questions for Mr. Richardson. There were none.
Upon motion by Rev. Davis, seconded by Ms. Curry, and carried unanimously, the recommendation to approve construction for the Port Street Infrastructure project by AUI and the materials from Gillespie was approved.

Items by Town Attorney.

Ms. VanEmburgh stated she has nothing this evening.

**Public Participation/Comments.**

Jim Didonodo, of Mallard Construction, stated he is working through the project on Elliott Road. He discussed the PUD process and time limits. Mr. Didonodo stated that the PUD approval is only for two years which started when it was approved. He stated that they will have three years when the site plan is approved but they will only have nine months until the PUD expires. He suggested that the PUD approval roll over to the site plan expiration. He discussed making an application for financing and running out of time for the PUD expiration.
Acting President Abbatiello said they will try to find an answer for them.

**Items by Members of the Council.**

Ms. Curry had the opportunity to meet with constituents last week regarding the Primrose project on Aurora Street. She stated working together with The Arc was concerned with the size and aesthetics of the structure. She stated it was a good discussion.
Met with residents near Poplar Hill who voiced their concerns with the development in their backyard.
Mr. Montgomery met with constituents that raised two issues; the Adequate Public Facilities Ordinance and whether the staff will be taking that up.
Mr. Montgomery discussed cannabis, retail and zoning. He stated that their suggestion was to use a fact-based way and look at other cities for policies and procedures.
The Town Attorney stated the Planning and Zoning will address the cannabis issue in their subsequent meeting.

**Adjournment.**

At 4:53 p.m., upon motion by Rev. Davis seconded by Ms. Curry and carried unanimously, Acting President Abbatiello adjourned the regularly scheduled meeting.

Respectfully submitted,

________________________________
Kathy M. Ruf, Town Clerk

**Workshop.**

**Discussion of ARPA Funds.**

Mayor Cook discussed UMMS and what they consider three hurdles:
1) The approval of the Certificate of Need
2) Long term commitment from the Governor/State of Maryland
3) Funding and raising approximately 50 million dollars on the eastern shore. She stated they are asking Easton for a commitment and that is what she is here tonight to ask for council consideration.
During this workshop, the Mayor said she wanted to gauge the town's interest towards UMMS and wanted to see what other towns in the county might be able to do as well towards the investment.
Mr. Connelly reported on the ARPA funds and stated the town received over 16 million dollars. He stated that the funds are time sensitive and must be obligated by December 2024 and under contract by September 2026.
Rev. Davis stated that $1 million could go towards the hospital with the remaining $632,816 going to small businesses and non-profits.
Mr. Montgomery wants to look at things we can do quickly. He discussed the history of how UMMS has disappointed citizens. Mr. Montgomery stated he is not in favor of handing over funds to an organization that has repeatedly let us down.
Ms. Curry asked if we commit money what will the money be used for and if we give $1 million, are you comfortable with having $632,816 left from the ARPA funds? If we are going to give them money, we need to see what it is being spent on.
Rev. Davis stated that the town needs to make a commitment and be supportive of what is in our backyard. We are an aging community and the community needs the hospital. He stated this topic needs more discussion and thought.
Mr. Abbatiello stated that there is a list of requests for the town.
Mayor Cook stated this will affect every person in the Town of Easton. She stated she wants to stress this as an important project and urge the council to support funding UMMS.
Mr. Montgomery asked if Mayor Cook would relay to the UMMS how important their service is.
Mayor Cook stated she will during a meeting she has scheduled with UMMS and the County.

**Discussion of the Zoning Code.**

Mr. Thomas was present to discuss the Proposed Zoning and Subdivision Regulation Amendments. He stated he has brought forth amendments prior to this meeting.
Mr. Thomas discussed Zoning Code Amendments.
Grocery Store: relaxing or removing. A commercial establishment for the sale of produce, dairy products, fresh meat and staples.
Ryan Showalter represents a developer interested in the Safeway building. He stated he is present to simplify the process and possibly
The Town Attorney stated the Zoning Code Amendments will have a public hearing scheduled.
The Town Planner, Mr. Thomas stated that during a recent conference, Missing Middle Housing Zoning was disc used and it refers to Missing Middle or Middle Housing recognizing that it is occurring in many areas.
Mr. Montgomery asked what is A-1. Mr. Thomas stated it is A-1 Agricultural.
Mr. Thomas discussed deleting the enhanced separation requirement of liquor stores from certain other uses. He discussed a slight revision to architectural changes to include lot line adjustments.
Mr. Thomas discussed a series of amendments that address multi-family homes and middle housing types that fit in to the neighborhood where they are proposed.
Mr. Thomas discussed proposed language to the PUD.
Mr. Montgomery asked that a time limit be put on PUD applications.
Victoria Hoffman, Mallard Construction discussed their situation where the PUD will expire March 24 and the problem that they are still working on the site plan.

At 6:01 p.m., upon unanimous consensus, Acting President Abbatiello adjourned the regularly scheduled meeting.

Respectfully submitted,

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Kathy M. Ruf, Town Clerk