Town Council
MEETING MINUTES

Monday, March 18, 2024 - 5:30 PM
Council Chambers, Easton Town Office
14 S Harrison Street

4:30 PM Building Code Adoption Workshop

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

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

Town Clerk Mrs. Kathy Ruf was excused.

Mr. Diem introduced the Building Department staff.
Mr. Diem discussed the reason for the ICC code adoption. He stated that the town can make modifications to make the Code more stringent but not less stringent. Mr. Diem stated that ordinances will be forthcoming for review and adoption to align with Maryland.
Ms. Van Emburgh discussed the timeline for code adoption. The Town has until the end of May to approve any changes and adopt the code per Maryland law.
Rev. Davis asked if the code is mandated by the state. He also asked for clarification that we can enhance the rules, but not lessen them
Ms. VanEmburgh discussed that some of the changes will be made for local. She stated we have until the end of May. she stated we are going to focus on Maryland changes and what will affect contractors.
The Town Attorney stated that a Public hearing may be held to discuss what we feel we need to adopt for local changes.
Mr. Diem discussed the required codes which will need to be adopted as well as those which have not changed.

Tonight's focus will be part of Chapter 6 of the Town Code. Building Codes - Administrative. Article 1 has very few changes. Electrical code will be changed do disallow a homeowner from adding a 20 amp circuit as is currently allowed without a permit. Pool issue is under review as well as the barrier around the pool.

Article 2 is the International Building Code. The Town is attempting to remove as many local jurisdiction modifications as possible. He discussed the International Existing Building Code key changes.
IRC - Residential Code changes were then discussed. There is now a 36" path required for egress to the public right-of-way, off private property. Mr. Gunsallus asked for an explanation of the 36" path to public way. Mr. Abatiello asked about changes to the sprinkler code requirements. If the hazards are going up to a certain point, the sprinkler requirement kicks in.
Mr. Gunsallus asked where the contention usually is. Mr. Diem stated it is usually during interpretation. He said the Building Code will not sacrifice safety.
Mr. Diem then discussed the 2021 Energy Code.
President Gunsallus asked if there are any questions from the council.
Rev. Davis discussed the rules being set at such a high standard and the unlikeliness that there could be an affordable housing or attainable in the town of Easton.
Mr. Diem thanked the council for their time.

5:30 PM: Call to Order by President Gunsallus.

At 05:30 PM, President Gunsallus called the meeting to order.

Opening remarks and Pledge of Allegiance by Councilmember Montgomery.

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

Approval of Minutes.

Minutes of the March 3, 2024 meeting.

Upon motion by Ms. Curry seconded by Rev. Davis and carried unanimously, minutes of the March 3, 2024 meeting were approved as written.

Municipal Official Items.

Items by Mayor Cook.

Mayor Cook stated work is being done to submit a draft budget to the Council.
Mayor Cook displayed Ms. DeShields first grade class picture at Easton Elementary and thanked them for having her in to read.
Mayor Cook stated the restrooms at the parks will be open this week. She stated that the stormwater features are being cleaned by Public Works and they will also be busy planting approximately 54 street trees beginning next week.
Mayor Cook stated she has received a banner from students from Lafayette in Easton, Pennsylvania, that traveled to all Easton cities in the United States.
Mayor Cook congratulated and thanked the Town of Easton's Tater Team for their participation in the St. Patrick's Day Potato Race. She thanked Greg Mueller for his video and congratulated the winners who were here for a wedding.

Items by Town Manager

Town Manager, Mr. Richardson stated he had nothing at this time.

Items by Town Attorney.

The Town Attorney advised of the upcoming introduction of annexation of the land south of Royal Farms on Route 50.

Legislation.

Res. No. 6183, "A RESOLUTION OF THE TOWN OF EASTON AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE AGREEMENT BETWEEN THE TOWN OF EASTON AND THE STATE OF MARYLAND FOR A DISTRICT COURT FACILITY LOCATED IN THE TOWN OF EASTON."
Mr. Richardson discussed the lease agreement between the Town of Easton and the State regarding the District Court facility. He stated that the rent per square foot increased from 12 to 22 dollars. The janitorial service is to be performed by the District Court. Mr. Richardson stated that the document must go before the State of Maryland Board of Public Works for final approval. Mr. Richardson stated that there may be a change regarding landscaping and electric as they pay monthly according to the bill they receive.

Upon motion by Mr. Montgomery, seconded by Mr. Abbatiello, and carried unanimously, Res. No. 6183 was approved.

Res. No. 6184, "A RESOLUTION OF THE TOWN OF EASTON AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE AGREEMENT BETWEEN THE TOWN OF EASTON AND THE STATE OF MARYLAND FOR A MARYLAND VETERANS AFFAIRS OFFICE LOCATED IN THE TOWN OF EASTON."
Mr. Richardson discussed the lease agreement with the Maryland Veterans Association. He stated that not much has changed from the previous lease which is $1. He stated this would go before the Board of Public Works for approval.

Upon motion by Ms. Curry, seconded by Mr. Abbatiello and carried unanimously, Res. No. 6184 was approved.

Public Hearings.

(cont'd.) PUBLIC HEARING to solicit public comment on Ord. No. 809, which proposes amendments to Chapter 28 of the Town Code (Zoning). The purpose of the proposed amendments is to revise the Code to regulate cannabis-related uses in light of the State of Maryland's approval of various recreational cannabis uses.
At 5:41 p.m., President Gunsallus opened the public hearing.
Mr. Thomas discussed the current status with the state. He stated it appears to be an evolving situation.
Mr. Montgomery asked Mr. Thomas about how the process would proceed with the state.
Mr. Abbatiello commented on the second round of licenses, which he thinks will be in May.
President Gunsallus commented that the town's moratorium may expire on its own.

Mr. Montgomery suggested that the zoning ordinance follow that of liquor stores. Mr. Thomas advised that that would be acceptable.
Mr. Montgomery further discussed the CL zoning ordinance. Mr. Thomas elaborated on the differences between CL and General Commercial.
Mr. Abbatiello agreed with the suggestion allowing for special exceptions, which doesn't prevent it from occurring but allows everyone a voice.
Mayor Cook then asked a legal question regarding the special exception process. Mrs. Van Emburgh elaborated on how the Board of Zoning Appeals process for special exception functions.
Mr. Montgomery asked about SE and residential proximity.
Ms. Curry agrees with Mr. Montgomery and Mr. Abatiello.

Noah Matten of 128 S West street approached to discuss HB0805 and SB0587. He pointed out that those refer to Hemp production. He advised the council that "they must follow the State law".
President Gunsallus then discussed HB0805 as well and asked Mrs. Van Emburgh how that would apply to the county with no Hemp production laws in place.
Mr. Matten then added that some provisional licenses were awarded last week.
President Gunsallus left the public comment open until the next meeting.

Ord. 809, "AN ORDINANCE OF THE TOWN OF EASTON AMENDING CHAPTER 28 OF THE TOWN CODE (ZONING)."
Ord. 809 was not acted on at this time.

5:35 PM PUBLIC HEARING to discuss Ord. No. 810, Budget Modification.
Mr. Richardson discussed the ordinance which modifies the current budget. He stated the amendment includes $150,000 to Doverbrook, $490,852 to N. Harrison Street stormwater project, $480,593 for N. Higgins Street and the purchase of four police vehicles totaling $568,885. He stated that this leaves approximately $240,885 remaining in ARPA funding.
Mr. Montgomery asked that the police vehicles be a priority.
Chief Lowery advised that eight vehicles are required.
Mr. Montgomery offered to amend the ordinance to add three additional vehicles totaling seven vehicles, seconded by Ms. Curry.

Ord. No. 810, "AN ORDINANCE OF THE TOWN OF EASTON AMENDING THE TOWN BUDGET FISCAL YEAR 2024 FOR THE AMERICAN RESCUE PLAN ACT."

Upon motion by Mr. Montgomery, seconded by Ms. Curry and carried unanimously, Ord. No. 810 as amended, was approved following a roll call vote.

Public Participation/Comments.

Mr. Mangasarian South Aurora Street thanked the council for the Stop sign. He then addressed the council regarding the increase in traffic in the town. He discussed rolling stops, cellphone use. etc. and stated that these types of infractions are ignored due to workforce problems.
He is concerned about the Y at Glebe and Washington Street where drivers ignore the yield. He requested a light at that location.
Ms. Curry asked where he suggested the light be placed.
Mr. Mangasarian also stated that it is concerning at Washington Street at the rear entrance to Easton Utilities as a full stop for south bound traffic from Glebe to Washington.
He then discussed the Farmers Market and how that has changed. He discussed traffic and parking issues. He requests a canvassing of the local businesses as well as the Town Peddler's code.

Items by Members of the Council:

Ms. Curry congratulated EEDC for the parade.
Mr. Abatiello agreed and thanked Ms. Curry for the Irish paraphernalia. He also pointed out that Preston has banners honoring those who serve and asked for Banners honoring town employees who are veterans for Veterans Day.
Ms. Curry asked where the Shamrocks came from. Mayor Cook stated that Public Works.
Mr. Montgomery was pleased with the parade and the public turnout.
Rev. Davis pointed out that the Preston Banners are year round. He also enjoyed the parade and the opportunity to see people.
President Gunsallus also congratulated Holly and EEDC for the event. He also would like to see banners for veterans in the town.

Audit Outbrief with CliftonLarsonAllen.

Mr. Richardson introduced the primary team members.
Bill Early Jr., CPA, Principal; Jake Lennell, CPA, Principal; Alexandra Walther, CPA Director; Clifton

Larson Allen presented the debrief of the Audit. They were assisted by staff level associates from their government services team. Alexandra discussed the audit approach and the incorporation of the use of data analytics.
Alexandra stated that the auditors' financial statements issued an unmodified opinion. They noted no material weaknesses and no significant deficiencies in the town.
Alexandra stated there was a policy change related to GASB 36. She stated that the audit includes qualitative aspects of accounting practices. She stated that they concluded that management has a reasonable basis for significant judgments and estimates that impact the financial statements. She discussed the implementation of GASB 101, Compensated Absences.
Alexandra discussed the delay in the audit. There were no disagreements with management.
Don Abatiello asked about February 22 delay reasons. Ms. Walther advised delays were experienced in receiving information from the Town.
She also discussed expenditures in wrong categories. Alexandra stated that there was not a problem that was noted
Does it pay to keep Department Heads in the loop regarding budget status? Ms. Walther advised that it might be best practice but would not affect the audit.
Mr. Montgomery asked about a risk-based approach and data analytics.
Ms. Walther advised that they don't look at everything. Risk Based approach determines materiality. They do not look at everything but on periods which may be more risky based on their knowledge of the town. Data analytics are for covering the range of the population to find things which might need further detail.

Mr. Montgomery asked what qualifies as more risky. Ms. Walther advised areas of something or fraud. He then asked to look at page 80. He discussed the excess of revenues over expenditures. Mr. Montgomery asked about budget amendments for variances between expenditures regarding final budget. He asked if budget amendments had been made to make expenditures permissible. She stated she does not know what budget amendments were made but the amounts were provided by management.
Mr. Davis asked about page 9 of the presentation. How did CLA assess the categories to determine the statement.
Ms. Walther expressed that they use trends and analysis.
Mrs. Callahan discussed were the data came from. She stated they rely on actuarial reports that are done annually.
Mr. Davis questioned timeliness of payments to the Pension.
Mrs. Callahan stated they are only looking at long term labilities.
Mr. Davis asked if pension payments were made on time and if documentation of the timeliness of payment existed.
Mrs. Callahan advised that the data exists but it is not in this audit.
President Gunsallus asked why that information was not part of the audit process. He then asked if CLA provided a service more meticulous than what the current audit provides.
Jake Lenell discussed the timeliness of the contributions from OPEB. He stated that is outside of the scope of the audit but services can be focused on that.
President Gunsallus asked how long does your process take once you have received all information from the Town.
Ms. Walther said one month or so, but that information is not received all at once and is processed as it arrives. She stated it is ongoing as information is provided.
No more questions from Council.
Mr. Richardson thanked the auditors for attending
Mrs. Callahan offered any additional information.
Mr. Montgomery discussed that the audit should be accepted as presented but that he would like to have more information in the future regarding audit.
Mr. Abbatiello asked Mrs. Callahan if she was happy with the work. She advised about the delays such as staff turnover and new software.
President Gunsallus asked how we can complete the audit without extension requests.
President Gunsallus suggested we ask the state to change our due date to the end of the calendar year.
Mrs. Callahan discussed additional issues which caused the delay such as the ARPA and bond projects.
Mr. Richardson discussed that other auditors have been contracted for pension and such.
Rev. Davis thanked Carol and her staff for all her work on the audit as well as all the other work. He again asked that we change the date to the end of the Calendar year. Mrs. Callahan stated that would be a far more reasonable deadline.

Upon motion by Rev. Davis seconded by Mr. Montgomery and carried unanimously, the audit as presented by CliftonLarsonAllen was approved following a roll call vote.

Adjournment.
At 7:02 p.m., upon motion from Rev. Davis, seconded by Mr. Montgomery and carried unanimously, President Gunsallus convened into Closed Session for General Provisions Article 3-305(b) (1) and (7) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials

over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals; and to consult with counsel to obtain legal advice on a legal matter.
At 7:30 p.m., upon unanimous consensus, President Gunsallus re-convened into Open Session.
At 7:30 p.m., upon unanimous consensus, President Gunsallus adjourned the regular meeting.

Respectfully submitted,

____
Kathy M. Ruf, Town Clerk