

QUEENSTOWN COMMISSIONERS
November 20, 2019

PRESENT: President Thomas B. Willis, Jr., Commissioner Holger Schuster, Lyndsey Ryan, Town Attorney, and Amy Moore, Town Manager/Clerk. Commissioner Al Hardee was absent.

REGULAR MEETING CALLED TO ORDER AT 7:02 P.M.

Commissioner Schuster was sworn in as Town Commissioner for another three-year term.

GUESTS

Mr. Perry Stutman was to be in attendance to be recognized as Volunteer of the Year for 2019, however, he is ill and unable to attend. We will reschedule.

Robert Rauch, Town Engineer, was present to update on the I & I project. He advised that Mobile Dredging and Video Pipe (MDVP) say they can grout the terra cotta pipes. Best circumstance is to grout then sleeve. Some areas may be dig and replace. He would like the Town's blessing to go the grouting route. President Willis motioned to approve grouting work as recommended by Mr. Rauch. Motion seconded by Commissioner Schuster. Vote: 2-aye, 0-nay

In addition to the I & I, there was discussion on the water tower project. Peter Dudley is willing to sell the land to the Town as a straight land purchase, but would like a meeting with Mr. Rauch and the Commissioners to discuss future allocations. President Willis motioned to purchase the Dudley property, subject to conditions. Motion seconded by Commissioner Schuster. Vote: 2-aye, 0-nay

President Willis motioned to enter into an agreement with Rauch, Inc. to design the new water tower and infrastructure. Motion seconded by Commissioner Schuster. Vote: 2-aye, 0-nay

Mr. Rauch will also be submitting a proposal on the annual capacity report.

PUBLIC WORKS – Amy Moore

- Lane Cole was present and updated the Commissioners on the outlets water tower. Waiting for bacteria tests to be completed and then should go back online.
- Clerk advised received several tree trimming complaints regarding the trees trimmed in the buffer between Olde Point Lane and Rt. 301. Pat Howell advised she took soil samples of that area and sent them off to the University of Delaware. There are several species that could be planted there that would grow to screen, however, due to the drought, most nurseries will not guarantee the plants at this time. It was decided to plant in the spring. The Arboretum donated some trees, and they will be planted where several were removed inside the buffer between Main St. and Olde Point/Wick Crt.

PLANNING – Amy Moore

- The Commission held a discussion on the Trails Master Plan draft. Members from County planning were in attendance as well as the Town trails group, who were invited to attend.

FINANCE COMMITTEE – Pat Howell

- Revised, completed and submitted the SHA annual report
- Audit is complete

TOWN MANAGER/CLERK-TREASURER**Treasurer's Report –**

General Fund checking	\$ 8,883.12
Water/Sewer Fund checking	\$ 115,208.60

President Willis motioned to transfer funds from CD's to the General Fund to cover the capital expenses if necessary. Motion seconded by Commissioner Schuster. Vote: 2-aye, 0-nay

Minutes –

October minutes tabled until November meeting.

Correspondence/Other – Amy Moore

- Lions Club allows use of the stage for concerts and has been reserved for the tree lighting. President Willis motioned to donate \$250 to the Lions Club. Motion seconded by Commissioner Schuster. Vote: 2-aye, 0-nay
- Clerk advised that some of our Christmas wreaths, which are almost 20 years old, are in bad shape and can't be repaired or used. Per past discussions, looked into replacing with lighted snowflakes. Snowflakes are \$299 ea. and ship within one week. President Willis motioned to purchase 8 snowflakes. Motion seconded by Commissioner Schuster. Vote: 2-aye, 0-nay
- Clerk advised that Mr. John Fitzgerald has resigned from the Board of Appeals as they are moving from Queenstown. Vacancy will be advertised in next newsletter.
- ESAM dinner on January 21st. Both Commissioners can attend. Will check with Commissioner Hardee and then make reservations.
- American Legion Auxiliary is celebrating 100 years. The Commissioners issued a proclamation to the American Legion Post #296 in celebration of the 100 years. President Willis will attend the Legion celebration on 11/23/19 and present to the members.
- In order to discuss personnel matters, the Clerk requested a Closed Session at the end of the meeting.

OLD BUSINESS –

- The following Ordinances were introduced on 09/25/19 and forwarded to the Planning Commission, which held a public hearing on 11/06/19. President Willis motioned to hold a public hearing on 12/18/19 at 7:00 p.m. on the following Ordinances:

ORDINANCE NO. 19-06 - AN ORDINANCE OF THE COMMISSIONERS OF QUEENSTOWN TO AMEND ARTICLE VIII, SECTION 94 TITLED HEIGHT, AREA AND BULK REQUIREMENTS AND ARTICLE VIII, SECTION 95 TITLED TABLE OF HEIGHT, AREA AND BULK REQUIREMENTS OF THE QUEENSTOWN ZONING ORDINANCE TO PERMIT ACCESSORY STRUCTURES WITH A MAXIMUM HEIGHT OF 26 FEET IN THE R-1 AND R-2 ZONING DISTRICTS PROVIDED THAT THE HEIGHT ACCESSORY STRUCTURE DOES NOT EXCEED THE HEIGHT OF THE PRINCIPAL STRUCTURE

ORDINANCE 19-07 - AN ORDINANCE OF THE TOWN OF QUEENSTOWN AMENDING ARTICLE XVI, SECTION 192 TITLED CHANGES AND AMENDMENTS OF THE QUEENSTOWN ZONING ORDINANCE TO REVISE THE PROCESS TO AMEND

THE QUEENSTOWN ZONING ORDINANCE BY ELIMINATING THE REQUIREMENT OF ADVERTISING IN THE NEWSPAPER THE PUBLIC HEARING BEFORE THE PLANNING COMMISSION

ORDINANCE 19-08 - AN ORDINANCE OF THE TOWN OF QUEENSTOWN TO AMEND ARTICLE XII, SECTION 122 OF THE QUEENSTOWN ZONING ORDINANCE TITLED "EXPIRATION OF BUILDING PERMIT" TO CLEARLY ESTABLISH THE TIME PERIOD FOR EXPIRATION AND TO ESTABLISH CIRCUMSTANCES PERMITTING THE RENEWAL AN EXISTING BUILDING PERMIT

ORDINANCE 19-09 - AN ORDINANCE OF THE TOWN OF QUEENSTOWN TO AMEND SECTION 88 OF THE QUEENSTOWN ZONING ORDINANCE TO REQUIRE A PERMIT FOR THE PLACEMENT OF FACILITIES OR UTILITIES IN, UPON, OR OVER THE SIDEWALKS AND THE TOWN RIGHT OF WAY AND ADOPT SPECIFIC REGULATIONS APPLICABLE TO ABOVE GROUND FACILITIES INCLUDING COMMUNICATIONS FACILITIES, SMALL CELL FACILITIES, AND WIRELESS SUPPORT STRUCTURES IN, UPON, OR OVER THE SIDEWALKS AND THE TOWN RIGHT OF WAY

Motion seconded by Commissioner Schuster. Vote: 2-aye, 0-nay

NEW BUSINESS –

President Willis motioned to look into hiring part time office staff. Motion seconded by Commissioner Schuster. Vote: 2-aye, 0-nay

ATTORNEY UPDATES – None

PUBLIC COMMENT – None

President Willis motioned to adjourn the regular meeting for the purpose of entering into Closed Session at 8:32 p.m. to discuss personnel matters. Motion seconded by Commissioner Schuster. Vote: 2-aye, 0-nay

President Willis motioned to adjourn the Closed Session at 8:40 p.m. and reconvene the regular meeting. Motion seconded by Commissioner Schuster. Vote: 2-aye, 0-nay

President Willis motioned to hire Bryan Miller as a full-time public works employee with salary and benefits as determined previously. Motion seconded by Commissioner Schuster. Vote: 2-aye, 0-nay

There being no further business at this time, President Willis motioned to adjourn the regular meeting at 8:41 p.m. Motion seconded by Commissioner Schuster. Vote: 2-aye, 0-nay

Respectfully submitted,



Amy W. Moore
Town Manager/Clerk

TOWN OF QUEENSTOWN

CLOSED MEETING/EXECUTIVE SESSION RECORD

A public body that meets in closed session may not discuss or act on any matter not permitted under the Maryland Statute summarized below. The public meeting law does not apply to executive functions, quasi judicial functions, or chance encounters or social meetings.

- (1) DATE AND TIME OF PROPOSED CLOSED MEETING OR EXECUTIVE SESSION:

Date: 11/20/19 Time: 11:20 AM 832

- (2) LEGAL AUTHORITY FOR CLOSING PUBLIC MEETING OR GOING INTO EXECUTIVE SESSION (circle the section of the law which authorizes the closed session):

Open Meetings Act, Maryland Code Annotated, General Provisions Article, § 3-305(b) (2014)

① discuss:

① (i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or

(ii) any other personnel matter that affects 1 or more specific individuals;

- (2) protect the privacy or reputation of individuals with respect to a matter that is not related to public business;
- (3) consider the acquisition of real property for a public purpose and matters directly related thereto;
- (4) consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State;
- (5) consider the investment of public funds;
- (6) consider the marketing of public securities;

- (7) consult with counsel to obtain legal advice;
 - (8) consult with staff, or other individuals about pending or potential litigation;
 - (9) conduct collective bargaining negotiations or consider matters that relate to the negotiations;
 - (10) discuss public security, if the public body determines that public discussion would constitute a risk to the public or to the public security, including:
 - (i) the deployment of fire and police services and staff; and
 - (ii) the development and implementation of emergency plans;
 - (11) prepare, administer, or grade a scholastic, licensing, or qualifying examination;
 - (12) conduct or discuss an investigative proceeding on actual or possible criminal conduct;
 - (13) comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter; or
 - (14) before a contract is awarded or bids are opened, discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.
- (3) TOWN BOARD, AGENCY, OR COMMISSION PROPOSING CLOSED OR EXECUTIVE SESSION:

Queenstown Commissioners
 (Name of Board, Agency, Commission, or Committee)

- (4) IDENTIFY TOPIC(S) PROPOSED FOR DISCUSSION IN CLOSED SESSION:

personnel matter PW applicant

(8) PLACE CLOSED OR EXECUTIVE SESSION HELD:

Town Hall

(9) PURPOSE OF AND TOPICS DISCUSSED AT CLOSED SESSION:

discuss candidates for PW
and recommendation to keep
from ~~determent~~ deterring potential
applicants from applying to Town
positions

(10) SUMMARY OF ACTIONS TAKEN AT CLOSED SESSION, IF ANY:

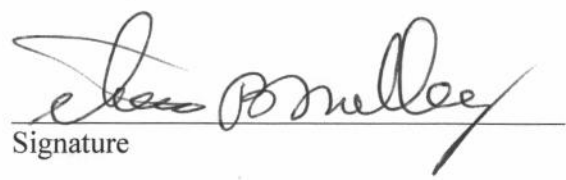
none

CERTIFICATE OF PRESIDING OFFICER

I hereby certify that I am the presiding officer of Queenstown Commissioners public board, agency, commission, committee, or other public body of the Town of Queenstown, Maryland. I further certify that by a majority vote on the 20th day of Nov. 2019, the aforesaid agency, board, committee, or commission voted to hold a closed meeting for the purposes, and to discuss the topics, set forth above, and that no other topics were discussed, and that the foregoing is a true record of the closed

meeting described herein. The Clerk or Secretary is directed to maintain this document as a public record of the Town of Queenstown, and to append the same to the minutes of the next public meeting of the aforesaid agency, board, committee, or commission.

11/20/19
Date


Signature

TOM WILLIS
Printed Name

President
Title