

**PROCEEDINGS OF CITY COUNCIL MEETING  
MARCH 3, 2008  
CITY OF HAVRE DE GRACE, MARYLAND  
COUNCIL CHAMBERS**

The regular meeting of the Mayor and City Council was called to order on March 3, 2008, at 7:00 p.m. with Mayor Wayne H. Dougherty presiding and the following members present: Council President Stephen Gamatoria, Council Members Barbara Ferguson, James Miller, Randolph Craig, and Joe Kochenderfer. Councilmember Lyttle was absent due to illness.

Mayor Dougherty led the Pledge of Allegiance.

Opening prayer was led by Pastor Gary Sieglein of Darlington and Rock Run United Methodist Church.

**On motion by Council President Gamatoria, seconded by Councilmember Ferguson, and, on five affirmative votes, the Minutes of February 4, 2008 were approved. On motion by Council President Gamatoria, seconded by Councilmember Miller, and on five affirmative votes, the Minutes from the Special Council Meeting of February 13, 2008 were approved.**

**At this time, Council President Gamatoria requested an Amendment to the Agenda by removing Item #6A (Harford Habitat for Humanity Presentation). Due to illness, they would like to make their presentation at the March 17<sup>th</sup> Council meeting. He also asked that Item #6D (Susquehanna Hose Company recognitions) be removed from the Agenda and placed on the March 17<sup>th</sup> Council Agenda. This was accomplished in form of a friendly amendment.**

**PRESENTATIONS/RECOGNITIONS:**

- A. Service Awards: (Mayor Wayne Dougherty)**
  - 1. **Sharon E. Knight** – A dispatcher from the Police Department was presented with a Recognition Certificate and a pin for 20 years of service to the City.
  - 2. **Michael Walker** - An employee of the WWTP of Havre de Grace has been employed by the City for 35 years. He presently has the most years of service of any current employee. Mike was presented with a Recognition Certificate and a mounted decoy with a plaque noting his years of service.
- B. Proclamation: (Mayor Wayne Dougherty)** Mayor Dougherty presented **Madelyn Shank** with a Proclamation in honor of her 80<sup>th</sup> birthday designating the week of March 3, 2008 through March 9<sup>th</sup>, 2008 as “Madelyn Shank Week” here in Havre de Grace. Mrs. Shank is a life long resident of Havre de Grace and has served in numerous capacities in various community oriented organizations.
- C. Recognition of Students of the Month: (Mayor Wayne Dougherty)**The following students were chosen by their schools for their academic excellence as well as being well rounded students in all aspects: Rebecca Antonoplos from

Havre de Grace High School; Jordan Horrocks from Havre de Grace Middle School; and Nisarg Patel from Meadowvale Elementary School.

- D. Introduction of Meghan McDonough: Mayor Dougherty introduced and welcomed Ms. Meghan McDonough to the City Council and the citizens of Havre de Grace as the City's new Economic Development Manager. Meghan just began her employment with the City today.

**APPOINTMENTS: (By: Mayor Wayne Dougherty)**

- A. **Bharat Patel** – A motion was made by Councilmember Miller, seconded by Councilmember Ferguson, voted on and passed 5-0 to appoint Mr. Patel as a member to the Tourism Advisory Board.

**OATHS:**

The Mayor administered the Oath of Office to Mr. Bharat Patel to serve as a member on the Tourism Advisory Board from March 3, 2008 until March 3, 2011.

**COMMENTS FROM CITIZENS ON AGENDA ITEMS:** There were no comments from Citizens.

**RESOLUTIONS:**

- A. **Resolution #2008-04 (Annexation – 5.706 Acres More or Less) Presented By: Council President Steve Gamatoria – “A Resolution by the Mayor and City Council of Havre de Grace, Maryland, adopted pursuant to the Authority of the Maryland Constitution Article XI-E and the Provisions of the Annotated Code of Maryland, Article 23A, Section 19(0) which requires the legislative body of a municipality seeking to annex property after October 1, 2006 to adopt an Annexation Plan for the subject property and that the Annexation Plan not be part of the Annexation Resolution.”** Council President Gamatoria noted this Resolution has been sometime in coming and thanked the Council, Mayor, Administration and the City Attorney for their efforts in getting this together. It was stressed that this Resolution pertains only to the “Annexation Plan” not an actual annexation. Councilmember Kochenderfer asked the City Attorney to explain the difference between an actual Resolution and the Annexation Plan. Mr. Ishak noted this is the first time that we have been required to propose an Annexation Plan – this is now a prerequisite required by State of Maryland since October 1, 2006. He further explained that once this has been approved, it will be sent to the State and the County before it becomes effective – this will happen within a 30-day period of time to comment. **Council President Gamatoria made a motion to introduce this Resolution #2008-04, which was seconded by Councilmember Miller, voted on and passed 5-0. The Introduction of this Resolution was read; Council President Gamatoria then made motion to Adopt Resolution #2008-04, seconded by Councilmember Miller, voted on and passed 5-0. This Resolution was then made active by assigning the number #2008-04.**
- B. **Resolution # 2008-05 (Surplus Property – Mt. Erin/St. James Cemetery) Presented by: Council President Steve Gamatoria “A Resolution of the Mayor and City Council of Havre de Grace, Maryland, for the Purpose of**

**Declaring Certain Real Property as Surplus Property and as no longer needed for any public purpose or public use.” Council President Gamatoria made motion to introduce this Resolution, seconded by Councilmember Ferguson, voted on and passed 5-0. The Introduction of this Resolution was read; Council President Gamatoria then made motion to Adopt this Resolution seconded by Councilmember Miller, voted on and passed 5-0. This Resolution was then made active by assigning the number #2008-05.**

Council President Gamatoria noted that this also has been a detailed process but very much needed by the two (2) Church organizations to expand their cemeteries. This process included a detailed survey because there are some City utility services in the area. Councilmember Ferguson thanked Council President Gamatoria for his efforts in handling this issue. Councilmember Kochenderfer inquired about the area listed as Parcel F and Parcel J and the actual acreage involved. Council President Gamatoria assured him that these numbers are accurate. The Admin Committee meets again this Friday and will come back to Council with an actual dollar amount.

**(Note: Incorrect numbers were assigned to these first two Resolutions – Charter Numbers, but it was then “Read into the Record” by City Attorney Ishak that these two should be Calendar Resolutions, thus numbers #2008-04 and #2008-5 were assigned.)**

**C. Resolution # 2008-06 (Surplus Property – MacGregors, Inc.) Presented by: Council President Steve Gamatoria “A Resolution of the Mayor and City Council of Havre de Grace, Maryland, for the Purpose of Declaring Certain Real Property as Surplus Property and as no longer needed for any public purpose or public use.” Council President Gamatoria made motion to introduce this Resolution, seconded by Councilmember Miller, voted on and passed 4-1 with Councilmember Kochenderfer voting against. The Introduction of this Resolution was read; Council President Gamatoria then made motion to Adopt this Resolution seconded by Councilmember Ferguson, voted on and passed 4-1 with Councilmember Kochenderfer voting against. This Resolution was then made active by assigning the number #2008-06. This will now go back to the Administrative Committee for further action and then to the Board of Elections for Referendum.**

Councilmember Kochenderfer questioned the fact that there is at least one (1) City transmission line in this area, therefore, he would probably vote against this Resolution. Council President Gamatoria stated he appreciates Councilmember Kochenderfer’s comments but after meeting with the property owner he feels assured there should be no problem with access to this line. He feels comfortable with this moving ahead. Councilmember Kochenderfer then made a “friendly amendment” noting that on the last line of the second page the wording should be changed to “for any public purpose **or** public use” rather than “**of**”. Council President Gamatoria noted there is a plat available for anyone to look at on this project.

**ORDINANCES: (None)**

**UNFINISHED BUSINESS: (None)**

**NEW BUSINESS:**

- A. **Special Event (Presented by Councilmember Kochenderfer) Made motion to approve request for Annual M.S. Walk to be held on Saturday, April 5, 2008 from 10:00 A.M. to 2:00 P.M. Councilmember Kochenderfer noted effort is being made to establish a permanent route for this event to help make everyone's part involved more efficient. Council President Gamatoria seconded this motion; it was voted on and approved 5-0.**

**BUSINESS FROM THE MAYOR**

Mayor's comments were very brief. However, he did elaborate on the upcoming Election Cycle and noted the important dates to be followed.

The Mayor then announced and expressed sympathy to the past Mayor, John P. Corrieri, Jr. and his family for the passing of his mother, Mrs. Catherine Corrieri. Mayor Dougherty then noted the service arrangements.

Mayor commented on meetings/activities that have already happened and some that are upcoming – noted upcoming activities at the Young at Heart held at the Senior Center on Wednesdays.

The Mayor then addressed a very important issue and noted he is issuing the following statement after conferring with Legal Counsel and the Council President:

**“I first direct my remarks to Mr. Jay Bautz that I am now from this evening issuing a “Stop Work Order” for any other work to be done behind the Water Treatment Plant off of St. John’s Street. Chief, I am ordering that you, tomorrow morning, accompany the Code Enforcement Officer to that location and the fence that was erected be removed.” APPLAUSE**

**“The fence will be removed until Harford County can submit to us a plan that will insure safety of the businesses and all those individuals that go to the area. The permit will not be re-issued until that time that I am satisfied legally that we have taken care of any liability issues with public safety. That is my decision and from there, I will move on to the Council President.”**

**BUSINESS FROM COUNCIL**

**Council President Gamatoria:** Also expressed his personal sympathy to the Corrieri family; he thanked the students of the month; welcomed Meghan McDonough aboard and congratulated Madelyn Shank on her 80<sup>th</sup> birthday. He had been away on business for several days prior to the Council meeting and thanked all those that helped with his duties during that time, particularly Councilmember Kochenderfer. He noted several meetings he has recently attended and ended by wishing a speedy recovery to Councilmember Lyttle.

**Councilmember Craig:** Passed on making any comments – stated he was awaiting comments from attending citizens.

**Councilmember Ferguson:** Thanked the employees again for their years of service, together with Students of the Month and Mrs. Shank. Offered thanks once again for resolving the issue on surplus property for Mt. Erin/St. James Cemeteries.

**Councilmember Kochenderfer:** Announced he and Councilmember Miller had attended the Quarterly Meeting of Elected Officials in Bel Air. He announced various upcoming meetings he will be involved in. He noted the Water and Sewer Task Force sent a letter to the Council and Administration making a suggestion that a Water/Sewer Commission be created to perform the functions assigned to the Water/Sewer Rate Task Force.

**Councilmember Miller:** Also offered his condolences to the Corrieri Family. Councilman Miller asked about the possibility of using a bidding process for advertisements, etc., that the City does rather than always using *The Record* newspaper. The Mayor responded he will be glad to work with the City Attorney in meeting necessary requirements and will investigate this.

**COMMENTS FROM CITIZENS: The following citizens commented on the parking situation behind the Water Plant.**

- 1. Mr. Dan Lee– 331 St. John Street; Havre de Grace (MacGregor’s Restaurant)**
- 2. Mr. Ralph Shapo – 237-B Blue Bill Way; Havre de Grace (Tidewater Grill)**
- 3. Mr. Keith Sappington- 300 Franklin Street; Havre de Grace (Tidewater Grill)**
- 4. Mr. Allan Fair – 3 Concord Place; Havre de Grace (A business owner – also representing Chamber of Commerce)**
- 5. Mr. William Watson – 712 Giles Street; Havre de Grace (Representing Main Street Organization)**
- 6. Mr. Ernie Nagey – 231 Prescott Court; Havre de Grace**
- 7. Mr. George Wagner – 457 Franklin Street; Havre de Grace (Bahoukas Collectibles)**
- 8. Mr. Dwayne Coakley – 503 Camilla Street; Havre de Grace (Coakley’s Pub)**
- 9. Ms. Theresa Bennett – 301 St. John Street; Havre de Grace (The Picture Show)**
- 10. Mr. Tom Fitzpatrick- 704 South Union and 301 St. John Street; Havre de Grace**

The general consensus of opinion and statements made by these ten individuals was first of all thanking and applauding the Mayor for the action he had taken by issuing a Stop Work Order and having the fence removed. They each expressed extreme concern with the negative impact this project (with the lack of parking) will have on their businesses and stated they were not properly or never notified of the project.

**11. Kevin Racine – 900 Erie Street; Havre de Grace:**

Shared that he had been invited this past weekend to participate in a round table discussion; that being the 2<sup>nd</sup> Northeast Climate and Competitiveness Summit. He believes the information discussed there is very important to the future of Havre de Grace insofar as transportation. He left information for the Mayor/Council to review.

Following a motion to adjourn, Mayor Dougherty officially adjourned the meeting at 8:52 P.M.