

**Aberdeen City Council Meeting
January 29, 2007**

OPENING:

Roll Call: The Aberdeen City Council Meeting roll was called with the following results:

Present: Mayor Simmons, Council President Hiob, Councilwoman Elliott, Councilmen Yensan, and Kupferman

Also Present: Mr. Miller, Ms. Grover, Capt. Cox, Mr. Lapinsky, and Mr. Jack

Mayor Simmons called the meeting to order at 6:00p.m. in the Council Chambers. The prayer was led by Pastor Nathaniel Johnson and the Pledge of Allegiance was led by Aberdeen Boy Scout Troop 802.

APPROVAL OF MINUTES:

The minutes of the January 22, 2007, meeting were approved as submitted.

INTRODUCTIONS:

Mayor Simmons presented members of Boy Scout Troop 802. Each member introduced himself and explained the requirements for the badges they were working toward. The troop meets at Grove Presbyterian Church. The Mayor gave each Scout a City Coin and wished them success in their projects.

PRESENTATIONS:

1. Dan Gaughan -- Retiring as Liaison for Baseball from the City of Aberdeen

Mayor Simmons said Mr. Gaughan was responsible for the distribution of 100 Iron Bird Tickets that were held each season by the City. The tickets were given to groups and individuals. The Gaughan Family was introduced by the Mayor. A Proclamation was read and a City Coin and a copy of the City Book of Sketches was given to Mr. Gaughan.

Councilman Kupferman thanked Mr. Gaughan for a job well done and told him he will be missed.

2. Pat Donovan of Comcast Cable and Audra Caplan of the Harford County Libraries -- Check for the Aberdeen Senior Center

Mayor Simmons introduced Ms. Donovan who organized Comcast Cares Day for the City and mentioned that she was also on the Economic Development Committee. He also introduced Ms. Caplan who is affiliated with Harford County Libraries and is also on the Economic Development Committee. Ms. Donoval presented a check in the amount of

\$6,210 to be divided between the Senior Center of Aberdeen and the American Legion. She also mentioned Comcast's contribution of \$15,000 toward Comcast Cares Day which was a huge success.

PUBLIC HEARINGS:

None

PUBLIC COMMENT:

1. Mr. Jack Wockenfuss, Everest Drive

Mr. Wockenfuss asked what the term POTW stood for. Mr. Lapinsky said it was Public Owned Treatment Works.

2. Mr. Art Koszoru, Doris Circle

Mr. Koszoru asked what the 3 items being considered were. He was told they were flow, oil, and anything else coming into the plant. Mr. Koszoru asked the difference between effluent and influent. Mr. Lapinsky said plant discharge is effluent and raw sewage coming into the plant is influent.

3. Mr. Robert Price, P.O. Box 272

Mr. Price asked for the names of those serving on the Annexation Committee. He would like the Committee and meetings to be open to anyone interested. Input should be welcome from all interested parties.

4. Ms. Karen Heavey, 634 W. Bel Air Avenue

Ms. Heavey noted that the Minutes were not shown and there was no February calendar on the website. She was told that Ms. Ostroski was on leave and this situation should be taken care of in the near future.

5. Mr. Curtis Coon, Attorney for Wetlands, LLC

Mr. Coon stated that Resolution No. 721-06, Article 23A requires a determination on water availability prior to annexation. He feels this is putting the cart before the horse. Articles in the Sun paper detailed future development in conjunction with BRAC. The City of Aberdeen should not freeze or it will be by-passed. Mr. Coon also indicated that State, County, and Federal governments are becoming involved and the Council should consider the impact their decision will have on future development. Currently, State and County meetings are being held. The City should move forward and not slow down development because State and Federal governments will be providing financial aid.

6. Mr. Don Kempler, 411 Grace Lake Way

Mr. Kempler said he read an article where funding is needed from Local, State, and Federal governments for BRAC relocations. He feels this action should be accomplished with no impact on taxpayers.

Mayor Simmons said he works with the Office of Economic Adjustment daily and there has been no mention of this article.

LEGISLATIVE SESSION:

1. Consideration of Adoption: Resolution No. 721-06; of the City of Aberdeen to Cease and Postpone the Processing of Annexation Petitions until a Preliminary Study of Future Water Supply sources is Completed

Mr. Miller said this Resolution could be acted on tonight but the final review with the City Attorney was just completed at 4:30p.m. today. It was noted that small annexations consisting of 5 acres or less would not be included in this action. He informed the Council that they could vote tonight or reschedule the action for another meeting. The Council was informed that an Extension of Facilities report has been sent to the State. At this time there is a concern regarding water sources and potable water is currently unavailable. Mr. Miller said the City must make a determination on water sources and necessary funding.

Councilman Kupferman reported that the Annexation Committee has been selected and has held a meeting which was very productive. The Committee members are Councilman Kupferman, Doug Miller, Rosemary Queen, Deborah Ellers, Ruth Ann Young, Phyllis Grover, Pat Badaker, Paul Course, John Feroli, John Saltzer, Sam Smedley, Matt Lapinsky, Nancy Kosko, and Joe Swisher. They want to get the action right. It was determined that a mailer would be sent to citizens to get their input. There are 4 meetings scheduled at this time. Issues to be covered are water, transportation in the City and County, zoning and APF for schools. All of these must work for successful annexation actions. Councilman Kupferman said the City relies on Harford County, State Government and Federal Government and it will take time to receive input from these sources. Mr. Carl Course was elected chairman of the Committee. Councilman Kupferman sees no problem with voting on this issue tonight.

Councilman Yensan asked if Section 9, Article 23A was correct. Mr. Miller said it was correct as written.

Councilwoman Elliott asked if, in the last paragraph, a delay may harm the City was correct and asked for details. Mr. Miller said the language in the original Resolution gives some leeway and action could be taken tonight. Councilwoman Elliott referred to the statement regarding the proposed use of water on the property to be minimal. Mr. Miller said it was a relative term. Councilwoman Elliott noted that there was limited water when a request was received from Frito Lay; should others get available water and they not. Mr. Miller stated that water allocation policies will come later.

Councilman Yensan said there is no problem with water only with water resources. Mr. Miller noted that the main issue was who would pay for the water; a solid plan is needed.

Mayor Simmons indicated that tenants for BRAC may be a source of support.

A motion was made by Councilman Kupferman and seconded by Councilman Yensan to support Adoption of Resolution No. 721-06; of the City of Aberdeen to Cease and Postpone the Processing of Annexation Petitions until a Preliminary Study of Future Water Supply Sources is Completed.

Councilman Yensan said any date and time in the next 20 years it will be possible to predict water availability.

Council President Hiob noted Mr. Coon's comments and asked if the Resolution should be voted on or delayed. Mr. Miller said Mr. Coon's comments would not be a reason for a delay only the delay in the Council receiving the document.

Mayor Simmons said the water plant plans are going ahead and are within the designated time frame.

Councilman Kupferman noted that there were alternative plans which could be enforced if necessary.

Mayor Simmons referred to \$30,000 available for a hydraulic study if it is needed; many plans are being considered.

Councilwoman Elliott asked that the Council take time to review the document and vote next week.

The motion was passed with a vote of 4 -- yes and 1 -- abstain.

Ayes – Mayor Simmons, Council President Hiob, Councilmen Kupferman, and Yensan

Abstain – Councilwoman Elliott

2. Introduction of Ordinance No. 723-07; Sewer Use Code Pretreatment Amendment

Mr. Lapinsky provided handouts of the subject Ordinance to the Council and those in attendance. This action is necessary because the City is required to comply with Maryland's Pretreatment Program requirement for industrial dischargers. A study was done and a pretreatment program was developed for the City. In order to implement this program, amendments are needed to remove previously issued local limits that are no longer required.

Councilman Kupferman noted that as determined by the Study, chemicals and metals are not an issue. It was found that all industrial users have no pollutants with impacts.

Mayor Simmons indicated that there are pretreatment programs at users' plants.
Mr. Lapinsky said metals will be removed early on.

Mayor Simmons thanked Mr. Lapinsky, and Mr. Gil Jones for their work on this project.

A motion was made by Councilman Yensan and seconded by Council President Hiob to approve the Introduction of Ordinance No. 723-07; Sewer Use Code Pretreatment Amendment.

The motion was passed with a vote of 5 – yes.

BUSINESS OF THE COUNCIL:

1. Unfinished Business

A. Tags for the Senior Center

Last week, Councilwoman Elliott mentioned getting parking stickers for people at the Senior Center. She spoke with Council President Hiob and agreed to wait 30 days and use tags to be placed on the dashboards of cars to see how that plan works. The cost for stickers would be \$250 for 1000 stickers.

Mayor Simmons said Mr. Coon's suggestion not to identify was a good one and any reference to a senior citizen should be done carefully.

2. New Business

None

3. Business from the Director of Planning & Zoning

None

4. Business from the Chief of Police

Capt. Cox reported that currently there are 12 cars on the street; previously there were only 4. He noted that statistics will be available in the near future.

5. Business from the Director of Finance

None

6. Business from the Director of Public Works

A. Water Study

This item should not have been on the Agenda, it was there in error.

B. Old Philadelphia Road

Mr. Lapinsky, Mr. Miller, and Council President Hiob met on the condition of Old Philadelphia Road. This is an 18 ft. wide substandard road that services a major commercial and industrial area of the City of Aberdeen. The current proposal would improve 1,123 ft. of Old Philadelphia Road starting at station 1 + 02.80 (near Townhouse Restaurant) and ending at station 12 + 26.16 (just past Ferrell Fuel). This proposal is to increase the width to a 24 ft (non-code compliant) roadway with mountable curb and install a storm drain system. Several issues with this proposal were outlined in the handout provided.

Council President Hiob thanked Mr. Lapinsky for the document. He said non-code compliant refers to the width only.

Mr. Miller said recommendations are to always build to City Sub-Division Standards regarding telephone poles, etc., as well as budget constraints. However, the Council has the ability to alter construction standards.

Council President Hiob noted that the 24 ft. width is the result of this. The subject project is long overdue. The 36 ft. wide section in Phase 1 will necessitate moving utility poles but 24 ft. would not. A right of way is needed, there will be additional costs, and added storm water runoff.

Councilman Yensan asked if 24 ft. vs 36 ft. would create more problems at the intersection.

Councilman Kupferman said after 9-11 APG changed the entrance and this resulted in more traffic.

Mayor Simmons and Mr. Miller met with representatives from APG and were informed that all 3 gates will be open in the future. Additionally, the Mitchell Property will bring much more traffic to the area. He suggested holding a meeting with APG and getting more information on issues and funding before action is taken.

Council President Hiob will meet with APG representatives and submit a recommendation to the Council.

Mr. Lapinsky, Mr. Miller and a delegation from the City will meet with MDE on the City's Enhanced Nutrient Study which is partially paid for by the flush tax.

Mr. Lapinsky said the Senior Center sign should be available tomorrow and will be installed immediately.

Mr. Lapinsky reported that the Bush Chapel Road project with BGE and Verizon is moving along.

Mr. Lapinsky suggested that 2 of the Life Scouts visit the City for an Eagle Scout Project.

Mayor Simmons mentioned that two years ago, DPW obtained bids for the 500,000 gallon water tank. There were many problems coupled with a high cost. Last week, the pressure valve failed and caused 10 leaks. City employees and people from APG completed repairs in extremely cold weather. The 10 leaks were repaired within 7 ½ hours; after this they worked until 1:00a.m. plowing and salting the street. They were thanked for their hard work.

7. Business from the City Manager

None

8. Business from the Council

Council President Hiob has City stickers and asked those in attendance to take one. He thanked Mr. Lapinsky for completion of the Bush Chapel Road project; he asked if BGE and Verizon could use the same poles. He was told they would if possible.

Council President Hiob was on a cruise ship with 3,000 passengers and a crew of 1,000 and asked where the water came from. He was told they use reverse osmosis. This water is more pure than bottled water. If the ship's system works this efficiently, why can't the City adopt a similar plan if the cost is appropriate. He also mentioned that he and his 14 year old nephew won a talent contest on the trip.

9. Business from the Mayor

Mayor Simmons said Councilman Kupferman informed him that the City's relationship with the Army Alliance was not all that it could be. Meetings were held and the Army Alliance will take some funding issues with BRAC to appropriate State and Federal levels.

Mayor Simmons noted that Tuesday on Aberdeen Happenings the City, Habitat for Humanity, and the Fire Department will report on the Burn on Washington Street. There is a cooperative partnership between all City entities.

PUBLIC COMMENT:

1. Ruth Ann Young, 445 Doris Circle

Ms. Young referred to the mention of drilling additional wells to enhance the water supply. She asked that since Mr. Benner is no longer with the City would Army Corps of Engineers be involved in these and other projects. Ms. Young knows of 2 engineers Paul Miller and Stan Swartzel who are not local but may be a good contact because they are familiar with MTBE, perchlorate, etc.

Mr. Lapinsky said along Rt. 22 there is City owned property which is a study area for wells. He indicated that an RFP is available; issues are being addressed and recommendations will be made.

2. Mr. Jerry Queen, 614 Locksley Manor Road

Mr. Queen asked what impact the Annexation Agreement would have on the Planning & Zoning Commission.

Councilman Kupferman said they would not accept any annexations for 5 months.

3. Bishop Barnes, Highway Holiness Church

Bishop Barnes welcomed Council President Hiob back. He asked Councilwoman Elliott if senior citizens would be charged for the stickers being proposed. The City will pay for the cost of the stickers and they will be free to the senior citizens. Bishop Barnes said the seniors should not have to pay.

ANNOUNCEMENTS:

None

ADJOURNMENT:

The meeting was adjourned at 7:30p.m.