

**TOWN OF COLMAR MANOR  
GENERAL SESSION  
TUESDAY, JANUARY 10, 2012  
7:00 P.M.**

**CALL TO ORDER:**

Mayor Michael E. Hale called for a motion to bring the General Session to order at 7:04 p.m.

**Motion** made my Council Member Jackson to call the General Session to order. Seconded by Council Member Smith.

**PRESENT AT THIS MEETING:**

Michael E. Hale	Mayor
Lois Ann Blue	Council Member – Ward 1 - Absent
Frances Smith	Council Member – Ward 2
Vivian Jackson	Council Member – Ward 3
Sadara Barrow	Council Member – Ward 4
Brian Gibson	Chief of Police
Daniel Baden	Clerk-Treasurer
John Barr	Town Attorney
Tracy Stone	Media Coordinator
Citizens	

**Discussion:**

Mayor Michael E. Hale called for a motion to accept the agenda as written.

**Motion** made by Council Member Smith to accept the agenda as written. Seconded by Council Member Jackson. Motion passed with a vote of 4-0. Council Member Blue was absent.

**CHRISTMAS HOME DECORATION AWARDS**

Mayor Michael E. Hale read names of the recipients. The winner for Ward 2 donated their prize for a worthy cause in the town.

He stated that the awards would be distributed by the Council Member in their Wards.

**SPECIAL SPEAKER – PRINCE GEORGE’S FIRE CHIEF MARK BASHOOR**

Fire Chief Marc Bashoor spoke about the importance of having working smoke alarms in homes. He said last year the county had a record number of fires in single family homes

including a recent one that took the lives of three individuals. Over 50% of the homes with the fires did not have working fire alarms. The Fire Department will provide free smoke alarms to families in need and will deliver them at the residents' convenience, 24 hours a day.

Fire Chief Bashoor talked about the Fire Commission Legislation that has been submitted by the County Executive. Fire Chief Bashoor wanted to put an end to the rumors circulating regarding the planned Commission. The Commission will be appointed by the County Executive and confirmed by the County Council. This would be the same as any other board in the county under the current administration. The Commission was originally created in 1970. It is his intention to have the various members of the Commission work together as a whole instead of competing/working against one another. He gave specifics on how he would accomplish this mission.

### **Discussion:**

Mayor Michael E. Hale questioned if the commission would be run by the county government.

Fire Chief Bashoor stated that the budget will be handled by the Fire Chief and will be viewed by the County Executive and approved by the County Council.

Daniel Baden, Clerk-Treasurer questioned how the animosity would be dealt with between full-time employees and volunteers regarding budgets etc.

Fire Chief Bashoor stated that it will be a difficult task and the problems have existed for 42 years. He feels that a resolution is possible. Prince George's County Fire Department is the largest combination service in the United States. The purpose of the Commission is to bring all parties together for the betterment of the Fire Department.

## **POLICE REPORT**

Chief Brian Gibson gave an overview of the December's Police Report (See attached).

Mayor Hale asked that the record to reflect that Council Member Blue was not in attendance.

## **TREASURER'S REPORT**

Daniel Baden, Clerk-Treasurer gave an over view of the December Treasurer's Report (See attached).

Daniel Baden, Clerk-Treasurer stated that a RFP is out for the repair of the Newton Street Park. Proposals are due January 25, 2011 so that they can be reviewed by the Council at the February General Session and a decision can be made so that the project can proceed.

**Discussion:**

Council Member Barrow questioned why the line item for the Red Light Camera had no revenue.

Mr. Baden stated that he has not yet received the December bank statements and the amounts show on this statement.

Mayor Michael E. Hale called for a motion to approve the Treasurer's Report.

**Motion** made by Council Member Barrow to accept Treasurer's Report. Seconded by Council Member Jackson. The motion was passed with a vote of 4-0. Council Member Blue was absent.

**ORDINANCE O-3-2011 STATE ETHICS LAW**

John Barr, Town Attorney stated that he has not heard anything further on this matter and asked for the item to be tabled.

**INVOICE – JOHN BARR, TOWN ATTORNEY LEGAL FEES**

Daniel Baden, Clerk-Treasurer stated that at the last meeting Council has agreed that John Barr, Town Attorney would be compensated for his time in investigating the gym floor. Mr. Baden asked the Council to transfer funds to compensate Mr. Barr. (Copies of invoices attached). There was an approval to pay these invoices via the phone. Dan asked that official action be taken.

**Discussion:**

John Barr, Town Attorney gave overview of the status of the gym floor.

Mr. Barr stated that mold is developing on the gym floor and a mold test would have to be done.

Mayor Michael E. Hale questioned if town will have to pay for the mold testing. Mr. Barr stated that the town would have to pay for the cost.

Mr. Baden stated that testing will be \$1,800 and if mold will have to be removed through a certain process more funding will be needed for that plan and process.

Mayor Michael E. Hale questioned if testing could be done without out removing gym floor. Mr. Baden answered stated that gym floor will have to be removed in order for the insurance company to determine if they will accept liability.

Mr. Baden stated that if the insurance company does not cover full amount. FEMA funding from Tropical Storm Lee will cover funding to replace flooring. Mr. Baden stated that he has a meeting with FEMA on January 11, 2012.

Council Member Barrow questioned if legal costs could be covered. Mr. Baden answered that he is not sure but he does not believe that the town could be reimbursed for legal fees.

Council Member Barrow asked if these costs could be the responsibility of the architects. Mr. Barr responded that this was an issue for legal counsel and would be discussed in the appropriate venue.

Mayor Michael E. Hale called for a motion to pay the Town Attorney's legal fees.

**Motion** made by Council Member Jackson to approve the payment for Coover Barr's Legal Fees. Seconded by Council Member Smith.

**Discussion:**

Dan Baden asked if the Council wanted to approve the current invoices and include funding for future invoices up to a total of \$10,000 when making the necessary line item transfers for payment. Amounts in excess of \$10,000 would be reviewed by the Council.

Motion amended by Council Member Jackson to approve payments up to \$10,000 total in legal fees to Coover & Barr for costs associated with the issue with the gym floor. Seconded by Council Member Smith. Motion passed with a vote of 4-0. Council Member Blue was absent.

**Discussion:**

Council Member Barrow requested that a claim be made to the Insurance Company even though it may be rejected.

**Motion** made by Council Member Jackson to transfer \$10,000 from Unreserved Funds to Legal Fees to pay legal fees or Coover & Barr Seconded by Council Member Smith. The motion was passed with a vote of 4-0. Council Member Blue was absent.

**QUOTE TRANSMITTER/ ANALOG ENCODER**

Daniel Baden, Clerk-Treasurer stated that the transmitter needed to televise the Town Meetings became missing during the transfer from the original building and the temporary office. Comcast denies removing the equipment when they prepared for our transfer and Mr. Stone has been unable to locate it from the moves. Comcast refuses to replace this equipment and claims it is the town's responsibility. We may be able to further negotiation the cost of the purchase of the equipment during the Franchise

Agreement negotiations.

Mayor Michael E. Hale called for a motion to approve for the payment of the Transmitter/Analog Encoder.

**Motion** made by Council Member Jackson to approve purchase from Artel Video Systems in the amount of \$4,332. Seconded by Council Member Barrow. Motion passed with a vote of 4-0. Council Member Blue was absent.

**Discussion:**

Council Member Barrow asked if any other quotes could be reviewed.

Mr. Baden stated that the company was recommended by Comcast. He could not find any other companies who carried this equipment and feels more comfortable with Comcast's recommendations.

**Motion** made by Council Member Smith to transfer \$4,332 from Unreserved Funds to Building Maintenance/CMCC. Seconded by Council Member Jackson. The motion was passed with a vote of 4-0. Council Member Blue was absent.

**STORM WATER ANALYSIS & CONCEPT DESIGN DECISION**

Dan Baden reminded the Council of the presentation by Lisa Lincoln and AWS regarding Green Surfaces within the town. They suggested three areas (see attached maps) where a Concept Design would be considered. The Council needs to choose one of the three locations.

Mayor Hale asked about the Rain Garden. Dan Baden said that was a different issue and he suggested spreading the projects out to another location.

Council Member Barrow asked if the property owners had given approval for the projects. Dan Baden reported that conceptual designs only would be prepared. Grant funds would have to be pursued to complete the project. He does not know if the property owners have been approached.

Dan Baden suggested that the Council make a decision on prioritizing the sites then approach the owners for their approval before beginning the project. If they refuse, they can move to the next site on the list.

Mayor Michael E. Hale called for a motion for prioritization of the properties.

**Motion** made by Council Member Barrow to prioritize the sites as #2, #3, #1 with permission from property owners. Seconded by Council Member Jackson. The motion was passed with a vote of 4-0. Council Member Blue was absent.

## **HALL RENTAL – AWS RETREAT**

Daniel Baden, Clerk-Treasurer reported that AWS has requested to use the building for a retreat free of charge after the town's business hours on Saturday, February 25<sup>th</sup>. Mr. Baden stated that since usage will be after hours a fee should be applied. The facility can be used free of charge during business hours.

He reported that Council Member Barrow feels that the Port Towns partners should be able to use the facility at no charge.

### **Discussion:**

Council Member Barrow stated that she feels that nonprofit partners should be allowed to use building free of charge if a Council Member is available to act as a watch person.

Mayor Michael E. Hale stated that he feels that nonprofits should have to pay the agreed upon fees because of the cost is being incurred by the town.

Council Member Jackson stated that she agrees that a significant partner should be free of charge with the supervision of a Council Member.

Mayor Michael E. Hale called for the motion regarding Port Towns partnership Hall Rentals.

**Motion** made by Council Member Barrow that significant Port Town Organizations can use the small and/or large outreach rooms free of charge after hours long as a Councilperson is present. Second by Council Member Jackson. The motion was passed with a vote of 3-0. Mayor Michael E. Hale abstained. Council Member Blue was absent.

## **COMMITTEE REPORTS**

**Senior Reports** – No report given.

**Recreational Report** – Council Member Jackson stated that the town's Christmas Party had a very good turnout. There was great participation from everyone.

**Neighborhood Watch** – No report given.

**ATHA** – No report given.

**PGCMA** – Council Member Jackson stated that PGCMA held their Legislative Dinner on November 18, 2011 in New Carrollton with her, Mayor Hale and Council Member Smith attending.

**Port Towns Health Partnership-** Mayor Michael E. Hale stated that Kaiser will be having a Wellness Event on Monday January 16, 2012. He would like all of the Council to make an appearance at noon.

**PTCDC-** Council Member Barrow spoke about the Port Towns Legislative Dinner and the priorities promoted.

**Citizen Comments:**

No comments given.

**ADJOURMENT**

Mayor Michael E. Hale called for a motion to adjourn the meeting.

**Motion** made by Council Member Jackson to adjourn the meeting at 8:20pm.