

Town Commissioners' Meeting Minutes
April 12, 2011, 6:30 pm

The meeting was called to order at 6:30 pm by Commission President Robert Gell. Also in attendance were Commissioners Michael Doss, Mary Carol Durange Joseph Letts. Commissioner Donna Sheets was absent.

The Pledge of Allegiance was led by Ryleigh Johnson.

The Accounts Payable report was reviewed and Commissioners Doss motioned to approve the expenditures. This passed 4-0.

The minutes from the March 22, 2011, were reviewed and Commissioner Durange motioned to accept them as written. This was approved 3-0 with one abstention

Sheriff's Patrol Report for March 2011, was delivered by Commissioner Letts since Sgt. Ronald Schmidt could not attend. With a total of 28 shifts and 112 hours approved, 108 hours were used.

The Miller Environmental report was given by Robert Corn. It was noted that they treated 2,287,000 gallons of water. He also noted samplings, water leak checks, water meter replacements and water shut offs.

David Gordon spoke about proposal to restore the Charlestown baseball field since the North East Little League uses the field for practice. He has found a product that would help with the field drainage; they can do the work but the league is requesting the funds (\$2,000) to purchase the product which is different from Diamondtex as it stabilizes the surface and promotes drainage. It was noted that additional product may be needed yearly. Currently there is not enough in the budget to purchase this since it costs more than the Diamondtex which has always been used. Additional discussion ensued about other concerns at the ball field. Also, a small equipment storage shed was requested. Research was requested to determine if funds can be made available for these projects.

Doug DeClerck reviewed the water tower painting project and the five bids received on March 22nd. The bidders were to provide four different prices and he discussed the differences between each price. The Town favors the option of price "D" which includes relocating the cell phone cables and antenna. The low bidder was Utility Service, however one item was so low and was found to be an error; they withdrew their bid without penalty. The next lowest bidder was S&T Painting at \$217,500 which includes their financing. Mr. DeClerck needs the Commissioner's approval to go ahead with S&T Painting's bid. He noted the relocation of the two cell company's equipment will be done at their cost. Additionally, the cell providers will be contributing \$32,333.33 of the \$48,500 cost to retrofit the tower for the cables and antenna. It was noted that it will require a motion to let the contract. Commissioner Durange moved to accept S&T Painting as the water tower painting contractor according to price "D" (60% initially and the remainder over a five year period which would cost approximately \$25,000 in finance charges). Commissioner Doss questioned the amount budgeted for this and was told that \$100,000 remains in the budget for this project. Additional fees will have to be added for inspections that must occur during the project. Commissioner Letts made the second and the motion passed 4-0.

Mr. Larry Tyson spoke about erosion problems at his residence, 210 Louisa Lane. There is a drainage ditch/vegetation maintenance area through his property which the builder (Justice Builders & Developers, Inc.) apparently indicated they would finish. This was never done. He discussed the various problems he has had with trying to rectify the situation with erosion in this area which he feels is caused by storm drain lines installed by Charlestown. Commissioner Letts feels that his problem is with the builder because the garage was placed on the property without a permit. Commissioner Doss explained that the County, not Charlestown, performed the inspections so the add-on work was completed before it was noticed. Charlestown sent the builder a letter ordering them to correct the problem. It was explained that if the problem area is in a buffer area, no one can dump dirt there without proper authority.

Commissioner Doss requested that McGuirk Construction be asked to assess the situation when they do drainage work in the area. President Gell suggested learning what the law will allow to be done and that perhaps Mr. Tyson would get the information. Mr. Tyson mentioned he is afraid if he does the research he will find that fixing it will be too expensive. In reviewing the details of the original building permit which was changed without notice to Charlestown, it was noted the builder and developer were advised that there was a problem which had to be rectified. One possible solution discussed would be to run a drainage pipe past his garage. This would have to be approved by Maryland Critical Area Commission.

President Gell spoke about May being tourism month in Cecil County. Charlestown has been asked for a proclamation declaring Charlestown Tourism Month. Commissioner Doss motioned to approved the proclamation and all agreed 4-0

Commissioner Doss addressed the board about the passing of Hershel Armour and to thank everyone for fast tracking the proclamation for presentation to the family and of their appreciation.

Town Administrator's Report

Old Business

A plaque has been received from the Sons-of-the American Legion in appreciation of Charlestown's hosting of the Ice Splash 2011. It was noted that the event raised over \$36,000 for the Cecil County Special Olympics.

A check for \$25 has been received from James R. Baker in honor of Katherine Shrivery's 80th birthday to go toward the cemetery fund.

It was noted that we still need information on placement for the outdoor exercise equipment. Commissioner Durange will explain about the locations.

A sea wall is eroding at the border of Lee's Marina and North East River Marina with a question as to who owns the property since it is adjacent to a strip leased from Charlestown by Lee's Marina. In order to resolve the question Mr. Pumpaly asked surveyor, Mike McAllister, to consider the job. Since a full survey is very expensive, Mr. McAllister has proposed a "special purpose survey" to determine the property line but this could not be legally binding and would cost between \$1300-2000. A full survey would cost just under \$10,000. This does not need to be done immediately but the Town has to learn who is responsible for the repair when it has to be done. Commissioner Doss mentioned a survey having been done recently and survey pins should be there and locating them would be somewhat inexpensive. President Gell mentioned the need to determine who is responsible for this area. Mr. Pumpaly asked for a motion to move forward and Commissioner Doss made the motion to do a "special purpose survey". This was approved 4-0. Discussion commenced concerning the differences in the types of surveys and the ramifications of the findings.

Resolution 2011-02 to reimburse the Department of Housing and Community Development for four loans which Charlestown has requested (water tower refurbishment, the Artesian emergency interconnect, the community building and the Town Hall/Post Office drainage project). This resolution is a step in the loan process but does not commit the Town to accepting more loan money than is needed. Commissioner Doss motioned to approve the resolution and this passed 4-0.

New Business

Proposed Sewer & Water Rate Increase

The Town Administrator, Wib Pumpaly, reviewed the need to increase water and sewer rates in order to adequately fund future repairs, maintenance and operations of Charlestown's water and sewer systems. Water and sewer rates have not been increased since June 2005. The County has had three sewer rate increases since 2005 which have been absorbed by the Town. These rates increases are to be effective July 1, 2011. Because of the current rates, which are about the lowest in Cecil County, Charlestown does

