

Town Commissioners' Meeting Minutes
May 24, 2011, 6:30 pm

Meeting was called to order at 6:30PM by President Robert Gell. Commissioners Michael Doss, Mary Carol Durange, Joseph Letts and Donna Sheets were all in attendance.

The Pledge of Allegiance was led once again by Ryleigh Johnson.

The Accounts Payable report was reviewed and Commissioner Sheets motioned to pay the bills and this was approved 5-0.

The minutes from the May 10, 2011 meeting were reviewed with Commissioner Sheets motioning that they be accepted as written; this passed unanimously 5-0.

Proposed contractor selection for grass cutting in Charlestown was brought up for discussion since the employee who had been doing this resigned. Proposals from five contractors for 30 weeks of grass cutting, with varying frequencies per parcel, were presented. It was revealed that the current cost of grass cutting is in excess of \$42,000 annually plus the cost and the maintenance of equipment and also, fuel.

All the bidders were interviewed and the low bidder, John's Lawn Service, was impressive in how the trucks and equipment were maintained. Commissioner Durange motioned to go with the low bidder, John's Lawn Service (at \$24,975), provided that all locations and services were the same on all bids. It was noted that the full-time staff position will not be filled. In further discussion Commissioner Doss noted that we would also not replace a seasonal position. The motion passed 4-0 with 1 abstention by Commissioner Sheets.

Commissioner Doss opened discussion of a possible Rental Unit Tax. Commissioner Doss received a list of other County municipalities concerning rental unit license fees. Commissioner Doss feels that in addition to being a revenue source, this would allow Charlestown to have some control over the quality of rental units in Charlestown to and give the sheriff's department more authority concerning tenants. Commissioner Doss wanted to introduce this now for further discussion at the next Commissioner's meeting. He feels this will help solve some of the Sheriff Department's control problems.

President Gell noted a code inspector would be required and they can only enforce the codes that are in existence. It was suggested that the Town Administrator could provide code inspections; perhaps only initially. Commissioner Letts asked if we are requesting determination of how many rental units are in Charlestown and Commissioner Sheets further requested the list of landlords be e-mailed to the Commissioners. It was suggested to contact Perryville to see how they determine which properties are rentals.

President Gell opened discussion of the DHCD Notice of Public Hearing regarding the borrowing of \$295,000 for three Town projects: the Artesian Water emergency interconnect, the 630 Water Street refurbishment, and the Town Hall drainage project. Commissioner Letts questioned the original Artesian Water emergency interconnect quote of \$60,000 now being \$110,000 although he is still in favor of a second feed to the water tower.

It was explained that a public hearing announcement must be placed in the Cecil Whig for a public hearing to be conducted on June 13th at the Town Hall. The details for the three projects and their amortization schedules are included in back-up paperwork. The interest rates on these loans are expected to be between 4.3 to 5.1 percent but will not be set until August 23rd. If approved, the money will be available around August 28th. It was noted that Artesian Water has indicated that they may be able to do a lower cost connection and Charlestown will be allowed to borrow only what is needed.

In discussions with Charles Day, Department of Housing and Community Development, he was asked if funding would be available for future projects such as renovation of the Cecil House with the possibility of using it as Charlestown's Town Hall. It was indicated that funds could be available (\$300,000 over 25 years) for this type of project. The current Town Hall building could then be useful as a Boys & Girls Club

and Senior Center. Commissioner Letts made the motion on the current issue of conducting a Public Hearing to be held June 13th at Town Hall to consider the loans mentioned. This was approved 5-0.

A discussion of recent vandalism in Fairgreen Park was begun by Commissioner Sheets. Commissioner Sheets felt she had an idea of who may be moving the safety mats from under the swings and after questioning the individual, he agreed to stop. Commissioner Letts argued that this should be a criminal issue or the vandalism is not going to stop. Commissioner Sheets had explained to the boy about the cost to the Town the safety issues involved. Discussion ensued concerning past vandalism at the 107 House and using a juvenile officer to help stop the incidents. It was a consensus that vandalism should be reported (to the Sheriff's Patrol) along with the photographs.

David Gordon was present to report on ball field refurbishment and to thank the Town for the support. He reported that more Diamondtex is needed to finish the project since there are still several areas where water pools because the base does not have proper drainage. Mr. Gordon asked the Town to supply another 15 tons of Diamondtex for \$541 in order to correct the remaining problems; he also made a point of thanking the individuals who assisted in the refurbishment effort. President Gell asked for a motion to spend the \$541 for another 15 tons (minimum order) of Diamondtex.

Commissioner Sheets thanked Mr. Gordon for volunteering to maintain the ball field (except for mowing) and because of this, she made the motion to approve the additional material. During further discussion Commissioner Letts noted that the Town should have been informed about the grading problems and how much material would be needed. The motion passed approved 3-1 with Commissioner Letts abstaining and Commissioner Doss against. Commissioner Durange requested that in the future they communicate their needs in advance to avoid further missed communications.

President Gell requested a motion to approve the final review of the 2011/2012 Budget and Resolution 2011-05. Commissioner Doss objected to being asked to approve a budget containing changes from the document he had previously received. It was noted that Charlestown's budget must be approved by June first. He questioned that it appeared the budgeted donations listed were more than the requested amounts and the discrepancy was explained.

It was explained that since the resignation of the maintenance worker and the subsequent grass maintenance contract was recent it still needed to be reflected in the new budget but would be presented as a budget amendment. Commissioner Sheets motioned to approve as originally presented prior to the meeting via email/inbox. Commissioner Durange noted that grass maintenance, restoration of the Public Safety funds as well as any other requests that the Board may wish to make would be addressed by budget amendments upon request. After discussion the 2011/2012 Budget and Resolution 2011-05 was approved 5-0. Suggestions for budget amendments should be presented for review and preparation prior to the next meeting.

Town Administrator's Report **Old Business**

- Discussion of a letter regarding ownership of pilings on the covered and uncovered portions of C-dock was brought forth. The attorney's letter indicated that Charlestown does not own the said pilings. Charlestown's attorney, Dennis Clower, has received all of the information on this to review and the case needs to be put to rest. It was also questioned why the Wellwood Marina organization disputed the ownership initially. The uncovered portion of C-Dock pier is Charlestown's, but indications are the pilings are part of the covered portion of C-Dock and are not owned by the Town. Further developments will be reported as they occur.
- The special purpose plat survey which was an attempt to determine the boundary of Lee's Marina property. The issue is primarily between North East River Marina and Lee's Marina as there is a boat well that has a wall in need of repair and falling into the water so Lee's Marina is unable to use the area as included in their lease. It has been determined that this area is owned by North East River Marina and they may intend to repair the wall. Charlestown needs to submit the special purpose plat to North East River Marina to let them know what the Town expects. Commissioner Doss stated that he will ask Frank Lee if he has an official survey of the property.

- A meeting with attorney was held to discuss issues regarding the Trinity Woods sewer agreement so now Dennis Clower is studying the public works agreements which appear to be in conflict.
- Pricing has been obtained from McGuirk Construction for the several areas. We are still waiting on quotes for the boat ramp handicap parking area and we have \$12,000 from a grant for this. Much of the "pothole" work can be done for \$16,000 to \$20,000, not including the already approved Louisa Lane project which is waiting for URS to determine a Critical Area Vegetation Maintenance Area situation near 240 Louisa Lane in order to move forward. Discussion ensued regarding negotiation for lower costs and start dates before Commissioner Letts motioned to engage McGuirk Construction to affect the above mentioned repairs costing less than \$10,000. All approved 5-0.

New Business

- Commissioner Durange motioned that we go with System Source (\$3,897.22) to use the EECGB Energy Grant for new office computers if their references are adequate. This was approved 5-0.
- Lee's Marina property appraisal quote was received from Ulrich & Ulrich Appraisers (\$750). Lee's Marina has to approve of this choice.
- It was learned that Charlestown is eligible to make Casino Revenue Grant applications. Direction is requested from the Board regarding applications for impact monies.

Period of Public Comment

MML meets in July and they requested a nomination for Chapter Vice President. President Gell would like to nominate Mary Carol Durange for Chapter Vice President. Commissioner Doss motioned to nominate Commissioner Durange and all approved 5-0.

Any resident who wishes to comment on this proceeding, or who may have comments for the good of the Town of Charlestown, may offer their comments to the Commissioners for a period of not to exceed (5) five minutes. All residents offering comments must first sign the "Public Comment Speaker" roster.

Gophrey Richardson said the budget is so large that we have to take funds out of the reserve. He feels this is dangerous to take funds out of the reserve. He heard that last year the Town transferred \$130,000 from the sewer account to the General Account for payroll. He said traditionally \$25,000 has been transferred to cover office staff. He also spoke about the Louisa Lane project borrowing from the Utility Fund. Mr. Pumpaly commented on the transferred amounts for payroll and that he consulted with among other, the auditors, and none of these noted any problem with the action. It was noted that last year the amount transferred was considered for the amount of time spent by all employees for work performed as well as the taxes, benefits, fringe and so forth. In the past it was not broken out by percentage. This year it was broken out by percentage based on salary, taxes, fringe and so forth.

Ursula Boudart commented the proposed rental unit tax. Perryville calls it a registration fee. They can inspect your property if they get complaints from the tenant. She further spoke about the code inspector, and all of the work they are required to do. If you have a set of codes on the books and they are enforceable; it should apply not only to the tenant/landlord situation but the owner/occupied situation. She said the fee for Perryville is \$15.00 per unit. She asked the Commissioners to read Perryville's information well regarding this and review the information carefully before making a decision on this. Prosper added that 51% of the people living in Elkton are renters and they have a very high percentage of renters. He does not see how the Charlestown can justify pursuing this.

Commissioner Sheets motioned to adjourn. The meeting adjourned at 8:33PM
Submitted by Linda Jackson