

Town Commissioners' Meeting Minutes
September 27, 2011, 6:30 pm

Meeting was called to order at 6:31 pm by President Robert Gell. Commissioners Mike Doss, Mary Carol Durange, and Joseph Letts were in attendance.

The Pledge of Allegiance was led by Ryleigh Johnson.

Accounts Payable report was reviewed and Commissioner Doss motioned to approve and this was approved 4-0.

The minutes from the September 13th meeting were reviewed with Commissioner Mike Doss motioning to approve. This was approved, 4-0.

Charlestown Planning & Zoning Revisions Initial Review – Mr. Chris Rogers, of URS, explained some of the changes to be made.

- Background of Subdivision Regulations and Zoning Ordinance –
 - Subdivision Regulations -
 - Changes made to Subdivision Plat requirements.
 - Changes made to clarify road specifications. Cecil County Road Code was referred to for the engineering aspects of a road. Changes were not made but there was a clarification on right of ways and road widths. Town Commissioners can change these on a case by case base. Commissioner Doss suggests there be off street parking for all areas due to a safety hazard that fire trucks or other emergency equipment cannot pass the road to get to emergencies. Commissioner Doss brings Salvation Cir in Trinity Woods as an example. Off street parking allowance is currently on case by case bases. Commissioner Doss questions the consistency with this practice. C. Rogers questions if Trinity Woods is designed for off street parking. Commissioner Doss says that in a future improvement, that should be considered. Commissioner Doss explains that his only concern is the safety hazard. Commissioner Durange explains that in some cases, not all of the household vehicles will fit in a driveway, especially with a family with multiple teens or new drivers. C. Rogers will have this matter clarified. Commissioner Doss wants to avoid making an existing problem worse. C. Rogers explains that the committee did not change measurements, but simply clarified existing regulations. He suggests that the Commissioners decide what they would like to make the regulations. President Gell brings up the issue of snow plowing as well. Commissioner Doss brings to attention that it is up to the town to enforce no street parking in regulated areas.
 - Zoning Ordinance – Committee had a list of things that had been bothering them for some time now. The primary things to be amended are:
 - Multi Family Dwellings in the R3 Zone. The Committee decided to make this clearer. This Historic District is an overlay zone in which case the most restrictive rules would apply. Section 175-18 deals with Multi Family Dwellings in the R3 Zone. See amendment proposal for specific changes. There will be two opportunities for public input.
 - Definitions were added to make things more understandable.
 - Non-conforming uses: can still continue to build on a non-conforming lot. A big debate was if you owned several non-conforming lots, you would have to merge the lots into a conforming lot. This has been revised.
 - Committee eliminates the 50% rule. If the dwelling was damaged in value more than 50%, if you are going to rebuild you must rebuild as a

conforming structure. This has been revised to state that the dwelling could be rebuilt in the original footprint.

- Enforcement Section: Language was changed to maintain consistency across municipalities.
- Apartments are now permitted on a second floor in C1
- Family daycares are permitted in all areas.
- Parking lot landscaping requirements – 175-26H

President Gell suggests a motion to move forward to public hearing. Commissioner Durange motions to move forward with a Public Hearing. Commissioner Doss second. Approved 4-0.

Town Administrator's Report

Old Business

- Charter Amendment Resolutions
 - We will not consider changes for vote in the next few weeks. Wib Pumpaly explains the packet of Amendments should be reviewed for consideration in 2012.
- Boat Ramp User Fees
 - Charlestown Boat Ramp User Fee – Wib Pumpaly has spoken with the DNR and their fee structure is far less than the original proposed by Wib. If we elect to charge for the Boat Ramp, any future grants from the dept. of natural resources may require a 50% input from the Town. After Wib reviews the updates, it's clear that his original proposal is not possible. He will continue to work on this to explore other avenues.
- Chesapeake Utilities Franchise Agreement – Wib Pumpaly received a few comments from the commissioners when he asked for input. Comments were: 1) Talk to attorney 2) not interested in agreement of 40-50 years. North East is also considering this agreement but they are having issues with it as well and they have consulted their attorney. Wib Pumpaly talked to our attorney and he brings to light a few stumbling blocks with the franchise. Wib explains there is no need to rush in to this agreement. He also suggests we wait till North East makes changes to the franchise agreement and then move forward after those changes have been made. In addition, Wib explains, that if we sign the deal, it does not bind us for 40-50 years. Wib suggests we wait for more information from North East and then move forward.
- Lee's Marina Appraisal – Wib Pumpaly explains that every 10 years, by terms of the lease, we (Charlestown and the Marina) are to agree on an appraiser and have the land appraised. It has been agreed that the same appraiser from 10 years ago would be good to use again. The appraisal was done in July/Aug. Results were obtained in late Aug/ Early Sept. Appraiser noted that the appraisal did increase from \$253,000 to \$280,000. Upon receiving document it was sent to Mr. Brittingham. A letter was received from Brittingham on Sept. 12, in which he noted inconsistencies he wanted to bring to our attention. Wib Pumpaly spoke with our attorney and the appraising firm, Ulrich and Ulrich. In the letter, it was mentioned, that the appraisal is for .678 acres. The property is .52 or .53 acres. Ulrich and Ulrich suggested that based on a recent survey it is .678 acres. Ulrich responds about comments made by Brittingham. Appraiser believes he has done a complete job and comments do not seem to be an issue. Our Attorney believes the appraisal is reasonable. See meeting packet for more details on numbers. Lease requires appraisal every 10 years. This has been done with an appraiser agreed upon.
 - According to the lease, if they are unable to agree on an appraiser, they must consult the Circuit Court to have an appraiser appointed.
 - President Gell believes that the lease cannot be changed without signing a new lease. Commissioner Doss suggests an addendum to the lease to accommodate the marina's slow business. Commissioner Doss also suggests something is worked out. Wib Pumpaly suggests the only other thing to do is to consult the Circuit Court. Commissioner Durange suggests we discuss the idea of an addendum to the lease with the lawyer.

- President Gell suggests we proceed. Commissioner Letts says to table it until we get more information. Commissioner Doss states that having multiple appraisers is a good idea but this type of business is unlike anything to compare it to. Commissioner Durange suggests we table the issue until we receive further information. President Gell states we will look at the legal information and continue to work on the issue.

New Business

- Memorial Bench Heisler Family
 - “To the People of Charlestown from the Heisler Family”
 - The Heisler family is looking for a location for the bench. Hoping to put the bench between the cannon and the pine tree at Point Park. Commissioner Durange suggests Dead End Beach as a location. After discussion, Wib Pumpaly states he will speak with the family.
 -
- Cecil County Tax Differential Payment
 - We will be given \$3,401.71 which is an addition of \$1,411.
- 314 Chesapeake Rd, unsafe for human occupancy. Mark Dean will be contacted to see what will happen to have it condemned.
- During recent rainy weather, the Maintenance Dept. has cleaned up and painted the bucket.
- Christmas Lights – we have an opportunity to get LED bulbs which will cost \$900 plus. Wib Pumpaly reviews the benefits of LED bulbs. Commissioner Doss motions to purchase bulb to replace all of the existing Christmas lights. Approved 4-0
- MML Book Listing – Wib Pumpaly asks if we want to place an advertisement on the online version of the MML Listings. Ad is \$225. Commissioner Letts motions that we do not purchase the ad. Approved 4-0.
- Chevrolet Silverado – 1 Bid received in the amount of \$11,007.00. Suggested List Price was \$15K - \$16K. We paid \$16K for the vehicle 5 years ago. Commissioner Doss makes a motion to sell the vehicle. Approved 4-0.
- Term Expirations: President Gell states that the Ordinance requires advertisement and interviews. President Gell states that we will follow the ordinance as it states to handle the Term Expirations.
- Commissioner Letts – Brings that someone has been living in a car in town. Commissioner Letts states he will deal with the situation through the deputies but he wants to ensure there is nothing in the ordinance that would pose a problem. After discussion, it is agreed to leave the matter alone. Wib Pumpaly states it may be a matter of restroom use but the restrooms will be winterized within the next week.
- President Gell discusses the Cecil County Milestone by Major Sector including information on Waste Water Treatment Plants and Septic Systems. President Gell urges Commissioners to read the information provided.

Period of Public Comment

- Ursula Boudart –
 - Ramp Fee – Questions what the Town of Perryville handles this.

- Questions the details of the lease with Lee's Marina. Lease is for the LAND only. Ursula states there are different types of leases but chose not to discuss the options.
- Dennis Taylor –
 - Questions handicap parking at the boat ramp because parking is currently at the other end of the street.

Commissioner Doss motioned to adjourn, meeting adjourned at 8:19pm.

Respectfully Submitted by Christina Jackson; Town Clerk.