

**Town Commissioners' Meeting Minutes**  
**April 10, 2012, 7:00 pm**

Meeting was called to order at 7:01pm by President Robert Gell. Commissioners Robert Gell, Mary Carol Durange, Kenneth Confalone, Joseph Letts, and Renee Capano were in attendance.

The Pledge of Allegiance was led by Ryleigh Johnson.

**Approval of Minutes** – The minutes from the March 27<sup>th</sup>, 2012 meeting were approved. Commissioner Letts motioned to approve the minutes as they are written. This was approved 5-0.

**Accounts Payable Review** - The Accounts Payable review that was provided to the Commissioners was reviewed. Commissioner Confalone motioned to pay the bills per the Accounts Payable report. This was approved 5-0.

**Sheriff's Report** – The Sheriff's report for March was reviewed by Sgt. Ronald Schmidt.

**Miller Environmental Report** – Robert Corn reviewed the report. Last month they treated 2m619K gallons of water and collected their normal samples which came back negative. They also collected 4 extra samples the day the Town had low water pressure to make sure nothing was contaminated. All of those samples came back negative as well. Miller Environmental inspected 3 new meter installations and replaced two meter registers. In addition, they completed 5 settlement readings, checked for one leak and found a leak on the customer's line. They turned on two services at the owner's request, replaced 4 water meters and installed a meter crock extension. Commissioner Confalone questioned when the telemetry lines are scheduled to be repaired. Robert reported that they are being repaired now. Commissioner Confalone also questioned when the water is scheduled to be tested for heavy metals. Robert advised that he wasn't sure of when the metal tests are but they don't test for heavy metals.

**Service Awards – Commissioner Gell** – Commissioner Gell recognized Michael Doss and Donna Sheets for their years of service in Charlestown on the board of Commissioners.

Resident Harold Harris questioned the time of when the water leak began. The Commissioners reviewed the events and how the issue was resolved. Commissioner Letts clarified that every step that could have been taken, was taken.

**Proposal to Change Meeting Date – Commissioner Capano** – Commissioner Capano asked that due to a meeting provided by MML for newly elected officials, that the next meeting be rescheduled so that all Commissioners can be present. Commissioner Confalone stated he did not plan on attending the event. Commissioner Capano motioned that the meeting be moved to the Monday or Wednesday around the regularly scheduled meeting. There was not a second. Commissioner Durange stated that they are free to go to the MML event.

**Town Administrator's Report**

**Old Business**

- **Calvert St. Garage Lease** – Wib Pumpaly presented the lease information regarding the garage that was leased to Claude and Cecilia Grace who have since deceased. He reported that in 1952 the roads were decreased in size and the remaining land was given to the residents on each side. Mr. Pumpaly provided the parcel grid showing that the land where the garage sits is town owned property. In 1993 there was a lease signed to Claude and Cecilia Grace. Mr. Pumpaly spoke with the Town attorney and he stated that in his opinion when the second of the two lessees passed, the lease was terminated. The invoice for the lease of this year was sent out and the regular payment of \$25 per year was received but the check was not cashed. Commissioner Durange asked what was being paid in taxes on the property. Mr. Pumpaly explained that because it is Town owned land, there is no tax payment and the tax on the garage is paid by the Grace's. He also reported that he has spoken to a few storage facilities in the area and presented what the going rate is for this size of storage area. Commissioner Gell asked if the Town could use the storage space. Mr. Pumpaly advised that the space is of no use to the Town. Commissioner Gell and Durange both suggested that a new lease be drawn up. Mrs. Patterson expressed that she and her brothers are not interested in the garage but is concerned about the electric which is metered through the home and questioned how it would affect the use of the driveway. It was then discussed that the taxes for the garage were included in the value of the home. After some discussion over past events and the actual size of the property, Commissioner Gell advised that one option would be to lease the driveway. Commissioner Gell clarified that ordinarily a street is not leased but if Mrs. Patterson wanted specific use of the property, the Town has leased property to residents in the past. The original check payment of \$25.00 was returned to Mrs. Patterson.
- **Transformer Repairs** – Charlestown Marina – Mr. Pumpaly received a letter from Mr. Price on March 29<sup>th</sup> requesting the Town correct a problem caused by the Town when C-dock was rebuilt. He states that the concrete pad was cut when the walkway was built. Mr. Pumpaly states he does not know the cause of the movement of the transformer. Mr. Pumpaly stated that Mr. Price asked that some of the boards on the walkway be removed to get a better view of what is moving. "TAPE"
- **Proposed Budget Work Session #2** – Mr. Pumpaly reminded the Commissioners that the final budget must be presented by the 1<sup>st</sup> of May. He suggests that the Commissioners have another budget meeting before the next meeting. Commissioner Capano asks that it not be a Tuesday or Thursday. Mr. Pumpaly suggests April 18<sup>th</sup> at 5:30. The Commissioners agreed to this date and time.

### **New Business**

- **March Budget Review** – Mr. Pumpaly reviewed the March Budget Report for the Commissioners.
- **March Cash Balance Review** – Mr. Pumpaly reviewed the cash balances.
- **March Accounts Receivable Review** – Mr. Pumpaly reported that almost all of the accounts are current.
- **March Fuel Report (Gas/Diesel)** – Mr. Pumpaly reported that there is only a difference of 2/10 of a gallon on gas and less than 1/10 of a gallon on diesel.
- **March Maintenance Work Order Review** – Mr. Pumpaly presented the Work Order Review but it was not discussed by the Commissioners.
- **March Building Permit Review** – Mr. Pumpaly presented that there are more permits coming in from Ryan Homes.

- **Certificate of Recognition – John Denver** – Commissioner Gell presented a Certificate of Recognition for Outstanding Community Service that will be given to John Denver.
- **Easements – A Sleeping Giant** – Mr. Pumpaly reviewed the current issue of easements that is being dealt with by the Planning and Zoning Board. Currently, structures are not to be built in easements. This is becoming a problem, primarily in Cool Springs. There are currently two properties with a fence in an easement. Ryan Homes is currently building a home next to this property and cannot properly grade the property because the fence is in the way in the easement. Mr. Pumpaly presented the draft document of the administration of easements.
- **Water & Sewer Rate Increase – Commercial Accounts, Restaurants, Marinas** – Mr. Pumpaly presented and clarified that this rate does not apply to residents. Mr. Pumpaly presented that the previous increase did not include the businesses but is unsure why. Commissioner Capano asks that if another public hearing needs to be scheduled due to a change in the existing resolution.
- **Lighting Grant** – A mandatory pre-bid meeting was held and only one company attended. Bradley Electric presented a bid. Commissioner Letts motioned to approve this bid. This was approved 5-0.

### **Period of Public Comment**

Gophery Richardson – In the area of easements, he stated that he believes any regulations regarding easements would apply to new easements and would not apply to existing easements. Mr. Pumpaly stated that the Cool Springs HOA has existing regulations regarding easements.

Harold Harris - No comment.

Commissioner Letts motioned to move into Executive Session.

Commissioner Letts motioned to adjourn; this was approved 5-0.  
The meeting adjourned at 8:28 pm.

**Executive Session** – Consultation with fellow Commissioners to discuss upcoming Settlement Conference, April 11, 2012 in Circuit Court.

Respectfully submitted by Christina Jackson; Town Clerk.

Town of Charlestown Form of Statement for Closing a Meeting

**FORM OF STATEMENT FOR CLOSING A MEETING**

Location: CHARLESTOWN

Date: 10 April 2012  
Time: \_\_\_\_\_

Motion By: J. Letts 2nd by: M C Durange, to move to closed session pursuant to the Annotated Code of Maryland, State Government Article, §10-508 (a).

Vote to Close Session:

	AYE	NAY	ABSTAIN	ABSENT
Name <u>R. GILL</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Name <u>M.C. DURANGE</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Name <u>K. CONFALONIS</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Name <u>J. LETTS</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Name <u>R. CAPANO</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**STATUTORY AUTHORITY TO CLOSE SESSION**

**State Government Article §10-508(a):**

- (1)  To discuss:
  - (i) The appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or
  - (ii) any other personnel matter that affects one or more specific individuals.
- (2)  To protect the privacy or reputation of individuals with respect to a matter that is not related to public business.
- (3)  To consider the acquisition of real property for a public purpose and matters directly related thereto.
- (4)  To consider a preliminary matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State.
- (5)  To consider the investment of public funds;
- (6)  To consider the marketing of public securities;
- (7)  To consult with council to obtain legal advice on a legal matter;
- (8)  To consult with staff, consultants, or other individuals about pending or potential litigation;
- (9)  To conduct collective bargaining negotiations or consider matters that relate to the negotiations;
- (10)  To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans;

