

TOWN COMMISSIONER'S MEETING

CHARLESTOWN, MARYLAND

December 10, 2013

The Town Meeting was called to order by President Robert Gell at 7:00pm. Commissioners present were Renee Capano, Ken Confalone, Joseph Letts and Bruce Hechmer.

Pledge of Allegiance was led by: Dakota Strong, BSA Troop 367

Approval of the Minutes of November 26, 2013; Commissioner Hechmer motioned to approve the minutes and Commissioner Capano seconded. All were in favor, approved 5 – 0.

Accounts Payable Review – Commissioner Confalone motioned to approve the Accounts Payable in the amount of \$30,285.04 Commissioner Letts seconded it. All were in favor, motion approved, 5 – 0.

Miller Environmental – Report for November: Mr. Robert Corn reported that the monthly water production for November was 2354.000Gallons. The monthly maintenance and resident requests were performed as well as the flushing of the distribution system. The water sample tested negative for coliform.

Commissioner Hechmer questioned why a fire hydrant at the end of Cool Springs road is bagged. Mr. Corn was not sure, but thought it was one that was not functioning yet. Mr. Pumpaly said that he knew of a few hydrants that he needed to discuss with Robert Corn.

Cecil County Sheriff's Report – November – Sgt. R. Schmidt was not available

"C Dock" (Slips Only) Lease – Open Discussion – Commissioner Confalone explained how the commissioner's have been discussing the lease concerning "C" dock over the past year. He stated that he has broken it into two sections to simplify it. The first part ends the lease with Water Street Properties and they hold the Town harmless and assign the lease to Larry Metz. The Town will purchase the assets of Water Street Properties (WSP) for \$260,000. Larry Metz will sign the new lease for 10 years and the payments will start at \$36,000 per year subject to inflationary cost increases of approximately 2% a year for the next 10 years. Commissioner Confalone stated "that speaking as the Treasurer and from a dollars and cents standpoint, it is a very good deal for the Town". He also stated that the first motion empowers the President to accept any and all agreements to execute the lease agreement presented to the commissioners. He specified that this also includes the dollar amount of \$260,000. Commissioner Confalone made this motion as explained above and Commissioner Hechmer seconded it. President Gell asked for any further discussion. Commissioner Letts commented "that he doesn't see how it is going to benefit the Town to take on someone else debt of \$260,000." Commissioner Capano stated that she agreed with Commissioner Letts. President Gell asked Commissioner Confalone the value of the dock. Commissioner Confalone stated he was not sure of value of dock but that WSP put \$400K of improvements into the dock. President Gell stated that we are getting a "half million dollar dock for about half of that". Commissioner Letts stated that the Town gave \$150K to

Water Street Properties to improve the dock initially. Commissioner Hechmer said that he supports the motion because he “believes it is the best thing for the Town.” Another benefit is that WSP will forego suing the Town over the Breach of lease issue. He believes that it will rectify a mistake that was made by that “horribly written lease” and get the Town “back on track.” The new lease has better language and “teeth” in case we need it. And the new lessee is signing a personal guarantee.

Commissioner Capano does not feel the Town should be taking on \$260,000 and she feels that the lessee has a history of being behind. President Gell asked for a vote, and the motion was approved 3 – 2, with Commissioners Letts and Capano voting against it. Motion carried.

Commissioner Confalone went over the lease as given to the Commissioners to review. Commissioner Letts and Commissioner Capano reviewed the lease and stated that the lessee should be responsible for the utility expense year round, not just when it is being used. Commissioner Hechmer sided with Commissioners Capano and Letts and it was changed to have the lessee pay utilities year round.

Commissioner Confalone made the motion to accept the lease as written with the changes made as noted, such as utility being paid year round and any subsequent changes made during discussion. He stated the fee of \$36,000 yearly and a payment in advance. And his motion also empowers the president to sign any and all documents needed to execute this lease as agreed upon by the majority of the commissioners. Commissioner Hechmer seconded it. There was more discussion and some further changes. Commissioner Confalone stated that his motion is for the lease as written with the changes. If the lessee wants any additional changes it will need to come back to the Board.

President Gell asked for a vote for this motion, it was approved 3 – 2, with Commissioners Capano and Letts voting against it. Motion carried.

Natural Gas Service for Charlestown –Open Discussion – Commissioner Hechmer stated that some residents had inquired about having natural gas in Town. They had heard that Chesapeake was bringing a gas pipeline down route 40. Sean Durgin, a resident from Cool Springs, stated that he has all electric heat and that his bills are very high. He says that he prefers natural gas over propane since the rates of gas are regulated and propane is not. He said that propane appliances can be converted to natural gas. President Gell stated that the Town had looked into it before but did not do anything. Commissioner Confalone said that he remembers from the last time, that they were only bringing the pipe to Route 7 and to new construction so that residents would have to pay to connect it from the pipe to the house. Commissioner Hechmer asked Mr. Pumpaly to look into the possibility of getting natural gas to Charlestown.

Town Web-Site Up-date Commissioner Capano spoke to Linda who is working on an update for our website that has not been updated since 1984. Commissioner Capano mentioned the possibility of posting audio and possibly video of our commissioner meetings. She was looking into what municipalities have done and if it is permitted. She also described the current events calendar that would have events fall down to past events once the date passed but would still allow for pictures to be viewed and posted.

Closure of Perryville Elementary & the impact on Charlestown – Commissioner Capano reported that Perryville Elementary School is going to be gutted and closed for two years. Commissioner

Capano stated that it was just announced that about 120 students would be moved to Charlestown Elementary School. Commissioner Capano was concerned about the impact on the school and especially on the car loop and the boys and girls club after school activities. She also is suggesting a safety officer. Mrs. Clark suggested that there would be some informational meetings for the public next year. She is meeting regularly with the principal of CHES and will keep the Board and residents updated.

President Gell mentioned that in conjunction with the Mayor's drug task force, a film titled "Anonymous people" will be shown in February at the Charlestown Fire Hall. Date is to be determined.

Town Administrator's Report

Old Business

- Charlestown Parking Permit Up-date – Mr. Pumpaly stated that he has gotten the price on the plastic and card stock permits down to .39 and .30 respectively. He plans on purchasing 1500 resident permits and 500 non-residents. The total cost would be approximately \$775. Commissioner Capano stated that on the new secure website, we should have the ability to sell the non-resident permits. Commissioner Hechmer motioned to give permission to purchase to Mr. Pumpaly to purchase the permits tags as stated. Commissioner Letts seconded it. All were in favor, approved 5 – 0. Commissioner Hechmer asked about a 20mph sign for Cool Springs that now has a 25mph sign. Mr. Pumpaly said that he will order it.
- N.E.R.M. Encroached Slip Lease Up-date- Mr. Pumpaly presented to the Commissioners the difficulty with North East River Marina signing their new lease. It was decided that Mr. Pumpaly was going to send a letter and state that if there is no response, we will turn it over to our attorney.
- Cecil Inn Up-date Mr. Pumpaly advised the commissioners that the real estate agent, Aaron Falkenstein, has recommended that we lower the listing price on the Cecil Inn. Mr. Falkenstein had initially suggested that the listing price was high but that is what we should start at. He now is advising that since we did not get even one inquiry we should lower the listing price. Commissioner Hechmer motioned to lower the listing price to \$124,900. Commissioner Confalone seconded it. All were in favor, approved 5 – 0. Commissioner Hechmer also suggested that any future discussion concerning price and the Cecil Inn be discussed only in an executive session. Ursula Boudart disagreed with that and stated that the residents need to know if the price is being lowered. President Gell stated it is within the legal limits to discuss items such as this in executive session.
- Resolution 2013 – 05 Revised (2013-06) – Mr. Pumpaly presented Resolution 2013-05 that was discovered to be listed incorrectly. It should be 2013-06. He stated that it is exactly the same document, except for the number 06. Commissioner Confalone motioned to accept the corrected number on the resolution and Commissioner Capano seconded. All were in favor, approved 5 – 0.

New Business

- November budget, cash, accounts receivable review – Mr. Pumpaly presented the numbers for November and stated that we are in good shape. Commissioner Confalone

stated that from our audit it showed we had good systems in place and that we have \$831,000 earning .384%. Since this is for long term projects that will not take place right away, we may want to have our auditor look into something still safe but with the capacity to earn more interest. Mr. Pumpaly continued with the Aged Accounts Receivables and stated that Water Street properties owe \$1923 over 30 days and North East River Marina owe \$804.12 over 90 days.

- Building Permits- Mr. Pumpaly stated that there were 5 building permits in the month of October, only one single family home, which is the Habitat for Humanity home.

President Gell had asked if the Commissioner's had anything else to add. Commissioner Capano stated that the Town's open house is scheduled for Friday and that the Children's event is on Saturday at the Charlestown Elementary School.

Commissioner Confalone stated that the Town Commissioner Meeting for December 24 has been cancelled.

Commissioner Hechmer inquired about the slip tax law suit. Mr. Pumpaly answered that all of the Marina's were served about 3 weeks ago and he has not heard anything. Commissioner Hechmer said that they should have 30 days to respond unless they get an extension.

Public Comment:

- Mr. Sean Durgin said that he walks his dog often and that the sidewalk between Cool Springs and Trinity Woods does not connect, it just stops.
- Dennis Taylor did not have a comment.
- Ursula Boudart mentioned that she called Town Hall 4 – 6 times within an hour and kept getting a busy signal. She wondered if something was wrong with the phone. Janine Antoshak (town clerk) answered that the phones seemed to be working fine. Commissioner Confalone said that he had gotten through several times today without a problem. Mrs. Boudart was just getting a busy signal and never the voice mail. It was not determined what the cause might be. Mrs. Boudart asked what is involved in having a harbor master. It was not determined what that would entail.

Respectfully submitted by: Janine Antoshak, Town Clerk