

Town Commissioners' Meeting Minutes

January 12, 2010

7:30 pm

The meeting was called to order at 7:30 pm by Commission Vice-President Gell. Also in attendance were Commissioners Doss, Durange, Letts and Sheets.

The Pledge of Allegiance was led by Ryleigh Johnson.

Clerk of the Court, William Brueckman, was present to officiate the swearing in of the newly elected commissioners. The winning candidates being Robert Gell (115), Donna Sheets (114) and Michael Doss (104). The other candidates were Steve Vandervort (101) and Mark Plum (36)

The commissioners then held elections for officers. The Commissioners elected Robert Gell as President, Mary Carol Durange as Vice-President and Joseph Letts as Treasurer (all 3-2). The officers were subsequently sworn in by Mr. Brueckman.

The Town Administrator mentioned that the fifth member of the Planning and Zoning Board is an "at large" Town Commissioner and since former Commissioner Steve Vandervort had held that position there is now a need to fill that vacancy. Discussion arose concerning how selection for this position should be done. Commissioner Doss volunteered to fill this position.

The Accounts Payable list was reviewed and Commissioner Durange moved to approve the payments with a unanimous vote 4-0

The minutes for the December 23, 2009 meeting were reviewed and Commissioner Durange made the motion to accept with the correction of one typo on the first page. Approval was 3-0

Robert Corn was present to deliver the Miller Environmental report for December 2009. Collection of the annual VOC & Nitrate samples were made. Commissioner Letts asked about a hydrant at Baltimore and Cather which is gone. It was revealed that HIE removed that hydrant because they found they had to order a part.

The Town Administrator reviewed the previously approved budget amendment for the Commissioners. This action will cause the necessary adjustments to be made in the present budget to create favorable balances. The Office Manager will make these adjustments prior to the next meeting.

Martha Barchowsky, President of the Board, Boys & Girls Club of Cecil County was present to explain that they assumed they could move their administrative office temporarily to the B&G Club in Charlestown but realized this was incorrect. She apologized for not having previously asked. There is one full-time and one part-time person in this office which is currently the only occupant of a building in North East. To save on costs, they would like to move their office temporarily to the Charlestown club and are asking the Commissions approval. Commissioner Sheets asked about the length of time involved in this temporary relocation and where they hope to move from here. Ms. Barchowsky said they would eventually relocate to Elkton.

Commissioner Letts opened a discussion concerning a "Change of Use Permit" for the Club since it was once a residence. Commissioner Sheets mentioned having been told a "Change of Use" was not necessary because of the location. Ms. Barchowsky mentioned that perhaps having a non-profit

organization occupy the building, some inspections could be waived. Inspections are required for the B&G Club's own insurance coverage and these have been done, including an inspection by the Fire Marshall. There have been issues with insect infestations and such and because of these concerns Commissioner Letts wants to be sure that the building is safe for the kids. President Gell reminded that Town is insured through LGIT. Commissioner Letts stated that we should have building inspected as required by the "change of use" application. Commissioner Letts would like to be on record as saying "Let's make the building safe". Commissioner Letts would prefer any needed work be done by professionals. Ms. Barchowsky was asked if she had a copy of the safety inspection report done for the B&G Club and she stated this could not be located at this time. Commissioner Letts mentioned a letter attached to the "Change of Use" application from Mr. Bill Funk recommending what needed to be done to bring the building up to code. It was stated that none of the work was done.

Ms. Barchowsky asked about the lease and Mr. Pumpaly stated that he found previous leases but none beyond 2004. Mr. Pumpaly now has an annual lease put together for the B&G Club which must be approved by the Town Commissioners. President Gell suggested that a clause could be added about automatic renewal, unless terminated by the Town. It was also mentioned that insurance certificates of liability need to be kept current.

Ms. Barchowsky asked about what their responsibility for maintenance of the building. Commissioner Sheets said that it should be returned in the same condition or better than when first rented. President Gell noted that the Town provides upkeep (i.e. new heating and air-conditioning units, electricity and heating oil) to provide the B&G Club with a suitable venue. A discussion ensued concerning the building's third floor which was locked out as a result of a fire marshal inspection. Ms. Barchowsky mentioned that they would not be needing the third floor.

The Commissioners suggested that the process be started to fulfill the requirements of the "Change of Use Permit." President Gell summarized that it is the Board's decision to get the building inspected and make repairs to make it safe for the children. Commissioner Doss suggested that Mr. Funk be asked to inspect to let us know what needs doing. It was agreed to make the lease self-renewing.

Mary Jo Jablonski addressed the Board representing B&G Club of Cecil County. She thanked the Town of Charlestown for their generosity with regards to the children. She agrees with Commissioner Letts about making the building safe. Ms. Jablonski mentioned that their Board has addressed the issue of building inspections to ensure that they are safe.

President Gell mentioned that a notation should be made in the lease stating that a portion of the building could be used for administrative purposes. Commissioner Letts thought we should know the cost of bringing the building up to code prior to signing the lease. Commissioner Doss suggested that the building should have a sprinkler system installed as well. Mr. Pumpaly was tasked to get cost estimates for a sprinkler system. Ms. Barchowsky requested a copy of the work required since they may have the services and materials available via donations. Mr. Pumpaly stated that he would begin process and expects to have answers by the next meeting.

The REM Construction representative was not in attendance.

Edgar McMullen was present to address the Commissioners concerning the Town Ordinance to make and keep the Town presentable. Mr. McMullen wants the Town to pursue action on these condemned structures. Apparently the situation has existed since 2004. Mr. McMullen would like the Board to take action to have owner clean up this property. It was learned that the Town initially sends letters to property owners requesting corrective measures. Beyond that the Town has not instituted aggressive measures and in most cases this has been sufficient. Recently there has been a situation where the Board has agreed to have the Town Attorney become involved in seeking corrective action. President Gell stated that the Town needs to be consistent in pursuing violators of the applicable Ordinances.

Regarding the cemetery, Mr. McMullen related that his mother previously cared for the cemetery and was instrumental in instituting perpetual care which has been standard ever since through Town taxes. There are two, five-plot, annually rented lots where they would like to pay a one-time fee for perpetual care instead. Mr. McMullen wants to change these to perpetual care and recommended \$100 for a 5-plot lot. The Office Manager will check the cemetery in North East to compare costs. He asked permission to stop the ground rent on these lots. A motion was made by Commissioner Letts to notify the renters of the change and all approved.

Public Comment – Gloria Wood would like to volunteer to help do something in the Town.

Town Administrator's Report – Mr. Pumpaly reviewed the various reports concerning Town expenditures.

- Budget Review – this report is a work in progress and he is asking for comment on the revised report.
- Cash Balance report was presented
- Outstanding Accounts Receivable - \$5000 total with only \$240 over 90-days in arrears.
- Fuel Spreadsheet – this is a bit confusing as we switched over to the new fuel tank mid-month.
- Maintenance work orders completed in December.
- Building permits for December - only 3
- February 27th Ice Splash – We now have an up to date certificate of insurance to cover the event and copies of documents that will be required from every participant.
- Interconnection agreement with Artesian Water Company. Several documents were presented. The Town is now at the point that it must be decide whether we want to have an emergency interconnection. The cost estimate is \$55,000 to install, to be split between Artesian and the Town (\$27,500 each). Additionally, it would cost \$25,000 to connect with the Artesian system. At this point, Artesian is looking for a signed commitment, there is no mention of a time-frame for actual connection. Commissioner Doss asked if their water treatment is compatible with our chemicals? Mr. Pumpaly will address the above questions with Artesian.
- Maintenance equipment wish list –
 - 1- Zero Turn John Deere or Hustler Mower – looking at a 48” deck for use in the cemetery. All equipment is being serviced and prepared for the next season. The tractor being used for the cemetery is over 10 years old and will need to be replaced. Both new mowers come with two year warranties. Only the John Deere mower is listed on the State contract. Commissioner Letts motioned that we buy the Hustler mower. Commissioner Doss seconded with the provision that we do a 60/40 split with the cemetery taking 60%. Unanimous vote 5-0.
 - 2- Truck – 5-ton with a plow was listed as future need as the present equipment is aged.

A duplex home at intersection of Water and Frederick Streets has recently been purchased by Larry Metz Jr. Refurbished, the home will no longer be a duplex. They want the Board to approve decommissioning one of the water systems. They understand that once they make the residence a single family unit, it can never be converted back to a duplex. Commissioner Doss made the motion to approve and it was unanimously approved.

A summons has been issued from 8 Louisa Partners because the Town cancelled their former easement when Avalon Yacht Basin ceased to operate as a marina. The summons has been sent to Keith Baynes for review.

Commissioner Sheets received a call from the census bureau to ask if they could use a space Town Hall to take questions from people in town in regard to the upcoming census. Stan Hearne's desk will be made available desk on Monday, Tuesday and Wednesday.

Commissioner Sheets mentioned the appreciation event for volunteers in town and needed to know if it would be ok to buy two dozen more binders this year if needed. The funds would come from "Special Events" and there were no objections.

Commissioner Sheets asked about storing Town records on the unused third floor of B&G Club. She said could we replace storage in Pencader by using these rooms as storage instead. Commissioner Doss brought up the point that the Fire Marshal and fire codes would prohibit doing this.

Commissioner Doss moved that a recognition plaque be obtained for outgoing President Vandervort. This was approved 5-0.

Commissioner Sheets made the motion to adjourn it was seconded and the meeting adjourned at 9:07 pm.