

**Town Commissioners' Meeting Minutes
January 25, 2011, 6:30 pm**

The meeting was called to order at 6:33 pm by President Robert Gell. Also in attendance were Commissioners Doss, Durange, Letts and Sheets.

The Pledge of Allegiance was once again, ably led by Ryleigh Johnson

The Accounts Payable report was reviewed and Commissioner Durange made the motion to approve the payments. The motion was approved 5-0.

The minutes from the December 14, 2010 meeting were reviewed and Commissioner Doss moved to approve as written. The motion was approved 4-0 with 1 abstention.

The Sheriff's Reports from the two previous months were presented for review. The new liaison officer Sgt. Ronald Schmidt was not present for this meeting.

Miller Environmental, Inc., report for January 2011 was reviewed by the Commissioners as Robert Corn could not be present.

The Town Administrator, Wib Pumpaly, spoke about water service damage caused by the installation of a guard rail on Route 7 (West Old Philadelphia Road). A letter was sent to the President of Miller Environmental requesting that they pay for the repair (\$2,285.95) since they marked the water lines improperly. Mr. Pumpaly claimed their marks were 48" from the actual lines but Miller claimed it was only 28" and the tolerance is +/- 60". The website for Miss Utility gives the tolerance zone as 18". It is felt Miller is not going to pay for the repair work since they do not guarantee their marks; and Mr. Pumpaly is requesting direction on this issue.

It was noted that Miller's contract is up for renewal this year, so perhaps thought should be given to issuing Miller a 60 days' notice prior to contract end and to solicit bids for the Town's water service contract.

Commissioner Doss feels that locating water lines is not an unusual request for a water contractor and they should have equipment to properly locate those lines. It is felt that Miller Environmental should be very familiar with the water lines since they helped in their placement when they failed years back. A motion to instruct the Town Administrator to pursue this matter was called for and Commissioner Doss so moved. This was approved 5-0.

Clerk of the Court, Derrick Lowe, was present for the Swearing-in Ceremony of the newly elected Commissioners. The election results from the January 10, 2011 election are as follows: Mary Carol Durange 118 votes; Joseph G. Letts 101 votes; Lawrence C. Metz 78 votes; Steven W. Vandervort 67 votes and Mark J. Plum 12 votes. The two highest vote earners, Mary Carol Durange and Joseph G. Letts were reelected and installed as Commissioners.

The election of officers was conducted by the Town Administrator with the results as follows:

Robert L. Gell – President 3-2

Mary Carol Durange - Vice President 3-2

Donna M. Sheets – Treasurer 3-2

The Commission officers were duly sworn in by the Clerk of the Court, Derrick Lowe.

Commissioner Donna Sheets opened discussion concerning having a luncheon for Charlestown Seniors. St. John's Methodist church agreed to house the first function with Market Street café providing food. President Gell agreed to fund this from his Discretionary Fund. Publicizing of the event was discussed and the number of attendees was hoped to be around 40. Commissioner Durange noted that Meals-on-Wheels would deliver lunch under certain conditions. This is planned for some time in March. Although no motion was forwarded for a vote, the Board agreed to proceed with the luncheon.

Commissioner Sheets next spoke of Core Design Group's providing a feasibility study and a 3D design of the community /town hall center. The cost would be \$9,000. President Gell noted that Delegate Rudolph

has asked if we wanted him to request a grant for this. President Gell asked if we are prepared at this point to spend \$9,000. Commissioner Letts questioned when it was decided to utilize the old fire company lot; he also reiterated his support for Charlestown's youth (Boys and Girls Club) with his main concern being safety issues.

Discussion ensued concerning not considering building anything due to the economy or moving forward because economy is lower so bids would be less inflated. Commissioner Doss was informed that this project has not been budgeted but President Gell noted that funds are available since this project has been discussed for years. It was mentioned that plans should be made so as to be ready to move forward when funds become available. Commissioner Letts suggested the study financing should be put into next year's budget. Commissioner Sheets made the motion to table this until the budget is discussed. This was approved 5-0.

Dr. Richard Price, Chair of the Charter Review Commission introduced the members of the Commission then spoke about the progress report prepared for the Commissioners. It is felt that the Commissioners should know of the proceedings before continuing with the charter review process.

Commissioner Durange commented against the proposal to change the date of the Town's annual election to November since during general election years it may be confusing because of the other elections going on. She suggested May for the Town's elections. Because of budget review issues, Commissioner Doss feels that September or October would be better months. The Commissioners ultimately agreed that the first Tuesday in March would be the best date.

Commissioner Durange is also concerned about property owners who spend a certain percentage of a year in Charlestown being allowed to vote in the Town election since it may impact their property tax and services in Town. Discussion ensued concerning having multiple properties but having to declare a primary residence in order to not be registered in multiple places. It was noted that their voting would concern the Charlestown only election. In Rising Sun all business owners are allowed to vote but in North East business owners living out of town are not. The Charter Review Commission will try to define residency and the Board can decide what to do. It was suggested that the Commissioners plan to attend the Wednesday, February 23rd meeting (7:00 pm at Town Hall).

The Commission also feels there are some misunderstandings in how the duties of offices such as President, Treasurer and Town Clerk are designated; they would like to better define those roles. The term lengths of the Commissioners are also an area under discussion.

Public Comment

Dennis Taylor – asked about recouping money to repair a water main break. He presumed it was the work done on Water Street where a pole floated into the pipe. He questioned if there is a place in the budget for the infrastructure of the town and the funds needed for this. He also asked about money for the water tower refurbishment and if money was already in place for the work. He also discussed the \$9,000 for the feasibility study and why it is not being spent on infrastructure. He wondered if the Town could have residents contribute to the budget discussions. He also questioned the need for an executive session in order to review revenue and expenditure proposals; he was told that personnel issues are to be discussed.

Ursula Boudart – asked about the community building and if only one company is being consulted for the feasibility study or may we go to other companies. It was noted that the company mentioned has done the pro bono work on this project. She feels this is a long-term goal and we should move ahead with it but we should also get other quotes.

Prosper Boudart – asked why we don't incorporate people from the community for input regarding the feasibility studies for long-term projects. He feels the community could speak through people the Board would select.

Gophery Richardson – feels "Public Comment" should be positioned differently, as much of the agenda items may already be decided before comments are invited. He questioned the use and frequency of Executive Sessions and that budget issues may be discussed there. He noted the loss of road taxes and

the lack of construction at Cool Springs. He suggested the Board hold the line on spending until things will get better and he feels “generating revenue” is synonymous with taking money from the Town citizens. He would like to know the outcome of the executive session as to whether the Town will raise taxes and if public hearings will be held on these issues

Dr. Richard Price – wanted to comment that including senior interests and a new town hall in the community center is a good thing but to be sure to incorporate everything in the comprehensive plan. He would like to see Charlestown become a “senior friendly” location. The Commissioners should present plans with an integrated approach showing how the center would blend with the Town’s image and vision for the future. Commissioner Sheets commented that she is trying to develop the interest of the seniors in order to garner ideas.

Old Business

Wib Pumpaly noted the inclusion of letters from Charlestown residents regarding the boat slip user fee, the Town boat slip fee increase and the cemetery lot once owned by the Holloway family.

- Cool Springs has requested that the Town take over the sewer and water systems since we are currently billing the residents for these services. The Town’s concern is that damage could occur to these systems by ongoing construction which the Town would be required to repair. Charlestown has previously rejected a request to dedicate the roads to the Town. Street signs for the area were also requested. The Cecil County Department of Roads offer ten hours of free sign making service with Charlestown providing the materials. A meeting to investigate this program will be arranged. A Cool Springs PWA states that the Town will install signs with the developer covering the cost.
- Shoreline Erosion Project at Stone Wharf Park, an ongoing project which has been delayed for various reasons, was presented for resolution. When the Town attempted to move forward by obtaining permits, the agencies involved commented that they felt the “Living Shoreline” plans were not suitable for the area. A retaining wall above the mean high water line was suggested by all the agencies involved. A quote was received from Edward Howe & Associates for a retaining wall project and it is believed the project can be completed for \$35,000 to \$40,000. The Commissioners were asked to decide on which proposal to pursue. It was noted that the Town owes Maryland Department of the Environment approximately \$16,000 (as a zero percent, 20-year loan) for all the now useless design work that Coastline Design has done. President Gell asked for a motion to terminate the “Living Shoreline” plan with MDE and explore a rip-rap retaining wall plan which Commissioner Durange then put forth and was approved 5-0.

Town Administrator’s Report

New Business

- Town Attorney candidate prospects were asked of the Commissioners as the Town must find a new attorney. Bios for those attorneys included in the books as is an example of another town’s hiring method and request for proposals. A decision is needed to decide if we should advertise or go with the attorneys listed. It was noted that advertising may prolong the process. A suggestion to contact the Cecil County Bar Association and have them advertise was made. Commissioner Doss motioned to advertise and ask for proposals to be submitted within ten days. This was approved 5-0
- December Budget Review
- December Cash Balance Review
- December Accounts Receivable Review
- December Fuel Report Review – Southern States Cooperative will be delivering the diesel fuel tank and the new Town truck should arrive in the next few days.
- December Maintenance Work Order Review

- December Building Permit Review

Mr. Pumpaly is currently working with the Department of Housing and Community Development to acquire a loan for four projects and he has already met with Charles Day. Applications for water tower refurbishment (\$250,000); phase 2 of the Town Hall drainage project (\$100,000); Artesian emergency interconnect (\$60,000) and the multi-purpose community building (\$1,500,000) are being completed. The approval is quite lengthy and if the loans are approved, the Town must decide if they actually want to use the money since it is low interest, long-term but not free money. The water tower, artesian interconnection and the drainage project are all in the current capital budget. Draft copies of the RFP and other dates concerning the water tower project are in place and have been reviewed by an attorney. This information has been sent to Maryland Environmental Services.

A budget amendment #3 is required in order to increase truck repairs, fuel, snow removal, streets and street lights. Commissioner Durange motioned to allow the amendment and all approved 5-0.

Commissioner Doss asked to be excused from his P&Z position since increased travel for his work makes it impossible to attend the meetings. Commission Doss recommended Commissioner Letts but he declined. President Gell offered to cover this position.

Commissioner Sheets opened a discussion of the Charlestown Manor and Trinity Woods sewer charges being paid by these communities for the past 20 years in spite of a contract which states that "all annexed areas" should get the same rate as the rest of Charlestown. Contact with the County Commissioners did not affect a change and she would like to continue to pursue the issue. She feels that, to be fair, all residents of the Town should receive the same sewer bill. She would like all citizens of Charlestown to be treated equally. She feels that the Town has not looked out for its people.

She asked for Commissioners to go to the County with her to discuss this once more. President Gell asked the Board if they want to support Trinity Woods and Charlestown Manor in pursuit of this effort. Commissioner Doss feels Charlestown should be living by the letter of the contract. Commissioner Durange made the motion to have new Town Attorney review the contract and for an opinion. This was approved 4-0 with one abstention.

President Gell noted that WILMAPCO is preparing their transportation plan and is requesting suggestions for consideration. Commissioner Durange asked to have them try to get a bus stop in Charlestown.

Commissioner Durange made the motion hold an Executive Session. This was approved 5-0. The public portion of the meeting adjourned at 8:31 pm.

Executive Session

Executive Session Meeting Minutes

January 25, 2011

The meeting was called to order at 8:41 pm by President Gell.

Present were: Mary Carol Durange, Donna Sheets, Joe Letts, Mike Doss, W. D. Pumpaly, Emily Fletcher and Robert Gell

Mr. Pumpaly presented the revenue picture at the State and County levels and the potential impact on Town revenues. He discussed possible remedies to deal with the short-fall, including new revenue sources, such as, a slip user fee, boat ramp fee, increase in the Town boat pier rent, expanding the cemetery, and adjusting sewer and water rates. Possible budget reductions included: reducing personnel positions, shifting health insurance costs, freezing salaries, and rescheduling refuse pickup.

Donna Sheets moved that the meeting adjourn at 9:04 pm seconded by Mike Doss. Vote 5-0.

Submitted by Linda Jackson