

Town Commissioners' Meeting

Minutes

July 13, 2010, 6:30 pm

This meeting was called to order at 6:30PM pm by Commission President Gell. Also in attendance were Commissioner Durange, Letts and Sheets.

The Pledge of Allegiance was led by Ryleigh Johnson.

The Accounts Payable Report was reviewed and Commissioner Letts motioned to accept and all approved 4 -0

The minutes from the June 22 meeting were reviewed and Commissioner Letts moved to approve them as written. Approval was 3 -0 with 1 abstention.

Robert Corn of Miller Environmental presented the June water treatment and activity report. Mr. Pumpaly discussed his correspondence with Miller Environmental's, George Smith, regarding Charlestown's request to receive testing results. It was indicated that Atlantic Coast Labs has the responsibility to send test reports to the State. As requested, it was agreed that Charlestown, as well as Miller Environmental, will receive reports from Atlantic Coast Labs.

Ron Edwards was present to speak about soil testing at the Cecil House. Recent structural analysis recommended this procedure to determine the bearing capacity of the soil. Two quotes have been received. One company's quote involved a drilling rig to do an extensive soil test. The other company's quote involved hand boring and would not exceed \$1,200. The Restoration Board would like to request approval for the \$1,200 testing as this needs to be done to determine the ability of the surrounding soil to support the foundation and thus the whole project. Commissioner Durange made the motion to allocate the \$1,200 which was seconded and approved.

Mr. Edwards noted that the Maryland Historical Trust has requested a conceptual plan for the Cecil House project. This is being prepared for them and the Commissioners will be kept informed of the progress in this area.

As a result of three Charlestown houses having been on the Maryland House and Garden Tour, Cecil House will receive \$362.67 from the proceeds. Mr. Edwards will send them a thank you note.

Doris McDaniel was present to request that the Commissioners consider naming the Ice House in memory of "Cran" Henry before Mrs. "Dolly" Henry passes. Apparently Charlestown has the last standing Ice House on the Chesapeake Bay. President Gell asked if it would be more fitting to name the Athletic Complex in Cran Henry's honor. Mrs. McDaniel's noted that the athletic complex was sold to the town but the ice house was donated so she would like the ice house to be memorialized. Mrs. Henry will be asked if she had a preference. Edgar McMullen felt that the Ice House should be named for Harry Barnes who built and used the facility instead of the last person to own it.

Public Comment - Earl Piner, Elkton Town Commissioner, spoke to introduce himself and to explain how he likes to observe how other towns work.

Mr. Confalone spoke of information from a June meeting concerning complaints about beach activities. Several Water Street residents hope for a plan to ease the current load on the parks and especially

parking. A lack of signage designating park locations, where kids are allowed to swim (or not) and designated areas for parking are problems. The boat ramp and kids jumping into the area is also a concern. There are parking areas that could be used and Commissioner Letts said that this is something we have to work on for next year.

Steven Vandervort spoke in support of the Boys & Girls Club. He feels the Club is a good neighbor and should be kept in Town. In prior years there were many problems with kids and the club has helped with these problems. He feels the Commissioners should put as much effort in finding solutions to the problems as in finding the problems. He hopes the Commissioners want to be remembered for making the Club safer. He reminded the Commissioners to make use of the B&G Club resources. He mentioned that some items may be "grandfathered" and there could be some compromise available for the safety repairs.

Mary Jo Jablonski , Interim Director of the Boys & Girls Club of Cecil County, was present to speak about the safety concerns at the Charlestown club. Having seen the report developed by the Town Ms. Jablonski mentioned that they have corrected some of the issues but some things cannot be addressed because they do not own the house. Martha Barchowsky, 1st Vice President of the Boys & Girls Clubs of Cecil County, expressed concern that some of the things should have been part of their routine business. They are in process of making changes in policy to address this issue.

Commissioner Letts spoke to reiterate that his concern has always been with the safety of the building. A change of use permit had been started but not completed. He wanted to make sure the building was brought up to where it is safe. Commissioner Sheets suggested the Commissioners meet with the B&G Club board to discuss the safety concerns and determine if the "Club" has resources that may correct any deficiencies. The B&G Club organization would like to help out in any way they can to alleviate repair costs.

A recent inspection by the State Fire Marshall listed deficiencies in fire safety requirements and gave Charlestown 30 days to institute corrective action or the use of the building will have to be discontinued. Mrs. Jablonski said that arrangements can be made during the summer program to move the children to North East and Rising Sun so that inspections and repairs can be made with the children out of the building. She mentioned a member of their Board, who is with Cecil County Emergency Services, had also expressed concern over some of the items in the building as well.

President Gell asked to have a list the items that can be done by the Town maintenance staff as compared to items needing contractors. President Gell asked if Commissioner Sheets would chair a committee to meet with Mrs. Jablonski to start work on this project.

Town Administrator's Report - Old Business

The Encroached Slip Lease Agreement with North East River Marina was presented for approval. The previous lease expired in April 2010. After making a change in Section I, the document was reviewed by the Town attorney who said it was acceptable. Commissioner Durange made the motion to accept the lease for signatures and all approved 4-0.

320 Tasker Lane court date is scheduled for August 24th at 8:45 am. Mr. Pumpaly plans to attend and feels others should also attend. Recently there has been activity on the property and a resident stated that it appeared on the recent county "Tax Sale" list.

8 Louisa Partners principle approached the Town with a settlement agreement and release. There had been a court date to settle a bulkhead easement disagreement. After a Stop Work Order was issued for a water line installation on a parcel that has an easement forbidding work above or below ground, 8 Louisa Partners agreed to cancel the bulkhead easement court case if the Town would cancel the other easement on the northerly parcel. Respective attorneys drew up the agreement which the Town attorney has reviewed. The court case will be cancelled, the bulkhead property can be leased with a new agreement as needed and we give them the ability to use the northerly portion of the property except where the utility easement is still in place. This requires the Commissioner's approval. Commissioner Sheets made the motion to approve and it passed unanimously 4-0.

Town Water Tower Refurbishment – Mr. Doug DeClerk of Maryland Environmental Services (MES) did an analysis of the water tower, inside and out, and has submitted a proposal in regard to the tower 's refurbishment. He noted that the inside wet chamber is in good condition with no need to do anything for perhaps 10 years but he recommends re-inspecting in 5 to 6 years. The interior dry chamber (at the base, where the laboratory is located) is in fair condition with some deterioration but with no major concerns. It would be cost effective to have contractor who does work on outside also touch up the dry chamber.

The tower exterior requires the most attention with two ways to handle the problem: Spot treat the bad areas and then repaint the entire tank or strip entire tank to bare steel before primer and finish coats. Cost for spot recondition and overcoat is \$100-\$150K and should last 8-12 years or more if the work is done carefully. The full reconditioning should last 20-25 years and would cost \$300-\$325K. Reconditioning the inside, dry chamber would cost an extra \$20-\$50K. Relocating the cellular antennas would be an additional expense. Mr. DeClerk recommends decommissioning the tank for a period of time so the coating system will be most durable. They can provide a 15,000 gallon pressurized tank at an additional cost of around \$30,000.

It was noted that contracts are written that give the contractor a time frame and they must do the painting under the conditions acceptable to the paint recommendations. The time of the year in which the work is to be done is very important. The Town can write in a day -for-day extension of the contract for adverse conditions during the time frame of the contract.

Cellular antenna and cables on top of the tank violate OSHA regulations the providers should be made to address these unsafe conditions. During the reconditioning process, relocating cables to the inside of the tank, repositioning of the antennas and installing a hand rail at top of tank, positioned so there is room to stand on either side, should be accomplished by the cellular and cable providers. The cables and antenna would then be relocated to this hand rail thus eliminating the OSHA violations. The Town should consider being flexible in perhaps sharing of the cost (approximately \$25,000) of the handrail with the cellular and cable providers as opposed to perhaps having these companies leave.

MES's role is to prepare the specifications, documents and assist with the bidding process with the cost being \$3500. MES has two approaches in serving as project consultant and quality assurance inspector. They can do critical phase inspections or, if needed, full-time inspections each at a cost of \$975 per day. It was noted that contractors do not warranty their work for more that two years. MES will not decide the level of supervision until the project has been bid.

Mr. DeClerk spoke of the financing arrangement recently negotiated by Perryville with their contractor for extended payment terms. This involved payment of 25% at the time of mobilization, 10% upon completion of interior work and 10% upon completion of exterior work. The contractor would get 5% for accepting the work. In essence the contractor would have 50% payment at completion of the job. Over the next 5 years percentage payments are made on the anniversary date of the project completion. This was the first ever attempt at financing a project through the contractor.

Mr. DeClerk recommended A-1 contractors for the overcoat work but recommended going with the complete stripping as stripping should last the longest. It was noted that a tank can be over coated just so many times before it must then be stripped down completely and refurbished. The next step is for the Commissioners to decide between over coating or complete stripping. After that decision, a plan would be set up with MES. Then the Town would meet with the cellular and cable carriers noting that if the Town opts for the complete stripping, the cables and antennas must be removed.

Town Administrator's Report - New Business

The possibility of increasing parking spaces for Veterans Park by installing diagonal parking on Water Street in front of the Wellwood Restaurant and the Charlestown Marina was presented for discussion. At least 10 spaces could be obtained by doing this. An area in front of Boys & Girls club should be designated for loading and unloading only. The stop sign at Caroline and Water Streets should be defined with a white line to increase its visibility. Mr. Pumpaly has received one estimate for all of the above work but he is waiting for other quotes.

Discussion was initiated concerning the Town's annual donations to the Charlestown Fire Co., Riverfest and the Historical Commission. Commissioner Sheets mentioned that if we commit now to placing an ad in Perryville High School's yearbook, we would get a \$50 discount. Since these monies are already included in the current budget, it was suggested that we may as well get it done at this time.

There being no further business, Commissioner Sheets motioned to adjourn. Meeting adjourned at 8:57 PM.

Commissioner Letts made the motion to call an Executive Session which was approved 4-0.
Executive Session