

**Town Commissioners' Meeting
Minutes, June 14, 2011, 6:30 pm**

The meeting was called to order at 6:30 pm by President Robert Gell. Also in attendance were Commissioners Michael Doss, Mary Carol Durange, Joseph Letts and Donna Sheets.

The Pledge of Allegiance was again led by Ryleigh Johnson.

The Accounts Payable list was reviewed and Commissioner Sheets moved for acceptance and this was approved 5-0.

The Minutes for the meeting of May 24, 2011 were reviewed and Commissioner Sheets motioned for approval which passed 5-0.

Miller Environmental report for May was not available in time to be included on the agenda. Robert Corn delivered the report concerning water treatment, meter readings, replacing pumps, registers and meters and water leak at Charity Court.

Sheriff's Report for May was not available. Commissioner Letts assured the Board that the report will be available on 6/15/11.

Commissioner Doss opened discussion of the Rental Unit License Fee proposal. Commissioner Sheets requested more detailed information on this proposal and, further, she feels this is a complaint driven item. President Gell feels this is not really a revenue-generating item.

It was noted that Perryville employs a code enforcement officer as a result of their Rental Unit License Fee Ordinance, and, for Charlestown this position would affect any revenue generated. Perryville's ordinance is the driver for landlords to register their rental properties.

Commissioner Sheets feels this would prevent slum-lord rentals and tenants having rowdy parties.

Enforcing of the provisions involved in the proposal would require a code enforcement officer and police back-up. Discussion arose between President Gell and Commissioner Letts regarding the difference between disturbances by property owners and those of renters. Commissioner Durange expressed concern with the enforcement issue, since, right now, Charlestown has problems enforcing other things in town without adding this. It was questioned whether there is a law in place for common nuisance for homeowner as there is for renters.

Commissioner Doss asked the Board wanted to move forward with the proposal; if so, options need to be gathered. Commissioner Doss then made the motion to pursue further study of the Rental Unit Tax. This was approved 4-0 with one abstention by President Gell.

Emily Fletcher presented Budget Amendment #1 for the 2011/2012 Fiscal Year. This amendment addresses issues concerning a Federal Unemployment calculation, elimination of an hourly employee position, a grass maintenance contract and an increase to the Trinity Woods Playground expense. Commissioner Durange motioned to pass Budget Amendment #1 (2011/2012) and this was approved unanimously 5-0.

Commissioner Durange raised discussion regarding the Police Protection Budget reinstatement request as she suggested reinstating \$1000 instead of \$2000. Commissioner Sheets feels that the Police Protection should be reinstated at \$2000. Commissioner Doss motioned to reinstate \$2000 (from Long-Term Savings) to the Police Protection Budget and this was approved 5-0.

Town Administrator's Report

Old Business

- The Commissioners were asked to suggest areas Charlestown should pursue regarding the Casino Revenue Grant applications which must be submitted by 6/17/11. Funds for street improvements and infrastructure upgrades were suggested.

- A “Trash Collection Services” Public Notice was presented for review. This will be run in the Cecil Whig, mailed and possibly delivered door-to-door. This notice indicates changes to the trash, recycling, yard waste and bulk pick up dates. Commissioner Sheets suggested including information in about construction material and a phone number to call for bulk pick up appointments. A more detailed letter explaining the details of each category will have to be developed. President Gell requested an ordinance be devised for the next schedule meeting regarding this change in order to establish rules and procedures. A comment about the disposition of washed-up trash from storms along the shoreline was made. It is possible that storms could generate an exception. Commissioner Sheets made the motion to publish the announcement as indicated. Further discussion requested a provision regarding flotsam from storms being placed in the letter detailing categories. This was approved 5-0.
- 10 Worst Pot-Holes in Charlestown up-date discussion revealed that McGuirk Construction should be starting on Louisa Lane within a week with most of the other locations to soon follow. The boat ramp handicap parking area (we have grant money for this project) is waiting on information from Ken Ropp. The Calvert and Market Street drainage project is held up pending installation of a final grill.

New Business

- May Budget Review showed that revenues are staying slightly ahead of expenditures. Utilities are short due to housing starts, but, overall, the budget is still ahead.
- May Cash Balance Review
- May Accounts Receivable Review – Since this report was generated, all boat slips have been filled.
- May Fuel Reports (Gas/Diesel) caused concern over low MPG on the new diesel truck.
- May Maintenance Work Order Review
- May Building Permit Review

President Gell mentioned that WILMAPCO is working with the County to develop a cycling path throughout Cecil County. They will be contacting municipalities about painting a bike path stripe along the road. The Commissioners were asked to consider where they would like to direct bicyclers to go along this path.

Period of Public Comment

Any resident who wishes to comment on this proceeding, or who may have comments for the good of the Town of Charlestown, may offer their comments to the Commissioners for a period of not to exceed (5) five minutes. All residents offering comments must first sign the “Public Comment Speaker” roster.

Gophrey Richardson commented that he feels if a renter breaks the law it should be dealt with by the police in the same way as if a property owner breaks the law. Let law enforcement deal with it; don't put Charlestown in the middle. He questioned the reason for the Executive Session on this agenda as the guidelines are quite narrow; also mentioning a previous executive session when the Board later apologized for having held the session in apparent error. President Gell explained that the subject of tonight's Executive Session will be disclosed later.

Gloria Wood wanted to let the Commissioners know that the new bulletin board looks very nice.

Ursula Boudart asked the reasoning behind the landlord tax and if landlord registration will be required. Commissioner Doss explained that there are problems with some Charlestown rentals because non-residents landlords are hard to contact when needed to take care of their tenants. Ms. Boudart feels there should be no problem contacting landlords as Charlestown should have record of the homeowners. She feels Charlestown needs to treat owner-occupied property the same as landlord-owned, tenant-occupied property. Commissioner Sheets suggested she list her concerns so the Board can submit this,

along with their questions, to Charlestown's attorney. Commissioner Doss expressed his thanks for her comments.

Rogers Clements a resident-landlord in Charlestown mentioned that his properties are in better condition now than when he got them. He cares for the properties and sees that the grass is kept cut and maintenance kept up. He has never had an incident where the police have been called on any of his tenants. As a landlord he takes care of his tenant problems. He feels enforcement of the current homeowner laws are sufficient without additional laws or ordinances.

Gary Woods, who is not a landlord, feels basic justice means that everyone is treated equally. He feels that the problem the Board is trying to take care of can be done without special rental law enforcement. He feels this idea would create more problems, more laws and there are enough laws on the books and enforcing these would solve the problems.

Dave Jarinko commented on the rental ordinance as being complaint driven. In his previous State employment capacity only about 15 to 20% of complaints resulted in action. Most of the complaints were frivolous or marginal. He feels that an attorney and the police department should be consulted to determine what qualifies as a valid complaint.

Ken Confalone asked if water quality testing was done at the Parks in Charlestown. He was informed that the County Health Department does this testing and issues the report.

Ursula Boudart asked if any action was being taken as a result of the "Parks Committee's" recommendations. This will be placed on a future agenda for action.

Commissioner Doss requested an Executive Session to discuss the C-Dock law suit status.

Commissioner Letts made the motioned to enter into Executive Session. This was approved 5-0.

Commissioner Sheets motioned to adjourn. Meeting adjourned at 7:47 PM

The meeting normally held on the fourth Tuesday of the month, will be cancelled, since the Commissioners will be attending the annual MML convention that week.

Executive Session – Commissioner Doss

Submitted by Linda Jackson

NOTE: The tape of this meeting was not started properly, so there is only a partial recording.