

TOWN COMMISSIONERS MEETING  
MINUTES  
March 24, 2010

The meeting was called to order by President Robert Gell at 7:30 pm. Also present were Michael Doss, Mary Carol Durange and Donna Sheets. The Pledge of Allegiance was once again led by Ryleigh Johnson.

The accounts payable report was reviewed with Commissioner Doss motioning to approve and all agreed. 4-0

Minutes from the previous meeting (March 9<sup>th</sup>) were reviewed with Commissioner Doss forwarding the motion to accept them as written with a correction. This was approved 3-0 with 1 abstention.

Cpl. Adam Streight was in attendance to present the patrol report for February 2010. He explained that because of the snowstorms there was little activity and some allocated hours were not used. A question was answered about the nature of a break-in at a construction site in Cool Springs. Cpl. Streight gave a brief explanation of “foot patrols”.

President Gell forwarded the nomination of Rebecca Phillips to the Cecil Hotel Restoration Board. Commissioner Sheets made the motion to approve this appointment and all approved.

Public Comment: A resident, Tom Kenny, commented on the apparent demise of the “Neighborhood Watch” program. He hopes the program would be revived now that summer is on its way.

Commissioner Letts arrived at 7:45 pm.

Town Administrator’s Report -

**Old Business**

- The property at 310 Cecil Street which has been inspected and condemned three times in the past 5/6 years was presented for discussion. A letter resulting from the most recent inspection of January 20<sup>th</sup>, indicated that the dwelling is unsafe for human occupancy, is a danger to the public and must be razed before March 22<sup>nd</sup>. Since no action has been taken, the case has been sent to the Town attorney for appropriate action. Charles Murphy, the owner, was present and explained that he was told he had only to make the structure safe by boarding it up. He planned to do cosmetic improvements as well. The Commissioners questioned why he has yet to correct the problems and were very concerned with the possibility of fire. Mr. Murphy requested we stop the legal action. There was no motion to rescind the legal action since this action would set a precedence. It was suggested that when submitted, his demolition permit be expedited.

- Two structures at 240 Frederick Street have also been inspected and posted as unsafe. It was noted that the buildings could be boarded up but for no more than a year. After that time the property must either be brought up to code or demolished. It was noted that since Charlestown's zoning regulations are silent on this issue, the Town adheres to the County's requirements. If the structures are not repaired or demolished by April 17, 2011, the Town attorney has been instructed to notify the homeowner that the Town will begin legal action.

(Commissioner Doss suggested that the Board of Commissioners should direct the Planning & Zoning Board to review sections of the code and make recommendations for updates. President Gell stated that he would draft a letter to the Planning & Zoning Board asking them to review the code. Commissioner Letts mentioned a proposal to begin a review of the Town Charter. Nominations for a charter review board will be discussed at a future meeting.)

- Before beginning discussion of Charlestown's present tax rate, President Gell made mention of the State's efforts to permanently curtail the Highway Revenue fee reimbursements to the counties and thus affecting individual towns. The constant yield tax rate for Charlestown is now \$.28/100 which makes the Town exempt from having to advertise and hold public hearings because this rate will not generate more than \$25,000 from the previous year. The Administrator would like permission to draft a letter to the County to inform them that we intend to hold our present tax rate. Commissioner Letts made the motion to hold the present rate and it passed unanimously.
- Proposals for the 630 Water Street code analysis for "change of use". Three quotations were presented to do this analysis. The cost of the needed changes is the highlight point in each proposal. Discussion ensued concerning the need to be sure the facility is safe for its intended use. None of these proposals will include architectural drawings. Commissioner Letts moved to have Engle Architects (for \$1,600) do the code analysis and all approved. The definition of the term "Place of Assembly A-3 Club" was questioned and an effort will be made to determine if this is the proper nomenclature.
- Mr. Pumpaly mentioned his discussion of 320 Tasker Lane situation with the Town Attorney who will be moving forward on filing a zoning violation complaint with the District Court.
- Mr. Pumpaly mentioned the recent bulkhead lease termination with 8 Louisa Partners. After having met with the Town's attorney, the attorney for the "8 Louisa Partners" conceded that the Town has a strong position and have asked the Town for a lease proposal. The Town's attorney has been asked to draft a 10-year, renegotiable lease proposal similar to other marina leases we now have in place. Utility and general easements and zoning restrictions for the property were also discussed.
- Since having discussed Charlestown Marina's overhead wire problems with the Town attorney in March 2009, resulting in no action, Mr. Pumpaly recently requested very aggressive action to resolve the issue. As a result the situation has been brought to the attention of County Permits and Inspections and the County Electrical Board who have been inspecting the area.

### **New Business**

- A Mr. Don Schwartz came to the Town to inspect Holloway Beach with an eye to engineering solutions for that area. He advised that Cecil County has applied for \$2.6m to install sewer collection in Holloway with projected completion by 2014. Their firm (HRG Engineering & Related Services) submitted a proposal to do a “Holloway Beach Feasibility Study” at a \$15,000 cost. Commissioner Letts wondered why Charlestown would expend Town funds for this non-Town area. It was suggested that perhaps this firm’s proposal should be presented to the County for their consideration.
- It has been learned that non-capital grants from the Maryland Historical Trust for this year have been set at \$228,000 for the entire state. Cecil Inn Restoration funding states that the Town would share 50% of any grant. Resolution 2010-02 is being presented for signature to accompany the grant application for \$34,500 and stating that the Town would contribute \$17,250. Commissioner Doss suggested that in these financial times the Cecil Inn restoration should wait and general opinion held that repairing and maintaining the Town streets should be a priority. As a result, an extensive discussion concerning street maintenance ensued and President Gell requested an update of street maintenance projects. Commissioner Letts put forward the motion to apply for this grant and it was approved 4-1. President Gell stated that he will be using some President’s discretionary fund money for a sign at the Cecil Inn explaining the restoration effort.
- Charlestown has the opportunity to submit for reimbursement expenses incurred as a result of the recent snow events however this must now be submitted through FEMA and not the County. Charlestown must have a resolution in place to adopt a Hazard Mitigation Plan to be incorporated into the County’s Plan in order to remain eligible for FEMA assistance. Commissioner Doss moved to approve the resolution and all approved.
- The Administrator asked that he be allowed to seek a ground water appropriation permit for 257,000 with maximum daily flow not to exceed 350,000 gallons per day an increase of 50,000 gpd. An adjunct discussion occurred concerning painting the water tower and exploring the possibility of “piggybacking” on a Perryville proposal. President Gell motioned to pursue increasing the groundwater appropriation permit and all approved.
- Cecil County Commission meeting on May 18<sup>th</sup> will be held in Charlestown. It was suggested that the Town should make provisions for their supper. Commissioner Doss made the motion to make reservations at a local restaurant. After discussion, and with no second offered, he withdrew the motion.
- Again McMahon v. the Town of Charlestown concerning an incident at the landfill in February 2010. This has already been found in the Town’s favor but McMahon continues to appeal in Circuit Court.

The MML Convention registration forms were presented to the Commissioners to be filled out and returned for submittal.

Commissioner Letts began by speaking of the numerous times he has been questioned by residents wanting to know when Charlestown will have its own police department. He

expressed that this proposal should be brought to the residents for their consideration. Commissioner Letts spoke of his and Wib Pumpaly's recent investigations into two local police departments' expenses. He presented paperwork outlining many of the details involved in this undertaking.

Commissioner Letts mentioned that he would want to hold meetings to explain the proposal and to hear various suggestions to find out if a Town police force is actually desired by the residents. Questions about facilities were brought up as were questions about various other Town's police forces.

It was mentioned that a speed indicator sign will be made available to borrow, perhaps this summer.

President Gell spoke of meetings to explain the provisions of the proposed County Charter. He also mentioned the dedication of the Elkton water plant on April 30<sup>th</sup>.

Commissioner Doss mentioned the Delmarva transformer and bollards associated with the new pump station that are too close to the roadway and on Town property and which are also located atop well water and telemetry lines. The present location is different from that which is shown on the approved plans.

Mr. Pumpaly reiterated that the Commissioners please not forget his "Capital Wish List".

Commissioner Sheets motioned to adjourn the meeting and all approved with the meeting adjourning at 9:45.