

**TOWN COMMISSIONER'S MEETING  
CHARLESTOWN, MARYLAND  
May 14, 2013**

The Town meeting was called to order at 7:00 PM opened by President Robert Gell. Commissioners present were Renee Capano, Kenneth Confalone, Joseph Letts, and Bruce Hechmer.

Pledge of Allegiance was led by Dennis Taylor

Approval of the Minutes – April 23, 2013 – Commissioners Letts motioned to approve and it was seconded by Commissioner Renee Capano. All were in favor, approved 5-0.

Accounts Payable Review – Charlestown Commissioner Confalone motioned to approve and Renee Capano seconded it. All were in favor, approved 5-0.

Miller Environmental Report (April 2013) – Robert Corn reviewed the past months water service and stated that 2,310,000 gallons of water were produced. Two routine water samples were collected and they came back negative. They did various activities including water leak checks, meter readings, water turn on, meter register and water meter replacements. All routine maintenance was performed as scheduled. Commissioner Hechmer questioned Mr. Corn regarding a citizen requesting a separate water meter for their sprinkler system. Mr. Corn indicated it is possible, but it would require an entire separate service and an additional connection fee with a minimum payment. Commissioner Hechmer asked if it would be a separate crock and meter. He asked if a separate service is installed after the meter service. Mr. Corn said anything installed after the Town's meter service is the resident's responsibility. His opinion is the resident needs to talk to the County. Commissioner Hechmer asked if they could put a meter in before the house meter. There was further discussion. Mr. Corn said there are many concerns but that he thought it could be possible. President Gell asked if the telemetry project is coming back on line. Mr. Corn indicated they have been unable to contact the present contractor, so they are bringing in another contractor to complete the work. Commissioner Confalone asked about the current system if it is online and Mr. Corn said the alarm system is currently functional.

Sheriff's Report (April 2013) – Sgt. Ron Schmidt presented the report for April 2013. Town approved 140 patrol hours, 133 were filled. He reviewed service calls which ranged from burglaries down to ATV complaint.

Commissioner Confalone asked if the armed robbery that occurred at Market Street was still under investigation. Sgt. Schmidt indicated it was still ongoing. Commissioner Letts wanted to address that there were 3 to 4 burglaries in Trinity Woods and he wanted to commend Sheriff Schmidt and his group as they arrested 3 suspects and have them in custody. Mrs. Boudart commented that there are a few houses that are vacant and she knows that Commissioner Letts checks them regularly.

Mr. Pumpaly said that he has had a complaint about ATV in the woods in Trinity Woods. Sgt. Schmidt said that they have spoken to the persons riding the ATV and taken their names and have warned them.

Open Meeting Bills (HB 139 & HB 331) – Commissioner Gell reported that the legislature passed two bills regarding closed meetings. Towns will be required to designate at least one elected or appointed official to receive training on the requirements of the open meetings law. Commissioner Capano asked if this is the same course that she has taken, Dr. Gell said it is the same and that it will be on-line and available at the MML Conference.

2013 – 2014 Final Budget Review/Resolution – Emily Fletcher presented the Fiscal Year 2013-2014 Budget for approval by the Commissioners. Resolution #2013-2014 was presented for approval with note that the budget as presented will be available to the public on the Town's website. Commissioner Capano asked Mrs. Fletcher to clarify concerning the amortization of the generators for the water tower. Mrs. Fletcher stated that they are shown in the capital equipment as we are saving for them. Commissioner Hechmer stated that "personally he feels we should push to get that done this year". Mrs. Fletcher said that if we had the money we could get the generators this year.

Commissioner Confalone motioned to approve the final budget and to post it on the website. Commissioner Letts seconded it. All were in favor, approved 5 – 0.

Developers Water Assistance (Cool Springs) – Commissioner Confalone discussed the amount due from developer Jim Lambdin (Cool Springs) due to the Town in the amount of \$155,000. He stated it is not currently on the financial statements but it is being satisfied as the individual properties in Cool Springs are being developed. It is going to be placed on the financial statements as of the end of the fiscal year, as it is a conditional receivable. It will more than likely be listed as a note to the financial statements. A recent change in law indicates that your auditor can tell you that something is incorrect, but they cannot give you advice as to how to correct it. This was cited in last year’s audit as a deficiency, common to small municipalities. Commissioner Confalone believes that sufficient amount of training through MML should be provided to Commissioners and staff to ensure situations “are handled properly”. Additional discussion ensued about the use of funds. Commissioner Capano inquired about the \$50K previously mentioned by former Commissioner Vandervort and it was answered that the \$50K was not given to the town as yet, as it is conditional to be used for a water related project. Mr. Pumpaly stated that there may be some differences in how the contract is being interpreted. In item 5 it states that the \$50K is to be used for a new well that can pump 80 gallons per minute and any moneys left over can be used for other water related projects. He feels we need clarification on this agreement from Lambdin or the Town’s attorney. Commissioner Confalone stated that he feels the engineering cost to determine about the new well would qualify. Mr. Pumpaly also questions whether a new well is really necessary and that we need to consider our ground water appropriations agreement. Commissioner Hechmer respectfully disagrees. He understands that the “any portion” of the funds that are not needed for a new well, can be used for another water related project. He stated that we should ask the developer for reimbursement for the work that we have been doing on the telemetry project. Commissioner Gell stated that it would need to be declared that a new well is not necessary.

Fees and other Issues Relating to Water Administration – Emily Fletcher discussed issues regarding properties that are owned and rented out to tenants. She presented a proposal to have all original utility bills be sent to the landlord with the option of a copy being sent to their tenants. In addition, payment plan requests must come through the landlord, not the tenant. Further discussion ensued about just sending utility bills to landlords only. Agreed this is an administrative procedure. The proposed fee increase is for the NSF(returned check) fee to increase from \$25 to \$35, the Turn Off/On fee to increase to \$75 from \$50 and to keep the meter reading fee the same (\$25). It is also proposed to have tier credit card processing fee;

- \$0-\$200 \$5.00
- \$201-\$400 \$10.00
- \$401-\$600 \$15.00
- \$601-\$800 \$20.00
- \$801-\$1000 \$25.00
- Over \$1001 \$30.00
  
- Payment Plan fee \$25.00
- Meter Lock Replacement fee \$50.00 (for locks cut off by resident)
- Tax Sale Processing Fee \$100.00 \*New

Utility Billing Fee Increase Proposal; Commissioner Hechmer motioned to approve all changes except increasing the turn off/on fee, so that will stay at the current rate of \$50.00. Commissioner Confalone seconded. All were in favor, approved 5-0.

Resolution 2013-02 – Sewer/Water Rate Increase – Mr. Pumpaly presented Resolution 2013-02 for approval by the Town Commissioners. Commission Hechmer motioned to adopt Resolution 2013-02, President Gell seconded. Further discussion was made by Commissioner Hechmer regarding comments made by the public in the public hearing. He addressed several misconceptions that were said about the Commissioners lining their pockets and Mr. Pumpaly pushing his influence on Commissioners. He said another comment was made that rates shouldn’t be raised today when it isn’t needed. Mr. Hechmer said as a board we need to be responsible and pro-active to prepare for the future needs of the Town. Commissioner Confalone said he is ok with the rates. He said his problem is with the lack of specification between residential and commercial consumers. He feels there should be clear and specific language to address both residential and commercial service. Commissioner Confalone would like to amend the

resolution to incorporate the proper language. Commissioner Capano said she agrees with Commissioner Hechmer that the Board needs to plan for the future as the funds and bonds may not be available. Commissioner Letts motioned to table the resolution until the next meeting and Commissioner Confalone seconded it. All were in favor to table Resolution 2013-02 until the next meeting, Approved 5 – 0.

Cecil County Bike Committee – Mike Burns was asked by the Town to represent Charlestown for the Cecil County Bike Meeting. He reported that Cecil County is planning to apply for a State bike grant for “minor retro fit and signage”. It is in conjunction with the Master Cecil County bike plan and is due in early June. The portion to Charlestown would provide bike racks and bicycle warning signage for Route 7 and Route 267 in and approaching Town. Mr. Burns wanted the Commissioners to know that through Maryland Bike Ways there are matching grants for developers to add bike paths, racks, etc to make the area more bike friendly. Commissioner Capano inquired about Cecil Transit and bike racks on the front of buses and Mr. Burns said that “yes” that Cecil Transit and Harford County are equipped with racks for 2 bikes and bikes are not any additional fee.

## **Town Administrator’s Report**

### **Old Business**

“C Dock” Transformer Agreement – Wib Pumpaly indicated Commissioners approved two contractors to do the work. The Town attorney was given the information and a draft agreement with comments was sent to the Marina’s attorney for approval. We are awaiting a response from them.

Wib Pumpaly presented information regarding the proposal to renovate the Ice House. Upon preparation of repairing the roof on the shed portion of the Ice House, it was found the roof and wall supports were in very poor condition so this was put on hold and Mr. Pumpaly hired a termite inspector. It was reported there is old damage, but there is not current termite activity. Mr. Pumpaly has gotten some pricing on the cost to rebuild the shed portion of the structure. He hopes to renovate the entire building and secure the building as a future museum. He had most recently discovered that there are artifacts pertaining to the Ice House being held at the Upper Bay Museum. Mr. Pumpaly has sent a letter to Delegate Rudolph regarding possible funds. They would be matching funds, but would not be available until the next fiscal year. Mr. Pumpaly will have more cost figures at upcoming meetings.

Last year Wib Pumpaly applied for 7-8 grants. Two have come back from Parks and Playgrounds. One was a request for funds for the Athletic Complex which the DNR is submitting for recommendation for \$78,000 to refinish the tennis courts, new nets, refinish the basketball courts. The Town will have to match about \$8,000, but it is good news that we may get one of the 8 grants submitted.

### **New Business**

Wib Pumpaly reviewed the April Budget which overall was favorable in all funds year to date by \$275,552. He also indicated that several accounts are over budget and presented the cash balances. He reviewed past due accounts receivable including North East River Marina and Water Street Properties.

April Fuel Usage Review – auto refill was discontinued on gasoline. Building Permit Review, there were 6-7 permits, no houses. May is making up for April, approximately 5 or 6 new housing permits. Work Order Review for April, 64 written 65 completed with 4 open which are primarily for a large project which is the expansion of the cemetery. Overall 98% completion rate.

LGIT Board of Trustees – The commissioner are allowed one collective vote from the Town. Commissioner Capano motioned to vote for all 3. Commissioner Confalone seconded. All were in favor, approved 5-0.

Dr. Gell motioned to appoint Dr. Richard Price to the vacancy on the Ethics Board, Commissioner Hechmer seconded. All were in favor, approved 5-0.

Commissioner Capano said that on Thursday at Charlestown Elementary School, Superintendent Devine and Dawn Branch will be holding a meeting on the County school budget. Mrs. Clark, the principal, would like as many Commissioners to be in attendance as possible.

### **Period of Public Comment**

Gophery Richardson commented on Commissioner Hechmer comments regarding Steve Vandervort previous comments from the Public Hearing. He mentioned he did not discuss new customers coming on paying for the original debt service. Mr. Vandervort said he was putting money into the general fund because the water was making so much money. He doesn't think the rates should be increased so much. In addition, he feels the Town should not be mowing the Church's grass. If the Town truly owns the property, then the Town should be collecting rent for the parish property. "We shouldn't subsidize one single church."

Dennis Taylor asked if the resolutions passed if they carry the same weight as an ordinance. If so, will it be published in the paper? Robert Gell indicated that it is an ordinance. Emily Fletcher further explained that it works in conjunction with ordinances, but resolutions are not required to be published in a paper of record.

Ursula Boudart – She reiterated that the landlord should be getting the water bill and collecting the payment from their tenant to pay the Town. Comment that Cecil House needs to either be sold or fixed up. "It looks terrible as you drive into Town."

Pauline Bryant wants to know about the rumor she is hearing about C-Dock and the marina and taking over a \$300,000 mortgage. Commissioner Gell stated that it hasn't been decided yet and he is not able to discuss anything.

Motion to adjourn Meeting adjourned 8:44PM

Dr. Gell motioned to move into the executive session.

### **Executive Session**

- (7) "consult with Counsel to obtain legal advice"

**Respectfully Submitted by Janine Antoshak, Town Clerk**