

**TOWN COMMISSIONER'S MEETING**  
**CHARLESTOWN, MARYLAND**  
*February 24, 2015*

The Town Meeting was called to order by Vice President Joseph Letts at 7:00pm. Commissioners present were Renee Capano, Robert Gell, and Joseph Letts. Commissioner Ken Confalone was teleconferenced in. Commissioner Bruce Hechmer was absent.

**Pledge of Allegiance** was led by Nick Strong.

**Approval of the Minutes of February 10, 2015** Commissioner Gell moved to approve, Commissioner Capano seconded. Approved 3-0.

**Accounts Payable Review February 24, 2015**—Accounts payable in the amount of \$44,043.09 was presented for payment. Commissioner Gell moved to accept, Commissioner Capano seconded. Approved 3-0

**Appeal to Town Commissioners** – Sect 25-607 Charlestown Charter – Tracey Thomas Ms. Thomas stated that it was brought to her attention that she is not eligible to vote or to run for Commissioner by the Election Board. She has certified paperwork of her driving record that shows she changed her address on February 25, 2014 at the Motor Vehicle Administration, which would have made her eligible to vote and to run. The Election Board has no record of this change of address. She has the right to bring this to the Commissioners for appeal. She feels that she should be able to vote and run and not be penalized for a miscommunication between the Motor Vehicle Administration and the Cecil County Board of Elections.

Commissioner Letts read a letter from the Election Board of Cecil County and one from the Charlestown Election Board stating that as of January 31, 2015 Ms. Tracey Thomas is a resident of North East Maryland and therefore ineligible to vote or run for Commissioner. He asked Ms. Virginia Slater for comment in her position as Charlestown Election Board Chairperson. Ms Slater stated that they have no choice but to go by the rules as stated in the Charlestown Charter. Discussion ensued.

Commissioner Gell asked Ms. Thomas if the Board of Elections had seen her supporting paperwork. She said yes. He also asked if they would change their position having seen this paperwork. Ms. Thomas was told that by law the County Election Board could not backdate any changes to reflect address changes not changed at the time of the paperwork submission. Commissioner Gell said that ignoring the MVA change of address was a miscarriage. It seems like when other information comes to light that it is a violation of someone's rights.

Commissioner Letts asked if there was any other documentation supporting Ms. Thomas' stance. She stated no. Ms Thomas stated that they admitted that this is not the first time this has happened, but the first time that it had occurred to a candidate. Commissioner Letts stated that he was not going to vote on this issue but his opinion was that we should go by the letters from the two boards of election. He went on to state that similar situations had occurred in the past and the decision was to not allow the candidates to run.

Commissioner Capano feels that it is wrong to penalize Ms. Thomas for a mistake made by either the Motor Vehicle Administration or the Election Board. Commissioner Capano is having a really hard time with the fact that a mistake was made that impacts someone's ability to run or vote. Commissioner Capano made a motion to allow Ms. Thomas to run for the position of Commissioner due to the fact of a mistake of Government entities, not on her part.

Commissioner Confalone asked the question if he was eligible to vote by phone. Commissioner Confalone made comment that he was somewhat bothered by the County Board of Elections taking such a hard stand and not commenting on the fact that a mistake was made. If the County Board of Elections were somewhat capable in this then he would have assumed those reasons might have been included in the letter.

Mr. Pumpaly presented an email from Mr. Dennis Clower, the town's attorney, received on a previous occasion not associated with this issue supporting Commissioner Confalone's right to participate in the vote by teleconference..

Commissioner Gell seconded Commissioner Capano's motion. Vote 2-2.

Ms Thomas objected to Commissioner Letts voting against the motion. She saw this as a conflict of interest as he is also a candidate. Commissioner Confalone stated that he saw no such conflict as Commissioner Letts was an active Commissioner and therefore should be able to vote on this issue. Commissioner Confalone saw no personal gain if Commissioner Letts voted. Commissioner Letts did not withdraw his vote.

Commissioner Letts declared the issue null and void. He informed Ms. Thomas that she could take it to court.

Commissioner Confalone ended his teleconference attendance.

### **Town Administrators Report**

**OLD BUSINESS** No Old Business to discuss.

### **NEW BUSINESS**

**MD Economic Development Business Climate Request** – Mr. Pumpaly received a report and a series of four questions that was sent to the Commissioners. Upon further reflection the report and questions don't seem to apply to us. He stated that if any of the Commissioners had comments to make please let him know and he will pass them on to the Lisa Webb.

**Budget Request Worksheet** – Now is the time to indicate if you are thinking of things that are needed for the 2015-2016 budget.

### **Period of Public Comment**

Mr. Dennis Taylor was very disappointed in the fact that Commissioner Letts voted on the appeal issue after stating that he would not.

Mr. Prosper Boudart felt that the lady did not receive justice. He feels elections are to foster people to participate and that this decision did the exact opposite of that. "We have erasers on pencils, and deletes on computers. We all make mistakes and you missed the point here."

No further comments

Commissioner Letts moved to adjourn the meeting at 7:45 PM with a second by Commissioner Capano. Approved 3-0.

*Respectfully submitted by: Debbie Myers, Town Clerk I*