

TOWN COMMISSIONER'S MEETING

CHARLESTOWN, MARYLAND

April 22, 2014

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

Pledge of Allegiance was led by: Nick from Charlestown Cub Scout Pack #367

Approval of the Minutes of April 8, 2014- Commissioner Gell motioned to approve the minutes and Commissioner Confalone seconded. All were in favor, approved 4 – 0. Commissioner Letts abstained due to his absence of the meeting of April 8, 2014.

Accounts Payable Review – Commissioner Confalone motioned to approve the accounts payable in the amount of \$94210.19. This is a difference of \$230.02 which is a late invoiced payment for Guardian dental insurance. Commissioner Letts seconded it. All were in favor, approved 5 – 0.

Decoy Up-date – Commissioner Hechmer proposed to sell two of the five James Holly decoys at the next Guyette, Schmidt, & Deeter Auction with the gain going towards the refurbishment of the Ice House. Commissioner Gell stated that he is opposed to selling the decoys. He feels they are a treasure of the town's and should stay in the town and there are many people that feel the same as he does. Commissioner Capano said that she is somewhat in agreement with Commissioner Gell but realizes that to restore the Ice House, "money has to come from somewhere". Commissioner Confalone inquired how it is determined for a reserve to be set. President Hechmer stated that when the experts visited before, it was said that one duck could be sold for \$18 - \$20K and the other approximately \$10K and needs some restoration costing a few hundred dollars. There is no fee for advertising and it is a reputable auction house. A reserve would be set and the decoys would not be sold if the reserve was not met. Commissioner Confalone stated a reserve could be approximately \$25K for both. Commissioner Gell stated they are significant because they were found and used here in Charlestown. President Hechmer stated that these ducks were not carved in Charlestown, only used here by a Charlestown resident. Commissioner Letts stated that he would rather not sell them but sees this as a way to get the renovation of the Ice House started.

Commissioner Letts moved to sell the two decoys with a reserve and that the proceeds go towards the restoration of the ice house, Ken seconded. Gell said; "It's a big mistake" and opposed. Motion was approved 4 – 1.

2014-2-15 Budget Synopsis & Distribution – Commissioner Hechmer presented the budget to the commissioners. He asked them to review it to possibly, approve it at the next meeting. He stated that it was created with input from commissioners, but he knows that, ultimately it is the president's responsibility. Most services are intact and others are increased and there is a tax increase of 6.2% tax increase. Which translates to approximately \$19 additional if you house is assessed at \$100K, approximately \$38 if your house is assessed at \$200K and approximately \$58 if you house is assessed at \$300K. This increase will generate approximately \$24,900K.

President Hechmer would call this “the polar vortex tax increase” since it will be used to fix the damage to the streets and the equipment due to the harsh winter. Another thing that President Hechmer did was change where the income from the cell phone tower rental goes. It currently goes to the utility fund and will now go to the general fund. There is also additional money from the State Highway fund. Most services will stay the same. The police budget will increase \$5000 for additional police patrols. The town will continue with the capital budget savings. President Hechmer asked the commissioners for any comments concerning the budget.

Commissioner Capano thanked Commissioner Hechmer, Commissioner Confalone, and Emily for working on the budget. I know that it takes a lot of work to put together the budget. “With that being said I want to go on record that I am opposed to the 2014-2015 budget. This past year I have heard we must be fiscally sound; we need to work toward the common good of the town. I feel that has not happened in fact I believe the majority of the board has not worked toward these goals. This past year we put over 200,000 into renovations in the water street property which we were given a 75,000-100,000 estimates. I was in favor of this project because after the utility fund is repaid the money will go towards parks and recreation. But to go that far over budget it will now take 15 years instead of 4.5 years to repay. We did some renovations to the Ice House which we voted to spend over that and still rising.” Commissioner Capano asked Mr. Pumpaly the total amount that had been spent on the ice house and he stated he would need to look it up and he also disagrees with her numbers on the water street property. Commissioner Capano continued that she believes in the history of this town and loves to tell about it but when other projects need to be complete that will benefit all citizens we need to consider this first such as fixing our streets and making sure that we have generators for the operation of water and sewer during emergency situations. “As of the beginning of April we have spent over \$35,000 in legal fees fighting with the marinas. And this dollar amount is just for this fiscal year.”

Commissioner Capano is opposed to the property tax increase that has been proposed.”I feel that not having a public hearing on this matter is hiding the fact that this has been added and that again we are asking our citizens to shell out more money. Last year we increased the water and sewer bill. The sewer was raised more as a pass through due to the county raising their rates and the water bill was raised because we were told to cost of running the water system has increased. Months later, the majority of the board voted to take \$230,000 out of the utility fund to pay off a loan that Water Street Properties incurred for C dock. It was stated then we were not going to raise the property tax and here it is budget time and the property tax is increased.”

President Hechmer said that 5 of the 7 items listed have nothing to do with the budget and are irrelevant. The water street rehab has nothing to do with this budget. The renovation of the Ice House has been brought up at many meetings about becoming a museum. URS is doing a study (that is not completed yet) to determine what is needed for the town to get generators for the water system. Commissioner Capano stated that it has been talked about for two years. President Hechmer stated that litigation is expensive but we have Marina’s that won’t pay their bills and we, as a Town, cannot allow businesses to not pay their bills without consequence.

Commissioner Gell stated that he opposes the discretionary fund that is in the budget for each commissioner. He said traditionally the President has had a discretionary fund but the commissioners have not. He thinks the funds should be in the administrative line and should be used as commissioners attend professional meetings or functions. He also noted that the contribution to the seniors has been cut out. He feels the \$500 that they have gotten is a token and is still needed.

President Hechmer stated that he had thought that the senior group was self-sustaining and did not need the contribution. As for the separate fund for the commissioners, he stated that he is giving each commissioner use of \$1000 for MML conferences or meetings or to donate to an organization of their choice. Commissioner Confalone stated that a year ago we started a capital budget and now we are saving towards future capital projects. He stated that the discrepancy fund should be labeled the contingency fund, for things that are not budgeted for, but will be needed. Commissioner Confalone stated everything that was done in this budget still isn't as much as we had last year or the year before and this is a major issue. He feels the additional police protection is needed, He is "dead set against tax increase" but he knows we still won't have as much money as last year to fix the streets, which are in worse shape this year. And he feels it would have been worse had the Town Administrator not been fixing some streets for the last three years

Boat Slip Tax (Motion to Dismiss) – Commissioner Hechmer stated that the Marina's filed a motion to dismiss the case in the Circuit Court of Cecil County and the judge denied it. Concisely, the judge said that the Town has a right to impose and collect this slip tax as set forth in the Maryland State legislative system so the Town is going forward with its case.

Town Administrator's Report

Old Business

- Parking Permit/Signage Up-date Mr. Pumpaly stated that the signs for permit parking/tow away are installed. We have started distributing the resident and non-resident parking hang tags and soon the towing company will make rounds and start towing cars. Commissioner Capano said that residents have been calling her and have concerns about renting the pavilions and the church not able to have their flea market this year due to no parking. Mr. Pumpaly stated that whenever there are special events and the town knows about it, there will not be towing. Commissioner Confalone said that he doesn't understand where this infringement of civil liberties has come from. This was started because emergency vehicles could not get through the streets. There is parking lot B that they can park for free and walk a bit. Commissioner Letts said that he is in favor of restricting parking but he is not sure that he is in favor of the tow company patrolling the town. President Hechmer stated that the main reason for the parking permits, other than safety, is that our citizens (who pay taxes) will have access to our parks and beaches. President Hechmer presented a laminated sign that will be displayed in no parking areas. Commissioner Gell suggested moving the fence at Veterans Park to allow more parking. Commissioners Confalone and Capano stated that it is in the critical area and that an impervious area would not be permitted.
- Paint Striping at Fairgreen Park – Mr. Pumpaly updated the commissioners that near the fire station there will be painting going on to allow room for the new Ladder truck. President Hechmer stated that it is a beautiful truck and the fire company is willing to give tours and always looking for volunteers.

- Refurbishment of Tennis & Basketball Courts. Mr. Pumpaly updated the commissioners that the tennis courts will be lined for both tennis and pickle ball. The Town has been awarded a \$78,000. Commissioner Confalone motioned to allow the Town Administrator to sign the contract up to \$78,000.00 for the work to be completed on the Tennis and Basketball courts (fence and walkway) at the Athletic complex. Commissioner Letts seconded it, all were in favor. Approved 5 – 0.

New Business

- MD Housing & Community Development Bond Applications Mr. Pumpaly and Commissioner Confalone applied for fund from MD department of housing and community development. We asked for a bond sale program, to refund \$242K to the utility funds to re-purchase the assets at C-dock. Also, we submitted for one \$125K for restoration of shore line at Long Point. Hope to be successful in both bond programs but we won't know the outcome until mid to late June.
- Cool Springs HOA (Snow Removal & Speed Bumps) Mr. Pumpaly introduced Heather Durgin who lives in the Cool Spring development. Mrs. Durgin said that many of the speeders are people who live in the development. She said that she has spoken to Sgt. Schmidt. She suggested that speed bumps may be helpful. Commissioner Capano stated that she also has speeders on her street and that removable speed bumps had been suggested before. Commissioner Letts said that he would speak to Sgt. Schmidt and will see what can get done. President Hechmer said that he is going to investigate the striping on the streets of "caution". Mrs. Durgin also stated that the common area sidewalks are being shoveled as it is not in the HOA's control yet and the developer said it is not in his budget. It was stated that the sidewalk shoveling is an HOA issue and not a town issue.
- Commissioner Confalone and Mr. Pumpaly met with Delegate Rudolph concerning the sidewalk project. They also spoke about if it would be possible for the Town to give back the money borrowed from MD historic trust for the Cecil House and then the restrictions could be removed. That may open it up to other buyers, if the historic restrictions can be removed. We have the balloon payment due in October and we don't think they will extend the terms since they want us to complete some stabilization projects.
- Mr. Pumpaly discussed the extension of a sidewalk with Delegate Rudolph. He stated that if the SHA was paying for the entire project we would be interested but the Town hasn't any money for this project. Commissioner Confalone stated that he thought it had something to do with being a sustainable community but he was not sure what in all that entailed.
- Mr. Pumpaly stated that the steps of the entrance of Post office have deteriorated and he would like to have them repaired and moisture proofed. Mr. Pumpaly stated that Alexander concrete will do it for \$1800 and there is enough money in the proper account to do it. Commissioner Letts motioned to approve the project and Commissioner Gell seconded. All were in favor, approved 5 – 0.

Period of Public Comment

Tom Kenny asked why there was not a public hearing for the budget. President Hechmer stated that there does not need to be a public hearing and generally when there has been one, it has low attendance. Mr. Kenny stated that he is in favor of the parking permits. He questioned what a

resident can do if they see parking offenders. He was told that he could call any of the commissioners or Mr. Pumpaly and that they could report the offender. Mr. Kenny asked if the legal fees will be recovered when the case is settled. Commissioner Confalone answered "yes, we will spend less than half of a year's fee." President Hechmer stated that Maryland Law does not allow attorney fees but over the long term we will recover in fees what we have lost. Is Habitat for Humanity building a house in Town? Commissioner Capano stated "yes" on Charlestown Place and they are still looking for volunteers, just stop by. Philip Anklin said he was new to the area; he lives in Cool Springs and said he didn't know the budget was public. Commissioner Confalone said it was on the website. He stated that he "hasn't an issue with raising taxes as long as it is for services". He also asked about the Ice House, said he would go see it tomorrow. He also asked if there was a contracted end date for the study for the generators. Mr. Pumpaly said that it is being completed by URS who are the Town's engineers and will be completed shortly. He suggested issuing parking tickets that are very expensive. President Hechmer said that the problem is that we do not have our own police force and that they are difficult to enforce.

Larry Metz - Asked if it would be possible to get a stop sign at Water and Frederick Streets? A duck got hit last night. He also said that there is a permit only parking sign at Lot B and Commissioner Capano said that there is an old sign there. He also asked if a decision about a boat ramp gate was decided. President Hechmer stated that we were looking at the bids and hopes to have a discussion soon.

Prosper Boudart suggests calling the discretionary fund "rainy day" and not having the ability to spend it without the commissioners agreement. Commissioner Confalone agreed and said contingency fund. Mr. Boudart asked how much does the town wants to spend on the inside of the Ice House. President Hechmer suggested that he and Mr. Boudart go to the Ice House and look at it. Mrs. Boudart suggested that someone from the Historic Commission should accompany them.

Mrs. Ursula Boudart asked if an increase of 6.2% tax increase does not require a public hearing. Commissioner Gell said it is not required in Maryland. Mrs. Boudart asked why the taxes need to be raised to pay for the law suit against the Marina's. Commissioner Confalone stated that it is the sovereign interest of the Town to go after entities that don't pay lawful tax that is due to them.

President Hechmer stated that if the Marina's had paid their taxes we wouldn't need to raise taxes. Commissioner Confalone stated that one of the Marina's has been paying their taxes. Mrs. Boudart told President Hechmer that "he muddied the waters" by explaining that the taxes are being raised due to the Marina's not paying their slip tax. Mrs. Boudart also stated that she "hates to see the decoys go bye-bye".

President Hechmer adjourned the meeting at 8:44pm

Respectfully submitted by: Janine Antoshak, town clerk