

TOWN COMMISSIONER'S MEETING
CHARLESTOWN, MARYLAND
April 10, 2018

The Town Meeting was called to order by President, Joe Letts at 7:00 pm. Commissioners present were Joseph Letts, Karl Fockler, Patricia Clements, Jeff Fields, and Lou Wood. Also present was Wib Pumpaly, Town Administrator.

Pledge of Allegiance was led by Commissioner Lou Wood.

Approval of the Minutes of March 27, 2018 Commissioner Fockler moved to accept the minutes, seconded by Commissioner Fields. Approved 5-0 with the addition of Commissioner Fockler being present.

Approval of the Minutes of April 3, 2018 Work Session Commissioner Wood moved to accept the minutes, seconded by Commissioner Clements, approved 5-0. Commissioner Letts explained the workshop meeting. The stage at Avalon is due to begin very soon and the meeting was centered on that.

Accounts Payable Review April 10, 2018—Accounts payable in the amount of \$49,315.03 was presented. Commissioner Fockler moved to accept, seconded by Commissioner Fields. Approved 5-0.

Miller Environmental March 2018 Report Josh Griffith Mr. Griffith was present and presented the following report: A total of 1,960,000 gallons was produced for the month, with an average daily production of 63,000. No coliform samples tested positive. Weekly housekeeping and monthly maintenance was performed. Fourteen Miss Utilities were completed, 1 settlement read was performed, 1st quarter meter reading was completed, and water meter replacement recommendations were conveyed to the town.

Cecil Co. Sheriff's Report The schedule for April was presented. A written report was submitted showing in **March 2018** 37 shifts were approved for a total of 148 hours. Of that number 123.5 hours were covered. There were 4 calls for service and 2 out of town assists. There were 202 property checks made. 18 (6 radar and 12 non-radar) traffic citations were issued; 12 (4 radar and 8 non-radar) warnings were issued, 3 safety repair orders were issued and no parking citations were issued. There were no warrant service attempts. There was one arrests made (suspended) and 1 arrests of adults (signed and released). No civil citations were issued. No field contacts were made. There were 4 community contacts made for the month and one business contact. 16 shifts operated radar and 12 did not. One vehicles was removed to storage at the officer's request.

Commissioner Wood asked about the coverage on Saturdays? Sgt. Schmidt stated that the shifts are covered for this month. Commissioner Wood also stated that the Edgewater Avenue area is also experiencing cars being broken into.

Discussion of Cool Springs Phase 3B Development –

The Cool Springs development continues to be built out and is now ready to proceed to Phase 3B. There is a question of compacting of the soil in the area of the sewer and water mains and roads. Chris Rogers is here representing the town's interests from AECOM. Chris Standish is a project manager with Geo-Technology Associates, Inc. associated with Lambdin Development. Mr. Rogers stated that Mr. Lambdin is getting ready to start Phase 3B. Back in 2007 the town approved a modification to the specification for compaction of soil than what was the industry standard that was in the original contract. In Cool Springs the water and sewer are under the streets and the storm drains are along the streets. All of the pipes will be in the right of way that the town

will have to be responsible for eventually. The modification approved is “best effort” while the industry standard is 92% compacted (max dry density). In Phase II the pipes were installed in 2012 with the provisional compaction specification. In 2017 Mr. Lambdin asked for permission to put the final top coat prior to town taking over the roads. This was an inordinate amount of time (five years) between the laying of the pipes and the final topcoat, usual timeframes are much less, but because of the economy Phase II took much longer to build out than would normally be anticipated. AECOM had repairs to the trench made because of settling. AECOM is concerned that under a normal timeframe without the benefit of the 5-year period they might have settled and would require an amount of work to bring them back up to standard. It looks like the areas where this altered standard was used is where the problems occurred. After turning over the streets to the town there is a 12-month warranty (10% of the bond). Mr. Standish feels that the roads are in good shape and that the provisional standard is appropriate. The additional repairs were needed on Cool Springs Road going up the hill. Mr. Standish stated that while the provisional standard is lesser, most soils in this area will settle out in 60 days or less. He feels that construction traffic is the primary problem with the settling. Mr. Rogers stated that Cool Springs Lane an emergency access easement could be an alternative for construction vehicles. He is not sure if that is a possibility. AECOM is presenting this issue at this time asking if the town wants to revisit the issue? AECOM’s geo tech engineers adhere to the 92% compaction. If you are leaning the other way AECOM would seek some refinement of the provision. The reason that the altered compaction specification was because of the wet soil consolidation. There are two options for soil remediation. One is to go with the modification and the other is to extract the less than desirable soils and bring in desirable soils. Commissioner Fockler asked how soon we need to have a decision? The sooner the better as Mr. Lambdin is ready to start. Mr. Rogers recommends 92%. Commissioner Wood stated that either way the roads are going to be torn up. Mr. Standish stated that the roads would not be as bad if they used the modification, holding them to the 92% could turn the roads for a quarry operation. Mr. Lambdin plans to soil cement the roads in the new phase. This is where Portland cement is spread over the entire road section tilling it in to 12” depth which it makes a very hard surface. Phase I used soil cementing and Phase II did not. The reason was the time of year being hot dry summer in Phase II. Commissioner Fockler requests more information. A 60-day waiting period is required after the pipes are in place and then everyone involved looks at the project to see if there is any settling. Commissioners Fockler and Wood both stated that they felt more time to meditate. Tabled until April 24th at the next meeting. In the meantime more information will be forthcoming. Mr. Standish handed out cards for points of contact.

Service Line Warranties Program – Commissioner Fockler has reservations that it has the appearance of coming from the town. He is not in favor of it. Commissioners Fields and Wood are also not in favor of it. Commissioner Fockler moved to cease letting them use the Town logo, seconded by Commissioner Fields. Approved 5-0. Commissioner Wood moved to no longer have Service Line Warranties sell the insurance with the endorsement of the Town, seconded by Commissioner Fields. Approved 5-0.

Maintenance Issues Commissioner Fields stated that there is a problem with the storm drains not being cleaned off. We have had a storm drain collapse in Trinity Woods and there are two more have collapsed. He stated that some of them have been cleaned since he has brought this to the attention of the Maintenance Staff. Commissioner Fockler stated that as the Commissioners see clogged drains they should call in and get them on the schedule. Whose responsibility is it to clean the valley gutters? According to the charter, the town is. Commissioner Wood agrees with Commissioner Fields and suggests a daily work log to be turned in. Commissioner Clements also agrees that accountability is important. Mr. Pumpaly feels that any other personnel matters need to go into executive session.

Avalon Park Phase I

Simple Buffer Management Plan This was approved by the Planning and Zoning Board.

New Signage Commissioner Wood moved to accept the sign seconded by Commissioner Fields Approved 5-0.

Friends of Avalon Commissioner Clements moved to change the name from the Avalon Committee to Friends of Avalon and expand them to allow more membership. This would extend an invitation to give more people a voice. Commissioner Fockler suggests to move this forward and then come back to the Board with a vision.

Volunteerism Commissioner Fockler moved to approve the forms for Earth Day/River Sweep waiver of liability forms, seconded Commissioner Fields. Approved 5-0.

Pressing Charges for the "Turfig" Incident 3/30/2018 Commissioner Wood's idea is to give the offender an opportunity to sign up for a minimum of 2 - 4 hours of community service. We think the age of the offender is 16. If he doesn't show we have a year and a day to press charges. Mr. Kronner suggests 8 hours of community service and then sign the form for school community service. Commissioner Fockler suggests we invite him out to Earth Day. Commissioner Letts stated he thinks we have a liability. He does think something should be done for accountability.

Town Administrator's Report

OLD BUSINESS

Election of Town Officer Commissioner Fockler stated that there is much conversation going around about the election of officers. He has no opposition to recalling a vote. Commissioner Letts agrees. The Ethics Board has declined to rule stating it was not in their purview. Commissioner Wood is vehemently opposed to a revote. She read a portion of the charter which stated that they followed the charter. One person got more votes. It does not say majority. She will go with the consensus and revote. Commissioner Fockler moved to vote, seconded by Commissioner Fields. Approved 5-0.

The vote for President: Joe Letts, 4 to Karl Fockler 1

Avalon Park Stage Structure RFP Review & Contract Award After the permit was sent to the county the load limit was too low 40lbs per sq. foot when the standard is 150 per spare foot. The plans have been redrawn and they were submitted to Nowland. The repricing is \$118,848.00. We have a new contract from Nowland with all of the requested revisions. The contract has been signed but not sent and the change order has been signed and not sent. Mr. Pumpaly would like the board to approve the structure to be built. He has revenue coming in that could cover these expenses from the Town Pier boat slips, C Dock lease and 31,000 from an insurance settlement. Commissioner Wood moved to approve the new costs, seconded by Commissioner Fields. Approved 5-0.

NEW BUSINESS

Town Grass Cutting Contract Review We got six bids for the grass cutting contract. As you look at the numbers some of them are a little hard to understand. We have a 7 ½ year relationship with John's Lawn Service who have done a very good job. There is not much difference in the price (\$200.00). Commissioner Letts concurred that we have a very good relationship and they come in and only cut when necessary. Commissioner Fockler moved to approve John's Lawn Service as submitted, seconded by Commissioner Letts.

Approved 4-0 with one abstention. Commissioner Fields suggests that the length of the contract be for one year. The contract is for three years and at this point cannot be changed.

Proposed Exterior Maintenance Code (Ordinance) a proposed ordinance was presented to the Board. Mr. Pumpaly suggests we table it and revisit after the Commissioners have had a chance to look over the proposed ordinance.

CHDC Appointment Proposal The Charlestown Historic District Commission is proposing that the Board appoint a seventh person to the Board. One of the members is frail and can no longer attend meetings. Mr. Pumpaly suggests the appointment of Suzanne Fockler to the Board and to offer to Mrs. Rebecca Phillips the distinction of Chairman Emeritus to the Commission. Commissioner Letts suggests that this is good proposal. Commissioner Fields moved and Commissioner Wood seconded to name Suzanne Fockler to the Historic District Commission. Approved 4-0-1. Commissioner Letts moved to name Rebecca Phillips Chairman Emeritus of the Historic District Commission, seconded by Commissioner Fields. Approved 5-0.

Mr. Pumpaly presented bids to demolish the Avalon building, and to repair the chimney. Commissioner Letts moved to repair the chimney at a cost of \$945.00, seconded by Commissioner Fields. Approved 5-0.

Commissioner Clements asked if there will be environmental concerns in taking down the building? No, we will actually be increasing permeable surface. There will be a building permit filed with the county. Commissioner Clements moved to accept the \$9,000.00 bid of Dennis Reynolds bid seconded by Commissioner Fields. 5-0

PERIOD OF PUBLIC COMMENT

Jack Kronner - When a discussion is of something that will be going to vote he thinks that public comment should be heard during the discussions. If the comments are held to the end of the meeting, anything that might be offered would be mute as the vote would already have taken place. He feels that he and others might have something to offer that might add to the discussion.

Mary Clark Confalone - Wants to thank the town for going ahead with Avalon. We've gotten people who are expressing an interest in helping with Avalon. She sees the Friends the Avalon as a way to facilitate volunteers and activities to be held at the park. It would still be under the town auspices.

Steve Vandervort - He thanks the Commissioners for re-voting for the President vote. Things like this have happened before. He personally thanks each and every one of the Commissioners for serving. He served for 14 ½ years and one thing that helped him a lot was meeting commissioners who had been before him. If something comes up it probably has been talked about before and use former commissioners for resources.

There being no further business a motion was made to adjourn by Commissioner Wood at 9:13 PM, seconded by Commissioner Fields. Approved 5-0.

Respectfully submitted by: Debbie Myers, Town Clerk I