

**TOWN COMMISSIONER'S MEETING
CHARLESTOWN, MARYLAND
June 9, 2020 7:00pm**

Call to Order – President Fockler called the meeting to order at 7:00 PM. The meeting was conducted by Zoom and conference call. Those in attendance on Zoom were Commissioners Fockler, Kronner, Letts and Wood(arrived to zoom late due to technical difficulties), Town Administrator Wib Pumpaly. Sgt. Mahan, Bryan Lightner, Code Enforcement Officer, Janine Antoshak, Office Manager, Debbie Myers, Town Clerk. Those in attendance by conference call were Rebecca Barrett, Ursula Boudart, Prosper Boudart.

The Pledge of Allegiance was led by Mr. Pumpaly.

Approval of the Minutes – **May 26, 2020 Commissioner Kronner moved to approve the minutes of May 26, 2020, seconded by Commissioner Letts. Approved 3-0.**

Accounts Payable Review – Accounts payable in the amount of \$16,896.27 were presented for approval. **Commissioner Kronner moved to approve the payments, seconded by Commissioner Letts. Approved 3-0.**

Miller Environmental April Report Mr. Josh Griffith submitted the following in a written report. A total of 2,863,000 gallons of water was produced with an average daily production of 92,000 gallons. No submitted samples tested positive for coliform. Weekly housekeeping and weekly and monthly maintenance were performed. In addition, 28 Miss Utilities were completed, Daily pH and chlorine tests were performed and chemical feed pumps were adjusted as necessary to maintain optimal pH and chlorine parameters. Chemicals were mixed daily to maintain adequate levels for chemical feed with buffer time for fire safety. The chemical inventory was maintained. Daily tests were recorded in the WTF logbook. Monthly samples were collected and sent to certified lab for testing per state requirements. All data sheets for chemical usage, equipment runtime, pH calibration, and routine checklists were utilized and filed. The WTF Maintenance schedule was followed. The chlorine pump's discharge tubing at the water plant was replaced. The water main at Riverview was isolated after hours on 5/16/2020 upon call-out from water tower telemetry, scheduled repair on Riverview after hours on 5/16/2020 and updated all town personnel as requested.

Commissioner Wood joined the meeting at this point of the meeting.

Cecil Co. Sheriff's May Report - A written report was submitted showing in April 2020 20 shifts were approved for a total of 40 hours. Of that number 40 hours were covered. Four shifts operated radar. There were four calls for service. There were 93 property checks made. There were 17 community contacts. They attempted no warrant services. There were no civil citations issued. There were no traffic citations issued (non-radar). There was 2 traffic warnings (1 radar and 1 non radar) issued. There were no repair orders or parking citations issued. There were no traffic related arrests made. A discussion was held on the issues that the town will be facing this summer with golf carts and parking near the waterfront.

Code Enforcement Officer May Report – Bryan Lightner Bryan Lightner submitted a written report which addressed complaints on 22 different properties within town for various issues. 1) sent second letter, attorney sending letter, should the Town board up the place, lien? (Continuing situation) 2) coordinating with District Attorney with State’s Attorney’s office and County Attorney (Continuing situation) 3) coordinating with Town attorney, recommends assessment by Town Engineer, notify homeowners (Continuing situation) 4) Conducted inspection, sent letter, developing both on-site and off-site landscaping mitigation plans (Continuing situation) 5) Assisted with site assessment & permit review (Continuing situation) 6) Conducted inspection , sent letter, must replace trees 1:1, recommended silt fence, needs grading permit (Continuing situation) 7) referred to County Planner, forest retention area (Continuing situation) 8) referred to County Planner & County, forest retention area 9): conduction inspection, sent letter (Continuing situation) 10) referred to MDE (Continuing situation) 11) determined no permit was needed (Continuing situation) 12) assisted with site assessment & permit review (Continuing situation) 13) conducted inspection, coordinating with MDE, no permit needed 14) conducted inspection, sent letter, abated 15) conducted inspection, called to inform permit was required, abated, 16) conducted inspection, sent letter, abated 17) conducted inspection, referred to County Permits & Inspection Division, recommended hiring electrical inspector 18) conducted inspection, sent letter, abated 19) conducted inspection, sent letter 20) conducted inspection, sent letter 21) conducted inspection, sent letter 22) conducted inspection, sent letter. A discussion was held on a couple of the issues.

President Fockler –

Park Mobile Startup, This started two weekends ago. The Commissioners have been passing out information. There are people who are already using the app and paying. Debbie Myers, Janine Antoshak and Commissioner Fockler will be signed on as Admins to be able to print out reports and track the income from the various zones. We need to be able to point people to Avalon where we have an abundance of parking.

AT&T Lease Negotiation, AT & T would like to renegotiate some of the terms. They want a decision by the end of July. If we say “no” or do not respond they have stated that they will look for other locations. We would like to see them stay on our tower. The lease will be ending in 2023. They are looking at rent amounts and termination negotiations. We need to have further negotiations with them to hammer out details acceptable to both parties. They are looking to utilize the whole tower, on which we already have others with leases.

Boat Slip User Fee Abatement – We have received a letter on behalf of the Charlestown Marina and Lees Marina to ask for an abatement. Commissioner Kronner stated that this is probably in response to the delay of the trailer tax, which was not due to Covid-19, but because we did not pass it until April. Commissioner Kronner also stated that Lee’s Marina is allowing customers to launch boats with their annual pass which was issued for him to test boats that he is working on. We will talk to the marina and advise them to not abuse the use of the pass. Commissioner Wood stated that we did delay the trailer tax due to Covid-19 and she is not against an abatement of the tax. Commissioner Letts kind of agrees with Commissioner Wood. Commissioner Kronner suggests a 25% reduction in slip user fees for the year. Commissioner Fockler feels that the slip user fee is 5% and if the slip cost is reduced due to the use time frame, then our 5% would also be reduced. **This will be placed on the agenda for June 23rd.**

Commissioner Kronner –

Frederick St. Ditch Repairs, The maintenance crew has done a repair. There is a deep hole on the other side of the repair that may cause injury to children if they decide to explore.

Commissioner Kronner suggests that we put about 30 feet of fencing around the area. This is on town property. Commissioner Fockler asked what type of fencing would be necessary. Commissioner Kronner suggests split rail with a sign. Commissioner Wood warned that if we do it there we may have to do it other places as well. **Commissioner Kronner moved to place a split rail fence around the designated area to secure it, seconded by Commissioner Wood. Approved 4-0.**

Foot Log Bridge Refurbishment, Commissioner Kronner thinks that we need to put this out to bid to power wash and replace wood that needs to be replaced and refinish the rest. Commissioner Kronner asked that we put this out to bid. Commissioner Wood suggests that our guys could do some of the work.

Beaver Dam Upgrades The dam is down, but will probably return. The beaver dam does need some attention. A resident has agreed to fabricate the pipes. Commissioner Fockler would like to wait and see what happens in the next couple of weeks. Commissioner Wood agrees. Commissioner Kronner suggests that this could be done by our maintenance crew. We will hold off on a decision.

Town Administrator's Report

Old Business

Scott Gardens Resident Clean-up of the SWM Pond Mr. Pumpaly presented some pictures of the progress that the homeowners have made. Our maintenance crew has taken about six loads to the landfill of the growth has been removed. Commissioner Kronner and Wood commended the 2 to 3 homeowners who have been doing the work with little help for any of the other neighbors. Commissioner Wood asked what the Commissioners thought that because these homeowners are saving their neighbors thousands of dollars, what might the town do to recognize their work? We will discuss this further in the future.

New Business

Support Letters to Legislators In our continuing efforts to dredge the North East River a suggestion was made to send letters to Sen. Cardin, Sen. VanHollen, and Rep. Harris in support of this effort. By consensus the Commissioners will support and sign this letter. The letters will be available in the Town Hall for Commissioner signatures.

HUF Reduction for 2020 & 2021 We have received a letter that has reduced the HUF for fiscal 20 and 21. At this point we are now anticipating a \$30,000 reduction in HUR for FY20.

Cool Springs Project – Access to Rt. 40 Chris Rogers from URS was present to speak on this topic. The need for an emergency access road to Rt. 40 has been an issue from the inception of the development. When the development was in the development stage there was major flooding on Rte. 7 which was in the minds of those involved. The developer was seeking to get an easement at the beginning of the project. At the present time the developer is now stating that he is going to have difficulty in accomplishing this emergency access road. The original agreements have been found that state that the proposed access road would be improved. Mr. Lambdin has lost a legal suit to get the road installed with the present owner of the property. Mr. Lambdin would need the town's approval to abandon this access road requirement in his public works agreement with the town. Commissioner Letts stated that this should have been taken care of at the time of the inception of the project when the gate went up by the homeowner denying

access. Commissioner Fockler stated that the development has egress and access at two different places on Clemency and Grace. Because the issue has been litigated already, he does not see the courts allowing relitigating. There is adequate turn around in the development for fire apparatus. Commissioner Fockler wants to know what our options are. Mr. Rogers does not think there are any other options. There was some thought that the development would exacerbate flooding if it were to occur again on Rte. 7 and that has not happened because of the design of the stormwater management of the development. Commissioner Wood stated that the flood that occurred that was mentioned also flooded Rte. 40. Commissioner Letts stated that the negotiation would need to be with the residents and not with the Fire Company. Commissioner Fockler asked Mr. Pumpaly if the board would decide to amend this agreement and not require Mr. Lambdin to put in the access road, would the agreement need to be rewritten. Mr. Rogers stated that we would receive a Public Works Agreement for Phase IV and this will probably be excluded into that agreement and if the town agrees to it then the emergency access road would be a moot point. He does suggest that the Fire Company be notified as a courtesy. Mr. Rogers thinks that this new public works agreement would be coming very soon. Commissioner Kronner thanked Mr. Rogers for bringing this to the board's attention before a decision needs to be made. Mr. Rogers stated that there is so much that has happened in Cool Springs that he suggests a meeting with Mr. Lambdin with the HOA President and the town so that all parties know what their responsibilities are with regard to stormwater management ponds, paths, playgrounds and such.

Tree Issue – 527 Black Avenue Two weeks ago on Saturday a limb fell on a house at 527 Black Avenue. The branch was removed at a cost of \$3500 to the homeowner and an estimate of \$1500 to take the rest of the tree down. A second opinion says that the tree needs to be severely trimmed but is in good shape otherwise and will survive for years. This estimate is \$960.00. Mr. Pumpaly would like to reimburse the homeowner her \$1000.00 deductible and do the trimming at a cost of \$900. Commissioner Wood asked if the ivy that is growing on the tree will also be removed. Mr. Pumpaly has agreed to have the maintenance staff take care of the ivy.

Commissioner Kronner moved to reimburse the homeowner her \$1000.00 deductible and have Cecil Tree Service do the trimming at a cost of \$960, seconded by Commissioner Wood. Approved 4-0.

630 Water Street – The house has had a very serious water leak. C & C Roofing looked at the roof and for the most part it is in reasonably good shape. There is however, a portion of the roof that is metal, and in poor condition, and a window needs to be re-caulked. The estimate is \$850 to remove the old metal, install an ice and water shield and architectural shingles. Commissioner Kronner wants to know how many squares? Commissioner Kronner wants another bid. C & C has already re-caulked the window. **Commissioner Letts moved to have C & C Roofing do the repairs for \$850.00, seconded by Commissioner Wood. Approved 3-1 (Kronner).** The tenants are complaining of mosquitos and would like to have the property treated for mosquitos and ticks. We are having a delay in the state program that sprays the entire town for mosquitos. We are already having Erlich do work at the property for rats and other pests. He would like to see Erlich do a treatment at the cost of \$85.00 to spray. The commissioners are not in favor of this, as they are treating their own yards as necessary.

Town Hall Security Entry Systems Debbie Myers, Town Clerk reported on an anticipated bid for a system to answer the office door without having to leave the front desk and step out from behind the plexi-glass shield. Presently, the door must be opened by hand standing directly behind the door which has no window, so no way of knowing who is at the door. This system will allow both Debbie and Janine to interact with those at the door before allowing access. The system will allow remote unlocking of the door from their desk stations. The board seems favorable and awaits the bid.

Commissioner Wood brought up the issue of something that came up at Planning and Zoning. She feels that anything that comes up on an easement needs to come before the board. The explanation was that when an owner signs a form Structure on Easement that states if the structure needs to be come down (i.e.) a fence then the (fence) could be removed and the entity who removed the structure would not reinstall the structure. These easements do not necessarily belong to the town, they can be forest retention, wetlands or stormwater management. The board would only need to be involved if it were an easement on town property.

Commissioner Wood thinks that we have so many things that need to be enforced that we either need help or need to look at our own enforcement. Commissioner Fockler would like to see someone part time to help with enforcement. He wants us to figure out what we will need to do to uphold our laws. This would not necessarily be a police officer as most of the things that are violations in town are civil and not criminal. Commissioner Fockler would like to see this in place yet this year. Commissioner Kronner and Commissioner Wood and Commissioner Letts agree. An issue is occurring this summer at the Stone Wharf/Pier with parking. Commissioner Letts feels that since we used grant money to build the pier we have to supply free parking. There was some discussion on doing away with the free fishing site.

Period of Public Comment

Rebecca Barrett (resident preferring to not give her address)– She has seen many issues in town since she has moved to town with dogs, drugs, traffic control. What is the town doing about it? Commissioner Fockler stated that we have contractual labor with the Sheriffs department and we are looking at ways to subsidize that as was previously discussed during the meeting.

Commissioner Fockler would like to meet together next time. Either outside or at the Fire Hall. Commissioner Letts is 100% behind going to meeting together in person. Commissioner Fockler will locate a meeting place.

There being no further business, Commissioner Kronner moved to adjourn at 9:24 PM, seconded by Commissioner Letts. Approved 4-0.

Respectfully submitted,

Debbie Myers, Town Clerk