

**TOWN COMMISSIONER'S MEETING
CHARLESTOWN, MARYLAND
August 11, 2020**

Call to Order – President Fockler called the meeting to order at 7:00 PM at the Charlestown Fire Hall. Those in attendance were Commissioners Fockler, Letts, Wood, Fields and Kronner; Town Administrator Wib Pumpaly, Office Manager, Janine Antoshak, Town Clerk Debbie Myers, and Code Enforcement Officer, Bryan Lightner.

The Pledge of Allegiance was led by Commissioner Fields.

Approval of the Minutes – **Commissioner Kronner moved to approve the minutes of July 28, 2020, seconded by Commissioner Wood. Approved 5-0.**

Accounts Payable Review – Accounts payable in the amount of \$117,013.30 were presented for payment. **Commissioner Kronner moved to approve, seconded by Commissioner Fields . Approved 5-0.**

Miller Environmental July Report – Mr. Josh Griffith submitted the following in a written report. A total of 3,115,000 gallons of water was produced with an average daily production of 100,000 gallons. No submitted samples tested positive for coliform. Weekly housekeeping and weekly and monthly maintenance were performed. In addition, 23 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. One settlement read was provided, two leak checks were performed. Replaced cl2 discharge fitting and improved upon set-up using different fittings and reducers etc. purchased on town account at Ace Hardware in Elkton MD. Receipt turned into town. 2nd Quarter meter reading was completed with error read/missed meter notes entered for town reference to have meters replaced/exposed by residents.

Cecil Co. Sheriff's July Report – Sgt. Mahan was in attendance by Zoom - A written report was submitted showing in July 2020 27 shifts were approved for a total of 108 hours. Of that number 108 hours were covered. No shifts operated radar. There was one call for service and 1 out of town assist.. There were 80 property checks made. There were 15 community contacts. They attempted one warrant service. There were no civil citations issued. There was 1 traffic citation issued (non-radar). There were 7 traffic warnings (non-radar) issued. There were no repair orders or parking citations issued. There were no traffic related arrests made. A suspected residence being used as a drug house has been forwarded to the proper task forces. Commissioner Wood asked about the number of citations between June and July. Commissioner Fockler suggested that the weekend patrols certainly need to focus on stop signs and speeding. Sgt. Mahan said that he would relay this information to the patrols and take steps to rectify the numbers with regards to traffic stops. Commissioner Wood has received complaints from citizens who have been almost hit and reports of speeding cars. Water Street is a habitual problem. Commissioner Fockler encourages the patrols to work Water Street especially on the weekends. Commissioner Wood suggests that every Saturday nights around 8:30 – 9:00 PM someone is shooting off fireworks. They seem to be coming from Old Town. We are thankful for limited calls for service.

Code Enforcement July Report – B. Lightner Bryan Lightner submitted a written report which addressed complaints on 9 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) conducted inspection, sent letter, will submit revised plot plan 4) Conducted inspection, sent letter, will submit revised plot plan 5) conducted inspection, sent letter 6) Conducted inspection , sent letter, 7) conducted inspection, sent letter 8) conducted inspection, determined no permit was needed 9): conducted inspection, sent letter. Mr. Lightner stated that we are still waiting on a permit to be submitted on the unpermitted work at 332 Caroline Street. Mr. Lightner is still working with the County on 423 Chesapeake Road which is a joint pending court case at the moment. Mr. Pumpaly stated that a letter went out today to a homeowner at 207 Black Avenue from Planning and Zoning giving the owner 30 days to comply with the points of the letters.

AT&T Antenna Lease Review – Charlestown Commissioners – AT & T is currently asking for “Real Estate rights in its simplest form, a lease right to utilize the entire RAD center without any “per touch” rent upcharges, rents reduced to competitive rates, reduced or no annual escalators (depending on other terms of the overall new deal) and “fair” early termination rights. Mr. Pumpaly replied that we have not had a “per touch” upcharge and would like to have a sit-down meeting with a local representative. A Mr. Shawn Sutton replied from AT & T and is willing to meet with Mr. Pumpaly. They are asking us to sign a 2nd amendment to the lease which would change the current removal and restoration language and above market rental rates. Mr. Sutton suggests that the Real Estate Rights//Termination and escalator clause are with in industry and AT & T normal standards. We had received the 2nd amendment to the lease and had not responded when received as the current lease was valid and the 2nd amendment would not really benefit the town. Mr. Pumpaly urges the Commissioners to consider this lease or to negotiate another one as this lease, if lost, the town would lose a great deal of money per year. Mr. Pumpaly asks to come up with a date that might work for a meeting with Mr. Sutton. Commissioner Fockler suggests that we are presently receiving around \$2700 a month and they suggest it drops to 2000 a month and would not rise back to the current rate until 2033. Commissioners Fockler and Kronner agreed to being a part of the meeting with Mr. Sutton.

Annual Repairs to Town Streets - W. Pumpaly, et.al – To do all of the repair spots in town is a cost of \$46,080.62 and we need to try to get it done before the winter weather. Commissioner Fields mentioned that the area where the repair was done on Rte. 7 is getting worse. **Commissioner Kronner moved to repair the streets at a cost of \$46,080.62, seconded by Commissioner Fields. Approved 4-0-1(Letts).** Mr. Pumpaly suggests that we will still have around \$40,000 more in the budget to do further repaving.

P&Z Liaison Update – Commissioner Wood was asked by the Planning and Zoning Commission to bring up a request to have more follow up after projects have been built. Mr. Pumpaly does not think that he is qualified to do the job and thinks that an engineer might be used or our Code Enforcement Officer. The Commissioners will bring up the issue with Mr. Lightner.

Town Administrator’s Report

Old Business

Invitation to Bid Repair/Refurbishment Foot Log Bridge – A RFP package is out on the street and due on August 21, 2020.

Scott Gardens SWP (Fence & Cleanup) Commissioner Fields read a statement from a resident from Scott Gardens: “How far the cutting needs to be cut (to the ground?) Does Mr. Pumpaly know what the state standards are on storm water ponds? Does anyone on the Board know?. Can Wib produce any paperwork on the last time the state inspected any of the sediment ponds on town property? Can Wib produce anything from the state saying the ponds need attention. The county has no authority over these ponds because Charlestown inspects their own ponds according to Mr. Funk (Head of storm water pond management for Cecil County). Why is the fence being replaced instead of being fixed, like KCI recommends? Is it because a fence company told Wib it should be replaced, funny would that benefit the fence company? Why does Wib care it’s not his tax dollars that he’s spending, its not his town taxes going up by a percentage during a pandemic where people are worried about their livelihood? Is John’s Lawn Service being asked to take down the fence? If so, is the town maintenance staff to haul off the debris for John. If Scott Gardens was completely finished it would have been 66 houses it is not their (the residents) fault that it wasn’t finished. The cost of the fence and upkeep would have been around \$200 per house but instead its closer to \$500 per house. If the average town tax bill in Scott Gardens is \$1000 per year that’s a 50% increase. The town recently decided to postpone a trailer tax and to give the boat slip tax a 30% decrease because of the pandemic. These breaks were for mostly out of town residents. I respectfully ask the board to do the same for its tax paying residents in Scott Gardens and table any decision on replacing the fence or at least paying half of the cost.” Commissioner Wood suggests that we need to get someone in who can tell us that we might be putting at risk with species of plants or animals. Commissioner Letts stated that the cost of the project must be borne by the homeowners of Scott Gardens. The discussion then became heated between Commissioner Fields and Mr. Pumpaly. After a lengthy discussion the consensus was to table the project for now and to ask Mr. Funk to come and give some advice to the Commissioners on how the pond should be managed.

New Business

Repainting of Long Point Flagpole (Commissioner Request) Commissioner Kronner is asking for the pole to be painted. Mr. Pumpaly has received a bid from Easter Shore Enterprises. **Commissioner Kronner moved to paint the flagpole for a cost of \$4250.00, seconded by Commissioner Fields. Approved 4-1.**

Commissioner Wood mentioned that we have received the Façade Grant that Ms. Antoshak had applied for and Mr. Lightner will help Commissioner Wood to implement the grant.

MML is still having their October meeting and there will be classes offered virtually if anyone is interested.

National Night Out was cancelled, but possibly in October a simple program could be done at Avalon. If anyone has any ideas please let Commissioner Wood know. She thinks the date is in the first week of October.

Commissioner Wood would like to go into Executive Session at the next meeting to discuss salaries.

Period of Public Comment

Submitted by email prior to the meeting

Kelsie Bentz & Dustin Delp I anticipate that the legality of charging the residents for the pond restoration is going to be reviewed with private counsel. There is no HOA in Scott Gardens. It is my understanding that there is paperwork that exists which specially states that if there is no HOA, the town is to manage the storm water management pond. It is also my understanding that the town initially installed the fence and provided maintenance for the pond on various occasions without resident involvement. If in fact it is proper for the residents to have to pay for the pond restorations, it is only right that the owner of the vacant lots must be included when the residents are being billed. The bill should be divided by each and every lot within this neighborhood whether the lot has been built on or not. It is my understanding that there were apparently supposed to be around 75 lots in Scott Gardens. If the Town takes the position that the builder who supposedly owns the lots cannot be located, please provide me with the last information you have on him/her and I will provide you with their

whereabouts. As far as the removal of the brush thus far, this should not be treated any differently than the bulk waste pick up. From my understanding, this is something that is included in the taxes the residents already pay. If further discussion on this matter is desired, please feel free to contact me on my cell phone at the number below.

Michael & Cindy Hartsfield.

I just want to voice my opposition to stop free fishing from the pier. With so many unemployed due to the virus, it is a bad time to do this. It was also one of the things that convinced us that this would be a good place to live. Thank you for your time

From Facebook Live:

Joanne Tollenger – Is there anything coming up on the Campground user fees? (Not at this time.)

Tara Edwards – The outburst wasn't very nice, please act more professionally.

Joanne Tolleger – Rent a lift and let our maintenance crew do the painting. (This is beyond their scope because of the height of the pole. It needs to be done professionally by a company used to doing such work.)

There being no further business before the board, **Commissioner Kronner moved to adjourn, seconded by Commissioner Fields at 8:15 PM. Approved 5-0.**

Respectfully submitted,

Debbie Myers, Town Clerk

Approved 8/25/2020