

**SPECIAL TOWN MEETING MINUTES**  
**December 14, 2009**  
**CONSIDERING WATER SEWER RATES CHARGES & RATE STRUCTURE**  
**ORDINANCE 8-2009 WATER & SEWER RATES**  
**7:00 p.m.**  
**Trappe Town Hall**

A Special meeting of the Council of Trappe was opened by President Croswell and called to order at 7:00 p.m. Commissioners Walter Chase, Rose Potter and Richard Dorbin were present. Ms. Brynja Booth, Town Attorney was present. Scott Marvel, Don English, Drake & Elizabeth Ferguson, Bud Reid, Bryant May and Don Haring were also present.. Everyone stood and recited the pledge of Allegiance.

Commissioner Croswell read from Ordinance 8-2009.

AN ORDINANCE OF THE COUNCIL OF TRAPPE ESTABLISHING THE TOWN'S WATER AND SEWER CHARGES, AND REPEALING ALL PREVIOUS ORDINANCES INCONSISTENT WITH THE NEWLY ADOPTED RATES AND CHARGES.

Commissioner Croswell stated that if we can come to a consensus on the Ordinance we will have Ms. Booth prepare a draft for introduction during the meeting tonight.

On October 21<sup>st</sup> and October 28<sup>th</sup>, the Council of Trappe conducted two public workshops on the Town's water and sewer rates, and continued discussion of water and sewer rates at a public hearing on November 4, 2009; and as a result of the public comments and comments from the Council, the Council of Trappe is holding this special meeting on December 14, 2009 to revisit water and sewer charges.

Brynja Booth, Town Attorney gave a brief overview of the legal process by which the town can set and charge water and sewer rates and related charges. The law requires the Enterprise fund to be self sufficient and to charge enough to cover the operation of the plant. As background Mrs. Booth sited how the town of Easton structures their rate system.

Commissioner Croswell stated we have taken \$ 292,000.00 since March of 2007 from the General Account for operating expenses. We have not raised the water rates for three years. The current budget must raise enough income to pay for the water and sewer expenses. We need to pass a rate structure that raises enough money to cover the water and sewer expenses. We are loosing approximately \$20,000.00 a year by not billing duplexes and multi- family units as separate services as required by the Town Code.

Commissioner Croswell proposed amending the water and sewer fees and charges as set forth in draft Ordinance 8-2009 as presented this date. (A copy of is attached in the minutes). There was a brief discussion of the proposed rates and structures.

Bud Reid questioned the fact that the Ordinance states that the outside users should pay

no less than 20% more. Ms. Booth stated that the Council previously recognized this and adopted Ordinance 9-2009 suspending that requirement until the rate structure can be reviewed further.

Brynja Booth stated that the ordinance can be introduced tonight as emergency legislation (as permitted by the Town Charter) to become effective on January 01, 2010, effective February 1, 2010.

Commissioner Croswell felt that the ordinance should be made effective January 1, 2010 in order to balance the budget.

Motion was made by Commissioner Dorbin to direct Mrs. Booth to draft the ordinance as emergency legislation with an effective date of January 1<sup>st</sup>. All were in favor.

**AN EMERGENCY ORDINANCE OF THE COUNCIL OF TRAPPE ESTABLISHING THE TOWN'S WATER AND SEWER CHARGES, AND REPEALING ALL PREVIOUS ORDINANCES INCONCSISTENT WITH THE NEWLY ADOPTED RATES AND CHARGES.**

Motion was made by Commissioner Dorbin to introduce Ordinance 8-2009  
Motion was seconded by Commissioner Chase.

Vote:

Dorbin – Y                  Potter – Y                  Croswell – Y                  Chase – Y

There were no objections.

The Council agreed to advertise for a public hearing on Ordinance 8-2009 to be held on January 6, 2010 before the regular Council of Trappe meeting.

The meeting was adjourned at 8:36 p.m.

Respectfully submitted:

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Joedy Cecil, Clerk

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Approved: Robert C. Croswell, President