

COUNCIL OF TRAPPE MINUTES
MARCH 2, 2011
7:30 P.M.
TRAPPE TOWN HALL

Public Hearing

The public hearing of the Council of Trappe was called to order by President Crowell at 7:16 p.m. Commissioners Walter Chase, Richard Dorbin, Norm Fegel, and Rose Potter were present. Also present at the hearing were: Nancy Dunn, Bud Reid, Brynja Booth, Don English, as well as Greg Zito and Gia Colaneo of RedSpeed.

President Crowell read aloud Ordinance 04-2011. AN ORDINANCE OF THE TOWN OF TRAPPE ESTABLISHING A SCHOOL ZONE WITHIN A HALF-MILE RADIUS OF WHITE MARSH SCHOOL AND ADOPTING A SPEED MONITORING SYSTEM TO ENFORCE SPEED LIMITS WITHIN THE SCHOOL ZONE IN ACCORDANCE WITH MD. CODE ANN. TRANSPORTATION ARTICLE § 21-809

Commissioner Chase asked Chief George Ball to explain the ordinance. Chief Ball gave a brief overview of the proposed ordinance. The ordinance would allow speed cameras to be placed within a half mile radius of designated school zones. The cameras operate Monday thru Friday from 6 a.m. to 8 p.m. and take pictures of vehicles that are in violation of more than 12 mph over the posted speed limit. RedSpeed double verifies the accuracy of the information, and then forwards the information to the town police who also verifies the information; and gives the final yeah or nay on issuance of a fine. It is a \$40 fine, and no points on the driver's license. Commissioner Chase asked the RedSpeed representatives to explain what would happen if someone challenged the violation or failed to pay the ticket. Gia Colaneo of RedSpeed stated that those receiving a violation have the option to transfer liability to whoever was using the vehicle at the time of the violation, or violators have the option of paying the fine or may request a hearing with a judge. If the ticket is not paid within 90 days RedSpeed will flag the plate with the MVA if you have a Maryland registered plate. This is codified by state law. Chief Ball referred to the map of the proposed school zone on display.

The public asked if tickets can't be issued until you are over 12 mph in excess of the speed limit unless Chief Ball stops you. Chief Ball responded that if he gets into it the tickets start at \$90 with points on your license. The question was also raised if signs need to be posted stating there is a designated school zone. Chief Ball stated yes, and that RedSpeed would be responsible for the signs. Commissioner Crowell stated that funds generated by the system must be designated for public safety. Chief Ball referred to the traffic study performed by RedSpeed last month. That study showed over 1,500 vehicles were in violation. Ms Colaneo stated her firm is in conversation with several towns on the shore including Cambridge, Chestertown, and Federalsburg. There were no other comments, and the public hearing was adjourned.

REGULAR BUSINESS MEETING

At 7:30 p.m. President Crowell called the regular business meeting of the Council of Trappe to order. Commissioner Potter led everyone in the Pledge of Allegiance.

Amendment to the Agenda: There were no changes to the agenda.

Presentation of the Minutes: The minutes of the January 5, 2011 meeting were approved as presented.

Financial Statement: Financial statement has been submitted and filed for audit.

COMMITTEE REPORTS:

Clerk's Report: Town Clerk Mrs. Cecil reported a beginning balance in the general fund of \$104,232.29 and the ending balance was \$29,274.88. The net income was \$5,526.26. The enterprise fund beginning balance was \$28,771.43 and the ending balance was \$33,848.28.

Outstanding water bills were \$20,645.31. The net income reported was \$8,850.24.

Police Report: Commissioner Chase: Chief George Ball gave his monthly activity report.

WWTP Report filed with the minutes: President Croswell reported that operators Steve Callahan and Scott Ireland were taking the 5A Class test today. In Steve's absence he reported that the plant was offline for a few days last month and put on bypass while several items were recalibrated, and then put back on line. New gas chlorinators have been ordered at a cost of roughly \$6,000, and will be installed next month. There were no permit violations last month.

Planning & Zoning: Commissioner Fegel: Commissioner Fegel reported that there were no new planning issues.

Parks: Commissioner Potter Commissioner Potter thanked Chief Ball for his assistance in getting community service workers to perform landscape and tree maintenance at the town parks.

Update on Mr. Joe Thomas: Clerk Joedy Cecil reported that Mr. Thomas had surgery this week, and is doing very well. The family is hopeful that he will be home sometime this month and placed in a rehab center nearby. We have been providing meals to the family, and if anyone would like to participate there is a sign up sheet as well as a get-well card. There are also plans for a spaghetti dinner March 30th from 5-7 p.m. at the firehouse.

Attorney Updates: Brynja Booth: Mrs. Booth reported that she has reviewed the standard contract provided by RedSpeed, and it is a standard five year contract. She suggested the Council consider one of two options: make the motion in April to accept the contract should you adopt the ordinance, or authorize the President to execute the contract after she reviews it for legal sufficiency, and the Council adopts the ordinance. There is a delay for equipment ordering, and installation which may take a couple months prior to getting the service up and running. Mrs. Booth offered to review the item in executive session to assist in expediting the item.

Communications: Commissioner Croswell, and Potter: President Croswell stated that the town follows all required procedures for executive sessions and that a summary of the closed session minutes is attached to the regular minutes and is available on line. The Maryland open meetings handbook is also available on line.

BUSINESS BEFORE THE COUNCIL

Grass Cutting Bids: Sealed bids for grass cutting services were opened. There were a total of six bids received including Beverly Estates Lawn care; Bridges Land Mgmt; Brummell Does, LLC; D-N-C; Lawn Enforcement; and Riverside Lawn Service.

Motion by Commissioner Dorbin to accept the low bid of \$299.00 per cutting submitted by Riverside Lawn Service.

Motion was second by Commissioner Fegel.

Vote:

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

Ordinance #04-2011 AN ORDINANCE OF THE TOWN OF TRAPPE ESTABLISHING A SCHOOL ZONE WITHIN A HALF-MILE RADIUS OF WHITE MARSH SCHOOL AND ST MARK'S PRESCHOOL ADOPTING A SPEED MONITORING SYSTEM TO ENFORCE SPEED LIMITS WITHIN THE SCHOOL ZONE IN ACCORDANCE WITH MD. CODE ANN. TRANSPORTATION ARTICLE § 21-809 President Croswell read the ordinance into the record. A public hearing was held on the ordinance at 7:16 p.m. this evening prior to the meeting. The hearing and ordinance were properly advertised.

Motion by Commissioner Dorbin to adopt Ordinance #04-2011.

Motion was second by Commissioners Chase and Potter. No further discussion on the ordinance.

Vote:

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

Charter Amendment Resolution #04-2011 A RESOLUTION OF THE COUNCIL OF TRAPPE TO AMEND SECTION 611 OF THE TRAPPE TOWN CHARTER TO INCREASE THE AMOUNT OF THE EXPENDITURE OVER WHICH THE CLERK-TREASURER MUST SEEK SEALED BIDS FROM FIVE THOUSAND DOLLARS (\$5,000) TO TEN THOUSAND DOLLARS (\$10,000). President Croswell read the ordinance into the record and explained unlike other resolutions, charter amendments are passed by the Council, and then advertised. The Resolutions shall become and considered part of the Town Charter, and shall be effective in all respects, upon the (fiftieth) 50th day following its enactment, unless on or before the fortieth (40th) day following its enactment, a petition for referendum is submitted to the Council of Trappe in accordance with the provisions of Article 23A§ 13.

Motion by Commissioner Fegel to adopt Resolution #04-2011.

Motion was second by Commissioner Dorbin.

Vote:

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

Charter Amendment Resolution #05-2011 A RESOLUTION OF THE COUNCIL OF TRAPPE AMENDING SECTION 506 OF THE TRAPPE TOWN CHARTER RELATING TO TOWN EMPLOYEES, AND PROVIDING THAT COUNCIL MEMBERS MAY NOT HOLD EMPLOYMENT OR APPOINTED POSITIONS WITH THE TOWN DURING THEIR TERM OF OFFICE. President Croswell read the ordinance into the record and stated that the amendment proposes a check and balance system for commissioners. Commissioners may serve as ex-officio member on the Planning Commission concurrent with the member's term as authorized by Article 66B of the Maryland Annotated Code. This Resolution shall become and considered part of the Town Charter, and shall be effective in all respects, upon the (fiftieth) 50th day following its enactment, unless on or before the fortieth (40th) day following its enactment, a petition for referendum is submitted to the Council of Trappe in accordance with the provisions of Article 23A§ 13.

Motion by Commissioner Potter to adopt Resolution #05-2011.

Motion was seconded by Commissioner Fegel.

Vote:

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

Draft Ordinance 05-2011 President Croswell opened stating that a workshop will be scheduled to give the Commissioners an opportunity to review and amend the proposed budget. Agencies and departments

that receive funding from the town were requested to submit justification for budget requests for consideration by the Commissioners. The public was invited to attend the workshop. It is hoped that the Ordinance will be introduced in April, there will be a public hearing before the budget is adopted in May.

Proposed changes/highlights:

- It appears a change may be necessary in trash disposal costs as the trash will likely need to be hauled to the new landfill in Ridgley instead of the current landfill in Easton.
- Snow removal grant from FEMA is unlikely this year and has been removed.
- The police department has requested an additional \$9,000 for an additional officer which would be paid for via the revenue from RedSpeed.
- The local income tax received this year was much larger than anticipated. The amount reflected in the Proposed budget is a more modest figure the median of the last four years.
- A cost of living increase of 1 ½ % for is proposed for town employees across the board. A raise for the Commissioners and appointed board members is not proposed. Commissioner Potter asked if this included the housekeeper. President Crowell stated the housekeeper is a contractor and not an employee.
- An increase in park maintenance as requested by Commissioner Potter is included in the budget.
- The Enterprise budget includes no anticipated revenue from connection fees for new homes and will have an anticipated \$25,000 to \$30,000 deficit without cutting something out, or adjusting the water/sewer rates.

The draft budget will be posted on line shortly. The Commissioners established that a workshop will be held Wednesday, March 16th at 7:00 p.m.

Board of Appeals Appointment President Crowell stated that the town had advertised a vacancy on the Board of Appeals and then it became questionable of whether there is one vacancy, two vacancies or no vacancies. The vacancy question hinges on a state mandated requirement that members of the board take a course, and pass a test to continue serving on the board. Town Planner, Jennifer Shull, requested an executive session regarding filling the vacancy(s). The Commissioners agreed to review the personnel matter in executive session.

ANNOUNCEMENTS:

- Mon. April 4th-last day to register to vote in the 2011 General Town Election
- Tue. March 10th 5:30 p.m. – Jim Dawson to speak about his new “Trappe Book” at the Senior Center, 400 Brookletts Ave. Easton
- Tue. March 15th-deadline to file a certificate of nomination for the 2011 Town Election
- Tue. March 15th 7:30 p.m. Planning Commission meeting
- Wed. March 16th 4:00 to 6:00 p.m. – Trappe Vol. Fire Co. Soup Day
- Thur. March 17th 5:00 -7:00 p.m.-Trappe UM Church St. Patty’s Day Dinner
- Wed. March 30th 5:00-7:00 p.m.-Spaghetti Dinner benefit for Joe Thomas
- Tue. May 10th-The General Town Election-elect two commissioners and decide term limits.

BENEDICTION

Rev. David Hackett of Scott’s United Methodist Church offered the benediction.

Executive Session: Motion by Commissioner Chase to go into Executive Session for personnel matter and legal advice. Motion seconded by Commissioner Dorbin. Motion carried. President Crowell asked Ms Shull to join the Commissioners and Mrs. Booth in the executive session. The Council of Trappe convened an executive session on March 2, 2011 at 8:35 p.m. at the Town office to obtain legal

advice on potential vacancies on the Trappe Board of Appeals, and to obtain legal advice on the contract proposed by RedSpeed for the speed monitoring system. The executive session was concluded at 9:35 p.m.

Open Session Reconvened: At 9:36 p.m., Commissioner Dorbin made a motion to reconvene in open session, which was seconded by Commissioner Potter and unanimously approved. Commissioner Dorbin made a motion that the Council authorize the President to execute the contract with RedSpeed for the speed monitoring system once Mrs. Booth makes her recommended changes, which can be circulated to the Council by email for their review. The motion was seconded by Commissioner Chase, and unanimously approved. Commissioner Fegel made a motion to adjourn the meeting, which was seconded by Commissioner Dorbin. There being no further business, the meeting was adjourned at 9:37 p.m.

Respectfully Submitted:

Joedy Cecil, Clerk

Approved: Robert Croswell, President

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Certified copies are available from
the Trappe Town Clerk

**COUNCIL OF TRAPPE
SUMMARY MINUTES OF EXECUTIVE SESSION
March 2, 2011**

The Council of Trappe convened an executive session on March 2, 2011 at 8:35 p.m. at the Town office to obtain legal advice on potential vacancies on the Trappe Board of Appeals, and to obtain legal advice on the contract proposed by RedSpeed for the speed monitoring system. The persons present were Walter Chase, Robert Crosswell, Richard Dorbin, Rose Potter, Brynja M. Booth and Jennifer Shull (Jennifer Shull was present until 9:06 p.m.)

Jennifer Shull advised that two members of the Board of Appeals had not completed the mandatory state course required for all members of the Town Planning Commission and Board of Appeals. Ms. Shull advised that a vacancy had been advertised, and that the Council had received a letter of interest from Mr. Bud Reid. Mrs. Booth advised the Council regarding the legal requirements for removing board members who do not complete the required state course. The consensus of the Council was that Mrs. Booth would write letters to the two board members to advise them that the course must be completed before the next Council meeting.

Mrs. Booth proceeded to go over the draft contract proposed by RedSpeed. She went through the contract paragraph by paragraph and discussed the relevant provisions. She advised that there were certain paragraphs that needed further revisions on behalf of the Town, including tailoring the contract to remove references to fixed cameras, which the Town was not installing, and tailoring the contract to Trappe.

There being no further matters to consider in executive session, the executive session was concluded at 9:35 p.m.

Robert H. Crosswell

Summary minutes of closed executive sessions are not intended for legal reference. The Council of Trappe maintains complete records of all closed sessions as required by law. The complete record may contain privileged information and additional detail not included in the summary minutes.