

COUNCIL OF TRAPPE MINUTES

MAY 5, 2010

7:00 P.M.

TRAPPE TOWN OFFICE

The public hearing on Ordinance 3-2010 was opened by President Robert Croswell at 7:00 p.m. President Croswell read the ordinance aloud which amended the Zoning Ordinance to change the definition of home based business, and where/when such use can take place, and stated that the hearing had been properly advertised. All of the Council was present. Also present was Don English, and Jennifer Shull-recording. There were no comments by the public, and no comments by the Council. Is there any reason to continue the public hearing? The hearing was adjourned without objection at 7:02 p.m.

The public hearing on Ordinance 1-2010 authorizing a line of credit with the Talbot Bank in the principal amount of \$100,000. was opened by President Croswell at 7:16 p.m. President Croswell read the ordinance aloud, and stated that the hearing had been properly advertised. All of the Council was present. Also present was Don English, Chief George Ball, Kelly Allen of the Star Democrat, Nancy Dunn, Brynja Booth, Shirley and Bobby Quidas and Jennifer Shull recording. President Croswell stated that any amount needed would be drawn by Resolution, and it was anticipated that these funds would be used for Police Dept renovations, street repairs, and repairs to Well #5. President Croswell called for any comments from the public, or from the Council. There were none. The hearing was adjourned without objection at 7:18 p.m.

The regular meeting of the Council of Trappe was called to order by President Croswell at 7:30 p.m. Commissioners Walter Chase, Norm Fegel, Rose Potter, and Richard Dorbin were present. Town Planner, Jennifer Shull, recorded minutes.

Pledge of Allegiance was followed by a moment of silence in recognition of the passing of Planning Commission member Billy Cecil.

Amendments to the Agenda there were no amendments.

Presentation of the Minutes: The minutes of April 7, 2010 were accepted as presented. A public hearing was held on April 28, 2010 to receive comments on the proposed budget Ordinance 2-2010. The minutes of that meeting were accepted as presented. President Croswell commented that public hearings were held earlier tonight on Ordinance 3-2010 and Ordinance 1-2010.

Financial Report: The financial report was presented to the Commissioners for filing and audit.

President Croswell expressed appreciation on behalf of the Council to employees Jeanie George, and Jennifer Shull, for their assistance in the office during Mrs. Cecil's bereavement.

COMMITTEE REPORTS

Clerk's Report: Town Clerk

Ms Shull read aloud the Mrs. Cecil's report for April that was presented for filing with the minutes.

Police Report: Commissioner Chase

Chief Ball gave his monthly report. A copy was provided to the Commissioners and will be filed with the minutes. It was also reported that a \$200 donation from a resident had been received to help with the police department renovations.

Public Works: Commissioners Croswell & Dorbin

Commissioner Croswell reported that well #5 has been repaired, and that it is still being pumped to clear residual grains of sand found upon filtering. The water has passed tests for bacteria. The pumping is not being done continuously so as to avoid flooding the neighborhood. He also reported that the calibration certification of the flow meters will take place May 20th.

A report from Steve Callahan, Superintendent, was provided to the Commissioners and will be filed with the minutes.

Planning & Zoning: Commissioner Fegel

Town Planner Ms Shull reported that property maintenance grass complaints have risen and three have been referred to the grass contractor for resolution. Foreclosed homes have an abandoned appearance when the grass is uncut and may contribute to theft, and break ins. The cost of cutting the grass will be placed as a lien on the properties. Ms Shull also reported that Shawn Smith has completed the required Planning Certification Course. The Planning Commission is also requesting the Council to consider altering the Zoning Ordinance regarding frequency of meetings.

Parks: Commissioner Potter

Commissioner Potter reported that the fence at Nace's Park has been installed and is working very well. She also reported that she was contacted by Easton Councilwoman Kelly Malone to facilitate a community park planning committee. Easton has acquired fifty eight acres behind Chapel Farms and Route 50 for a park. The committee was tasked with developing recommendations on what facilities to offer at the park. The recommendations were given to the Parks and Recreation task force and will eventually be given to the town.

President Croswell reported that a resident that lives on Howell Point Road had approached him asking for a park bench to be placed at Nace's Park to assist people who need a resting point as they walk. Ms Shull will look into the possibility of getting a free bench at the upcoming Maryland Municipal League (MML) convention which is where the bench in front of the town hall came from. Anyone else who can offer a park bench is welcome to contact the town office.

Communications: Commissioners Dorbin and Croswell

No report.

ORDER OF BUSINESS

ORDINANCE 3-2010 AN ORDINANCE OF THE TOWN OF TRAPPE AMENDING THE TRAPPE ZONING ORDINANCE BY REPEALING THE DEFINITION OF "HOME BASED BUSINESS" AS SET FORTH IN TITLE III, SECTION 2, AND ADOPTING A NEW DEFINITION OF "HOME BASED BUSINESS" AND A DEFINITION OF "HOME OCCUPATION";..... Was read into the record. President Croswell noted that a duly advertised public hearing was held earlier tonight on this ordinance. Town attorney, Brynja Booth, gave a brief explanation of the ordinance, and the reasoning for doing away with the special permit requirement for Type I home based business. Example: Selling Avon. This type will now be permitted by right and not require a permit or special exception. Type 2 has a more intense use and becomes known as "Home Based Business" which will require a Special Exception.. President Croswell stated that the Planning Commission has recommended adoption of the ordinance.

Motion by Commissioner Chase to adopt Ordinance 3-2010 as presented. Commissioner Fegel seconded the motion. There was no discussion.

Vote:

Dorbin-Y Potter-Y Croswell-Y Chase-Y Fegel-Y

ORDINANCE 1-2010 AN ORDINANCE OF THE TOWN OF TRAPPE AUTHORIZING A LINE OF CREDIT PROMISSORY NOTE WITH THE TALBOT BANK IN THE PRINCIPAL AMOUNT OF \$100,000, THE PROCEEDS OF WHICH MAY BE USED TO PROVIDE INTERIM FINANCING FOR RENOVATIONS TO THE TOWN OFFICE FOR THE RELOCATION OF THE TRAPPE POLICE DEPARTMENT, AND FOR STREET REPAIRS, AND TO COVER OTHER PUBLIC EXPENSES AND INDEBTEDNESS THAT MAY ARISE FROM TIME TO TIME, SAID LOAN TO BE REPAYED BY THE CITIZENS OF TRAPPE, AND THAT THE TOWN WILL PLEDGE ITS FULL FAITH AND CREDIT TOWARD THE REPAYMENT OF THE LOAN was read into the record. President Croswell noted that a duly advertised public hearing was held earlier tonight. A resolution will be presented each time

funds are drawn from the line. He stated that it is the intention of the Council to repay the funds used for Police Department renovations within in five years and he presumed the Council would do the same for the infrastructure repairs.

Motion by Commissioner Potter to adopt Ordinance 1-2010 as presented. Commissioner Dorbin seconded the motion. There was no discussion.

Vote:

Dorbin-Y Potter-Y Crowell-Y Chase-Y Fegel-Y

ORDINANCE 2-2010 AN ORDINANCE OF THE TOWN OF TRAPPE ADOPTING A GENERAL BUDGET FOR FISCAL YEAR BEGINNING JULY 1, 2010 AND ENDING JUNE 30, 2011 ESTABLISHING A TAX RATE OF \$0.29 PER \$100 OF ASSESSED REAL PROPERTY VALUE AND A TAX RATE OF \$0.54 PER \$100 ON ALL COMMERCIAL OR BUSINESS PERSONAL PROPERTY AND PUBLIC UTILITIES; AND ALSO ADOPTING AN ENTERPRISE BUDGET FOR THE TOWN'S WATER AND SEWER OPERATIONS. There was a hearing that was duly advertised on April 28, 2010. There were no comments from the public on the budget at the hearing. President Crowell stated that there are a couple of discretionary items the town could look at during the first half of the year to further reduce expenses. The General Budget has to be balanced. He stated that we are going with the County tax billing system. The County will send us a check on the fifteenth of every month. We will use their discount of one percent instead of the discount the town had been giving of six percent. This will save us time, postage and mailing expenses; and the bill is easier to understand. Our assessable tax base went up which will give the town some additional revenue.

There was one undecided item at the workshop and that was Special Trash. Information has been placed in the Council packets on how other towns handle special trash, and fee for service information. The budget contains the amount for two pick ups. We need to decide if we are going to have special trash pickup at all, and if so, are we having it more often than twice a year and we pay for it the money hasn't been budgeted. If we decide on two pick ups a year the money has been budgeted. This will be placed on the June agenda for a decision on the method and frequency of special trash pickup.

Motion by Commissioner Fegel to adopt Ordinance 2-2010 the budget ordinances. The motion was seconded by Commissioner Chase.

Vote:

Dorbin-Y Potter-Y Crowell-Y Chase-Y Fegel-Y

Stormwater Management President Croswell asked the town attorney, Mrs. Booth, to provide background on the stormwater management ordinance. Mrs. Booth stated the town had adopted an ordinance in the fall as required by Maryland Dept of Environment (MDE). The state had minor comments on the ordinance. MDE must review local stormwater ordinances. Subsequently MDE has made changes to the state regulation regarding redevelopment areas & waiver requirements. As a result Mrs. Booth has amended the 2009 ordinance to incorporate the latest changes by MDE. The Council is requested to authorize Mrs. Booth to submit the amendment to MDE for review prior to adoption consideration.

Motion by Commissioner Fegel to authorize Brynja Booth to send the proposed stormwater amendment to Maryland Dept of Environment for review. Commissioner Dorbin seconded the motion.

Vote: There was no objection to the motion. All stated aye.

Committee Appointments: President Croswell stated the following boards and committees had members that were up for reappointment. All of those presently serving had indicated a desire to be reappointed. The BOCA Review board's use has ceased to exist, and that board has expired. The IBC Appeals board formerly the BOCA Appeals board has a name change as the town has adopted the International Building Code (IBC) standards.

Planning Commission-Edgar Harrison

Parks and Recreation-John Farwell, and Skip Marvel, Alternate

Appeals Board-Ronald Brigerman, Thurman Bryan, John Tritapoe, and Rick Hudkins, Alternate

IBC Appeals Board-Tom Maddox and Jeff Beaver

Motion by Commissioner Dorbin to re-appoint the slate of committee members. Commissioner Fegel seconded the motion.

Vote:

Dorbin-Y

Potter-Y

Croswell-Y

Chase-Y

Fegel-Y

Committee Openings: President Croswell announced that there are vacancies on the IBC Appeals board for a regular member, and an alternate. An ad has been placed in the May INDEX regarding the openings. Also available is an opening on the Planning Commission. Due to the responsibilities of the Planning Commission it was agreed that wide spread notice of the position opening be posted. President Croswell directed staff to place an ad for the openings in the Star Democrat to run once. There was no objection to this direction.

Any letters of interest in the positions received from town residents will be considered at the June meeting.

Trappe-toberFEST: Staff brought forth a request to change the date of the festival from the Third Saturday of October to the First Saturday of October. This would provide additional opportunity for a “rain date” in the event of poor weather. President Croswell spoke of his concerns regarding the future of the event, and whether it should become autonomous. He had concerns regarding the disbursements of funds thru the festival last year, and who was accountable for authorizing the expense. He suggested that a Committee be appointed.

Mrs. Booth spoke as a previous volunteer stating that she felt an “appointment” may be intimidating to volunteers. The future of the festival was uncertain without more volunteers, and the presence of Council members at the festival was important to its success. Ms Shull stated that she would like to clarify the expenses and that nothing improper was purchased. There was confusion on the part of the “Banners in the Street” program which coincided with the festival but was not a part of the festival. A small grant was obtained to help partially fund the banner expenses, and the festival raised enough funds that it was able to cover the remaining costs of the banners. It is important that donors and volunteers feel good about their contributions, and that the confusion did not imply anything improper. Mrs. Nancy Dunn commended the festival and stated that with any new event there is some confusion at start up. She enjoyed the banners, and hoped both would continue.

Ms Shull asked that a decision regarding the date be made now to facilitate the event to move forward with grant applications, and entertainment scheduling.

President Croswell asked if there were any objection to changing the festival to the first Saturday of October with a rain date of the third Saturday of October. There was no objection by the Council.

Following up on the discussion regarding accountability and the need for a festival chairperson Ms Shull volunteered for the position. Her offer was immediately accepted.

June Agenda: President Croswell stated the following items will be placed on the next agenda

1. A resolution to draw fund from the Talbot Bank line of credit to pay for police department renovations.
2. Employee handbook revisions.
3. Special Trash

Announcements

May 5th Free tomato plants distributed by Charles Adams following the meeting

May 19th 7:30 p.m. Planning Commission meeting

May 21st 6:00 p.m. Employee Appreciation Dinner

May 31st Memorial Day – Office closed

June 5th 10 a.m. – 3 p.m. Strawberry Festival – Trappe United Methodist Church

June 5th 7 a.m. - ? Rummage Sale – St Paul Episcopal Church

June 9th 7:30 p.m. Lakeside DRRA Good Faith Review

June 23rd – 26th Trappe Fireman’s Carnival. Parade on Saturday, June 26th.

Mr. Charles Adams reported that the Rural Life Museum directors will be meeting tomorrow to set a date for an open house. The Exhibit “Our Town” formerly at the Talbot Co Historical Society is relocating to the museum. The museum will have a display at the Tred Avon Players Performance in May at the community center.

Benediction: Charles Adams offered a benediction.

Meeting adjourned at 8:44 p.m. without objection.

Respectfully submitted by,

Jennifer A. Shull, Town Planner

Approved by,

Robert H. Croswell, President

COUNCIL OF TRAPPE

MINUTES OF EXECUTIVE SESSION

On May 22, 2010, the Council of Trappe unanimously voted to go into executive session at 1:15 p.m. for the purposes of obtaining legal advice on a personnel matter. Persons present were Robert Crosswell, Richard Dorbin, Walter Chase, Rose Potter, Norm Fegel, and Town Attorney Brynja Booth. The meeting was held at the Trappe Town Hall.

The Commissioners discussed a personnel matter and after obtaining legal advice made a decision to terminate an employee without cause.

There being no further matters to consider, the executive session was concluded at 2:05 p.m.



Robert H. Crosswell