

## COUNCIL OF TRAPPE MINUTES

### TRAPPE TOWN HALL

August 3, 2011

7:30 P.M.

The regular business meeting of the Council of Trappe was called to order by President Crowell at 7:32 p.m. Commissioners Richard Dorbin, Rose Potter, Walter Chase and Shawn Moore were present. Commissioner Moore led the Pledge of Allegiance.

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

**Presentation of the Minutes:** Commissioner Potter made a motion that the July 6, 2011 minutes be approved as presented. Commissioner Chase seconded the motion. All were in favor.

**Financial Statement:** Financial statement has been submitted for review. President Crowell stated that the auditors are working on our books at the time. As of June 30<sup>th</sup> the General Fund budget has a surplus of \$201,643.23. The Enterprise Fund ended in the black just under \$19,000.00. [subject to final audit]

**Clerk's Report: Town Clerk :** Joedy Cecil, Town Clerk, submitted a copy of the financial report which is included in the minutes. We have added to the accounts receivable an account for receivables which cover the Police Department and Planning Department. This will show everyone hopefully a full picture of the money due.

### **COMMITTEE REPORTS:**

**Executive Session Held:** The Council of Trappe convened an executive session on July 6, 2011 at 9:05 p.m. at the Town office to discuss a personnel matter, to consult with counsel to obtain legal advice, and to discuss a potential real estate acquisition. The persons present were Walter Chase, Shawn Moore, Robert Crowell, Richard Dorbin, Rose Potter, Brynja M. Booth and George Ball (Chief Ball was present until (9:30 p.m.) The meeting was held at the Trappe Town office.

**Executive Session Held:** The Council of Trappe held an Executive Session on July 27, 2011 at 5:07 p.m. to discuss personnel matters concerning hiring a part time Police Office and to discuss an appraisal of real property and a potential real estate acquisition. Persons in attendance were Robert Crowell, Walter Chase, Shawn Moore, Rose Potter, George Ball and a subject to be interviewed for possible employment. George Ball and the subject left the meeting at 5:44 p.m. The meeting was held at the Trappe Town office

**Public Safety: Commissioner Chase:** Chief Ball gave his report which is filed with the minutes. Chief Ball thanked Trooper Scott Moore for assisting with a disturbance on Ross Lane. The State Police have asked the town to join in with them in the toy fund drive again this year. The Maryland Chief's of Police conference is in September and Chief Ball requested \$400.00 to attend. Chief Ball stated that the Municipal Departments in Talbot County as well as Queen Anne's County are hosting a Juvenile homicide seminar on October 20<sup>th</sup> at 5:00 p.m. at the Easton High School and flyers have been sent out to inform the Community. President Crowell made the comment that the residents have been reporting suspicious vehicles or people which means that they are looking out more for their neighbors and community. Chief Ball was also commended on the way he handled the party disturbance on Ross Lane that turned into a real situation.

**WWTP Report: Steve Callahan:**

President Crowell said there is not much to report, water consumption and wastewater discharge volumes are consistently lower than a few years ago which confirms that we have capacity available to sell to Lakeside. We are requesting from suppliers prices for new wastewater pumps for the south Main St. pumping station.

**Planning and Zoning: Jennifer Shull:**

Ms. Shull said that there was not much to report. The Planning Commission reviewed the request for disposal of the Diamond Street open space and Chairman Edgar Harrison has forwarded their recommendation to the Council of Trappe.

**Parks and Recreation: Commissioner Potter:**

Commissioner Potter stated that the canopy at Lakeview has been repaired and she is looking at a more permanent plan for the carpet mulch at the park.

**Update on Mr. Thomas:**

Ms. Cecil gave an update; Mr. Thomas is now in Salisbury at the Salisbury Rehabilitation Center and is in room 614, he enjoys company and is greatly improved.

**Trappe ToberFest: Jennifer Shull**

Ms. Shull introduced Ms. Lee Everett as co-chairperson. There was a meeting tonight before the Council meeting, getting ideas to get outreach to the Community. The committee will be meeting each Tuesday night at 5:30 p.m. and contacting the churches and all organizations to have them send someone each week helping to get everyone involved. There will also be postcards to distribute throughout the community.

**Banners: Joedy Cecil:**

Ms. Cecil said that the town would be doing banners again this year. The banners have nothing to do with Trappe-ToberFest other than for decoration. The banners will be put up in October and taken down on Thanksgiving. There is a lot of talent in Trappe and we would like to have anyone interested in painting one to contact the office.

## **BUSINESS BEFORE THE COUNCIL**

### **Vacancy on the Ethics Board:**

We have had no response. The position will remain open until filled.

### **Concession Stand at old ball park:**

Mr. Drake Ferguson said that the LIONS club will be meeting with the County in September and the stand will remain until then. The LIONS Club is ready to proceed with repairs as soon as the County gives them the word.

### **Chief Ball Training:**

Motion was made by Commissioner Chase to grant Chief Ball \$400.00 for the Police Chief Training. Motion was seconded by Commissioner Moore.

Vote:

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

### **Drug Taskforce: Chief Ball**

Chief Ball explained that every agency in Talbot County is a part of the Talbot County Taskforce group. There are several offices in the group that are filled by different municipalities. St. Michaels is currently the Chairperson. Another is the forfeiture authority which is always the States Attorney's office. The third is the seize and authority of which Oxford is now in charge and has been for several years, but has stated that he might possibly want to retire from the job. This would leave an opening for another municipality to take over. The Taskforce actually does all the work themselves; anything that is seized has to be held until the courts decide what to do with it. The money is put in an account and held until the courts determine whether forfeited or to return to the person seized from. The seize and authority people have to sign off on whatever is seized and put in escrow until decision made by courts what to do with it.

Chief Ball continued to answer questions concerning the amount of time involved and responsibility it would be on the town if we decided to volunteer to take on the position that Oxford now has.

Commissioner Dorbin made a motion to permit Chief Ball to take on the task. There was no second; the motion was not approved. Commissioner Moore stated that if no one wanted to take on the job Chief Ball should bring before the Commission again.

### **Part Time Police Officer:**

The town had a request last winter from Chief Ball to hire a part time Police Officer who had volunteered at minimal cost. \$9,000.00 is in the budget to fund this position, which was expected to come from the RedSpeed camera project. On July 6<sup>th</sup> the Council voted unanimously for the funding to come from the General Fund to hire the part time Police Officer-

since the RedSpeed project has been delayed. The Council met on the 27<sup>th</sup> in an Executive Session to interview the candidate with four of the Council members present. The vote was three to one to move forward to fill the position. The same evening there was another motion to reverse the decision. The motion failed two to two which was clear that the Council was divided. President Crowell stated that tonight we will give the public a chance to express how they feel. The money is not the issue as we have already budgeted for it.

**Scott Moore** Maryland State Trooper – Lakeview:

Mr. Moore stated that he opposed hiring a part time Police Officer since we already have two full time Police Officers that now live in the town and able to respond when needed. He felt that we needed to keep the money as surplus for now since the officers who live in the town are available as backup and that there is not enough crime in the town to merit a part time officer.

**Elizabeth Ferguson:**

Ms. Ferguson agreed with Mr. Moore since the money was expected from the RedSpeed Camera Fund and was to be spent on public safety only. She felt there was no need for a part time Officer since we will not be getting the funding.

**Alison Dungan** – Rumsey Dr.

Ms. Dungan asked for a recap on just why we needed a part time Officer.

**President Crowell** stated that Chief Ball has no one to relieve him if he wants to take a vacation or is sick. The applicant that we interviewed has worked for other police departments with an outstanding record. He has now taken a different career and would loose his certification if not employed by a municipality or police force. He basically volunteered to work for us whenever needed, being an on-call basis.

**Rev. Hackett** asked how many weeks does Chief Ball get for vacation and what do we do when he is on vacation? President Crowell stated approximately 2 to 3 weeks and we call the dispatcher whenever we need someone to fill in and they patrol the area.

**Commissioner Chase:** Commissioner Chase stated that this officer wanted to work for the town for free to keep up his certification, but our attorney informed us that we could not do this according to the fair labor standard. The town would have a little security if Chief Ball ever decided to leave, we would have some backup.

**Alison Dungan** – 3791 Rumsey Drive. Ms. Dungan felt that if the money was no issue, just because you have extra money does not mean that you go out and buy a new big screened TV if you don't need it just because it is a good deal. I am interested in knowing just what the perceived need is for a part time officer. Has there ever been a problem where the backup system that Mr. Moore spoke of failed or is it anticipated that it will fail It seems that his vacation time or time off will be covered. I still have not heard a real need.

**Rev. Malia Rust.** Rev. Rust felt that Chief Ball cannot do everything and there certainly is a lot of paperwork. I would like to see some relief for the Chief and his duties some day.

**Curtis Thume** – Howell Point Road

Mr. Thume stated that recently there was a problem next to his home and there were two State Troopers present plus Chief Ball, why do we need more?

**Janet Moore** – Lakeview: Ms. Moore felt that there was no need for another officer.

**Commissioner Moore** stated that he supported Chief Ball 100% but felt that we needed the money more to tidy up some things around town that needed to be done such as post holes, etc.

**Commissioner Chase** said that there is no longer a one man police force around it is a thing of the past, and felt that if we miss this opportunity we may never have it again.

**President Croswell** agreed.

**Commissioner Potter:**

Commissioner Potter said that she felt opposition toward the hiring of the part time Police Officer due to the fact that it was contingent on the RedSpeed Funding. The cost of the officer would have been an independent item on the budget because of the RedSpeed, but due to the possible loss of the funding it would now become a dependent budget line item. If this new hire will help to alleviate the vandalism in town we still need to keep in mind that the town will have to bear the burden of the cost of the officer.

**Commissioner Dorbin:**

Commissioner Dorbin felt that we don't really see all that our Police Chief does and felt that Chief Ball could use some help. The Council originally designated the Red Speed funding, since this may not happen we should take a look at the other priorities in the town. If the funding does come through we could look at it again.

**David Lee: - Main Street**

Mr. Lee felt that since there is some vandalism in town that this officer would be helpful, and if the Council would define the roll of the Police Officer that it might make the people feel more comfortable about hiring one.

**President Croswell** said that last month when the Council felt that the RedSpeed would be delayed that they voted to take the surplus in the General Fund for the Officer by a 5 to 0 vote.

Commissioner Moore stated that his vote was clearly due to the anticipated RedSpeed funds.

**Shawn Smith:**

Mr. Smith stated that he worked for the Department of Agriculture and whenever a position becomes open it is put out for bid. Why was this not put out for bid? President Croswell asked

if he knew anyone that would volunteer for minimum wage. Sometimes we do put out for bid but the law allows us to do either way.

President Crowell asked:

Is there a motion to support the decision to fund from the General Revenue to affirm the decision that was made in the Executive Session to hire the individual that was interviewed? There was no motion.

Is there a motion to fund the position from the previous session from General Revenue and to go to Executive Session to discuss the individual and the terms of employment? There was no motion.

Is there a motion to reverse the previous decision to fund from the General Revenue and fill the part-time police position? Motion was made by Commissioner Moore and Seconded by Commissioner Potter to not fill the position.

Vote:

Dorbin – Y      Potter – Y      Crowell – N      Chase – Abstain      Moore – Y

**Executive session:**

Commissioner Potter made a motion to go to Executive Session at 8:50 p.m. to discuss personnel matters and for legal advice pertaining to the disposal of unused public property and the acquisition of real property by the Town of Trappe. The motion was seconded by Commissioner Dorbin. All were in favor.

Commissioner Dorbin made a motion to conclude the Executive Session at 9:47 p.m. The motion was seconded by Commissioner Chase. All were in favor. The regular public meeting was resumed.

**Ordinance 06-2011 Disposition of unused Public Space.**

President Crowell said that we have a decision of where we will be going with the unused Public Space on Diamond Street. Ordinance 06-2011 will be introduced next month to transfer this property if the adjacent property owners agree to accept the Town's offer.

**Ordinance 07-2011 AN ORDINANCE OF THE TOWN OF TRAPPE AUTHORIZING THE PURCHASE AND ACQUISITION OF CERTAIN PROPERTY LOCATED AT 29428 SULLIVAN STREET, TRAPPE, MARYLAND**

Town Attorney Booth said that about a month ago the town was approached about purchasing the building behind the town office, a residential duplex. Ms. Booth has looked into this purchase and was advised by the Talbot Bank to have an appraisal done [the appraisal was done] and the bank is willing to give the town financing to acquire this property. The owner has

accepted an offer from the town to acquire the property for \$90,000.00. President Croswell stated that the rental income would more than pay for the debt service of the property.

Motion was made to introduce Ordinance 7-2011 by Commissioner Dorbin and Seconded by Commissioner Potter.

Vote:

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

The Public Hearing is set for September 7, 2011 at 7:00 Ordinance 7-2011.

**ANNOUNCEMENTS:**

- August 23<sup>rd</sup> 7:30 p.m. – Trappe Planning Commission meeting (Moved from Aug. 16<sup>th</sup>)
- August 19<sup>th</sup> – Deadline for articles for the September issue of the Index
- August 20<sup>th</sup> – Trappe Lions Club BBQ
- August 23<sup>rd</sup> – School Opens
- September 5<sup>th</sup> – Trappe Town Office Closed in observance of Labor Day
- September 7<sup>th</sup> – 7:30 p.m. Council of Trappe monthly meeting
- October 1<sup>st</sup> Trappe-ToberFest
- October 8<sup>th</sup> – Nathaniel “Nace” Hopkins Day
- October 22<sup>nd</sup> Car Show to benefit Nace Hopkins Scholarship Fund

Motion to adjourn the meeting was made by Commissioner Chase and Seconded by Commissioner Dorbin. All were in favor.

Benediction by: Rev. Maleia Rust

Respectfully Submitted:

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Joedy Cecil, Clerk

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Approved: Robert Croswell, President