

COUNCIL OF TRAPPE MINUTES

September 1, 2010

7:30 p.m.

Trappe Town Hall

The regular meeting of the Council of Trappe was called to order by President Croswell at 7:30 p.m. Commissioners Richard Dorbin, Rose Potter, Walter Chase and Norm Fegel were present. The pledge of allegiance was given and Clerk Joedy Cecil recorded the minutes.

Amendment to the Agenda: There were no amendments to the agenda. President Croswell stated that we have had two Executive Sessions during the month of August.

Presentation of the Minutes:

The minutes of the August 4, 2010 meeting were presented and accepted without objection.

Financial Statement:

Financial statement has been submitted for review, President Croswell explained that we do not have the new budget in the computer and hope to have ready by next month.

COMMITTEE REPORTS:

Clerk's Report: Town Clerk

Mrs. Cecil read aloud her monthly report. Water bills billed for the month of August were \$39,906.96 outstanding bills for the month were \$ 21,214.25. A copy was provided for the Council and will be filed with the minutes.

Police Report: Commissioner Chase

Chief Ball gave his report and a copy of the report was filed with the minutes. Commissioner Chase asked Chief Ball if he would report on the incidents at 4301 Lovers Lane and 3938.

Chief Ball stated that a warrant was issued for thief, littering and animal complaint at 4301 Lovers Lane. Subject was charged with theft, and littering of over 500 lbs of litter, animal abandonment and animal cruelty. The incident at 3938 Lovers Lane involved a subject with a handgun that Easton Police were trying to locate but never returned to residence.

Chief Ball stated that the Talbot County Dept. of Corrections has a community service program. This is a Court ordered program available to municipalities and other organizations. The people are available to the town to use whenever needed. There is no obligation or liability on the town, if interested we are required to sign a form of consent and Chief Ball will submit. Transportation will be provided, if at any time the Council is not satisfied they can stop the workers.

Public Works Report: Commissioner Croswell

President Croswell stated that a copy of public works report is filed in the minutes. We are beginning to catch up on the maintenance needed at the wastewater treatment plant, and have been assessing the pot holes around town to try and fix in the near future.

Planning & Zoning: Commissioner Fegel

Commissioner Fegel had nothing to report.

Parks: Commissioner Potter

Commissioner Potter reported that she and Town Planner Jennifer met to discuss future funding possibilities for the development of Nace's Park. The seven year limitation on the park development will expire on October of 2013.

Commissioner Potter stated that she had set up a meeting with President Croswell and Jennifer to discuss the issues at the Lakeview Park. One of the issues included the entry gate post which was missing a cap and has now been replaced. Grass and weeds around the playground equipment were in need of spraying to kill along with brush around the fence. We have contacted someone to spray the grass and weeds and take care of the brush. The mats that were loose will be repaired with new anchors and mulch is really to expensive to replace right now so we hope to re-level and take care of the problem. The cost for removal of the brush was \$350.00.

Communications: Commissioner Croswell, Dorbin and Potter

President Croswell described how the President of the Town Council was elected since there had been a recent article in the newspaper implying that he would be president for life.

TrappetoberFest: Jennifer Shull

Jennifer was unavailable for the report.

BUSINESS BEFORE THE COUNCIL

Joe Dijulio from Atlantic Broadband:

Mr. Dijulio gave a brief presentation of the progress of Atlantic Broadband and gave the opportunity for citizens to ask questions concerning the new digital channels and explained just how the digital boxes needed to be added to receive the new digital channels.

Parliamentary Housekeeping: - Resolution 8-2010 Repealing Term Limits

President Croswell stated that we will table this Resolution until June 01, 2010 council meeting following the Town election and ballot question results.

Fence on Town property:

President Crowell explained that Mr. Drake Ferguson had requested that the fence on the town property located around the water tower was a hindrance to his property maintenance and would like to have it removed since it appeared to have no purpose.

Brynja Booth Town Attorney explained that this fence was acquired with funds from a grant for Lakeview Park. Commissioner Potter had asked Ms. Booth to look into the conditions of the grant and see if there were any stipulations concerning the grant. Ms. Booth said that this was lumped in with the project which was supposed to be maintained for 20 years. If the decision is made to move the fence it was requested that the town make sure that it will be used in a valuable area since this was State grant money. There was a short discussion on the fact that part of the fence was installed in Nace's Park to help with the parking problems.

Commissioner Potter asked why the fence was installed next to the Ferguson property?

Mr. English stated that the fence was left over from the Lakeview Park grant. The decision was to put it there so that when an additional grant or funding was obtained the water tower could be completely fenced in and a small park could be placed around the water tower. This would stop people from trespassing on Mr. Ferguson's property.

Commissioner Potter stated that Ms. Booth suggested that it was not good to move something that was part of grant funds and asked that Ms. Booth explain.

Ms. Booth explained in order to continue to get grant funds in the future we should not make a purchase and then take down two years later. It would be more reasonable if the town had a specific place to put the fence to contact the State and ask permission to move. Commissioner Fegel suggested that we put it on the South side of Nace's Park. Commissioner Chase agreed that the town needed to contact the State for permission.

Motion was made by Commissioner Fegel to contact Open Space Dept. to ask their opinion on moving the fence from current location to Southside of Nace's Park. Motion was seconded by Commissioner Chase. All were in favor. Commissioner Dorbin suggested that Jennifer look into.

Resolution 7-2010

President Crowell read the Resolution:

A RESOLUTION OF THE COUNCIL OF TRAPPE DESIGNATING THE TOWN CLERK, THE ZONING ADMINISTRATOR AND THE TOWN PLANNER AS THE INDIVIDUALS AUTHORIZED BY THE TOWN OF TRAPPE TO REVIEW ADULT ORIENTED BUSINESS APPLICATIONS IN ACCORDANCE WITH SECTION 20.00 OF THE TOWN CODE.

This Resolution was made to give clarification on the procedure that will be followed for issuing adult business licenses.

Motion was made by Commissioner Fegel to adopt Resolution 7-2010

Motion was seconded by Commissioner Dorbin.

Vote:

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

Lakeside Water and Wastewater Facilities Feasibility Study:

The Town of Trappe, a Maryland municipal corporation (the “Town”), requests that the Lakeside developer (“Developer”) conduct an engineering feasibility study to determine how to best utilize the existing reserve treatment capacity at the Trappe water and wastewater treatment plants to serve the initial phase of Lakeside development and how to incrementally increase the capacity of the plants during the various phases of the development. The study should focus on methods and technologies that are consistent with Maryland Department of The Environment guidelines and that have been proven to be reliable and cost effective to operate and maintain. The study must address the initial and future needs of the Lakeside development through build out as well as providing a system that can be expanded to serve the Town’s other designated future growth areas. The study should describe a plan for replacing the town’s reserve capacities used during the initial phase of the Lakeside development.

President Croswell said that the town has been working with the Lakeside developers and engineers for approximately a year on how to utilize the exiting wastewater plant and getting additional cash flow for the town. President Croswell read the letter requesting the feasibility study. Motion was made by Commissioner Dorbin to forward request to the Lakeside Developer. The motion was seconded by Commissioner Fegel

Vote:

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

This document is public information and will be filed with the minutes but will not be released until Rocks Engineering has received.

Resolution 9-2010:

President Croswell read Resolution 9-2010

A RESOLUTION OF THE COUNCIL OF TRAPPE PETITIONING THE ADMINISTRATION AND THE MARYLAND GENERAL ASSEMBLY TO REINSTATE STATE SHARED REVENUES DIVERTED FROM MUNICIPAL GOVERNMENTS TO FUND OPERATIONS OF THE STATE AND TO PROVIDE MORE DIVERSE REVENUE RAISING AUTHORITY TO MUNICIPALITIES.

President Croswell explained that the Maryland Municipal League has requested that the town adopt this resolution to show our support in trying to get our highway user revenue restored.

Motion was made by Commissioner Fegel to adopt Resolution 9-2010. Motion was seconded by Commissioner Potter.

Vote:

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

Resolution 10-2010:

President Croswell read:

A RESOLUTION OF THE COUNCIL OF TRAPPE AUTHORIZING THE PRESIDENT OF THE COUNCIL TO DESIGNATE M. GERALD ADAMS, P.E. OF DAVIS, BOWEN, & FRIEDEL, INC. AS THE TOWN ENGINEER FOR THE TOWN OF TRAPPE IN ACCORDANCE WITH SECTION 509 OF THE TOWN CHARTER.

President Croswell explained that the town will be having a lot of engineering done by the developer. This will have to be reviewed by the Town Engineer.

M. Gerald Adams, P.E. of Davis, Bowen & Friedel, Inc., has been performing the majority of the Town's engineering services and the Council of Trappe believes that it is desirable to officially designate Mr. Adams to be the Town of Trappe Engineer. The Council of Trappe had previously designated Gerald G. Friedel, P.E. of Davis, Bowen & Friedel, Inc. as the Town Engineer.

Motion was made by Commissioner Potter to adopt Resolution 10-2010. Motion was seconded by Commissioner Fegel.

Vote:

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

ISG International Insurance coverage review:

President Croswell and Commissioner Chase met earlier with ISG the insurance company for the town to review the policies that we now have. The town now has a policy of \$2,163,200.00 worth of insurance on the wastewater treatment plant, and the water tower is insured for \$432,638.00. President Croswell said that this could possibly be reduced to \$1,163,200.00 and \$232,638 respectively because much of the declared value is for concrete and steel structures that pose no fire loss risk. This should result in an expected savings of approximately \$2,460.00. Commissioner Fegel felt that we should check the deductible to see if we could go with a higher deductible. Commissioner Dorbin felt that the council should not put themselves in a corner just in case of a major disaster such as a plane crash. All members agreed to go with the reductions. Commissioner Fegel felt that \$2,460.00 would help with the repairs at the wastewater treatment plant. The discussion continued on the deductibles and what affect it would have on the policy. Don English asked that the council reconsider the deductibles. The clerk will check on the deductibles.

Hunting within the town limits:

Mr. Bud Reid asked if the town could not be more defined and regulated on issuing hunting permits within the town limits. There seems to be no code or Ordinance concerning this.

President Croswell suggested that Mr. Reid review the town's hunting permit form which shows the address of the property and property owner and the individuals who have the permission to hunt the property and their signatures. There was quite a lengthy discussion concerning the hunting rights in the town.

President Croswell explained that we have a procedure in place which has worked and maybe we do need more guidelines and regulations. Attorney Booth explained that there is a whole body of statues on hunting. The Zoning Administrator reviews the permits to see if they are in compliance with the natural resources article and the town follows the State Laws concerning the rules and regulations.

President Croswell made it clear that there are some issues that the town may need to look into and review.

Chief Ball stated that before these permits are issued the Zoning Administrator has him look over to make sure they meet the requirements of the State Law.

Don English said that he issues four every year and each one is signed by the property owners.

President Croswell recommended that this be passed on to the Planning Commission to let them consider the land use and code enforcement issues and then return to the Council with recommendations.

Truck Traffic on Greenfield Ave.

President Croswell said that the town received a letter of complaint from a resident on Greenfield Ave. concerning having commercial vehicles in a residential neighborhood. President Croswell stated that there is already an Ordinance that clearly defines the parking regulations for commercial vehicles and there are several trucks throughout the town that may be in violation. A notice will be placed in *The Index* for next month and we will send letters to those in violation.

Nancy Dunn

Nancy Dunn reported that there were 12 citizens to greet Addie Eckhardt on her bike tour through Trappe.

Pastor Hackett:

Pastor Hackett asked if a cross walk could be placed in front of Scott's Church to go across the street to their parking lot. Chief Ball stated that he would check with the State concerning this issue.

Charles Adams – Rural Life Museum:

Mr. Adams said that the 7 Sisters Guild would be making another quilt this year to be raffled off for the Rural Life Museum. They would like to have permission to give away at the December 1st Town Meeting.

Community Service for the Town will be on Sunday, September 12th at 10:00 a.m.

The meeting was adjourned at 9:47

ANNOUNCEMENTS:

September 5th – Scotts United Methodist Church 141st Annual Homecoming
September 15th 7:30 p.m. – Trappe Planning Commission Meeting

Benediction:

Rev. Hackett, gave the benediction.

Respectfully submitted:

Joedy Cecil, Clerk

Approved: Robert Croswell, President

UNCERTIFIED COPY
NOT FOR LEGAL REFERENCE