

COUNCIL OF TRAPPE
VIA ZOOM DUE TO COVID-19
JANUARY 6, 2021

Council of Trappe Meeting: President Newnam called the meeting to order at 7:00 pm. Council members Norm Fegel, Tonya Pritchett, RD Diefenderfer and Walter Chase were present.

Agenda: Commissioner Fegel made a motion to approve the January 6, 2021 agenda. Commissioner Pritchett seconded the motion. All approved.

Minutes: Commissioner Chase made a motion to approve the December 2, 2020 Council minutes as presented. Commissioner Diefenderfer seconded the motion. All approved.

Clerk's Report – Administrator Braband stated that the Clerk's report, the General Fund and the Enterprise Fund budgets are in the Council's binders and filed with the records.

Public Works Report - President Newnam stated that the report is in the Council's binders and filed with the records.

Planning & Zoning – Commissioner Fegel stated that the Planning Commission met in December and Lakeside submitted a site plan for Phase 1. The Planning Commission reviewed it and sent it to Peter Johnston for his review. Peter has now reviewed it and sent back his comments. The Planning Commission will address the comments at their January 19th meeting.

Communications – President Newnam stated that the Town has received a letter from Paris Foods requesting a possible sewer connection to the Town. Attorney Ryan stated that Paris Foods is considering the connection as well as exploring other options. Attorney Ryan suggested that if the Council is interested in exploring this option, they ask the Town Engineer to review the possible connection and what the facility is discharging. Attorney Ryan suggested that the Town enter into an agreement with Paris Foods stating that the Town is willing to provide the capacity if the Town Engineer determines that the discharge can easily and readily be treated by the Town and that the capacity is available. The agreement would also state that the Town would be reimbursed for any costs associated with this by Paris Foods. Commissioner Chase made a motion to explore Paris Foods' possible sewer connection. Commissioner Diefenderfer seconded the motion. All approved. Attorney Ryan stated that she will draft an agreement and send it to Paris Foods for their review.

Attorney Updates – Attorney Ryan stated that the Star Democrat posted a very small correction statement in the paper regarding the incorrect statement they made in their last article regarding the Town's finances.

Executive Session – President Newnam stated that an executive session was held on December 2, 2020 to obtain legal advice and discuss a personnel matter.

ORDER OF BUSINESS BEFORE THE COUNCIL

Ordinance 5-2020 - An Ordinance of the Town of Trappe, a municipal corporation of the State of Maryland, providing for the issuance and sale of up to Nine Hundred Eighty-Two Thousand Three Hundred Ten and 0/00 Dollars (\$982,310) aggregate par amount of bonds to be known as the “Town of Trappe Drinking Water Bonds, Series 2020” (The “Bonds”), to be issued and sold pursuant to the authority of Section 1-301 Et Seq. of the Local Government Article of the Annotated Code of Maryland, as amended, Section 9-1601 through 9-1622 of the Environment Article of the Annotated Code of Maryland, as amended, and the Charter of the Town of Trappe, Section 612, for the purpose of providing funds necessary to pay the costs of upgrades to a well replacement, installation of a flow meter, upgrades to a hypochlorite feed system, and other public improvements for the Town of Trappe, and paying capitalized interest on and the costs of issuing the Bonds; providing that the Bonds shall be issued upon the full faith and credit of the Town of Trappe; providing for the disbursement of the proceeds of the sale of the Bonds and for the levy of annual taxes upon all assessable property within the corporate limits of the Town of Trappe subject to assessment for the payment of the principal of and interest on the Bonds as they shall mature; authorizing the form and execution of one or more loan agreements between the Maryland Water Quality Financing Administration and the Town of Trappe; providing for the form, tenor, denomination, maturity date and other provisions of the Bonds; providing for the sale of the Bonds; and providing for the designation of specific projects to be financed with proceeds of the Bonds and related purposes was read by President Newnam. Attorney Ryan stated that these are bonds for the MDE Water Quality Financing Administration for a loan in the amount of \$491,155 and then loan forgiveness in the amount of \$491,155 for the new well. Attorney Ryan stated that this was on the December agenda but MDE did not have time to review it prior to the December meeting so it was tabled until this meeting. The Ordinance number will change to Ordinance 1-2021 because it is the first Ordinance of the new year. Commissioner Diefenderfer made a motion to introduce Ordinance 1-2021 as revised with the new number. Commissioner Chase seconded the motion.

VOTE:

Newnam – Y Fegel – Y Pritchett – Y Diefenderfer – Y Chase – Y

Motion approved

A public hearing is scheduled for February 3, 2021 at 6:55 pm.

The first project meeting was held on January 5, 2021 and the Notice to Proceed was issued to the contractor. The substantial completion date is scheduled for October 2, 2021. Administrator Braband stated that they will be starting within the next 2 weeks.

Other Business:

Lakeside Wastewater Capacity Allocation Agreement – Attorney Ryan stated that this agreement is for the sewer connection of Phase 1, Section 1 of Lakeside which is 120 EDUs. The agreement contemplates reserving the 120 EDUs for 5 years upon payment of a 20% reservation fee which is 20% (\$126,000) of the full capacity fee (\$630,000). The 20% reservation fee must be paid within 60 days of the agreement being signed. If the developer has not paid in full for the 120 EDUs within 5 years, the EDUs would revert back to the Town. If within those 5 years the developer is not using the EDUs and another developer/property owner approaches the Town and there isn’t sufficient capacity for that third party, the agreement allows the Town to give Lakeside 90 days’ notice to either use, pay for or waive the existing EDUs for the third

party to use. If this would happen the Town would reimburse Lakeside whatever reservation fee was paid for those EDUs. The third party would be required to pay the full capacity fee of any EDUs they purchased. After discussion the Council stated that they felt the agreement was fair and agreeable. Commissioner Fegel made a motion to accept the Allocation Agreement. Commissioner Diefenderfer seconded the motion.

VOTE:

Newnam – Y Fegel – Y Pritchett – Y Diefenderfer – Y Chase – Y
Motion approved

Lakeside MDE Construction Permit Application – Attorney Ryan stated that Lakeside has submitted a construction permit application for the Town to review and approve for the Phase 1, Section 1 Collection Pumping Station Force Main to connect to the Town. GMB has reviewed this and there are some minor technical issues but no major issues. Commissioner Diefenderfer made a motion to approve the construction permit application contingent upon GMB confirming that they are accepting the permit as proposed. Commissioner Fegel seconded the motion.

VOTE:

Newnam – Y Fegel – Y Pritchett – Y Diefenderfer – Y Chase – Y
Motion approved

Cummins Sales and Service Contract – Administrator Braband stated that in the past Cummins has submitted yearly service contract agreements which Superintendent Callahan is able to approve however this time they have submitted a 3-year contract which would need Council approval. This 3-year contract will lock the price in for 3 years. Commissioner Fegel made a motion to approve the Cummins sales and service contract. Commissioner Chase seconded the motion.

VOTE:

Newnam – Y Fegel – Y Pritchett – Y Diefenderfer – Y Chase – Y
Motion approved

Snow Removal Contract – Administrator Braband stated that the Town’s snow removal contract with PE Moore expired in June and they have submitted a new contract for these services. The Town has sent this service out to bid 2 previous times and PE Moore has been the only company to ever respond. The new contract that PE Moore submitted can be locked in for 1 year (12/31/21) or the Council can choose to lock it in for 2 years (12/31/22). The Town has not had any complaints with their service and they are a local company. Commissioner Diefenderfer made a motion to approve PE Moore’s snow removal contract with an end date of 12/31/22. Commissioner Chase seconded the motion.

VOTE:

Newnam – Y Fegel – Y Pritchett – Y Diefenderfer – Y Chase – Y
Motion approved

Public Questions/Comments –

Tim Wheeler – Bay Journal reporter – Mr. Wheeler stated that he is writing an article about Lakeside and has questions that he would like the Council to answer. Attorney Ryan asked Mr. Wheeler to submit his questions via email and she would be happy to respond to them. The Town has had problems in the past with reporters misquoting the Town so the Town is choosing to respond via email only.

An executive session was requested to discuss a personnel matter and to obtain legal advice. Commissioner Fegel made a motion to enter into executive session at 7:25 pm. Commissioner Pritchett seconded the motion and it was unanimously approved.

At the conclusion of the closed session at 7:46 pm the open meeting was reconvened.

There being no further business to discuss, Commissioner Diefenderfer made a motion at 7:46 pm to conclude the meeting. Commissioner Chase seconded the motion and it was unanimously approved.

Respectfully submitted,

Erin Braband, Town Administrator/Clerk