

TOWN COUNCIL MEETING
JULY 6, 2022

Public Hearing: President Newnam opened the public hearing at 5:50 pm for the Atlantic Broadband/Breezeline Franchise Agreement Renewal. Michael Sullivan stated that it works great when it actually works but the service goes out a lot. Don English stated that he has the same problem and that they have removed his local channel 7. Mr. English stated that he called into customer service to inquire about the channel and they sent a repair tech but he was unable to fix it and gave no explanation as to why the channel has been removed. With no further public comment, Commissioner Schmidt made a motion to close the public hearing at 5:55 pm. Commissioner Pritchett seconded the motion and it was unanimously approved.

Council of Trappe Meeting: President Newnam called the meeting to order at 6:00 pm. Council members Brian Schmidt, Tonya Pritchett and Walter Chase were present. Attendees for the Town: Town Administrator Erin Braband and Town Attorney Lyndsey Ryan.

Agenda: Commissioner Pritchett made a motion to approve the July 6, 2022 agenda with the addition of Council comments in Communications. Commissioner Schmidt seconded the motion and it was unanimously approved.

Minutes: Commissioner Schmidt made a motion to approve the June 1, 2022 and June 8, 2022 minutes as presented. Commissioner Pritchett seconded the motion and it was unanimously approved.

Announcement and Certification of Election: President Newnam stated that a Special Election was held on June 7, 2022 and the results were Gregory Fries receiving 38 votes and Rosalee Potter receiving 25 votes. Mr. Fries is elected to fill out the remainder of RD Diefenderfer's term which ends May 2023.

Swearing in of Commissioner: Kathi Duvall, Talbot County Circuit Court Clerk swore in Gregory Fries and Mr. Fries took his seat with the other Council members.

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. Administrator Braband requested the Council's permission to have 2 new accounts opened at Shore United Bank for funds that the Town receives per building permit from Lakeside. The first account would be for the Town Improvement Fund which the Town has received \$46,125 at this point. The second account would be for the Capital Asset Impact Fee which the Town has received \$67,920.60 at this point. Commissioner Pritchett made a motion to authorize Administrator Braband to work with Shore United Bank to open both of these accounts. Commissioner Chase seconded the motion and it was unanimously approved.

Public Works: President Newnam stated that the public works report is in the Council's binder and filed with the records.

Planning & Zoning: Commissioner Schmidt stated that the Planning Commission discussed and approved the revised Chicken Ordinance which is in front of the Council this evening. They also continued working

on the Zoning Ordinance revision that they have been working on for months. Commissioner Schmidt also stated that a gentleman presented a very preliminary idea for a property on Ocean Gateway where he is looking to build an automotive repair shop which would offer a 3 year apprenticeship program for up to 20 students at a time.

Communications: Commissioner Pritchett read a statement that is filed with the records regarding her training opportunity at the MML Summer Conference in Ocean City in June.

Attorney Updates: Attorney Ryan stated that she had nothing additional and would like to request an executive session for legal advice.

Executive Session: President Newnam stated that an executive session was held on June 1, 2022 to obtain legal advice.

ORDER OF BUSINESS BEFORE THE COUNCIL

Atlantic Broadband/Breezeline Franchise Renewal Proposal: President Newnam stated that a public hearing was held tonight regarding this renewal and a few residents voiced their concerns with the service and Breezeline’s customer service. The current contract expires in September. Attorney Ryan stated that the Town cannot negotiate the franchise fee because it has to be the same as the 2% fee that was agreed upon with Easton Utilities in their franchise agreement. The Town can negotiate with Breezeline for free services to the Town buildings like Easton Utilities has agreed to. The indemnification clause can also be negotiated to include construction, maintenance and operation costs if the franchise causes it. The Council would also like to include a provision to require better response and repair time. Attorney Ryan stated that she will compare this agreement with the Easton Utilities agreement and send proposed changes back to Breezeline. Once the agreement has been reviewed and approved by Breezeline it will return to the Council for their review and approval if they are satisfied with the changes.

Ordinance 3-2022: An Ordinance of the Town of Trappe amending Title IV, Section 12 to permit the keeping of chickens in the R-1, R-2 and R-3 districts provided certain conditions are met was read by President Newnam. Attorney Ryan stated that the Planning Commission revised the existing chicken ordinance at the Council’s request and have sent these revisions to the Council for their review and possible adoption. Commissioner Fries made a motion to introduce Ordinance 3-2022. Commissioner Schmidt seconded the motion.

VOTE:

Fries – Y Newnam – Y Schmidt – Y Pritchett – Y Chase – Y

Motion approved

A public hearing will be held on August 3, 2022 at 5:50 pm.

Commissioner Schmidt stated that at the June meeting the Council made a motion to pay Eastern Shore Environmental’s fuel surcharge from the month of May in the amount of \$178.50 and he would like to make a motion to not send the payment due to Eastern Shore Environmental failing to appear and leaving the Town without trash removal. Commissioner Pritchett seconded the motion and it was unanimously approved.

Other Business: None

Public Questions:

Rumsey Seymour – Mr. Seymour is requesting a special exception to be made for the filling of his pool. Mr. Seymour filled his pool a second time without notifying the Town Office so a meter read wasn't done before and after the fill. This does not comply with the Town's policy so Mr. Seymour was informed he would need to have the Council approve his request. Mr. Seymour would like the Council to approve a waiver of the sewer portion of his second fill. Mr. Seymour already received a credit for the sewer portion for the first fill because proper procedure was followed. After discussion, Commissioner Pritchett made a motion to waive the sewer portion of his bill for the second pool fill. Commissioner Schmidt seconded the motion and it was unanimously approved.

Andrew Kane – Mr. Kane expressed his concern about the cost of the water/sewer bills again. Mr. Kane also stated that he has pink water in his bathroom and wanted to know why. Mr. Kane was told that the pink water would be from something on his side of the meter and he should contact a plumber.

Rose Potter – Mrs. Potter stated that there are bushes on both sides of Mullikin Lane that are overgrown and are making the alley unusable and she would like to request that the Town contact the owners to request that they cut the bushes back. Mrs. Potter also stated that she previously talked to the public works department about the bushes at Nace's Park and requested that they be trimmed back as they are too big. President Newnam stated that they have to wait until the fall to trim them but they would be done this year.

Edgar Harrison – Mr. Harrison requested a closed session to discuss a personnel matter.

Mike Sullivan – Mr. Sullivan asked about the property across the street from Town Hall and what was being done there. Commissioner Schmidt stated that the Town has not received plans from the owner as to what he wishes to do with that property.

Les Groves – Mr. Groves is requesting a 2-month sewer credit for a leak that he had in his furnace. Mr. Groves stated that he had a gentleman who used to be a plumber come out and disconnect the furnace to stop the leak but he does not plan to fix or replace the furnace until at least September. This does not comply with the Town's policy so Mr. Groves was informed that he would need to have the Council approve his request. After discussion, Commissioner Pritchett made a motion to approve the 2-month sewer credit for Mr. Groves leak. Commissioner Fries seconded the motion and it was unanimously approved. Mr. Groves was informed that a credit would not be given again if he should have another leak because he did not repair or replace his furnace. The office will review Mr. Groves account and let him know what his new bill is after the credit.

Executive Session: President Newnam stated that an executive session to obtain legal advice and discuss a personnel matter was requested. Commissioner Schmidt made a motion at 6:50 pm to enter into executive session. Commissioner Fries seconded the motion and it was unanimously approved.

Commissioner Pritchett made a motion at 7:51 to reopen the regular meeting. Commissioner Schmidt seconded the motion and it was unanimously approved.

There being no further business to discuss, Commissioner Pritchett made a motion at 7:52 pm to adjourn the meeting. Commissioner Schmidt seconded the motion and it was unanimously approved.

Respectfully submitted,

Erin Braband, Town Administrator/Clerk