

TOWN COUNCIL MEETING
OCTOBER 5, 2022

Council of Trappe Meeting: President Newnam called the meeting to order at 6:00 pm. Council members Greg Fries, 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 agenda as presented. Commissioner Fries seconded the motion and it was unanimously approved.

Minutes: Commissioner Schmidt made a motion to approve the September 7, 2022 minutes as presented. Commissioner Chase seconded the motion and it was unanimously approved.

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

Public Works: President Newnam stated that the public works report is in the Council's binders and filed with the records. Commissioner Pritchett stated that Shawn Lane has passed his Water Treatment 1 Exam and is now a licensed Water Treatment operator.

Planning & Zoning: Commissioner Schmidt stated that the September meeting was cancelled.

Communications: President Newnam presented the Lakeside plaque that was awarded to the Town at the ribbon cutting today.

Attorney Updates: Attorney Ryan stated that she didn't have anything additional to add.

Executive Session: No executive session was held on September 7, 2022.

ORDER OF BUSINESS BEFORE THE COUNCIL

CQI Associates, LLC – Greenhouse Gas Emissions Assessment – Mr. Tabeling stated that a Climate Solutions Act was passed earlier this year and it requires 60% reduction of greenhouse gas which is produced either by electric, natural gas and cars by 2031. The baseline of usage is 2006. At the end of 2023 EPA will be evaluating and determining what the penalty will be for not complying. The penalty will go into effect in 2024. The penalty that has been set right now is \$51.00 per pound and is projected to go as high as \$110.00 per pound. The average municipality has about 3,000 pounds every year. This proposal will allow CQI to come in and evaluate what the Town's current situation is, review old records, develop strategies and a timeline to comply with the new regulations and the cost for this service is \$2,850.00 max. After Council questions and discussion, Commission Fries made a motion to table this until a later time. Commissioner Chase seconded the motion and it was unanimously approved.

Lakeside – Phase 1A Bond Reduction Request – Attorney Ryan stated that Brookfield has requested to reduce the posted Phase 1A Bond from \$5,398,208 to \$1,000,000. GMB has reviewed the bond requested

and has recommended a bond reduction to \$1,370,000. Commissioner Schmidt made a motion to approve the bond reduction request for Phase 1A to an amount of \$1,370,000. Commissioner Fries seconded the motion.

VOTE:

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

Motion approved

Lakeside – Declaration of Covenants, Conditions and Restrictions for Stormwater Management and Stormwater Improvements Agreement for Sections 1A & 1B – Attorney Ryan stated that this Declaration provides that the property owner or any successor that owns the stormwater facilities has a duty to operate, maintain and keep them in working order. The Town has an easement to go onto or into the stormwater facilities to maintain or operate them if needed. The Town has the authority to inspect them and be reimbursed for the cost. The Town has the right to repair the stormwater facilities, after proper notification, if needed and to bill the property owner the cost plus 30%. Attorney Showalter stated that the Town will own the underground drainage systems and pipes, this Declaration deals with the stormwater treatment facilities. The stormwater ponds and bio-retention areas will be owned and operated by the HOA. This document obligates the developer and the HOA to maintain these areas and if they do not then the Town will have the authority to do so and charge for that cost plus a 30% penalty. Attorney Showalter suggested that this agreement be approved for the entire development so it doesn't have to be done phase by phase. Attorney Ryan stated that the Council has the right to revisit this at any point so approving it for the entire development is not an issue. Commissioner Schmidt made a motion to approve the Declaration of Covenants, Conditions and Restrictions for Stormwater Management and Stormwater Improvements Agreement as a template going forward for the Lakeside stormwater management facilities. Commissioner Fries seconded the motion. All approved.

Snow Removal Contract – Administrator Braband stated that the Town's current snow removal contract with PE Moore expires December 31, 2022 and they have submitted a renewal contract with a 20% increase. This would raise the cost per plow from \$3,500 to \$4,200. The renewal contract would be for 2 years. President Newnam stated that this has been put out to bid many times but PE Moore is the only company that has ever submitted a bid. After discussion Commissioner Fries made a motion to approve the renewal contract in the amount of \$4,200 for 2 years. Commissioner Chase seconded the motion. All approved.

William Bremer – AV equipment proposal – Administrator Braband stated that Mr. Bremer owns a property in Town but currently lives in New York. He had reached out to the Town with questions about his property and inquired about attending the meetings virtually. The issues that the Town had with handling meetings virtually during Covid were explained to him and that the Town chose not to continue virtual meetings once restrictions were lifted for these reasons. Mr. Bremer offered to donate equipment for the Town to use so people could attend virtually. He is requesting that the Council agree to staff a second person at all meetings to be available to run the equipment as current participating staff are unable to do so while participating in the meeting. The Council discussed the proposal and agree that there are many issues with holding the meetings virtually but it could be something that they could consider when a new town hall is built. Commissioner Chase made a motion to table this request until a

later time. Commissioner Fries seconded the motion. All approved.

Talbot County park property sale to Town of Trappe – Attorney Ryan stated that the Town sent a letter to the County Parks Board requesting that the County convey 2 County owned parcels to the Town for a future town office. The Parks Board approved the conveyance for \$1.00. The County Council introduced a Resolution to convey the 2 properties to Trappe for \$1.00 with a clause that the Town would keep and maintain the existing park equipment located on the lot until at least December 31, 2028. Attorney Ryan has drafted the deeds and a public hearing is scheduled for October 18th. Attorney Ryan asked if the Town Council was ok with maintaining the park equipment until 2028. The entire Council agreed to maintain the equipment until December 31, 2028. The Council’s intention for the property is to build a new town hall. Attorney Ryan will attend the public hearing and speak on the Town’s behalf.

Atlantic Broadband/Breezeline Franchise Renewal Proposal – Attorney Ryan stated that Atlantic Broadband/Breezeline accepted all the revisions with the exception of the \$50 reduction for the missed appointment fee. This renewal is comparable to the Easton Utilities agreement. Commissioner Pritchett made a motion to approve the Atlantic Broadband/Breezeline Franchise renewal. Commissioner Schmidt seconded the motion.

VOTE:

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

Motion approved

Public Questions/Comments:

Edgar Harrison stated that he discussed the parking issues at HomeRun Baker Park with Preston Pepper from the County Parks and Recreation department. On Kelly Drive there is an unused parcel of grass that was always intended to be a second entrance into the park and would allow additional parking with the installation of a culvert. Mr. Pepper was receptive to the idea and Mr. Harrison will be attending a County Parks meeting to make the suggestion. This is a County project, not Town.

Executive Session: President Newnam stated that an executive session was requested to discuss a personnel matter. Commissioner Pritchett made a motion to enter into executive session at 7:02 pm. Commissioner Schmidt seconded the motion and it was unanimously approved.

Commissioner Schmidt made a motion at 7:33 pm to reopen the regular meeting. Commissioner Fries seconded the motion and it was unanimously approved.

There being no further business to discuss, Commissioner Schmidt made a motion at 7:33 pm to adjourn the meeting. Commissioner Fries seconded the motion and it was unanimously approved.

Respectfully submitted,

Erin Braband, Town Administrator/Clerk