

COUNCIL OF TRAPPE
TRAPPE TOWN HALL
SEPTEMBER 6, 2017

Council of Trappe Meeting:

President Fegel called the regular meeting to order at 7:00 pm. Council members: Nick Newnam, Tonya Pritchett, RD Diefenderfer and Walter Chase were present. Other attendees for the Town: Administrator Braband, Planner Shull and Attorney Booth. Public attendees: Sheriff Gamble and Captain Mergenthaler from Talbot County Sheriff's Department, Don English, Mr. & Mrs. Charles Adams, Kirby Sabin, Bobby Croswell, Mr. & Mrs. Scott Metje, Robin Chase, Chris Routzahn, Mr. & Mrs. Bobby Quidas, Yvonne Bartolomeo, Elizabeth Ferguson, Mr. & Mrs. Richard Morton, Ann Frock, Noah Dorbin, Andrew Kane and Chris Polk.

Amendments to the Agenda: Commissioner Pritchett made a motion to approve the agenda as presented. Commissioner Diefenderfer seconded the motion. All approved.

Presentation of Minutes: Commissioner Chase made a motion to approve the August 2, 2017 minutes as presented. Commissioner Pritchett seconded the motion. All approved. Commissioner Diefenderfer made a motion to approve the August 21, 2017 minutes as presented. Commissioner Chase seconded the motion. All approved.

Clerk's Report: Administrator Braband presented the Clerk's report, the general fund and the enterprise fund budgets that are filed in the records.

COMMITTEE AND DEPARTMENT RECORDS

Public Works: President Fegel read Superintendent Callahan's report that is filed in the records.

Planning & Zoning: Planner Shull stated that the Planning Commission held a brief meeting in August. Mr. Chase stated that the housing study that Salisbury University conducted in the Town of Trappe is complete and the Town should have the results by the next Council meeting.

Communications: None

Attorney Updates: Attorney Booth stated that at the work session with GMB on August 21st for infrastructure projects it was discussed that a meeting would be set up with MDE to talk to them about the ENR upgrade and to make sure that Lakeside is tied in and that before the Town accepts funds it is understood the upgrade would be for the entire plant. Jason Lytle and Attorney Booth will be meeting with MDE on September 15th. Attorney Booth requested an executive session to give legal advice on a real estate matter.

Executive Session: An executive session was held on August 14, 2017 to discuss a personnel matter and to obtain legal advice. An executive session was also held on August 21, 2017 to obtain legal advice on a law enforcement matter and to discuss a public security matter pursuant to Md. Code Ann. General Provisions Article § 3-305(b)(10).

ORDER OF BUSINESS BEFORE THE COUNCIL

No business in front of the Council tonight

Other Business:

- Town rental property loan extension with Shore United Bank:

Attorney Booth stated that the Town has 3 loans with Shore United Bank and they typically mature on December 31st of each year but there is one loan that matures before that and that loan is the one for the rental property. Butch Townsend of Shore United Bank thought it would be easier and cleaner if all 3 loans matured at the same time. Shore United offered to extend this loan for 5 months so they would all mature at the same time. Commissioner Pritchett made a motion to authorize the President to sign the Shore United Bank modification to extend the terms. Commissioner Chase seconded the motion.

Vote:

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

All approved, motion carried.

- Light upgrades to Town Hall and WWTP Office:

President Fegel stated that the Town is currently in the process of upgrading all the lights in Town Hall and at the WWTP to LED lights. This project is 80% grant funded by Delmarva Power with the Town paying about \$1,200 for our portion. President Fegel stated that the payback projection for the Town Hall is 9 months and 6 months for the WWTP office. This project should be starting soon.

- Homestead Tax Credit:

At the request of President Fegel, Administrator Braband stated that she looked into the homestead tax credit rate that the Town currently has. Each municipality has the right to set their own rate but because Trappe has not done so the Town defaults to Talbot County's rate which is 0%. The Town has the option to increase the rate up to a maximum of 10% for the next fiscal year. Administrator Braband stated that with the Town's rate set at 0% the Town is essentially giving back to the community \$53,347.92. This is tax money that the Town should receive due to the Town's tax rate but instead this money is given back to the property owner as a credit on their tax bill. Administrator Braband stated that if the Council increased the homestead tax credit to 5% then the Town would receive approximately \$26,000 in additional tax revenue without raising the actual tax rate. Attorney Booth stated that if the Council wants to change the rate then legislation would need to be adopted and the rate needs to be to the County before November 25th to take effect the next fiscal year. President Fegel stated that the Town has lost revenue over the last few years and this is a small way to increase revenue without raising the actual tax rate so the Town would have money for street repairs, pay down some of the Town's debt and to start a reserve. Attorney Booth stated that the Town needs to look at ways to cover their expenses and not continue to borrow the money. Commissioner Chase stated that he feels that after raising the water rates, it is a hardship on the residents to raise taxes too. Commissioner Chase made a motion to leave the homestead tax credit alone. Commissioner Pritchett seconded the motion.

Vote:

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

Motion carried with majority vote of 4-1

- Trappe Police Department:

Attorney Booth stated that the police department started in 2006 when the developers for the Lakeside Development entered into a developer's agreement with the Town stating that they would pay for 1 police officer for 3 years or 3 police officers for 1 year. The Town chose the 1 police officer option and Chief Ball was hired. The contract with the developer ended in 2009 but the developer has voluntarily continued to pay for the police department. The Town does fund some portions of the police department with general funds. Attorney Booth stated that she spoke with the Maryland Police Training Commission and they have said that there is no hurry for the Council to make a decision regarding the infrastructure that would allow the Town to continue the police department. Attorney Booth stated that the Town does need to figure out where to go from here because the developer is under no legal obligation to continue to pay for the police department so the Council wanted to hear from the residents to see if the police department should continue because this would cause an increase in taxes. Attorney Booth stated that the Town did have an agreement in place with the Talbot County Sheriff's Department back in the late 1990's to pay for additional services each week but that has expired as well. The Town does have the option to enter into another agreement with the Sheriff's Department for additional services again if they would like to do so. The Town also has the option of hiring another police officer for the police department and trying to negotiate with the developer to continue to pay for a certain period of time but eventually those payments would stop. Attorney Booth stated that Administrator Braband has gathered information from all the Towns on the Eastern Shore regarding tax rates and whether they have a police department or not. The information shows that Towns that are in the same tax rate range as Trappe do not have a police department. The Towns that do have a police department have tax rates that are much higher. For example, Ridgely's rate is \$.58, Berlin's rate is \$.68, Greensboro's rate is \$.75, Denton's rate is \$.75, Delmar's rate is \$.79, Cambridge's rate is \$.81, Hurlock's rate is \$.82, Federalsburg's rate is \$.83 and Snow Hill's rate is \$.86. The Towns that do not have a police department have a tax rate of anywhere from \$.16 to \$.30 on average. If the Town does want to continue the police department a tax rate increase would be required, perhaps not right away if the Town was able to negotiate with the developer but the rate would eventually need to be increased. President Fegel stated that the Council has received a variety of written comments and the purpose of tonight's meeting is to hear additional comments from the residents.

Administrator Braband stated that the police department as it currently stands cost \$114,687 a year. The Lakeside developer pays the Town \$81,000 which leaves the Town paying \$33,687 from tax revenue. If Lakeside decided to not continue their \$81,000 yearly contribution, taxes would need to be increased by \$.15 which would make the tax rate \$.48 per \$100 to continue the police department as is. President Fegel stated that the cost for the police department is only for 8 hours a day, 5 days a week coverage. There are 16 hours a day and 2 whole days a week that the Town does not have a police officer.

President Fegel opened for public comments -

Ella Morton – Mrs. Morton asked if the Town police department only policed the Town. President Fegel stated that yes, he would only do inside the Town boundaries. Mrs. Morton also stated that if there is a Town police officer then that officer should live in Talbot County. Mrs. Morton said that she would be willing to pay more in taxes if an officer would live in Talbot County.

Scott Metje – Mr. Metje asked if there was a comparison cost to a Town police officer versus the Sheriff's Department covering the Town for the week. Administrator Braband stated that one hasn't been done because an agreement wasn't discussed with the Sheriff's Department for a set number of hours yet but the Town has contracted with other agencies in the past for coverage at that cost was \$40.00 an hour. If the Town was to continue that contract for 40 hours a week the cost would be \$83,200 a year. Attorney Booth stated that you enter into a contract with another agency for x numbers of hours per week and can budget for that amount each year. Administrator Braband stated that the Town could enter into an agreement with the Sheriff's Department for the amount of money that the Town currently pays for the police department. Commissioner Chase stated that the Town could hire an officer for less than what the Town was paying and shouldn't have a problem hiring one for what the Town could offer.

Captain Mergenthaler stated there are different methods that the Town could contract with the Sheriff's Department. One option would be for the Sheriff's Department to hire a specific person that would only service Trappe as their primary function. This option would allow the Sheriff's Department to not have to use their current manpower and would allow the Town to not have to pay overtime rates for the service. Captain Mergenthaler suggested that if the Council was interested in entering into a contract with the Sheriff's Department that everyone meet at a different time to discuss the particulars and the Council might be surprised at what they could afford. Captain Mergenthaler stated that it is difficult to hire young officers but the Town may be able to find a retired officer that would be interested in continuing to work.

Bobby Croswell – Mr. Croswell stated that he was a part of the negotiation when the Town entered into a contract with Sheriff's Department back in the late 1990's. This agreement was in addition to the coverage that the Sheriff's Department and State Police were already giving the Town. The Town was never without police protection. This agreement was to be used to have extra patrols for specific problems, such as speeding. The only issue was that it was hard to verify if the Town was still getting the original County patrols or only getting what they paid for. Mr. Croswell stated that in his lifetime there were 3 different police departments that started and stopped. Mr. Croswell stated that every time he has called the police he has never gotten the Town police, they were never on duty at that time so the Sheriff's Department or State Police responded. Mr. Croswell stated that he felt there isn't a high crime rate and the Town is getting good coverage now with the Sheriff's Department and State Police but if more is needed then he would like to see more than just a one man department, the Town needs more diversity. The Town cannot afford a police department with that many officers and the diversity that the Town should have. The Sheriff's Department already has that and the Town should take advantage of it. The Sheriff's Department has a good chain of command now and the Town should sit down and

discuss what the Town wants/needs and how much it would cost. Mr. Croswell stated that he doesn't see the need for a Town police department.

Yvonne Bartolomeo – Mrs. Bartolomeo stated that she is all for the police department as long as it doesn't come out of her pocket. Mrs. Bartolomeo stated that we are close enough to the Sheriff's Department if we need help.

Andrew Kane – Mr. Kane stated that the last 3-4 months the Town has been quiet and while he likes to see the police patrolling every now and then, the Town does not need a police department.

Scott Metje – Mr. Metje asked if the Town had explored the option of a neighborhood watch program, an organized watch program. Mr. Metje stated that he feels an active police department is not needed; the Sheriff's Department is doing a good job and is responding quickly.

Sheriff Gamble stated that a neighborhood watch program can be done but it is usually done through an HOA (homeowners association). If the Town is interested in a neighborhood watch program then the Sheriff's Department would sit down with the Town and figure out signs, organize the blocks, research exactly how to do it, etc. Sheriff Gamble stated that communication is the key; the Town needs to rely on their citizens to pass along information.

Elizabeth Ferguson – Mrs. Ferguson asked if there is a way to use the Waze app to get information out.

Sheriff Gamble reviewed his handouts that showed the calls for service since Jan. 1, 2017. Sheriff Gamble stated that most of the calls are for patrol checks. In the first 6 months of the year when Chief Ball was here, the Sheriff's Department handled 376 calls of which almost half were patrol checks only. The remaining calls included warrant service, suspicious person, vehicle accidents, traffic assignments, alarm calls, etc – it does not mean that they were bad crime calls. Since July 1st the Sheriff's Department has handled calls that consisted of warrant service, patrol checks, civil process, alarms, traffic control for fire department, eviction, suspicious vehicle/person, noise complaint, domestic escort, etc. State Police have handled 25 911 calls for service for Trappe of which most were traffic related. Captain Mergenthaler stated that the State Police are primary when calls for service come from Rt. 50.

Scott Metje – Mr. Metje asked Sheriff Gamble what the actual crime rate is in Trappe, using the statistics from all these calls and does it require an officer for Trappe. Sheriff Gamble stated that it would take some time to dissect the statistics but based on experience the crime rate is low. The Town does have domestics which would require an officer to be on scene quickly so no one gets hurt. As far as on scene arrest calls would be domestics and drugs but those calls are everywhere, not specific to Trappe. Sheriff Gamble stated that the drug task force is still in force and they are still covering Trappe.

Sheriff Gamble stated that his only concern is communication – there has to be open communication between the Sheriff's Department, the Town and the residents. The Sheriff's Department has to receive the information so they can look into it.

Sheriff Gamble stated that there are only 3 Sheriff Deputies per shift for the whole County and only 2 State Police troopers per shift for the whole County. That makes 5 officers for the whole County at one time. Sheriff Gamble stated that most 911 calls are made in the late evening, 2 am range and most

Towns do not have an officer working so the County or State police are responding anyway. Sheriff Gamble stated that the Town would have to employ 5 officers to be able to have 24 hour coverage.

President Fegel asked if when a Deputy goes through Trappe do they go down every road? Sheriff Gamble stated that they might not be able to go down every road but they do check all the open establishments and parks.

Sheriff Gamble stated that central booking will be opening soon and that will free up his deputies more because they will not be tied up with arrests. Civil process is also being handled by a civilian now so that frees up a deputy.

Commissioner Newnam asked if the Sheriff Department runs radar when they are in Trappe. Sheriff Gamble stated that they might be running radar when they are driving through Town but they are not set up to run radar unless complaints are received. The Sheriff's Department does have a speed trailer that could be set up in Town if the Council wanted to do so.

Sheriff Gamble stated that as far as community policing goes, that is done by the Town police as the Sheriff's Department just doesn't have the manpower to handle calls like that. If a welfare check is called in the Sheriff's Department will handle it but they can't handle checking on Mrs. Daisy every day.

Commissioner Newnam stated that 90% of the Town's problem is speeding and Main Street is turning into Rt. 50. Sheriff Gamble stated that the Sheriff's Department and State Police would not be able to give the time the Town would want to run radar to fix the speeding problem. Administrator Braband suggested that the Council ask to use the Sheriff's Department speed trailer in high speeding areas to try to bring awareness to the drivers.

Elizabeth Ferguson – Mrs. Ferguson stated that years ago the Town applied for a speed camera and asked if the Town could do so again. President Fegel stated that State Highway turned it down and wouldn't approve it. Sheriff Gamble stated that Easton Police has one and they have to have an officer to look at every violation as required by law and most departments do not have the manpower to do that.

Bobby Croswell – Mr. Croswell stated that when the Town has its own police department there is tax differential so if the Town were to disband the police department the County tax rate will go up a small amount. Mr. Croswell asked if the Town were to enter into an agreement with the Sheriff's Department, could the Town request that the officer in Town that day run radar. Sheriff Gamble stated that yes, the Town would direct that deputy for that shift on what they would like the officer to do.

Captain Mergenthaler stated that if the Town was to enter into an agreement the Sheriff's Department would be able to give the Council a monthly report showing the calls that were handled. The Sheriff's Department is able to track every officer the entire time they are on duty.

Kirby Sabin – Mr. Sabin asked if there was a plan with the hurricane coming up the coast. Sheriff Gamble stated that yes the 911 center has an emergency management plan and they would activate the center and give reports as needed. Commissioner Pritchett stated that the Trappe Fire Department is the location that would open for our town residents.

No other comments were given regarding the police department.

Sheriff Gamble gave a brief overview about Project Purple. On Sept. 18th the Courthouse will be lit at 7:30 pm. On Sept. 19th at 7:00 pm Chris Herron, retired NBA player will be at Easton High School to speak. Sheriff Gamble invited the Council and residents to attend.

Public Questions/Comments:

Andrew Kane – Mr. Kane stated that he thinks the water bills are too high. Mr. Kane stated that he doesn't think there should be a set rate and residents should only have to pay for what they are using. President Fegel stated that the Town has to be able to cover their fixed costs and the basic rates are set to do so.

Announcements:

President Fegel stated that Cynthia Miles graciously donated 12 paintings to the Town which are of different places around Town. The Council is in the process of deciding what to do with the paintings.

Executive Session:

President Fegel stated that an executive session is requested to discuss a personnel matter and to obtain legal advice on a real estate matter.

Commissioner Chase made a motion to enter into executive session at 8:29 pm to discuss a personnel matter and to obtain legal advice on a real estate matter. Commissioner Newnam seconded the motion and it was unanimously approved.

At the conclusion of the closed session at 9:09 pm, Commissioner Diefenderfer made a motion to reconvene the open meeting. Commissioner Newnam seconded the motion and it was unanimously approved.

Commissioner Newnam stated that he met with 2 landscapers at Nace's Park and the park has been sprayed for bugs and the straps have been removed from the trees. Commissioner Newnam stated that he will be calling the initial landscaper to replace the dead trees.

There being no further business to discuss, Commissioner Diefenderfer made a motion at 9:11 pm to conclude the meeting. Commissioner Newnam seconded the motion and it was unanimously approved.

Respectfully submitted,
Erin Braband, Town Administrator/Clerk