

**TOWN OF BETTERTON**  
**Mayor & Council Meeting**  
November 10, 2020 @ 7:00 P.M.  
Berterton, MD 21610

Meeting was held through an online GotoMeeting link.

**IN ATTENDANCE:** Mayor Sutton, Councilman Fracassi, Councilman Gilchrest, Councilman Marcy, Councilman Pyfer, Town Attorney Yeager, Town Manager Greenwell, and Town Clerk Dlugoborski.

**RESIDENTS:** joining the GotoMeeting online meeting: Joe Sanders, Dick Story, Ginny Story, Candi Sorge, Mark Zwanger, Dave Paltrineri, Russ Bell, Bill Manners and Cheryl Fracassi. Also Jason Bishop, Eastern Shore Environmental, LLC (trash company for the town).

Mayor Sutton called the council meeting to order at 6:59 p.m.

Mayor Sutton administered the oath of office to William Francassi and Robert Pfyer as recently elected Councilmembers from the election on October 3, 2020. Both will fill their current seat until 2024.

Appointment of Mayor Pro Tempore – Councilman Marcy stated that Councilman Pyfer should continue the position. Mayor Sutton appointed Councilman Pyfer as the Mayor Pro Tempore.

**Committee Assignments:**

Water/Sewer – Councilman Pfyer and Councilman Gilchrest

Street/Roads/Street Lights – Councilman Gilchrest

Safety – Councilman Marcy

Personnel – Councilman Fracassi

Mayor Sutton thank Candi Sorge and the Election Board for their work on the election. Also thanked Hopkins Game Farm for the loan of the frames for safety/social distancing during the election.

**MINUTES:** *Councilman Marcy motioned to approve the Mayor and Council Meeting minutes of the October 13, 2020 meeting; Seconded by Councilman Fracassi; all in favor, motioned carried. There was no Mayor and Council Workshop meeting on October 27, 2020.*

**FINANCIAL REPORT:** *Councilman Fracassi motioned to approve the October 2020 financial report; seconded by Councilman Pyfer; all in favor, motioned carried.*

**SHERIFF'S REPORT:** Mayor Sutton read the Sheriff's report for the month of October 2020.

**GUEST SPEAKERS:** None

**COMMITTEE REPORTS:**

**BCC:** New window in the office and drop box in the back door were installed using monies for COVID-19; CARES ACT grant.

**BCDC:** Candi Sorge reported that the museum will be holding a holiday sale of items such as mugs, magnets, car decals, note cards, etc. Notice will go out through constant contact. Museum will be open to purchase items Nov. 28<sup>th</sup> and Dec. 5<sup>th</sup>. Everyone is required to wear a mask.

**PLANNING:** Next meeting will be December 7, 2020.

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**APPEALS BOARD:** No Report.

**ROADS:** No Report.

**PARK:** The misters have been winterized. At this time the bath house is still open until colder weather.

**SAFETY:** No Report.

**FIRE CO.:** No Report.

**WATER/SEWER:** Mayor Sutton read the monthly report from Jeff Miller, Plant Operator. Jeff Miller reported that the WWTP is still meeting ENR standards.

**SUSTAINABLE COMMUNITIES:** Committee is not meeting currently. Will meet again in the spring.

Trash: October 2020 – 10.35 Tons  
Recycling: October 2020 - 2.11 Tons

Proclamation – Mayor Sutton read into record the Proclamation for November Municipal Government Works Month. This is a requirement to meet Banner City through MML.

**Town Manager Report for October 14 – November 10, 2020**

Town Manager Greenwell announced that she will be leaving her position with the town in December. She will be going back into teaching. Position will be advertised. Working on getting current grants closed out before leaving.

**Current Grants**

WWTP - Call with Terry about next steps forward. Call with Jason Loar to discuss remaining funding and needs.

Wheeler Avenue – Call with USDA and the engineer regarding close out of the grant, change orders and final payment.

Bayside FEMA grant - Meeting with FEMA and MEMA was today 11/10. Environmental and Historical Review continues. New person overseeing the project at FEMA. Next meeting is 12/18.

Bayside/Wheeler Stormwater Grant – Continue to work with John Gonzalez from Landmark to finish up the design and have it approved by Erosion and Sediment Control. Final Report is due to WAGP by December 1<sup>st</sup>.

Outstanding Grants - MDOT (Rigbie Walkway), USDA SEARCH grant (water system PER) and DNR (stormwater projects on Bayside), Community Legacy (2 grants).

**Other happenings**

Critical Area – Processed several tree permits and approved replanting plans.

Census data – Completed for October.

Outreach -Meeting links are being posted on both the website and Facebook. Regular updates and monitoring of the Town of Betterton official Facebook page.

Halloween – Had a Halloween Decorating Contest with 9 houses participating. We also distributed guidance for Trick or Treating.

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Town Manager report cont'd.

**CARES funding** – Reimbursement request 3 was submitted. Front window was installed. Additional supplies were purchased. Continue to attend weekly briefings from the county on COVID.

**Hazard Mitigation Plan** – Met with Ginger Gregg and Ginny Smith to review the needs and concerns of Betterton for the county hazard mitigation plan. I will continue to attend the monthly county-wide meetings. There was no meeting scheduled this month.

Submitted by: Elizabeth Greenwell

**UNFINISHED BUSINESS:**

**Trash Company** – Town Manager Greenwell stated that the old trash company never looked inside the containers. If item fit in the can, residents would fill container with whatever they wanted to discard of. The old company's truck had an arm that picked up the container and dumped into the truck. The new company physically lifts the cans by hand. The trash should be residential household trash. Not building material, shingles, concrete, appliances, oil and so on. After discussion, Mayor Sutton stated that the town will do a mailing to the residents with information about what can and cannot be placed in the containers.

**Second Avenue Street Light** – The light in discussion is a light that the town was asked by a resident to have turned off due to the light coming into their home at night. The town had the power company turn off the light or moved to another pole. The council agreed to have the light moved to a pole to the west of the original pole with the understanding that this said resident would install a light to illuminate the street/area at night for safety reasons in the area. There has been a complaint that the light that was agreed to be on by said resident is not consistently on at night and is not on all night. Homeowner stated that they programmed the light to go off at 10 p.m. each night. The light should be on throughout the night for safety concerns. Mayor Sutton asked for resident to have the light set for dusk to dawn. Resident agreed to change the setting on the light.

**WWTP funding** - Town Manager covered this during her report.

**Discuss the changes with Kent County Erosion and Sediment Control and how it affects the town.**

- Earlier this year, Bill Mackie had reached out to Towns to let them know that DPHZ would no longer be able to offer plan review and inspection services related to Erosion and Sediment Control and Stormwater Management. In light of the hardships for everyone during the COVID pandemic, County leadership has asked that DPHZ offer these services again to the smaller jurisdictions, if they would like the services. Since Chestertown already performs all these services on its own, and there have been changes related to MDE, here is a review of the offer for your consideration.

First, the formerly shared review duties with the Kent Soil & Water Conservation District have been reconfigured as a result of Joe Blizzard's transition to semi-retirement. The County is no longer performing any of the Erosion and Sediment Control plan review. These are all being performed by the District. The District is no longer performing Stormwater Management plan review. The County has contracted with MES.

**ESC Inspections**

DPHZ is offering to perform on-site inspections related to Erosion and Sediment Control for the Towns of Betterton, Galena, Millington, and Rock Hall. Applicants from the Towns may either pay the inspection fees directly to the County, or the Towns may collect the fees and reimburse the County. An MOU is requested to clarify financial arrangements and a process.

**SWM Plans Review**

DPHZ is offering to facilitate plans review for Stormwater Management with the Maryland Environmental Service (MES). Currently, the fees are \$100 per hour for the services of a professional engineer with additional fees for MES administration. The fees in the attached fee schedule are based on anticipated time using recent projects within the County. An MOU is requested, and costs would be handled as pass-through billing. Any

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Erosion and Sediment Control cont'd.

jurisdiction may also enter an MOU with MES directly, if desired. Towns need not use the County's fee schedule, and reimbursement could be based on hourly billing. The County only desires to recover its hard costs.

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**Limitations**

DPHZ is unable to offer building permit review, zoning review, or Critical Area Program review. DPHZ does offer Forest Conservation review.

As part of a future COG meeting, I plan to discuss the Technical Advisory Committee process. DPHZ would like to offer some limited services to the Towns in this area as well, and the DPZH team is reviewing the current process in order to evaluate how the process could be expanded.

**108 ½ Ericsson Ave.** – Invoice for manhole issues – request from owner – Town Manager briefed the council on situation which a manhole on property was filled in over a period of time causing sewage to eventually back up into yard. The town crew had to bring in a contractor on a weekend to resolve the issue. The property owner was billed for said work to alleviate the blockage. Property owner is asking for mercy on the bill in hand. After discussion, Mayor Sutton stated that the bill stands as-is and denied appeal. The town clerk was instructed to work on a satisfactory payment plan with the property owner.

**NEW BUSINESS:** Proclamation done earlier in meeting.

**OPEN FORUM:**

Councilman Marcy asked if the county bathhouse at the beach is complete. Portable toilets still at county parking lot. Mayor Sutton stated he was not sure if the bathhouse has been completed or has been winterized and just using the portable toilets. Town Manager Greenwell will email the county.

**ANNOUNCEMENTS:**

Council received a letter from the Social Justice Group. After discussion Mayor Sutton read the Response to Social Action Committee for Racial Justice – “A few days ago, I received a letter from the Social Action Committee for Racial Justice asking that I sign their pledge. I read the pledge and understand your request. Although I do not disagree with the goal of the pledge, I believe that some of the statements in the pledge are requesting that I agree to discriminate in favor of one versus the other.

I have been taught all my life to not make a decision or opinion based on someone's race or creed, but on the person's character and actions in life. I will state this, that I do not and will not condone any form of discrimination. It has and will not be any part of my agenda in life to promote or approve of it in any form.

As some of the statements in the pledge are generalized and all-encompassing in nature, I believe that they hint at a form of discrimination and I, for one will not be signing.

I encourage my fellow Council members to read the pledge and if you believe that it is something that you need to do, I encourage you to please do so. “

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*Motion was made by Councilman Marcy to close the November 10, 2020 meeting; seconded by Councilman Fracassi; all in favor.*

Meeting adjourned at 8:29 p.m.  
Respectfully submitted,  
Sheila Dlugoborski, Town Clerk/Treasurer

Approved: December 8, 2020