TOWN OF RISING SUN MAYOR & COMMISSIONERS TOWN MEETING MINUTES

Let it be remembered the that Mayor and Commissioners of the Town of Rising Sun, held a Town meeting on the 3rd floor of the Town Hall on Tuesday evening February 23, 2010 at 7:00 PM. For the record the meeting place and time were duly posted as required.

<u>MEMBERS IN ATTENDANCE</u>: Mayor Judy Cox, Commissioner Clinton E. Bowers, Commissioner Jim Majewski, Commissioner Thomas S. Mumey and Commissioner Augie Pierson.

MEMBERS ABSENT: (None)

STAFF/CONSULTANTS PRESENT: Town Administrator Calvin A Bonenberger, Jr.

GUESTS: See Attached List

<u>MEETING OPENING</u> — The meeting was called to order at 7:00 PM by Mayor Cox followed by the pledge of allegiance and a moment of silence. The Mayor advised the audience that one employee with the Town has been ill and is now back to work and also requested that the Thomas family be remembered during their time of loss.

<u>APPROVAL OF MEETING MINUTES</u> – The Mayor asked for any corrections to the minutes for the December 8th 2009 Town Meeting. Commissioner Mumey made a motion to approve the minutes, seconded by Commissioner Bowers. Motion carried unanimously. The Mayor asked for a motion to approve the minutes for the January 26th 2010 Town Meeting. Commissioner Mumey made a motion to approve the minutes, seconded by Commissioner Bowers. Motion carried unanimously.

<u>PRESENTATIONS</u>, <u>ORDINANCES AND RESOLUTIONS</u> — The Town Administrator, Calvin A Bonenberger Jr., read resolution 2010-01 into the record. This resolution establishes the Town Administrator to serve as interim acting Town Clerk for the Town of Rising Sun and to also appoint Utility billing Clerk, Stephanie Ondriks to serve as the election coordinator for the Town of Rising Sun. A motion was made by Commissioner Mumey and seconded by Commissioner Pierson to approve the resolution as read. Motion carried unanimously.

Mr. Bonenberger then read resolution 2010-02 into the record. This resolution sets forth the positions and persons that will be listed on all Town banking accounts and safety deposit boxes. This resolution would be re-enacted on a yearly basis at the start of the fiscal year. This will coincide with new elected officials coming into office and would clear up any discrepancies related to the management of the Town's accounts. A motion was made by Commissioner Pierson and seconded by Commissioner





Mumey to approve the resolution as read. Motion carried unanimously.

<u>MAYOR'S REPORT</u> - The Mayor introduced some young men from Boy Scout Troop 441 who are working to obtain their leadership badges. The Troop leader thanked the Town for their support of the Boy Scout activities.

FINANCES – Mr. Bonenberger provided an overview of new Monthly Financial reports that are being generated by the Town's accountant. He walked the board through how the reports read and what some of the initial information is indicating. He reported that over a 7 month reporting period, the Town was operating at roughly \$254,000 in the black or ahead of the budget. He provided a recap of how some of the numbers in the budget were derived and how the Town had positioned itself to respond to the economic turbulence over the past 7 months. He advised the board that he is still waiting for some of the comments from the board regarding the fiscal policies. Mr. Bonenberger notified the board of the notice from the state regarding the constant yield tax rate. He advised the board that the real estate values in the Town are still holding stable at this time. Mr. Bonenberger advised the board that he was finalizing the legal requirements to have the County Treasurer's office start collecting the Town's Real Property Taxes. He also advised the board that the county could also collect the trash and refuse fees. After a brief discussion, it was determined that the Town would continue to collect the refuse fees in house.

SEWER AND WATER REPORT — Commissioner Majewski provided a report and recommendation to award the RFP for Engineering Design Services for the Construction of the new sewer plant. A motion was made by Commissioner Majewski to award the engineering design services contract for the construction of a new 275,000 gallon per day Orbal Ditch Wastewater Treatment plant to RK & K at a cost not to exceed \$244,039. The motion was seconded by Commissioner Bowers. Commissioner Pierson made a correction to the report in that the meeting took place on Friday February 12 and not the 14th as reported. Motion carried unanimously.

Commissioner Majewski provided an overview and report on the MDE Consent Decree. He listed the fines and due dates for compliance as spelled out in the decree. Commissioner Majewski made a motion to have the Mayor and Commissioners execute this consent order and to forward the executed document to MDE by the close of the week. The motion was seconded by Commissioner Mumey. Commissioner Mumey also made a typo correction to the report, regarding the word "Executed" Motion carried unanimously.

Commissioner Majewski reported on the Towns efforts to submit a grant application to MDE for the new sewer plant and to secure a meeting with USDA to discuss financing options.





STREETS AND SIDEWALKS REPORT - Commissioner Bowers provide a report on how the Town responded to the 50 inches of snow that occurred earlier in the month. He thanked the Public Works Crews and Police Department on their efforts during the snow. He credited them with keeping the streets open and passable. He also thanked the residents for being patient and working to help their neighbors. He thanked those who cleared fire hydrants and helped others who struggled to remove the snow. He also reported that over 560 tons of snow had been removed by contractors over a 5 day period. He also advised the board that over 40 properties have been notified of their obligations to clear their sidewalks. Many of those notified have cleared their snow. Some have not. Given the amount of snow and the need for our public works crews to focus on other issues, we have secured the services of a contractor to help remove this snow. He advised that If the sidewalks are not clear by Thursday, we will direct the contractor to clear this snow and the properties will be accessed a charge that will include an administrative charge of \$175 as provide in the Town's fee schedule, plus the cost of the contractor to do the work. Commissioners Mumey and Pierson questioned how the process of notification was handled. The Police Chief, Francis Peterson advised that notices were left at the respective properties. Commissioner Bowers urged residents to take the necessary steps to remove the snow from their sidewalks. Commissioner Bowers advised the board that the public works crews would be fixing potholes that have appeared as a result of all the snow and plowing. He also advised that the town has received the \$143,000 reimbursement from the state for the project, but are still awaiting the final \$26,595.51 that was submitted for reimbursement in December.

<u>PUBLIC SAFETY</u> – Commissioner Pierson reported that the police activity reports were available for viewing in the police department. Commissioner Pierson also extended his appreciation to the Public Works and Police Department personnel regarding their excellent response and work to keep the Town's streets open during the snow event.

<u>PARKS AND RECREATION</u> – Commissioner Mumey opened his report by also sending his appreciation to the Public Works and Police Department personnel for their efforts. He advised that he only received 1 phone call but it was minor in nature compared to how bad it could have been if not for the Town's personnel. Commissioner Mumey reported on the damaged that was done to the State Champion Signs down at Community Park. He advised that we are waiting for an updated cost estimate for the repair of the sign. He also reported that the location of the sign would change and that it would be relocated adjacent to Wilson Avenue between the entrance to the park and the stream crossing. It is hoped that this will make the sign less attractive to vandalism and provided greater visibility of the sign.

<u>TOWN ADMINISTRATOR'S REPORT</u> – Mr Bonenberger reported on the request to review sewer and water rates for out of Town residents. Mr. Bonenberger stated that the Town's attorney did not





have any real legal concerns regardless of what the final decision of the board would be regarding any reduction of the rate and the issue is something that is up to the board. It would require a new resolution, similar to the one that was passed. Mr. Bonenberger notified the board of the letter received from the Good Shepherd Parrish, requesting a meeting with the Mayor and Commissioners to discuss the sewer and water fees at the old railroad station building and to explore the Town's desires to take possession of the their now abandoned rental property/ railroad station. After a brief discussion on the merits it was agreed that the board would meet with the Church on Thursday night February 25. Since there was no reason to delay any decisions on the waiving of the fees for sewer and water, Commissioner Pierson made a motion to waive the sewer and water fees for the old railroad station building. Motion was seconded by Commissioner Mumey. Motion was passed unanimously. Mr. Bonenberger advised the board of the need to begin talking about the upcoming budget. He has advised the department heads to begin putting their budgets together to meet with the board. Mr. Bonenberger reported on the Town's efforts to produce and distribute RFP's for certain services to the Town in order to secure the best prices possible for the Town. He also advised the board that they were exploring a possible option to reduce the Towns fuel cost significantly over the next 12 months. He also advised the board of the weekly staff meetings that they have been holding. The staff has been meeting before each anticipated event that could cause problems for the Town. He also advised that they have also met after each event to discuss what went well and what did not. Mr. Bonenberger also reported on various renovations taking place in the 1st floor administrative offices to help facilitate the daily work environment.

<u>PLANNING AND ZONING BOARD</u>- Mr. Bonenberger reported on the recently held meeting of the Planning and Zoning board. He advised that the board was interested in sparking economic development and opportunities for businesses to prosper.

BOARD OF ZONING APPEALS - (No Report)

<u>CODE ENFORCEMENT</u> – Mr. Bonenberger reported on the recent activities at 110 Harrington Drive. The Town has received several inquiries on the property over the past few weeks. He also reported on several inspection that were performed to on various flat roofed structures in Town to make sure they were not impacted by the heavy snows

HISTORICAL PRESERVATION COMMISSION - (No Report)

OLD BUSINESS. (No Report)

NEW BUSINESS. (No Report)





<u>CITIZEN'S INPUT</u> – Bud McFadden wanted to thank the Mayor and Commissioner, Public Works and Police Department on their efforts to remove the snow from in front of the businesses. He also thanked the board for waiving the previously before mentioned sewer and water fees for the Good Sheppard Church.

Mathew Chambers asked various questions regarding the recently adopted sewer and water fees. After several questions and brief dialogue it was decided that Mr. Chambers would meet with the Town Administrator to answer any other questions. Karen Majewski commented on the snow plowing efforts of the main street. Mr. Dipetrio of the Summer Hill Development asked if the newly enacted sewer and water rates could be accessed through the real property tax so that resident could get an income tax break. The board agreed to look into this.

<u>ADJOURNMENT</u> – It was agreed that the board had time to meet with the Church after this meeting. Therefore, Commissioner Pierson motioned to adjourn the Town Meeting and go into a workshop session with the Good Sheppard Church. Motion seconded by Commissioner Bowers. Motion carried unanimously.

Meeting Adjourned at 8:10 PM.

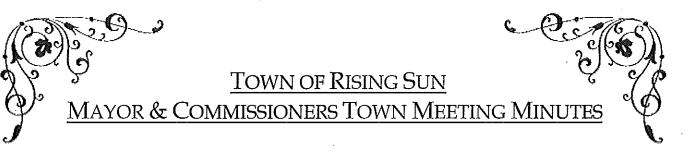
Respectfully submitted

Calvin A Bonenberger Jr.,
Town Administrator / Acting Town Clerk

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Motion to approve the Minutes:

Commissioner <u>Pierson</u>, seconded by Commissioner <u>Mumey</u> at the March 9, 2010 Town Motion Passed <u>4</u> to <u>0</u>



DECLARATION AND VERIFICATION OF AUTHENTICITY

I, Calvin A Bonenberger, Town Administrator and Interim Town Clerk for the Town of Rising Sun, Maryland, do herby certify that the above and foregoing minutes are a true, perfect and complete copy of the Minutes adopted by the Mayor and Commissioners of the Town of Rising Sun, Maryland, and is identical to the original thereof appearing in the official records of the Town of Rising Sun, Maryland and the same has not, since its adoption, been rescinded or amended in any respect.

IN TESTIMONY WHEREOF, I have hereunto set my hand and have affixed the seal of the Town of Rising Sun as of this 10th day of March 2010.

Respectfully submitted

Calvin A Bonenberger Jr., Town Administrator / Acting Town Clerk

CERTIFICATE & TOWN SEAL

(STATE OF MARYLAND)

(COUNTY OF CECIL)

(TOWN OF RISING SUN)