



TOWN OF RISING SUN
MAYOR & COMMISSIONERS TOWN MEETING MINUTES

Let it be remembered that the Mayor and Board of Commissioners of the Town of Rising Sun, held a Town Meeting on the 3rd floor of the Town Hall on Tuesday evening August 24, 2010. For the record the meeting place and time were duly posted as required.

MEMBERS IN ATTENDANCE: Mayor Sandra Didra, Commissioner E. Clinton E. Bowers, Commissioner Chris Callahan, Commissioner Thomas S. Mumey and Commissioner Augie Pierson.

MEMBERS ABSENT: (None)

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

GUESTS: See Attached List

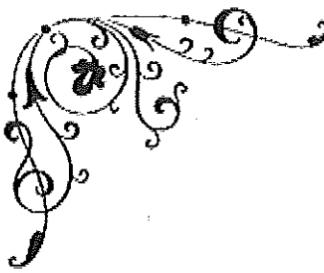
MEETING OPENING – The meeting was called to order at 7:00 PM by Mayor Sandra Didra followed by a pledge of allegiance and a moment of silence.

APPROVAL OF MEETING MINUTES – Mayor asked for any corrections to the minutes for the August 10, 2010 Town Meeting. A motion was made by Commissioner Pierson and seconded by Commissioner Mumey to approve the minutes of August 10, 2010. Motion carried unanimously.

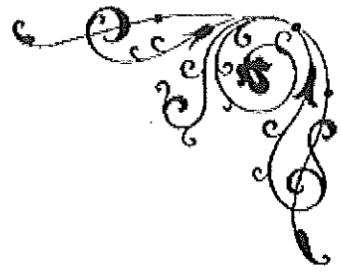
PRESENTATIONS, ORDINANCES AND RESOLUTIONS – Mayor Didra introduced Mr. Rossetti, from the Octoraro Watershed Association, who gave a presentation concerning the Stone Run Water Shed.

Mr. Rossetti explained exactly what a water shed is and why it is important. He stated that a water shed is a drainage basin and also stated that some of the Chesapeake Bay's clean up solutions are to clean up the basins that feed into the bay. He stated that our goal is to improve the water quality in Stone Run, by implementing in the ground projects that address problem areas. He also stated there is available funding for the Stone Run Water Shed to improve the water quality. Mr. Rossetti reported on the assessment already done on the water shed. He stated that the team conducted a watershed assessment and developed a watershed management plan for the Stone Run water shed Area.

Mr. Rossetti suggested neighborhood improvement projects like rain gardens and buffers and outlined the results.



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Commissioner Mumey stated that given the opportunity we should tap the resources available. He also asked what a rain garden is and how the concept will affect the town.

Mr. Seipp with the CWP explained that a rain garden is a mimic wetland.

Mr. Rossetti stated that the next step is to have a meeting and determine if an application for funding is available.

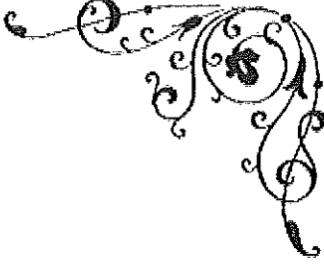
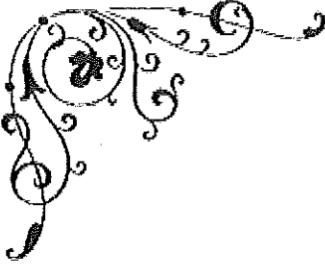
Commissioner Mumey stated that two commissioners and Calvin Bonenberger should review the preliminary work and then invite the water shed assessment team back to see how our efforts can be combined.

Commissioner Bowers made a motion to have Commissioner Mumey and Commissioner Callahan to meet with Mr. Rossetti's group to get this project underway. Motion carried unanimously.

Mayor Didra re-introduced the resolution 2010-01 titled *Developers Rights and Responsibility*. This ordinance will allow the Town to enter into agreements with Developers in order to provide for the financing of adequate public facilities in association with the impact of community services, utilities and infrastructure related to proposed development. Mayor Didra asked Mr. Calvin Bonenberger to read the ordinance into the minutes. Upon reading the ordinance into the minutes, Mayor Didra stated that the ordinance will be advertised and has been posted on the town's website, and will be voted on at the September 14, 2010 Town Meeting.

Commissioner Pierson asked if all commissioners have to be present to vote, since he may not be present at the next meeting. Mr. Bonenberger answered no; all commissioners do not have to be present to carry out a motion, however the Town Code does stipulate that if only 3 commissioners are present for a meeting in which a vote is taken, then all three have to vote unanimously for the motion to pass.

Mr. Bonenberger suggested that the Board consider amending the Town Code to remove the requirement to read the entire context of proposed ordinance into the minutes. Mayor Didra stated that it is alright with her to read the summary, as long as the entirety is posted some place where people can read it. Commissioner Callahan asked if we would have to publish the complete ordinance in the newspaper. Mayor Didra answered; we could advertise the summary in the newspaper and note that the ordinance entirety will be posted on the Town's Website. Mr. Bonenberger stated that after talking to the Town's Attorney, it is up to each municipality to determine how to present the ordinance. Mr. Bonenberger also stated that the town previously considered a proposed ordinance that simplified the ordinance adoption process but was never followed up on. It was agreed that Mr.



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Bonenberger should resubmit the ordinance at a future meeting for consideration.

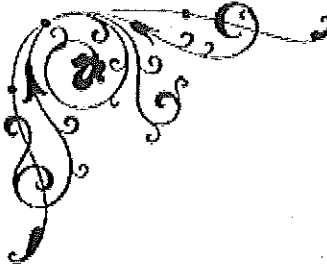
MAYOR'S REPORT - Mayor Didra reported on the Chester Water Supply Project. She stated that she has met with Delegate Rudolph and he has been working to find alternatives to Chester Water Authority concerning our water issues. Mayor Didra reported that Delegate Rudolph has come up with a couple of ideas.

Commissioner Pierson stated that he does not have a problem with exploring other avenues. He stated that we need to give Chester Water an opportunity to give us their best deal. He stated that the board has concerns that the process of exploring will delay water deadlines for the new Wastewater Treatment Plant. He also stated that we need a water agreement to proceed with the new Wastewater Treatment Plant. Mayor Didra stated that she is aware of the deadlines and has talked to Town Attorney Jay Gullo and he is in agreement that we are in the beginning stages of the water supply agreement. Mayor Didra also stated that we should meet with the Engineer to decide where to go from here. Commissioner Pierson expressed concerns as to why the Town Administrator was not involved in the discussions since he has been involved in all of the discussion to date and knows the details better than anyone else. Mr. Bonenberger was directed to contact the Water Engineer from RK&K to see if he could attend a meeting with North East.


Commissioner Bowers made a motion seconded by Commissioner Callahan that Mayor Didra, Commissioner Bowers, Mr. Bonenberger, Delegate Rudolph and a representative from RK&K, meet with the Town of North East, concerning the possible acquisition of water from North East. The vote was unanimous for approval.

FINANCES - Mr. Bonenberger reported on the Auditor's status, he stated that we have successfully electronically transferred many of the critical documents to the Auditor's for review.

SEWER AND WATER REPORT - Commissioner Bowers reported on a water line between 311 and 313 Sunrise Circle over to 119 Pierce. He stated that we have spent \$2,000.00 dollars since November 2009 for repairs. He provided a cost estimate for, slip lining the 1" service line servicing the properties as a way of eliminating future leaks. After careful discussion, it was decided to move forward with the repairs. Commissioner Bowers made a motion, seconded by Commissioner Mumey to move forward with the cost estimate to slip line the 1" service line with approved ¾ piping at a cost not to exceed \$1,800.00. The motion passed unanimously.



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Commissioner Bowers reported on a conference call with the Town Attorney, Town Administrator and Joe Mason from Davenport concerning the cost to run a water line from Chester Water. It was suggested that we should get additional quotes for the PA side of the project, due to the difference in cost, between Chester Water, which came in at 2.5 million and RK&K which came in at 7.5 million. Commissioner Bowers stated that he asked Mr. Bonenberger to get additional engineering service estimates to do this analysis, and provide the board with estimates from KCI for \$2,140.00 and CDM for \$770.00. Commissioner Bowers made a motion, seconded by Commissioner Callahan to have CDM review the cost estimates previously submitted by Chester Water and RK&K and to provide us with a 3rd estimate. The motion carried unanimously. Commissioner Bowers expressed that he felt that resolution 2010-12, previously adopted by the Board back in June, and was no longer needed. He cited a previous effort by then sewer and water Commissioner, Jim Majewski, to have the town revisit the resolution. Commissioner Bowers made a motion, seconded by Commissioner Callahan to rescind resolution 2010-12 since it was no longer needed. Commissioners Mumey and Pierson raised an issue as to the proper procedures related to the reconsideration, repealing or rescinding of a resolution, as spelled out in the Town Codes. After a lengthy discussion the Mayor called for the vote, with the stipulation that if the Town Attorney opinioned the motion was improper, that the action taken tonight would be null & void. Commissioners Bowers and Callahan voted in favor of rescinding the resolution, with Commissioners Mumey and Pierson voting opposed. With the vote standing as a 2-2 tie, Mayor Didra stated that since previous Water and Sewer Commissioner Jim Majewski had opinioned that the commission was no longer needed, she casted a vote in favor of rescinding the resolution. Motion carried.

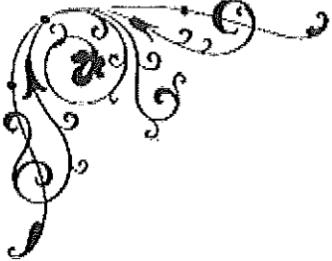
STREETS AND SIDEWALKS REPORT – No Report

PUBLIC SAFETY – Commissioner Pierson reminded the audience the police activity reports were available down stairs in the police department.

PARKS AND RECREATION – Commissioner Mumey stated that Mr. Russetti's presentation was the report for Parks and Recreation.

TOWN ADMINISTRATOR'S REPORT – The Town Administrator, Calvin A Bonenberger provided a report on the status of the current meter project. He stated that the contractor was having a hard time getting some residents to consent to an appointment to have the meters switched. Mr. Bonenberger reminded the board of the early bird registration deadline for the annual MML Fall Conference.

PLANNING AND ZONING BOARD – Mr. Bonenberger reported that the next meeting of the planning and zoning board was August 30th 2010 at 7:00 p.m.



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BOARD OF ZONING APPEALS – Mr. Bonenberger reported that there was no activity pending for the board of Zoning Appeals.

CODE ENFORCEMENT – (No Report)

HISTORICAL PRESERVATION COMMISSION – (No Report)

OLD BUSINESS. – (No Old Business)

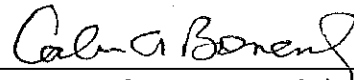
NEW BUSINESS. – (No New Business)

CITIZEN'S INPUT – (No Citizen Input)

ADJOURNMENT – With no other business before the board a motion was made to adjourn the meeting.

Meeting Adjourned at 8: 55 PM.

Respectfully submitted



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

Motion to approve the minutes made by Commissioner Chris Callahan, seconded by Commissioner Thomas S. Mumey at the October 12, 2010 Town Meeting

Motion Passed 4 to 0



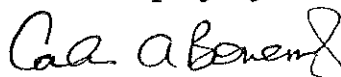
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DECLARATION AND VERIFICATION OF AUTHENTICITY

I, Calvin A Bonenberger, Town Administrator and Interim Town Clerk for the Town of Rising Sun, Maryland, do hereby 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 13th day of October 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)