# 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 November 23, 2010. For the record the meeting place and time were duly posted as required.

<u>MEMBERS IN ATTENDANCE</u>: Mayor Sandra Didra, Commissioner 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

<u>MEETING OPENING</u> – 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 October 26, 2010 Town Meeting. Commissioner Pierson made a motion to table the minutes, stating that he did not attend the October 26, 2010 meeting although motions were recorded by him; the motion was seconded by Commissioner Bowers to table the minutes of October 26, 2010. Motion carried unanimously.

Mayor Didra asked Calvin Bonenberger to read into the minutes the Executive Session meeting held November 23, 2010 at 6:30 p.m. A motion to hold an executive meeting was made by Commissioner Pierson seconded by Commissioner Bowers that motion carried by all Commissioner except Commissioner Mumey who was not in attendance. Mr. Bonenberger stated that an Executive Session meeting was held for the reason to consult with counsel to obtain legal advice. There were various topics discussed at the meeting related to the Town's legal issues with the MDE Consent Decree, the Frapple lawsuit, the Stephens Homes legal issues, Southern States legal issues and update on Chester Water as it relates to the Towns MDE legal issues. Commissioner Pierson made a motion to approve the Executive Meeting minutes seconded by Commissioner Bowers, vote carried unanimously for approval.

<u>PRESENTATIONS</u>, <u>ORDINANCES AND RESOLUTIONS</u> – Mr. Bonenberger read into the minutes Consideration and Passage of Resolution 2010-16 – Reinstatement of Highway User and Police Aid Funds. A motion was made by Commissioner Pierson to approve Resolution 2010-16



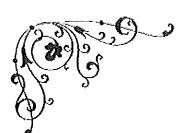


seconded by Commissioner Mumey, vote carried unanimously for approval.

Mayor Didra introduced Mr. David Taylor for presentation of a General Health and Fitness Challenge. Mr. Taylor reported that he has been meeting with fitness and health professionals in the community about an idea for a Town fitness challenge. He proposes an initial weigh in and progression monitoring throughout the year. He stated that he would like to come back with a formal presentation at the next Town meeting. Mr. Taylor introduced Ms. Julie Campagna reported the statistics for weight related diseases. She stated that Cecil County obesity is at 33%, high blood pressure 42%, high blood cholesterol 42% and overweight 55%.

<u>MAYOR'S REPORT</u> - Mayor Didra reported that she was advised about two meetings held regarding water and sewer without her knowledge. She stated that she attended a workshop requesting to be notified about any meetings involving water and sewer, so she could adjust her schedule to attend. She stated that she wanted to go on record that as the Mayor of the Town of Rising Sun she is requesting to be notified of any meetings concerning Town business.

In response to the Mayor's comments, Commissioner Mumey stated that every attempt has been made by the board to keep the Mayor informed of the Town business. Commissioner Mumey stated that as the Charter dictates, the Board would be the party that would do the negotiations involving the finances of the Town. Commissioner Mumey stated that a resolution was passed by this board that established a committee to have an overseer with our consultants. He stated that it is not within the Mayors authority to tell the board what they can or cannot do. Commissioner Mumey reported that the financial impacts on the Town have been difficult and securing financing for the Town's Water and Sewer Capital projects due to the fact that the Town's Mayor has been indicted on legal charges have been difficult. Commissioner Mumey stated that following the resignation of Mayor Didra the board refrained and did their best not to give any information to the public. He stated that it is important to note that none of the Commissioners or any other previous Commissioners sitting on this board had anything to do with this issue other than to discover it and report it to the proper authorities and take direction from those authorities as this case unfolds. Commissioner Mumey stated that Ms. Didra and Ms. Didra alone is solely responsible for this problem that is facing the Town. Commissioner Mumey stated that the financial impacts of the Town meaning if the finances are not handled properly it can be devastating to everyone in this Town. Commissioner Mumey stated that the Town has created resolutions that distance the Mayors' legal issues from the Town. Commissioner Mumey stated that Mayor Didra is not excluded from her general duties as Mayor but because of her indictments she has been asked to step to the side and let the board of Commissioners handle the financial matters. Commissioner Mumey read into the record the duties of the Mayor of the Town of Rising Sun.





<u>FINANCES</u> – Mr. Bonenberger was pleased to announce that the annual audit has been completed with exception of the date on one of the documents to be updated and submitted to the state. Mr. Bonenberger recommends that the auditor attend the next Town meeting to review the financials. Mr. Bonenberger reported that the monthly financials are broke down into two documents; your general funds and the proprietary fund which is you sewer and water. He stated that the sewer and water fund shows a slight deficit due to all the consulting fees that have been paid out recently involving the sewer and water project. He stated that many of those funds will be refunded to those accounts when we draw on our financing.

<u>SEWER AND WATER REPORT</u> – Commissioner Mumey made a motion to approve the \$25,000.00 cost for the Chester Water line engineering in order to bring water to the Town of Rising Sun, from Chester Water in Pennsylvania. The motion was seconded by Commissioner Pierson. The vote was unanimous for approval.

### STREETS AND SIDEWALKS REPORT - (No Report)

<u>PUBLIC SAFETY</u> – Commissioner Pierson reported that the Town has received the new police vehicles. He stated that the old police expedition has been lettered and positioned around Town for purpose of security

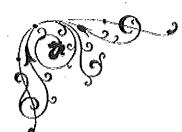
<u>PARKS AND RECREATION</u> – Commissioner Bowers reported that Ron Thomas is working with RNJ replacing sign poles at the Veterans' Memorial Park. He stated that they are being replaced with 6x6 posts.

Commissioner Bowers also reported on the log cabin project. He stated that he has met with 3 companies and 2 of the companies will submit new pricing he stated that the project will be started in the spring and the old cabin will not come down until the new cabin is ready.

Commissioner Bowers reported on the Disc Golf course, he stated that Harford County came to Rising Sun and played the course, he stated that suggestions were made by Harford County.

Commissioner Bowers thanked Mr. Taylor for all the effort he has put forth with presenting the Disc Golf course. Mr. Bonenberger asked Commissioner Bowers for the video of the Disc Golf course to post on the Towns website if the board agrees.

Commissioner Bowers asked if a motion was needed to organize the Cub Scouts to decorate the Town Square Christmas tree. Mr. Bonenberger answered that the Scouts have decorated the tree in past





years, and it was up to the board if a motion was needed. After a brief discussion it was determined that the motion was not needed.

Mr. Taylor reported about the condition of the basketball hoop and backboard at the park. He suggested that replacement is needed. Commissioner Bowers replied that he will look into and get price on replacement parts.

TOWN ADMINISTRATOR'S REPORT – Mr. Bonenberger reported on the Meter project he stated that we still have some stragglers that have yet to schedule any appointments for meter replacement. He apologized to some of the residents that had recently scheduled appointments that were cancelled by National Metering. He stated that the contractor will be in town the week of the December 13<sup>th</sup>. Mr. Bonenberger suggested ways to contact the remaining customers and suggested a newspaper ad for notification. After lengthy discussion about how to address the problem it was decided to place phone calls to the remaining residents.

Mr. Bonenberger reported on the new utility billing system. He stated that the staff needs training and is requesting to close the office for the training. Commissioner Mumey stated that it is important that staff be trained. He stated that the public be notified of the closing. Commissioner Pierson also stated that the public needs be notified. Mayor Didra asked if she could come in and answer phones to help out.

Mr. Bonenberger asked the board for guidelines for Town holiday closing. He stated that Christmas falls on Saturday this year and therefore Friday would be recognized as a Town holiday and Thursday would be treated like Christmas Eve. He stated that typically in the past the Town has given the employees Christmas Eve off, but due to budget restrictions he is suggesting half day Thursday. Commissioner Callahan stated that he did not see a reason for the Town to close half a day Thursday. Commissioner Bowers motioned a vote seconded by Commissioner Mumey for half day Thursday December 23rd. The vote was 3-1 for approval. Mr. Bonenberger also stated that the Town office will be closed December 31st in observance of New Years. Mr. Bonenberger reported on the Town appreciation dinner, he stated that we have two dates available, Friday the 17th and Saturday the 18th. He also stated that he will be sending e-mail to the Mayor and Commissioners with pricing from vendors for the annual dinner.

Mr. Bonenberger reported on the insurance payout of the Town vehicle that was involved in an accident. He stated that the Town has the option to salvage the vehicle and collect \$3,850.00 or keep the vehicle and receive \$3,600.00. After lengthy discussion the board agreed to salvage the vehicle.

PLANNING AND ZONING BOARD- (No Report)





<u>BOARD OF ZONING APPEALS</u> – Mr. Bonenberger reported that the next meeting is scheduled for December  $27^{th}$ . Mr. Bonenberger informed everyone of zoning board member Mr. Authenreaths' mother passing away. The Town has sent condolences.

Mr. Bonenberger reported on the Zoning Appeals meeting, he stated that at the last meeting the board members requested that the planning and zoning board look at the zoning ordinance as it relates to how people are properly notified about variances and special exceptions.

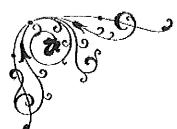
Mayor Didra asked Mr. Bonenberger if there are vacancies for the Planning board. Mr. Bonenberger answered yes the Town has two vacancies to be filled. Mr. Bonenberger reported that the next zoning appeals meeting will be held December 2<sup>nd</sup>, to hear the continuing case of a variance and special exception at 62 Louise Ct. The board requested the applicant to request an extension to allow the board to review the issues further.

Mr. Bonenberger read into the minutes a letter of resignation from Mr. Michael Dunn a member of the appeals board and stated that there is now a vacancy on the appeals board. As a result of this resignation, Mr. Bonenberger stated that at the last appeals meeting of November 10<sup>th</sup> the Appeals Board approved a motion to recommend Mr. Chris McGonigle, who is currently serving as an alternate on the board, to be appointed as a regular member of the Appeals Board. A motion was made by Commissioner Pierson seconded by Commissioner Mumey, to appoint Mr. McGonigle as a regular member of the Appeals Board. The vote was unanimous for approval.

<u>CODE ENFORCEMENT</u> – Mr. Bonenberger reported that he attended a three day class on commercial kitchen hood suppression systems, fire alarm plan view and fire alarm inspection practices.

HISTORICAL PRESERVATION COMMISSION — Ms. Diane Ehrhart Reported on the events planned for December. She stated that the Cecil County Christmas parade will be held on December 4<sup>th</sup>, also December 7<sup>th</sup> the, Town carol sing at 7:00 p.m. Santa will be at the Janes church. She reported that for the 150<sup>th</sup> there will be a beard contest. Mayor Didra added that the three barbers in Town will judge the winner. Ms. Ehrhart reported that in 2011 we are planning to have guest speakers. Ms. Ehrhart reported that the historical society would like to have fund raising events to build a new museum. Ms. Ehrhart thanked the Mayor and Commissioners for their support and participation in the 150<sup>th</sup> anniversary. Ms. Ehrhart reported that the 150<sup>th</sup> books are out and we have sold 500 to date. We are trying to get another order, we will let everyone know.

OLD BUSINESS. Commissioner Mumey reported that the old Town Christmas decorations are no longer functional and suggests that banners would be an option for replacement. He priced 18





banners from RNJ LLC with the total amount of \$1,170.00. Commissioner Mumey made a motion to purchase the banners at a cost of \$1,170.00 seconded by Commissioner Pierson. The vote was unanimous for approval.

#### <u>NEW BUSINESS</u>. (No Report)

<u>CITIZEN'S INPUT</u> – Mr. Bud McFadden reported about a building in Town that is in need of repair. He reported on the condition of the building and the property. Mr. McFadden asked Mr. Bonenberger for an update. Mr. Bonenberger responded that a notice was sent out about two weeks ago. Mr. Bonenberger stated that the Town may have to go in and clean the property. Mayor Didra asked if the property owner has been notified. Mr. Bonenberger answered yes.

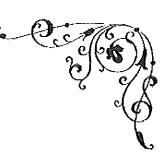
Ms. Debbie Craig commented on the banner idea, stating that it is a good idea. Ms. Craig also reported that she received a phone call last night, stating that the Mayor was looking for people to attend the Town meeting to support her request for involvement of financial decisions and notification of meetings. Ms Craig expressed her outrage at Ms Didra's request given her legal issues. Ms Craig stated that her support was for the Commissioners. Ms. Craig thanked Commissioner Mumey for reading the factual information concerning the indictment of the Mayor.

Mr. Tom Dye asked about Southern States. Commissioner Mumey responded by saying that Southern States is being sued by 21 homes outside of Town, for allegedly contaminating their well water. He stated that they have come to the Town asking for water hookup. The expense will be on the 21 homeowners asking for the hookup.

Mr. Bob Fisher stated support for Mayor Didra and provided an overview of Town operation during the time that he was involved in the Town.

<u>ADJOURNMENT</u> — With no other business before the board a motion was made by Bowers to adjourn the meeting.



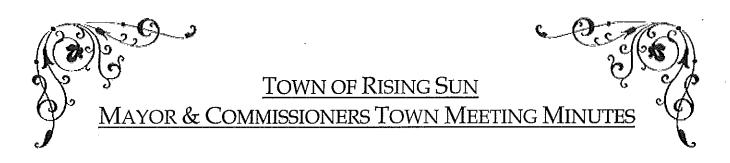


Meeting Adjourned at 8: 35 PM.

Respectfully submitted

Calvin A Bonenberger Jr.,

Town Administrator / Acting Town Clerk



## 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 15th day of December 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)