

TOWN OF RISING SUN

BOARD OF TOWN COMMISSIONERS

MAYOR
Judith M. Cox

COMMISSIONERS
Mary M. Bedsworth
Clinton E. Bowers
Deborah Craig
Thomas Mumey

TOWN ADMINISTRATOR
Jeffery A. Williams

CLERK-TREASURER
Sandra D. Didra

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October 25, 2005

Present: Judy Cox, Clint Bowers, Mary Bedsworth, Debbie Craig, Tom Mumey

Town Administrator: Jeff Williams

Guests: See Attached List

The regular meeting of the Mayor and Commissioners of Rising Sun was held on October 25, 2005 at the Town Hall with all members in attendance. The meeting was called to order at 7:30 PM by Mayor Cox followed by the pledge of allegiance and a moment of silence.

Mayor Cox swore in Charles Townsley as Sgt. for the Rising Sun Police Department. His start date was 10/24/05.

The minutes of the October 11, 2005 meeting were presented. Mrs. Craig requested that in the last paragraph on the first page the appointment of Keith Baynes be change to Interim Town Attorney in both the second and third sentence. She also requested that on page 3 in paragraph 7, sentence 2 that the type of fence should be swag chain fence. With no other additions or corrections, a motion was made by Mr. Mumey, seconded by Mrs. Craig and carried to approve the minutes as presented.

Under Citizen's Input, Mr. Barr questioned listing the input at the beginning rather than the end so that comments could be made on things discussed in the meeting.

Maureen Kilby addressed the Board about the failure of the streetscape crew to fix her sidewalk and repair her landscaping. She also advised that her yard is full of stones as a result of streetscape and while mowing she was struck in the face by a stone. She reported a new bump in front of the house next to her and that her china closet is shaking again. She also asked to be informed about the service charges on the water bills. Mr. Williams advised that the water service charge and the sewer service charge were there at the request of MDE so as to generate the monies to pay off the loans. The BRF charge is the Bay Restoration Fund or the "flush" tax mandated by the State of Maryland. That funding is earmarked for 66 of the largest wastewater treatment plants in the state.

Shirley England asked who is doing street work as they have not fixed the fire hydrant nor repaired her landscaping. Mr. Bowers advised that he and Mr. Tucker had visited the site. Mr. England asked about the "tailings". Mr. Bowers advised that the availability of the millings depends on how much the contractor needs. All of the millings off of Main Street belong to Daisy.

Mr. Barr questioned the milling on Valley View Drive. There is a large bump at the end of the milling. Mr. Bowers will check into having it fix.

Mrs. Kilby advised that the stormwater was not going into the drain east of her house. A lot of the water is laying in the street. Mr. Bowers advised that until the final paving was done drainage would be a problem.

Mr. Williams advised that Cecil County is proposing to lower the Homestead Tax Credit from 110% to 108%. The town needs to decide if they want to go along with the county at 108% or adopt their own Ordinance establishing a Homestead Tax Credit at a different rate. Mr. Williams recommended that the Town go with the County's cap at this time and if at a later date the Town wants to do differently they can do so. Mrs. Craig agreed to go with the County until further research can be done before adopting an ordinance. The reduction in revenues to the Town would be \$3,947 for FY 2007, which should be offset by new construction taxes. A motion was made by Mr. Mumey to stay with the County Homestead Tax Credit cap of 108%. Seconded by Mrs. Craig and carried.

Mr. Williams reported that the Town has received a request from the Delaware Valley Development Company to issue the building permits/zoning certificates for the Maple Heights Apartment project prior to the payment of any fees and until they make settlement for their funding from the state. He advised that Planning and Zoning approved the final plat at their meeting last night (10/24/05). Mrs. Craig advised that she does not feel the Town should allow the exception. She proposes that they pay

the fees as the Town needs the money. Mr. Williams advised that the money would not go into the general fund, but into the Capital Improvement Accounts. A lengthy discussion ensued concerning the advantages and disadvantages of allowing Delaware Valley Development Company to be issued building permit/zoning certificates prior to the payment of fees. Attention was given to whether or not any actual building could take place. At the conclusion of the discussion, a motion was made by Mr. Bowers to grant approval for Delaware Valley Development Company to defer the payment of the capital improvement and connections fees for the Maple Heights Apartments with the stipulation that no actual building can take place until the closing of the loan and all fees have been paid prior to construction. In addition, all building permit fees must be paid in advance and are non-refundable. The motion was seconded by Mrs. Bedsworth and passed with 3 yeas and 1 nay vote cast by Mrs. Craig.

REPORTS:

Mayor - Mayor Cox reported on attending the MML Fall Conference in Ocean City. She and Sandi had attended. She advised that she had attended 2 sessions. One was on Impact Fees, Excise Taxes and Special Taxing Districts. In this session she was told that these types of fees are for capital projects only and if not used within 5-7 years must be returned. The other session, Municipal Service Sharing was about municipalities sharing services and equipment. Examples were sewer jets, park equipment, bucket trucks, tents, etc. She would like to see both topics discussed at a workshop.

Mrs. Craig voiced concern about not being told about the conference. She was advised that the conference had been listed in her MML Bullentin magazine. She requested future prior notice of such events.

Town Administrator - Mr. Williams reported that at the last Council of Governments meeting there was a discussion concerning MTBE's and the contamination issues in Harford County. Harford County has adopted an ordinance prohibiting motor vehicle filling stations to be located on land unless the adjacent property is serviced by a public water supply. The Council of Government fears that this will force the motor vehicle filling stations into municipalities. He reported that since Rising Sun's source of water is also wells, careful thought needs to be given this matter and requested that thoughts and comments be given to he or Mayor Cox for future Council of Government meetings. Mayor Cox advised that she and Jeff have been asked to serve on this Council along with other Mayors and Town Administrators throughout the County. They are also looking at the APFO that the County is proposing and its affect or lack of on the municipalities within the county.

Jeff also advised that Council of Governments has been working with the State's Attorney, Chris Eastridge to make the enforcement of municipal codes easier and more uniformed. They are requesting the major issues of each municipality and hope to eventually find some common ground and have a standardized set of municipal codes.

Mr. Williams advised the Board that Planning & Zoning had reviewed the rezoning application submitted by the Spencers for 135 S. Queen Street and will be recommending approval of the request based on a change in the area. He explained that the Spencers were requesting a zoning change from R-2 to CC to allow 3 apartments. The rezoning request will come before the Town Council at the next meeting on November 8, 2005.

Jeff also advised that Sandi was working on the new building permit form. She only needs to add one or two lines at the bottom.

Streets & Sidewalks - Mr. Mumey reported that the Louise Court project has not started. The Town Attorney has been contacted to get a ruling on the issue of who owns the sidewalks in the upper section since they are not in the 50' right of way. Once that ruling has been received a second letter will be sent to the residents advising of a start date. Mrs. Craig requested that the letter include information about the property owners being charged ½ for the cost of repairing the sidewalks. Mr. Williams will see that it does.

Public Safety - Mrs. Bedsworth advised that she has spoken to representatives with regard to retirement plans. She should receive something from 4 or 5 of them by next week and will make copies and distribute to the Board and then schedule a meeting to discuss them.

She acknowledge the starting of the new Sgt. on Monday and deferred the remainder of her report to Chief Michael. Chief Michael thanked the Board for hiring Sgt. Townsley and reported that the Town was closer to having 24/7 coverage. He also advised that the officers would be safer and not have to rely on other agencies for backup as 2 men would be on at the same time.

Parks & Recreation - Mrs. Craig advised that she had nothing to report other than she was waiting for the plat for the triangle park. Mr. Williams presented her with the plat.

Water & Sewer - Mr. Bowers reported that the old water tank has been demolished and removed. Prices have been received for the demolition of the old Pogue garage for future reference. The affluent meter at the lagoon is inoperable and is being replaced. WRA is scheduled to start the required testing on the Legion wells. After the results of the tests and the hydro geologic reports are sent to MDE and SRBC, permits for withdrawal should be forthcoming towards the end of the year. Clint, Mayor Cox, Commissioner Mumey and Jeff Williams met with representatives from Chester County Water Authority about the possibility of Rising Sun purchasing water from them. They will work up some figures and get back with the Town. They would extend their

line to the PA line and the Town would be responsible for piping the water to Town. Comparison will be made of this cost and the cost of drilling new wells. This information, along with the estimated costs of the new Wastewater Treatment Plant will provide the information needed to re-evaluate the impact fees for new construction. Clint also reported that a valve at Dawn and Ryan Drives is broken and Ron will schedule replacement prior to winter weather.

Under Streetscape, Mr. Bowers advised that milling for streetscape has been completed. As soon as the weather permits, Daisy will start the wedge and leveling process. They will also be raising water valves and manholes to proper heights, so they can start the final paving. They will begin on the north side on E Main at A+ and go to Uncle Willy's. Then they will do the south side from Harrington's to A+.

Mr. Bowers also advised that the 4th maintenance person has been hired and started on October 17. His name is Grant Coates and he seems to be doing a good job so far.

Diane Ehrhart reported that the history committee is still seeking new members. She and Mrs. Emsley had the new t-shirts and sweatshirts that they are selling with historical pictures of them. She thanked both the Herald and the Whig for their articles and to the Mayor and Commissioners for their encouragement and support. They will soon have all the items stored in the basement cataloged and in order and will work on the items at the library. Once that is completed they will begin cleaning the items and decide which will be put on display. They are selling raffle tickets on some artwork provide by Mrs. Craig and the drawing will be the night of the Carol Sing on Dec 6

Unfinished Business - Mayor Cox advised that she has received 10 applications for the position of Town Planner/Code Enforcer. On 10/27, these will be reviewed and they should be ready for interviews by 11/3.

New Business - Mayor Cox questioned the Board about holding a workshop beginning at 5:30 PM prior to the next meeting on November 8, 2005. She also suggested that the meeting time be changed from 7:30 PM to 7:00 PM. The Board was in agreement with the workshop and time change. A resolution will be presented at the November 8, 2005 meeting, changing the time from 7:30 PM to 7:00 PM. Until the resolution is passed, the started time for the meetings will be 7:30 PM.

Mayor Cox reminded everyone of Veteran's Day on November 11. Mrs. Bedsworth made a motion that the November 22, 2005 meeting be changed to November 29, 2005 so that members of the Board can attend the County Meeting. The motion was seconded by Mr. Mumey and carried.

Mrs. Craig reported on attending the MML Quarterly meeting advising that Delegate Rudolph had been a guest speaker. His talk was about the value of citizen's input. She encouraged the Board to listen and take ideas from the citizens and to continue to encourage their attendance.

With no further business coming before the Board, a motion for adjournment was made by Mr. Mumey, seconded by Mr. Bowers and carried.

Meeting adjourned 9:10 PM

Respectfully submitted,

Sandra D. Didra,
Secretary