

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 December 13, 2011. For the record the meeting place and time were duly posted as required.

<u>MEMBERS IN ATTENDANCE</u>: Mayor Thomas S. Mumey, Commissioner Stephen Naughton Commissioner Chris Callahan, Commissioner Joanne Osborne and Commissioner August Pierson.

MEMBERS ABSENT: None

<u>STAFF/CONSULTANTS PRESENT</u>: Town Administrator Calvin A Bonenberger, Jr. Town Clerk Rhonda Harmison

GUESTS: See Attached List

<u>MEETING OPENING</u> – The meeting was called to order at 7:00 PM by Mayor Thomas S. Mumey, followed by a pledge of allegiance and a moment of silence.

APPROVAL OF MEETING MINUTES – Mayor Mumey asked for any corrections to the November 8, 2011 Town Meeting Minutes. Commissioner Osborne stated that there are two grammar errors and I have spoken to Rhonda and they have been changed. Mayor Mumey called for a vote. Commissioner Pierson motioned, seconded by Commissioner Osborne to accept the minutes with the corrected changes, and the vote was unanimous for approval.

Mayor Mumey asked for any corrections to the November 22, 2011 Town Meeting Minutes. Commissioner Naughton requested a change of the language used in reference to the word bills he requested that the word bills, be changed to expenditures. Mayor Mumey shared his concerns that the Town Clerk is only reporting the language used at the meeting. Commissioner Pierson suggested to the Board for future references that if we have any references to finances we will direct Rhonda to change the language of expenditures. After a lengthy discussion, Mayor Mumey called for a vote the vote was unanimous for approval for the November 22, 2011 Meeting Minutes with the change of language from bills to expenditures.



DECEMBER 13, 2011 MEETING MINUTES



Mr. Bonenberger read into the minutes the Executive Session Report, stating that an Executive Session was held December 13, 2011 at 6:15 PM on the second floor of Town Hall. A motion to hold an Executive Session was made by Commissioner Callahan and seconded by Commissioner Pierson. The reason to hold the session was to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction. The topic discussed was consideration of offer of full time employment to Pam Haines. The motion passed 4-0 for approval. A motion was made by Commissioner Pierson seconded by Commissioner Callahan to adjourn the meeting. Motion passed.

PRESENTATIONS, ORDINANCES AND RESOLUTIONS - Mr. Bonenberger presented a Emergency and a Non Emergency draft of Ordinance 2011-01 Adding language to chapter 2, titled Administration & Government, Article 1 titled Regular Meeting: Time and Place which establishes the number of meetings, time and location of such meetings and the Town desires to repeal, amend, modify and add additional language to this Article, in order to more effectively regulate these conditions. Mr. Bonenberger reported to the Board that the Ordinance is presented as an emergency and a non emergency draft and the decision is up to the Board as to which draft they choose to vote for. After great discussion the Board voted for the Emergency Ordinance 2011-11 and asked Mr. Bonenberger to read into the minutes Ordinance 2011-01. Mr. Bonenberger read into the minutes Ordinance 2011-01. Commissioner Pierson motioned seconded by to accept Ordinance 2011-01 Commissioner Naughton asked for a word change in Section 2-101 from citizen complaint to citizen input. Commissioner Pierson asked to modify his motion to reflect citizen input instead of citizen complaint: Commissioner Naughton motioned an amendment to Section 2-101 for a word change of input instead of complaint. Mr. Bonenberger suggested that Commissioner Pierson withdraw his motion stating that there are two motions on the table. Mayor Mumey replied that the motion would not have to be withdrawn because there was a motion to amend the motion. Mayor Mumey called for a vote to amend Commissioner Pierson motion that the word change from complaint to input, vote passed unanimously. Mayor Mumey asked for a vote on the Ordinance 2011-01 as amended. Vote was unanimous for approval.

MAYOR'S REPORT – Mayor Mumey introduced to the Board a proposal to hire services of General Code to have our Codes and Ordinances updated at a cost of \$20,595. Commissioner Osborne asked if bids were sent out stating that possibly the University of Maryland law school could provide this service. Commissioner Pierson replied that this company has done most of the Maryland communities and also stated that this company is highly recommended by the MML. Mayor Mumey expressed his concern to proceed with this project and suggested that if anyone had any questions that Mr. Bonenberger would be able to answer them. Commissioner Osborne requested that the Board table the proposal until the next meeting allowing time to read and review the proposal. After lengthy



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discussion the Board agreed to table the proposal and put it on the agenda for the next Town meeting.

Mayor Mumey thanked everyone by name for the great job that was done for the Town's Carol Sing and the Christmas decorations. Mayor Mumey reported that the decorations that were purchased for the Town light poles came in under budget by \$400.00 and thanked all the local businesses that contributed a total of \$700.00 to the holiday decorations, asking the Board if they would have any objections if the Town used the donated money to purchase additional decorations after the first of the year at a discounted price, all was in favor of using the money to buy additional decorations.

Mayor Mumey reminded everyone that the December 27, 2011 Town Meeting has been cancelled. He also commented that the Town Employee Appreciation dinner was a success and everyone enjoyed the dinner.

Mayor Mumey reminded the Board that the MML dinner will be held at Woody's in North East on the 15th. He also reported that he will be attending the joint Lions Club and the Chambers holiday dinner on the 16th.

Mayor Mumey introduced Derrick Wilson from troop 92. He is here working toward his Communication Badge for his Eagle Scout Badge.

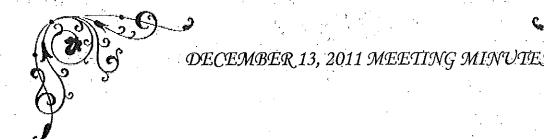
<u>FINANCES</u> – Mr. Bonenberger reported that he had planned to have the Town Auditor give his Annual Audit report but due to a last minute emergency he was not able to attend. Mr. Bonenberger stated that the Audit is complete; he also reported that the Board has a copy of the check registry. Mr. Bonenberger also reported that he has been revisiting some of the Towns larger loans with the anticipation of refinancing them.

<u>SEWER AND WATER REPORT</u> – Commissioner Pierson reported that we are still waiting to hear back from USDA on their concurrence with our bid selection for the new wastewater treatment plant.

<u>STREETS AND SIDEWALKS REPORT</u> – Mr. Bonenberger reported that he has received updated mock ups of what the intersection of Mount and Pearl Street could look like.

PUBLIC SAFETY - No Action Items

<u>PARKS AND RECREATION</u> – Commissioner Osborne reported that she met with Mr. Rossetti from the Octoraro Water Shed Association, reporting that he outlined the reasons for wanting our Daydream Park to also be a wetlands park. Commissioner Osborne reported that the Town has a letter to allow spending for that park, but still does not have confirmation to spend money for the





Veterans Memorial Park Mr. Bonenberger added that a representative came to Town under Commissioner Bowers term encouraging the Town to spend the money on the two park projects adding that all money is specified as contingent upon available funds he suggested that she get an updated statement from the State.

Commissioner Osborne brought to the Boards attention that she would like an independent study done on the discharge of the Towns wastewater, explaining that we discharge into a smaller tributary of Stony Creek and she believes MDE is basing their pollution findings on that smaller tributary. Commissioner Osborne suggested that the Town test Stony Creek and not the smaller tributary where the Town currently discharges to find out exactly what the pollution amounts are in Stony Creek also stating that she does not believe MDE's results. Mr. Bonenberger suggested that if the Board wants an independent test done at the point where the discharge intercepts with Stony Creek, that he could provide that. After lengthy discussion Mr. Bonenberger suggested that possibly he could retrieve records from the engineering firm that did the study of the test results at no cost to the Town.

<u>TOWN ADMINISTRATOR'S REPORT</u> – Mr. Bonenberger reported that we will continue to send weekly updates to the Mayor and Commissioners.

<u>PLANNING AND ZONING BOARD</u>- Commissioner Naughton reported that the scheduled meeting for Monday December 26th has been canceled and rescheduled for Monday December 19th. Commissioner Naughton also reported on the McDonalds 2nd drive thru stating that we will be meeting with the Town Administrator to discuss the variances and special exceptions that they will need. Commissioner Naughton also reported that the Board is working on an Ordinance addressing minimum attendance for the Planning and Zoning meetings.

(BOARD OF ZONING APPEALS – Mr. Bonenberger reported that the Board is working on changes to the Zoning Code regarding notification of adjacent properties when an appeal for a variance or exception is requested. He also reported that the Board is considering increasing the number of voting members from three to five with one alternate.

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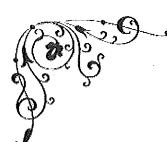
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CODE ENFORCEMENT - No Report

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<u>HISTORICAL PRESERVATION</u> COMMISSION – Ms. Ehrhart reported that we had a great turn out for the Cecil County Christmas Parade held in North East, Md. She also reminded everyone that Ms. Shannon Farrington will be a guest speaker December 14, 2011 and she will have her new book titled Her Rebel Heart and also will have displays of the ladies and children's clothing from the Civil War era. Ms. Ehrhart reported that at our scheduled January meeting we will be planning our activities for 2012 and will keep everyone informed.

OLD BUSINESS. Commissioner Callahan reported on the issue with the stop sign at Queen and Pearl Street stating that cars are stacking up between the Main St. signal and the Queen Street stop sign blocking left hand turns onto Pearl St from Queen Street. After discussion Mayor Mumey suggested that Commissioner Callahan meet with Chief Peterson to review the problem and report back to the Board.

<u>NEW BUSINESS</u>. (No New Business)

CITIZEN'S INPUT - (No Citizen Input)

<u>ADJOURNMENT</u> – With no other business before the board a motion was made by Commissioner Stephen Naughton seconded by Commissioner Chris Callahan to adjourn the meeting.

Meeting Adjourned at 7: 48 PM.

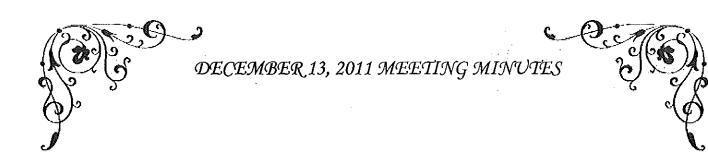
Respectfully submitted

Rhonda Harmison

Town Clerk

Motion to approve the minutes made by Commissioner August Pierson, seconded by Commissioner Stephen Naughton at the January 10, 2012 Town Meeting

Motion Passed 4 to 0



DECLARATION AND VERIFICATION OF AUTHENTICITY

I, Rhonda Harmison 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 28^{th} day of December 2011.

Respectfully/submitted

Rhonda Harmison

Town Clerk

CERTIFICATE & TOWN SEAL

(STATE OF MARYLAND)

(COUNTY OF CECIL)

(TOWN OF RISING SUN)