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 at the 3rd floor of Town Hall on Tuesday evening February 28, 2012. 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:

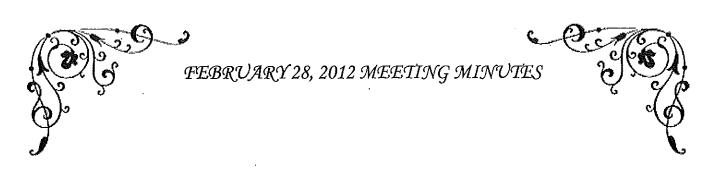
<u>STAFF/CONSULTANTS PRESENT</u>: Town Administrator Calvin A Bonenberger, Jr. Town Clerk Rhonda Harmison

GUESTS: See Attached List

<u>MEETING OPENING</u> — The meeting was called to order at 7:04 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 January 24, 2012 meeting minutes. Commissioner Naughton motioned seconded by Commissioner Callahan to accept the minutes as recorded. Motion passed 4-0. Mayor Mumey asked for any corrections to the February 14, 2012 meeting minutes. After discussion from the Board, a motion was made by Commissioner Pierson seconded by Commissioner Naughton to table the February 14, 2012 meeting minutes until the next Town Meeting for additional time to review the minutes.

Mayor Mumey asked Mr. Bonenberger to read into the minutes the February 28, 2012 Executive Session Meeting. Mr. Bonenberger reported that there was an Executive Session held on the 2nd floor of Town Hall on February 28, 2012 at 5:00 PM. The reason for the meeting in accordance to the Maryland Open Act was to discuss item number one (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; or any other personnel matter that affects one or more specific individuals), number seven (to consult with counsel to obtain legal advice and number fourteen (before a contract is awarded or bids are opened, discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process). Persons present at the meeting were Calvin A. Bonenberger Jr. Town

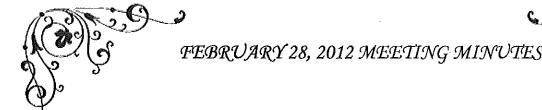


Administrator, Town Attorney Mr. Jay Gullo attendance via phone conference and all of the elected body was in attendance. The topics discussed were citations #1, #7 and #14 above. Motion was made by Commissioner Pierson seconded by Commissioner Naughton to hold an Executive Session. Motion was made by Commissioner Callahan seconded by Commissioner Osborne to seal the Executive Report, motion passed 4-0. Motion made by Commissioner Naughton seconded by Commissioner Callahan to exit out of the Executive Session motion passed 4-0. Commissioner Callahan motioned to adjourn the meeting; the meeting was adjourned at 6:33 PM. Mayor Mumey asked for a motion to approve the Executive Session report. Commissioner Naughton seconded by Commissioner Callahan to accept the report, motion passed 4-0.

<u>PRESENTATIONS</u>, <u>ORDINANCES AND RESOLUTIONS</u> — Mayor Mumey introduced Ms. Goodie representing the parents group sponsoring the Rising Sun High School after prom party. Ms. Goodie presented to the board a request of sponsorship from the Town of Rising Sun for the after school Prom party. Mayor Mumey asked the Board for any questions and after a short discussion, Commissioner Pierson motioned seconded by Commissioner Osborne to contribute \$300 dollars to the Rising Sun High School Prom Party. Motion passed 4-0.

Mayor Mumey introduced Mr. Fisher for his presentation of his analysis of the Town's cost to drill additional wells for water production, versus contracting water from Chester Water Works. Mr. Fisher presented his outline for additional well drilling to the board. After lengthy discussion from the Board, Commissioner Pierson stated that the Town has made the best decision therefore the elected body has agreed to go forward with Chester Water. Mayor Mumey thanked Mr. Fisher and let him know that his allotted 15 minutes were up.

Mayor Mumey asked Mr. Bonenberger to present Resolution 2012-01 titled Monthly Utility Billing that was introduced at the February 14, 2012 meeting and at that meeting a decision was made to hold it over until the next meeting at the request of the Board for language changes. Mr. Bonenberger reported that the requested language changes were made and continued to read into the minutes Resolution 2012-01 titled Monthly Utility Billing. Commissioner Callahan seconded by Commissioner Pierson to approve Resolution 2012-01. Mayor Mumey asked for any discussion. Commissioner Osborne asked for clarification of the fees for utility turn on. Mr. Bonenberger clarified the fees stating that it will be a \$40.00 charge to have water and or sewer turned on after they have been turned off and a \$20.00 charge for reinstatement of trash removal resulting in a total of \$60.00 dollar to reinstate water, and or sewer and trash. Commissioner Naughton asked to change the language on page 1 paragraph 1 from a 90 cycle billing to a monthly cycle billing. Mayor Mumey asked for a motion to amend the motion made by Commissioner Callahan. Commissioner Callahan motioned seconded by Commissioner Osborne to reflect changes that were discussed motion passed 4-0. Mayor





Mumey asked for a motion to approve the motion as amended, Mayor Mumey asked for a vote to approve Resolution 2012-01 as amended passed 4-0.

<u>MAYOR'S REPORT</u> – Mayor Mumey announced the appointments for the Planning & Zoning Appeals Board as follows also stating that we are confirming the interest of another individual for next month's meeting.

Don Craig – 3 year term set to expire June 30, 2015 Chris McGonigle –3 year term set to expire June 30, 2015 Joe Szkalak – 2 year term set to expire June 30, 2014 Keith Campbell – 2 year term set to expire June 30, 2014

Mayor Mumey asked the Board for a motion to approve the appointments, Commissioner Pierson seconded by Commissioner Osborne motion passed 4-0.

Mayor Mumey reported that he and Mr. Bonenberger attended the Greater Rising Sun Chamber meeting stating that we are moving forward.

Mayor Mumey reported that he attended the Mayors conference in Elkton and received information on a Municipal Airport Authority reporting that there is an interest in making a privately owned airport in Cecil County a Municipal Airport. Mayor Mumey added that in order to obtain Federal or State grants there would have to be a Municipal Airport Authority stating that there are issues concerning liability and he will follow and give updates as he receives them.

Mayor Mumey also reported on Whip and Planned Maryland, stating that Whip is a complicated process that Towns will have to go through and there will be difficulties due to conflicts and he will give updated information as he receives it.

Mayor Mumey reported that he attended the West Nottingham Academy Charter Day Celebration ceremony stating that it was very interesting, and it was an honor to participate.

<u>FINANCES</u> – Ms. Wagner presented the seven month financial report stating total net assets of the primary government increased \$302,921.75 year to date. The net assets of the governmental activities increased \$315,155.15 from the previous year, while the net assets from the business activities decreased \$12,233.40. However if we add back the depreciation to the business activities; we would



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have an increased of net assets of \$120,621.58. Total actual revenues on a budgetary basis are \$81,111.51 above the amount of budget, while actual expenditures are below budgetary basis by \$240,488.54.

SEWER AND WATER REPORT — Commissioner Pierson presented a proposal for a construction management services contract for the construction of the new wastewater treatment plant, stating that although we accepted a proposal from RKLK engineering a few months ago as we got closer to the sewer plant construction process it was determined that the RKLK's proposal did not include or provide us with everything needed for the construction, therefore we solicited another bid that was submitted and I would like to motion to accept the contract from CDM Smith as the Town's construction management service. Mayor Mumey replied that we should probably motion to rescind the RKLK proposal before motioning a new proposal. Commissioner Pierson motioned seconded by Commissioner Callahan to accept the proposal from CDM Smith for construction management services for the new wastewater treatment plant and rescind the RKLK proposal. Motion passed 4-0.

STREETS AND SIDEWALKS REPORT — Commissioner Osborne reported that she took a look at a street that was reported by Mr. Campbell with a complaint of flooding during a rain storm and at the time of the visit she view any problems and was told that it is not raining hard enough, she will follow up. Commissioner Osborne also reported that she is compiling a list of streets and sidewalks that need repair. Mayor Mumey asked Ms. Osborne to look into Cherry St. stating that a resident brought to his attention that the curbing is raised up and a tripping hazard is present.

<u>PUBLIC SAFETY</u> – No Report

<u>PARKS AND RECREATION</u> — Commissioner Callahan presented a proposal from Octoraro Watershed Group for engineering landscape design services for Triangle Park for the construction of the dog park area, walking trails, parking lots, road way access, sidewalks and preservation of the wetland area. Mayor Mumey asked for a motion to approve the proposal from the Octoraro Water shed proposal, Commissioner Callahan motioned seconded by Commissioner Pierson, Mayor Mumey asked for any discussion Commissioner Osborne questioned the total summary of the proposal to include travel and design. Commissioner Callahan motioned seconded by Commissioner Pierson to amend the proposal to include the whole proposal that is in front of us at a cost of \$29,009 motion passed 4-0. Mayor Mumey asked for a vote on the motion as amended motion passed 4-0 as amended.



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TOWN ADMINISTRATOR'S REPORT – Mr. Bonenberger thanked Chief Peterson and Rhonda Harmison for the coordination of the basement cleanup. Mr. Bonenberger reported on the utility billing system stating we are moving forward and he will keep everyone updated. Mr. Bonenberger reported that we have received a proposal of \$19,000 to replace the Town Hall HVAC system however we will solicit other proposals going forward but since the time was limited to apply for a grant we needed a proposal to submit to the Department of Energy

<u>PLANNING AND ZONING BOARD</u>- Commissioner Naughton introduced Mr. Bill Smith in attendance. Mr. Bonenberger reported that a joint workshop meeting was held between the Planning Board and the Appeals Board reporting we had a very productive meeting.

BOARD OF ZONING APPEALS - (No Report)

<u>CODE ENFORCEMENT</u> – Mr. Bonenberger reported that the Town is seeing more building permit applications for decks and porch enclosures. Mr. Bonenberger also reported the progress on the new Vet Clinic opening in Town stating that working through the ADA issues have been a slow process.

<u>HISTORICAL PRESERVATION</u> COMMISSION – Ms. Diane Erhart reported that the RSHPC will be holding a dance April 21, 2012 at the Rising Sun Banquet Hall from 7PM until 11PM and will be featuring the Epic's 3 band stating that they donate their time and talent to help us raise money for expenses. Ms. Erhart reported that she has brought flyers tonight also reporting tickets will go on sale and she will bring tickets to the next meeting.

<u>OLD BUSINESS</u>. — Mr. Bonenberger reported on a follow up from the last meeting stating that the resident who had concerns about a high utility bill was actually two months in arrears and that would explain the high amount owed.

<u>NEW BUSINESS</u>. – Commissioner Pierson directed a concern that he has received from a resident to Chief Peterson about overweight trucks on Wilson Ave. Chief Peterson reported that he has been in touch with the State and will follow up.

<u>CITIZEN'S INPUT</u> – Mr. Fisher shared his concerns about the odor from the mushroom plant and asked the Town to make an official complaint. Mayor Mumey replied that the Town has officially made complaints to the Health Department, MDE, Delegates and Commissioner of the County also we have done everything possible in an effort to correct the problem however the plant is not in the Town limits and therefore we have no jurisdiction in that area.



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

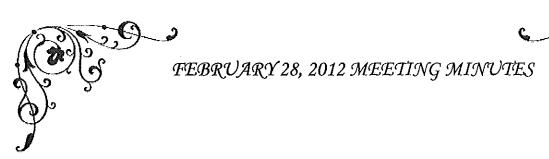
Meeting Adjourned at 8: 37 PM.

Respectfully submitted

Rhonda Harmison Town Clerk

Motion to approve the minutes made by Commissioner August Pierson, seconded by Commissioner Chris Callahan at the March 13, 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 February 2012.

Respectfully submitted

Rhonda Harmison Town Clerk

CERTIFICATE & TOWN SEAL

(STATE OF MARYLAND)

(COUNTY OF CECIL)

(TOWN OF RISING SUN)