

TOWN OF RISING SUN

BOARD OF TOWN COMMISSIONERS

MAYOR
Judith M. Cox

COMMISSIONERS
Deborah Craig
James Majewski
August Pierson
Stewart Yust

TOWN ADMINISTRATOR
Calvin Bonenberger, Jr.

CLERK-TREASURER
Sandra D. Didra

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February 26, 2008

Present: Judy Cox, Skip Yust, Jim Majewski, Debbie Craig, Augie Pierson

Town Administrator: Calvin Bonenberger, Jr.

Guests: See Attached List

The regular scheduled meeting of the Mayor and Commissioners of Rising Sun was held on February 26, 2008 at the Town Hall with all members in attendance. The meeting was called to order at 7:00 PM by Mayor Cox followed by the pledge of allegiance and a moment of silence

The minutes of the January 22, 2008 meeting were presented. Mr. Bonenberger presented minutes from the October 24, 2007 and the January 21, 2008 workshops and the Record of Executive Session from various Executive Sessions. A motion was made by Mr. Pierson to approve the minutes printed on numerous pages. The motion was seconded by Mrs. Craig and carried.

A Public Hearing was conducted to consider the adoption of Resolution 2008-01 – Increasing the Water and Sewer Service Charges. Mr. Bonenberger read the resolution in its entirety. They also addressed a point of clarification advising that the perception has been that the user fee was increasing, when in fact the increases are flat rates and are not based on usage. The increases are - water service charge from the current \$7.50 per edu per quarter to \$13.00 per edu per quarter and the sewer service charge is from the current \$5.00 per edu per quarter to \$19.00 per edu per quarter. The total increase per quarter per edu will be \$19.50. No persons spoke in favor of or opposed to the resolution. A motion to adopt Resolution 2008-01 was made by Mr. Majewski, seconded by Mr. Pierson and carried by a vote of 4 yeas and 0 nays. The increase becomes effective at the April 1, 2008 billing.

COMMITTEE REPORTS:

Mayor - Mayor Cox advised that the Board had been looking for a new Town Attorney and are ready to make an appointment. She recommended appointment of Jack A. Gullo, Jr., of New Windsor as the Town Attorney effective today. Both Mr. Pierson and Mrs. Craig advised that they had met with Mr. Gullo and expounded on the benefits of having him as the Town Attorney. A motion was made by Mr. Pierson, seconded by Mrs. Craig and carried to approve the appointment of Jack A. Gullo, Jr., as Town Attorney effective today.

Mayor Cox advised that she recommended the appointment of Keith Baynes as attorney for the Planning & Zoning Commission. A motion was made by Mr. Pierson, seconded by Mrs. Craig and carried to approve the appointment of Keith Baynes as attorney for the Planning and Zoning Commission. Mrs. Craig advised that Mr. Baynes was seeking appointment to a judgeship indicating that if he received the judgeship, he may not continue as the attorney for P & Z.

Mayor Cox reported on attending the Mayor's Conference in Annapolis and advised that they heard about the benefits of the speed cameras especially in school zones.

She advised that she and Calvin had been attending the Cecil County Council of Governments meetings. She advised that the Towns and County were working better together.

Mayor Cox advised that she had been a celebrity waiter at the recent Boys and Girls Club Fundraiser and told everyone that if they ever got a chance to do it, to do so, because it was really fun.

Mayor Cox has also been teaching some classes at the Rising Sun Elementary School 4th grade classes for the "If I Were Mayor" contest. She will teach another class on Monday to make up for the one cancelled due to weather. She reminded everyone that last year's winner was from RSES.

She advised that the Upper Chesapeake Community Band has requested to do a concert in the park on Thursday, June 26 at 7 PM. She also advised that if there was anyone who would like to do a concert in the park they should contact the Town.

Streets & Sidewalks - Mr. Yust reported on the meeting that he and the Mayor and Mr. Bonenberger had had with

representatives of SHA on Wednesday, February 6th. They discussed in detail the results of the recent traffic study with regard to changing the traffic signal, removal of parking spaces and the re-measuring of the parking spaces on E. Main and signage for compact cars. See report for details. Mr. Yust asked how the Board wants to handle the inability to restrict the main street parking to "compact cars only". Do we want to consider removing 2 spaces or just stay with removing one space now and revisit the 2nd space at a later date? A motion was made by Mr. Yust, seconded by Mr. Majewski and carried to remove both spaces.

Mr. Yust also spoke about the installation of new parking spaces along Pearl Street and moving the "hidden driveway" sign on Walnut Street. He advised that the Town has submitted a letter of interest to SHA for grant monies for replacing the sidewalk along S. Queen Street. If the grant is received, the Town would need to spend \$10,000 - \$15,000 on engineering design.

Mr. Yust also advised that he had received a letter from a resident of Summer Hill with regard to the condition of Mason Runn. He advised that he had told the complainant that the Town was aware of the situation and were prioritizing the roads in Town for repair and would be doing so as the budget allows.

Finance – Mr. Bonenberger advised that the financials for Sept – Dec 2008 had been presented to the Board and that the Town is staying the course with our expended expenses and revenues.

He and Sandi are beginning the 2008/2009 budget process and are getting forms for budget requests out to the department heads. There will be several public meeting on the budget process with the first on being at the end of March or early April.

Water & Sewer - Mr. Majewski again explained the need for Resolution 2008-01. He also advised that the recent headlines of the increase being 283% was bit correct. The actual increase will be roughly \$20 per quarter, not the reported 283%.

Mr. Majewski reported on the need to slip line the sewer line on Pearl Street. This will be done with funding received from the Martin's Supermarket Project in the amount of \$46,530. A quote has been received from Pipevision, Inc. from Chicago to perform the work for \$46,530. Due to the procurement process required by our ordinances, the Town Administrator will be seeking other quotes on this job. A motion was made by Mr. Majewski, seconded by Mr. Yust and carried to allow the Town Administrator to secure the services of slip lining the Pearl Street section of the Town's Sewer Mains at a cost not to exceed \$46,530. Any increase of cost above the \$46,530 must be approved by the Board.

Other water and sewer information items include the 2008 MDE Grant Application, a meeting with the Municipal Financing Experts this Friday; the NPDES Permit Renewal Application; the water and sewer capacity meetings and future Town meetings to discuss the Water & Sewer issues.

Mr. Pierson advised the Board that Rising Sun is not alone with water problems. Raleigh, NC has been told that their water system is about to be shut down. Raleigh is much larger than Rising Sun.. The whole east coast is having problems.

Public Safety - Mr. Pierson reported that after several interviews, the police officer interview committee has made a recommendation. Mr. Pierson made a motion contingent upon successful completion and passing of the required physical and lie detector test, to appoint Stephen McKinney of Elkton to the position of Patrolman, First Class, with the Rising Sun Police Department, at a starting salary of \$39,270.40, and in accordance to all benefits and rules and regulations of the Town's Personnel Manual. The motion was seconded by Mr. Yust and carried.

Mr. Majewski questioned the salary and was advised that he was being hired a PFC. The other members of the department are okay with the salary and Mr. McKinney is a good candidate.

Mr. Pierson reported that the department had received a \$600 donation from Walmart to be used for K-9 expenses.

Mr. Pierson also advised that the MD Transit Police have an interest in cross training our K-9 dog. Mr. Pierson advised that it is much safer to have a dog search a building than the officer.

Parks & Recreation - Mrs. Craig advised that the Maryland Playground Grant has not yet been awarded. She also presented a sample of a proposed sign for the Rising Sun Town Park and the Diddie Richardson Park done by RNJ Graphics. It is the Board's understanding that these signs are being donated. Mrs. Craig will have Ron Thomas verify that. It was decided to hold off of the Town Park sign until it is determined if the name will be changed as a result of the grant. This will be addressed as an action item at the next meeting.

The sports signs have still not been refurbished. We are still trying to coordinate work on these signs. The Eagle Scout that was interested is to be contacted to see if there is still any interest.

Mr. Majewski asked about setting dates for the public meetings to discuss the water and sewer issued. It was decided that a meeting will be held on Monday, March 10, 2008 at 7 PM and on Saturday, March 15, 2008 at 9 AM. Public comment will be welcome..

Town Administrator - Mr. Bonenberger advised that he had been contacted by Asplund Company who has been contracted by Delmarva Power to trim/remove some trees on the Mount Street side of Triangle Park. He will get additional information and pictures for presentation at the next meeting.

He also advised as a point of information that Big Foot has applied for a liquor license. However, he advised that it is not their intention to sell liquor, only to keep the license active for use at a yet to be determined location.

Mrs. Craig questioned if something could not be done concerning the broken steps at Big Foot. She said they are extremely dangerous. Mr. Bonenberger advised that it would fall under the new ordinances.

Mr. Bonenberger advised that the Website meeting went well it should be up & running in about 5 weeks.

Planning & Zoning - Mr. Bonenberger reported that the Planning and Zoning will meeting on March 3, 2008 at 7 PM and will be reviewing the following cases: PZA Case 08-03 D & J Builders, preliminary site plan for commercial development of lands off of Maple Height Lane; and PZA Case 08-04 – Gary & Kelly Benjamin using the commercial property at 128 S. Queen Street as a single family residential unit with all necessary special exceptions and variances in order to provide adequate parking and other such needs associated with a residential use.

Board of Appeals - Mr. Bonenberger advised that the last Board of Appeals meeting was on 1/24/08 where they approved the McDonald's sign request and the special exceptions related to the Gentlemen's Club and Barbershop at 240 Colonial Way, various conditions were applied to the approvals.

Community Development - none

Code Enforcement – Mr. Bonenberger advised that there were a number of items being addressed under Code Enforcement. They are: Changes to the fee schedule; building permit window placards; development of the building inspection program; and increased certifications for Mr. Bonenberger for Fire Inspector II and commercial plumbing and mechanical inspector.

Historical Preservation Commission – Mrs. Ehrhart advised that she did not have a report, but passed out a flyer for the next meeting where Joanne Finley will be the guest speaker.

Kyle Billings, a scout from Troop 28 was in attendance for his Communication Merit Badge, a required badge in scouting.

Old Business – Mrs. Craig advised that new set up of the meeting room, not only made it better for the public to hear the Board, but the Board could also hear the public better.

New Business – Mr. Yust advised those in attendance about a meeting hosted by Pipkin, Sossi and Smigiel, will be held at the Rising Sun Library on Saturday, March 1, 2008 at 3 PM to explain what the tax districts would mean to individuals.

Mayor Cox advised that MPT will air a movie about the shoreline and critical areas. It is a 1 hour show and will air at 9 PM on

Mayor Cox also advised that there would be a Benefit Bingo at the American Legion to benefit C Company in support of our troops.

CITIZEN'S INPUT:

Mr. Ellison advised that he was glad of the new room set up. He advised that there were 2 new accidents at Cherry & S. Queen Streets. He advised that when he had his accident, the police and insurance company said it was his fault, but the accident happened because he could not see oncoming traffic. He also questioned where the Chester Water Authority would be bringing the water line down from Pennsylvania and if it was via Red Pump Road, they would be going through yards and there would be nothing left. Mr. Ellison also advised that there would be a reunion of the members of Troop 28 and former Troop 1 at the American Legion on 3/13/08 at 6 PM

Karen Majewski addressed the Board, advising that she agreed with Ed (Ellison) with regard to the traffic issues. She and Jim were almost broadsided on Biggs Highway at Colonial Way. She also advised that Big Foot's is selling beer.

Chris Callahan addressed the Board asking who was on the Water & Sewer Management Team. He was advised that it was Mr. Majewski, Mr. Bonenberger, Mayor Cox and representatives from MES. Chris also complimented the K-9 unit for doing a good job.. He asked if he was correct that the increase in the debt service was not for expansion, but that it could be more if the expansion is not otherwise paid for. He was advised that that was correct.

Ken Jenkins addressed the Board concerning the accident issues at Cherry & S. Queen Streets. He advised the 1 of the recent accidents involved a elderly lady being flown to shock trauma. He requested from the Chief, a copy of the accident reports over the last couple of years.

Mr. Pierson advised that the Board could pass legislation forever, but they could not regulate driver error when people pull out into traffic where there is a backup and they cannot see.

With no other business coming before the Board a motion for adjournment was made by Mr. Pierson, seconded by Mr. Yust and carried. The meeting adjourned at 8:32 PM.

Respectfully submitted,
Sandra D. Didra,

Secretary