

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 Rising Sun Fire Hall on Tuesday evening September 25, 2012. For the record the meeting place and time were duly posted as required.

MEMBERS IN ATTENDANCE – Mayor Robert Fisher, Commissioner Stephen Naughton, Commissioner Joanne Osborne. Commissioner Charles Berkowich.

MEMBERS ABSENT: Commissioner Marion

STAFF/CONSULTANTS PRESENT – Town Clerk Rhonda Harmison

STAFF/CONSULTANTS ABSENT – Calvin A. Bonenberger Jr.

GUESTS: See Attached List

MEETING OPENING – The meeting was called to order at 7 : 00 PM by Mayor Robert Fisher, followed by the pledge of allegiance and a moment of silence.

APPROVAL OF MEETING MINUTES – Mayor Fisher asked for any corrections to the August 14th Town Workshop meeting minutes, the August 28th Town Business meeting minutes, the September 6th Special Town Meeting minutes and the September 11th Town Workshop Meeting minutes. Commissioner Naughton asked to defer the September 6th Special meeting minutes as they have not been submitted. Commissioner Naughton motioned, and seconded by Commissioner Berkowich approval of the August 14th, August 28th and the September 11th meeting minutes and the deferral of the September 6th Special Meeting. Motion passed 3-0.

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RECORD OF EXECUTIVE SESSION MEETING MINUTES

September 6, 2012 Executive Session: Mayor Fisher asked Commissioner Naughton to read the minutes of the September 6, 2012 Executive Session, Commissioner Naughton read in to into the minutes that an Executive Session was held Thursday September 6, 2012 at 6:45 PM at the Rising Sun fire House. All Commissioners, Mayor Fisher, Town Administrator Calvin Bonenberger and the Town Attorney Mr. Jay Gullo were present. The reason for the meeting in accordance to the Maryland Open Meeting Act was to discuss item number seven (to consult with counsel to obtain legal advice). Motion to hold an executive session was made by Commissioner Naughton and seconded by Commissioner Osborne. Motion to adjourn the executive session was made by Commissioner Naughton and seconded by Commissioner Osborne. Meeting adjourned at 6:57 PM. Mayor Fisher asked for a motion to approve the minutes, Commissioner Osborne motioned and seconded by Commissioner Berkowich. Vote was 3-0 in favor.

September 11, 2012 Executive Session: Mayor Fisher asked Commissioner Naughton to read the minutes of the September 11, 2012 Executive Session, Commissioner Naughton read into the minutes that an Executive Session was held Thursday September 11, 2012 at 9:44 PM at the Janes United Methodist Church. All Commissioners with the exception of Commissioner Berkowich who arrived at 10:30 PM, Mayor Fisher, Town Administrator Calvin Bonenberger and the Town Attorney Mr. Jay Gullo were present. The reason for the meeting in accordance to the Maryland Open Meeting Act was to discuss item number seven (to consult with counsel to obtain legal advice). Motion to hold an executive session was made by Commissioner Naughton and seconded by Commissioner Marion. Actions taken; motion made by Commissioner Naughton and seconded by Commissioner Osborne to adjourn the executive session. Meeting adjourned at 11:32 PM. Mayor Fisher asked for discussion and with no discussion the mayor asked for a motion to approve the minutes, Commissioner Osborne motioned and seconded by Commissioner Berkowich to approve the minutes. The vote was 3 -0 in favor.

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PRESENTATIONS, ORDINANCES AND RESOLUTIONS –

Ordinance 2012-06 Addressing the Board; Time Limits & Decorum; Commissioner Naughton introduced and read into the minutes Ordinance 2012-06 titled Addressing the Board; Time Limits and Decorum. Mayor Fisher opened the floor for discussion, with no discussion Mayor Fisher stated that this Ordinance will be voted on at the October 14th Town meeting.

MAYOR REPORT– Mayor Fisher read a statement as follows; “the decision of three Commissioners to support the Town Administrator instead of him as the elected official, although he campaigned for their election and by doing this the Town has lost a valuable resource.” Mayor Fisher emphasized that his campaign was for constructive change. Mayor Fisher found and reported a water leak on Main St., resulting in the leak being fixed within fifteen minutes.

Alternative Water resources; Mayor Fisher asked to discuss alternative water sources stating that he has had resistance to obtaining documentation to prove that the proposed cost estimation to develop wells is completely fallacious. Commissioner Naughton reminded the Mayor of the Executive session that was held on September 11, 2012 clearly prohibited any board member to discuss water or sewer issues.

Cooper Street Storm Drain; Mayor Fisher stated that Armstrong should not be held liable for any cost related to the replacement of the Storm drain located on Cooper Street and asked why he was not included in the decision process. Commissioner Osborne asked the Mayor is he disagreeing with the Cooper Street project including the replacement of sidewalks. Mayor Fisher replied that this should be discussed. Commissioner Osborne thanked the Mayor for his comments.

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STFAFF REPORTS

COMMISSIONER BERKOWICH REPORTED ON THE FOLLOWING:

NOISE ORDINANCE; he has been approached and asked to look into the Town's noise Ordinance and he is looking into purchasing a decibel meter if feasible to be used in any court proceeding.

COMMISSIONER OSBORNE REPORTED ON THE FOLLOWING: read into the minutes a letter of apology to the residents for any misunderstanding of any statements that she made after the September 6, 2012 Special Meeting regarding their legitimate concerns.

Update on the progress Pogue Ave sidewalk repairs; repairs are underway and progress has been made.

COMMISSIONER NAUGHTON REPORTED ON THE FOLLOWING:

Wastewater treatment plant visitor safety; no one is to enter the construction area without approval from the Sewer and Water Commissioner citing safety is an issue.

OLD BUSINESS. – No Old Business

NEW BUSINESS. – Mayor Fisher announced that Mr. Brian Leishear is willing to serve on a Strategic Planning Committee.

CITIZEN'S INPUT – Citizens presented their concerns to the Board outline below

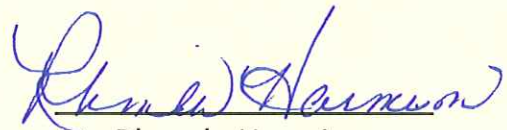
- Comment was made that Commissioner Naughton was disrespectful to the Mayor.
- Concerns were shared that the Mayor and Commissioners are not working together for the betterment of the Town.

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- Comment was made that citizen input should be held to six minutes of speak time.

ADJOURNMENT – With no other business before the board, a motion was made by Commissioner Naughton to adjourn. The meeting adjourned at 8: 20 PM.

Respectfully submitted



Rhonda Harmison
Town Clerk

Motion to approve the minutes made by Commissioner Joanne Osborne,
seconded by Commissioner Stephen Naughton at the November 13, 2012 Town
Meeting

Motion Passed 4 0

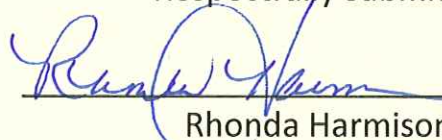
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DECLARATION AND VERIFICATION OF AUTHENTICITY

I, Rhonda Harmison Town Clerk for the Town of Rising Sun, Maryland, do hereby 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 14th day of November 2012.

Respectfully submitted


Rhonda Harmison
Town Clerk