

TOWN OF RISING SUN
MAYOR & COMMISSIONERS TOWN BUSINESS
MEETING MINUTES

Let it be remembered that the Mayor and Board of Commissioners of the Town of Rising Sun held a Town Meeting on the third floor of Town Hall Tuesday February 26, 2013. For the record the meeting place and time were duly posted as required.

MEMBERS IN ATTENDANCE Mayor Robert A. Fisher, Commissioner Stephen Naughton, Commissioner Travis Marion, Commissioner Charles Berkowich and Commissioner Joanne Osborne.

MEMBERS ABSENT: None

STAFF/CONSULTANTS PRESENT –Town Administrator Calvin A. Bonenberger Jr.

Town Clerk Rhonda Harmison

GUESTS: See Attached List

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

APPROVAL OF MEETING MINUTES – Mayor Fisher asked for any corrections to the January 22, 2013 Town Business meeting minutes. Motion was made by Commissioner Naughton and seconded by Commissioner Marion to accept the minutes as written. Motion passed 4-0.

RECORD OF CLOSED MEETING MINUTES – Mayor Fisher asked Commissioner Osborne to read into the minutes the Executive Session report

. Commissioner Osborne read into the minutes the following report:

January 27, 2013 Executive Session; on the 2nd floor of Town Hall at 3:00 PM. The Mayor and all Commissioners were present with the exception of Commissioner Berkowich. The reason for the meeting was in accordance to the Maryland Open Meetings Act, Title 10. Governmental procedures, Subtitle 5 to discuss (1) the appointment, employment, assignment, promotion, discipline, demotion,

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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. Topics discussed were personnel issues. Motion was made by Commissioner Osborne and seconded by Commissioner Marion to open the meeting. Motion passed 3-0. Motion was made by Commissioner Osborne and seconded by Commissioner Marion to enter the executive session. Motion passed 3-0. Motion was made by Commissioner Naughton and seconded by Commissioner Osborne to seal the minutes. Motion passed 3-0. Motion was made by Commissioner Naughton and seconded by Commissioner Marion to adjourn the meeting. Meeting adjourned at 3:26 PM.

PRESENTATIONS, ORDINANCES AND RESOLUTIONS –

RESOLUTION 2013-01 – Titled Historic Preservation Appointment: Commissioner Marion read into the minutes Resolution 2013-01 and motioned to appoint Tom Mumey and re-appoint Diane Ehrhart. Mayor Fisher asked for comment with no comment he asked for a deferral of the motion, stating that more time was needed to review the Resolution. Commissioner Marion withdrew his motion. After discussion Commissioner Marion motioned to appoint Tom Mumey and re-appoint Diane Ehrhart, motion was seconded by Commissioner Berkowich. Motion passed 4-0.

RESOLUTION 2013-02 – TITLED USE OF TOWN E-MAILS: Commissioner Osborne read into the minutes Resolution 2013-02 and motioned for an approval. Motion was seconded by Commissioner Naughton. Mayor Fisher asked for discussion and after discussion Mayor Fisher asked for a vote. Vote passed 4-0 for approval.

RESOLUTION 2013-03 – TITLED Employee Restrictions: Commissioner Naughton read into the minutes Resolution 2013-03 and motioned for an approval. Motion was seconded by Commissioner Osborne. Mayor Fisher asked for discussion. Commissioner Berkowich stated that these resolutions were not an emergency and asked to table all seven resolutions for further review. Commissioner Osborne answered that due to a time restraint the resolutions need to be passed tonight to

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have them in place for the next election. After a lengthy discussion Mayor Fisher asked for a vote. Vote passed 4-0 for approval.

RESOLUTION 2013-04 – TITLED CHARTER AMMENDMENT VOTING REGISTRATION

Commissioner Osborne clarified that the next four Resolutions to be presented will be Charter changes and will be published and after fifty days adopted unless before the fortieth day is presented to the Mayor and Commissioners for referendum. Commissioner Osborne read into the minutes Resolution 2013-04 and motioned for a vote. Commissioner Naughton seconded the motion. With no future comment Mayor Fisher called for a vote. Vote passed 4-0.

RESOLUTION 2013-05 – TITLED Elected Officers, Qualifications, Nominations and

Terms Commissioner Osborne read into the minutes Resolution 2013-05 and motioned for a vote. Motion was seconded by Commissioner Naughton. Mayor Fisher asked for any discussion. Mayor Fisher stated “why are we eliminating nominations from the floor”. Vote passed 4-0.

RESOLUTION 2013-06 – TITLED Election Process & Board of Supervisors of

Elections Commissioner Naughton read into the minutes Resolution 2013-06 and motioned for a vote. Commissioner Marion seconded the motion. Mayor Fisher asked for discussion. Mayor Fisher stated that he would like to see the Town election concurrent with the County. Calvin Bonenberger pointed out that there is a couple of typos in the Resolution and he will amend the language. Mayor Fisher called for a vote. Vote passed 4-0.

RESOLUTION 2013-07 – TITLED Vote Count & Procedures in Case of Tie Vote

Commissioner Osborne read into the minutes Resolution 2013-07 and motioned for a vote. Commissioner Naughton seconded the vote. Mayor Fisher asked for a discussion. Commissioner Marion asked for an amendment to allow the media to be present during the vote count. Commissioner Osborne motioned and seconded by Commissioner Marion Mayor Fisher called for a vote. Vote passed 4-0. Mayor Fisher called for a vote for the amended Resolution 2013-07. Vote passed 4-0.

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Extension of the Davenport Agreement Commissioner Naughton motioned to extend the Davenport agreement for the Town's new water line extension financing. Motion was seconded by Commissioner Marion. Mayor Fisher asked for discussion and stating that he believes there is no need to have another study done and asked the Board to table the agreement. After a lengthy discussion with comments from Commissioner Marion, Town Administrator Calvin Bonenberger and Commissioner Naughton, clarifying the reason to extend the engineering service with CDM, Mayor Fisher called for the vote to extend the agreement with Davenport not to exceed \$45,000.00. Vote passed 4-0.

Re-Structuring of the Town Website: Commissioner Marion presented to the Board a proposal to update the Town's website reporting that one of the features will allow residents to be able to pay their utility bill online. Commissioner Marion asked for a verbal motion to approve a contract to E-Gov to update the Town's website. Motion was made by Commissioner Osborne and seconded by Commissioner Berkowich. Mayor Fisher called for a vote. Vote passed 4-0.

Commissioner Naughton: asked the Board for a break from the session. Mayor Fisher adjourned the meeting at 9:15 PM. Session resumed at 9:28 PM.

Mayors Report – Mayor Fisher reported on the following:

Mayors Meeting; attended the Grants workshop meeting .

Staff Reports –

Mr. Bonenberger reported on the following:

Wastewater Treatment Plant Update; the wastewater project is about 32% complete. There has been a couple of technical and design issues and we are addressing them.

Water Line Extension; will be meeting with the water engineer to map the next step for the installation of the water line. Chester will be installing the water line on the Pennsylvania side and the Town is responsible for the Maryland end.

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Planning and Zoning Board Meeting; met last night. They had no new cases although an agreement was made to change the language on the existing sign ordinance. There is a meeting scheduled for March 25th to hear a special request from a Church asking for space to locate on Colonial Way.

Financial Report -

Ms. Wagner reported financial revenue and expenditures to date.

Commissioner Reports:

COMMISSIONER BERKOWICH REPORTED ON THE FOLLOWING:

No Report

COMMISSIONER MARION REPORTED ON THE FOLLOWING:

- Triangle Park; a meeting was held with Octoraro Watershed Association and the Department of Natural Resources regarding Triangle Park. Also there will be a meeting with the State Highway Administration regarding installation of sidewalks.
- Turning the Town purple; thanking the Public Works Department for their hard work.

COMMISSIONER NAUGHTON REPORTED ON THE FOLLOWING:

- Water and Sewer over Budget issue; the reason why we are over budget is due to a pending lawsuit amounting to \$86,000 as a direct result of Robert Fisher.
- County Commission Meeting; attended a meeting last week as a member of the Library Board of Trustees.

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- Thanks of support; thanking everyone for the cards and flowers regarding the recent illness of his wife.

COMMISSIONER OSBORNE REPORTED ON THE FOLLOWING:

- Passing of a long time Rising Sun resident Mr. Robert Cumm; read into the minutes a letter received from President Obama honoring his memory and recognizing his service as a member of the United States armed forces. Mr. Cumm's passing was January 12, 2012.
- Streets and Sidewalks update; a meeting with Mr. Bonenberger and the engineer to make a list of repairs.
- Volunteers for reviewing past Ordinances; we are ready to start calling upon volunteers to start the process of reviewing past minutes for Resolutions and Ordinances.
- Employee pay checks; if an employee loses a pay check the cost to re issue will be \$30.00.

OLD BUSINESS. – No Old Business

NEW BUSINESS. – No New Business

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CITIZEN'S INPUT –

Augie Pierson; as a past Commissioner helped clarify the importance of employee Town e-mail accounts.

Tom Mumey; as a member of the Historical Society clarified the bylaws.

Shelly Leishear; asked the Mayor if he has been in touch with Mr. George Beer regarding building town homes. Mayor Fisher responded that he has not. Ms. Leishear also reported the sighting of Eagles nesting in the trees that line the Sunoco and the railroad tracks.

Lynn Griffin; shared her excitement regarding the new website. Mayor Fisher asked Lynn if she would be interested in serving on a committee with Commissioner Marion regarding the website. Ms. Griffin answered that she would like to as an advisor from a young person's stand point.

Dee Emsley; voter registration, bringing to the attention to everyone that if you do not vote in the general elections you will be dropped from the list. Please make sure that you keep you registration active.

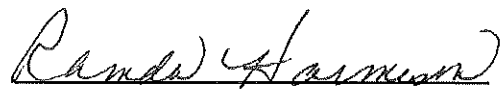
Jeff Aughenbaugh; gave his political view.

Vince Sammons; shared his excitement regarding the Town using E-Gov to redesign the website, stating that he has researched the company and highly recommends their service.

ADJOURNMENT – With no other business before the board, a motion was made by Commissioner Naughton seconded by Commissioner Marion to adjourn. The meeting adjourned at 10:40 PM.

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Respectfully submitted

A handwritten signature in cursive script, appearing to read "Rhonda Harmison", written over a horizontal line.

Rhonda Harmison
Town Clerk

Motion to approve the minutes made by Commissioner Joanne Osborne,
seconded by Commissioner Travis Marion at the April 9, 2013 Town
Meeting

Motion Passed 4 0

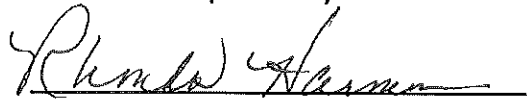
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Declaration And Verification Of Authenticity

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 here unto set my hand and have affixed the seal of the Town of Rising Sun as of this 8th day of April.

Respectfully submitted



Rhonda Harmison
Town Clerk

CERTIFICATE & TOWN SEAL

(STATE OF MARYLAND)

(COUNTY OF CECIL)

(TOWN OF RISING SUN)