

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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October 9, 2007

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

Absent: Mayor Cox

Town Administrator: Calvin Bonenberger, Jr.

Guests: See Attached List

The regular scheduled meeting of the Mayor and Commissioners of Rising Sun was held on October 9, 2007 at the Rising Sun Town Hall with all members in attendance except Mayor Cox. The meeting was called to order at 7:00 PM by Vice Mayor Craig, followed by the pledge of allegiance.

With no additions or corrections, the minutes of the 09/25/07 meeting were approved as presented

Due to the Christmas holiday, a motion was made by Mr. Pierson, seconded by Mr. Yust and carried to cancel the last meeting in December, which would be December 25.

A motion was made by Mr. Pierson, seconded by Mr. Majewski and carried unanimously to adopt Ordinance 2007-01 – AN ORDINANCE OF THE TOWN OF RISING SUN (“TOWN”) CECIL COUNTY, MARYLAND, AMENDING AND ADDING LANGUAGE TO CHAPTER 5 OF THE CODE OF ORDINANCES OF THE TOWN OF RISING SUN IN ORDER TO ADOPT THE INTERNATIONAL CODES AS THE STANDARDS AND REGULATIONS FOR THE CONSTRUCTION, RENOVATIONS AND REPAIRS OF STRUCTURES AND BUILDINGS LOCATED IN THE TOWN OF RISING SUN. This ordinance will become effective 20 days following this adoption.

COMMITTEE REPORTS

Finance – Mr. Bonenberger advised the Board that they had received a copy of the 1st quarter’s financial statement for revenues and expenditures.

Mr. Bonenberger advised the Board that they had been presented with a fee schedule at the last meeting for their review and comments with the intent to vote on a fee schedule at this meeting. He explained that there was a complicated formula and the schedule would allow a developer to figure out just how much it would cost. It will also tell what to do inside and outside. He also reviewed the list under Other Construction Fees and advised that information was being gathered from other towns in coming up with the figures used. He clarified that in the past the Board had put a cap on some fees because the fees were not in proportion to the work done. That no longer applies.

A motion was made by Mr. Pierson to introduce and adopt Resolution 2007-2 – A RESOLUTION ESTABLISHING A FEE SCHEDULE FOR BUILDING APPLICATIONS, PERMIT FEES AND A SIGN PERMIT FEE FOR THE TOWN OF RISING SUN.... The motion died due to the lack of a second.

Streets & Sidewalks - Mr. Yust reported that the traffic study had been completed, however the Board has requested that the engineer clearly identify the need to modify traffic flows around the two intersections and provide details of why other options are not feasible or recommended.. A public hearing is planned for October 30th. He also reported on the traffic study mitigation request which asked the State to remove 2 improperly placed parking spaces on Main and Queen Streets and to consider alternating traffic signaling for east and west bound traffic on MD 273. He also reported on the hidden driveway sign on Walnut Street and the status of the millings.

Water & Sewer - Mr. Bonenberger opened a discussion concerning mandatory water use restrictions for the Town of Rising Sun. He advised that the Town has been operating under a voluntary restriction since May and with the current drought situation

did the Board desire to make the restriction mandatory at this time. Mr. Bonenberger advised that the levels of the tank and wells have been reviewed and that the pumps are currently being run 22 hours per day. Following a lengthy discussion, it was decided that Mr. Bonenberger and Ron would meet with the developer for the Martin's project concerning their water use. A motion was made by Mr. Yust, seconded by Mr. Majewski and carried by a vote of 2 yeas and 1 nay to put on mandatory water restrictions which include no watering of lawns, no topping off of swimming pools and no washing cars.

Mr. Majewski reported on design plans for the construction of a 450,000 gallon wastewater treatment facility which will be a sequencing batch reactor plant. They will be meeting to review final specs to prepare for bidding process.

Public Safety - Mr. Pierson advised that Sgt. Townsley had tendered his letter of resignation effective 10/20/07. With the current open position in the police department, this would mean that there will be 2 vacant positions. He advised that 2 persons had been interviewed for the position of police officer. Based on those interviews a motion was made by Mr. Pierson to offer the position of police officer to Francis Douglas Peterson. The motion was seconded by Mr. Yust and carried.

Mr. Pierson reported that based on the electric usage at Town Hall, it was the recommendation of Mr. Majewski that the Town proceed with getting the 60 KW generator through Emergency Management.

A discussion ensued concerning skateboarding on the sidewalk and in the streets of Town. The Chief is to look into the Ordinance and to see if there is anything that can be passed onto the skateboarders on skateboard safety as a part of community policing.

It was also reported that there was to be some discussion concerning skateboarding held at the upcoming County Commissioner's meeting on 10/16.

Parks & Recreation - Mrs. Craig reported on continued efforts to develop the Triangle Park area. She advised that she had received a sketch from the High School for the "Just A Daydream Away" project. They are discussing some modification.

Town Administrator - No Report

Planning & Zoning - Mr. Bonenberger reported that the next workshop meeting for Planning & Zoning will take place on Monday, October 15 at 6 PM. The next regular meeting of P & Z will be on October 22, 2007 at 7:30 PM. The recommendation of P & Z for a Zoning Ordinance amendment will come before the Mayor & Commissioners on their October 30th meeting. It is recommended that the text be changed to read: "Private educational institutions may be permitted as a Special Exception by the Board of Appeals in the residential, light industrial and commercial zones, not to include the central commercial district, provide....."

Board of Appeals - Mr. Bonenberger advised that the next meeting of the Board of Appeals will be for a Public Hearing to hear a request for a Special Exception for a arcade/pool hall center at 2 S. Queen Street on 10/18/07 at 7:30 PM

Community Development - Mr. Bonenberger gave an update on the BRAC situation with regard to Cecil County and Rising Sun and the recent meetings he, the Mayor and Commissioner Majewski had attended.

Mr. Bonenberger advised that there was some issues with McDonalds with regard to sign location. He will continue to work with them to be sure they comply with the ordinance.

Code Enforcement - Mr. Bonenberger advised that Ordinance 2007-01 had been previously adopted.

Historical Preservation Commission - Mrs. Ehrhart reported that they had had a good turn out for the Civil War Re-enactment Weekend. She passed out pictures of activities that they have been involved in over recent months. The dance is to be held on November 18 at the fire house. Any military personnel will be half price. The museum will be open this Friday and Sunday 1-4 PM

Under Old Business, Mr. Majewski thanked Sandi for the job she did in organizing the Civil War Reenactment Weekend.

Under New Business, Mr. Majewski asked that the sidewalk at 129 S. Queen Street be looked at with regard to repair.

CITIZEN'S INPUT:

Mr. Ellison questions Mr. Bonenberger concerning the status of the "illegal" about the code and asked if they are for Pennsylvania. He questioned what is the status.

Mr. Bonenberger advised Mr. Ellison that the proposed codes were legal and that other jurisdictions in the State of Maryland were adopted the same code. He advised that he and Mr. Callahan were working with P & Z concerning some issues with the plumbing coded.

Mrs. Emsley questioned the public hearing for the one way street and if the public would have the opportunity to view the engineer's report before the public hearing. She was advised that if the information that the Board was seeking was not available in a timely fashion to make the public hearing on the 30th, the public hearing would be postponed so that the public would have time to see it. A notice is to be posted on the Town's website advising when the report is ready.

Mrs. Baughman questioned the status of the computer system. She was advised that the website would be up and running in about 6 months. The new billing system will be ordered soon.

Mr. Callahan stated that it was his opinion that the skateboarders should be cited for the violation in accordance with the ordinance and according to age. He felt that this was also a parenting problem.

He advised that he had received a complaint concerning the condition of the sidewalk on Wilson Ave. It was suggested that maintenance be requested to do a review of the Town sidewalks.

Mr. Callahan requested that the papers include in their respective articles information about the depths of the wells and how the drought has affected getting the Legion wells on line.

He advised that he was disappointed in the adoption of the International Building Code but was looking forward to working on changes with Mr. Bonenberger.

Brenda Maynard addressed the Board with concerns that if a skateboarder is injured on your sidewalk are you liable? She advised that skateboarder have broken her sidewalk which was repaired and she is expected to pay for. They jump off of the set of steps across the street from her. The homeowner there is afraid they will get hurt. She requested that signs be posted "no skateboards" and increase surveillance

Mrs. Maynard questioned why the school bus is allowed to park on Valley View Drive. It creates a traffic hazard. She was advised that the curb is not yellow, so she can park there.

She advised she was tired of the dogs and cats running loose in the neighborhood. Chief Michael advised that if they know the owner they will send letters or issue a citation

She advised that her back yard was being fixed after 5 years. Mr. Bonenberger advised that the Town's engineer was looking at the sidewalk issue

With no other business coming before the Board a motion for adjournment was made by Mr. Majewski, seconded by Mr. Yust and carried.

The meeting adjourned at 8:30 PM.

Respectfully submitted,

Sandra D. Didra, Secretary