

**TOWN OF RISING SUN
RESOLUTION 2013-19**

WATER AND SEWER INFRASTRUCTURE STRATEGY PLAN

WHEREAS, the Town, located in Cecil County, Maryland is a municipality organized under and governed by Article 23A of the Annotated Code of Maryland; and

WHEREAS, the Town is proclaimed as a perpetual entity with the right to pass laws; and

WHEREAS, the Town of Rising Sun has developed and initiated a comprehensive plan to replace and upgrade the Town's inefficient waste water treatment facility and the undersized water distribution system, of which shall herewith in be referred to as the 2010 Sewer and Water Upgrade Project; and

WHEREAS, this 2010 Sewer and Water Upgrade Project included a plan to construct a new wastewater treatment facility that is well under way, and the acquisition of additional water resources and appurtenances to provide adequate water to the Towns current and future needs; and

WHEREAS, the progress made on the wastewater treatment plant and the significant financial investments already made into the solutions for the water system have begun to create interest from the development community that already has various levels of vested interest in development sites throughout town, that were suspended by the Town due to a water and sewer moratorium; and

WHEREAS, the Town must position itself from any further legal charges and claims against failing to provide adequate public facilities for these projects; and

WHEREAS, the Mayor and Commissioners deem it necessary to execute a strategic plan to achieve this goal and to have more effectively deal with these issues in a timely manner.

BE IT FURTHER UNDERSTOOD, that the Mayor and Commissioners are executing a plan that will include the following tasks:

- 1) Revisit and revise the impact fee study.
- 2) Adopt an adequate public facilities ordinance
- 3) Adopt a developers rights and agreement ordinance
- 4) Modify the current land development code

- 5) Determine who will be the Town's water engineer going forward.
- 6) Instruct the engineer to prioritize the design of the Maryland portion of the new water line
- 7) Instruct the water project team to continue discussions with Chester Water on the frame work of an agreement for water
- 8) Begin the frame work of a rate study to determine the financial needs for this infrastructure and to evaluate the existing financial capabilities of the Town to fund this project
- 9) Identify possible funding sources for the infrastructure upgrades
- 10) Develop a strategy for dealing with the engineer and contractor on the delays at the sewer plant.
- 11) Revisit what the final disposition of the town's existing well system will be. The general idea would be to keep the wells on line to maintain permit allocation, but possibly sell such water to other entities that are in need, such as Southern States. (This can be explained in more detail later)

NOW THEREFORE BE IT FURTHER RESOLVED, that the Mayor and Commissioners hereby resolve to have the project manager move forward with these items and to update and make recommendations to the board on their status from time to time.

NOW THEREFORE BE IT FURTHER RESOLVED that the Mayor and Commissioners of the Town of Rising Sun passed, approved and adopted this resolution on this 12th day of NOVEMBER 2013

AYES: Commissioners Chiominto, Marion & Walker

NAYS: Commissioner Dugger

THE MAYOR AND COMMISSIONERS
OF THE TOWN OF RISING SUN

ATTEST:

BY: _____
Robert A Fisher -Mayor

Calvin A Bonenberger Jr,
Town Administrator

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

THIS 12th DAY OF NOVEMBER, 2013

BY: _____
Jack A. Gullo, Jr., - Town Attorney

**STATE OF MARYLAND)
COUNTY OF CECIL)
TOWN OF RISING SUN)**

SS:

CERTIFICATE

I, Calvin A Bonenberger, Town Administrator for the Town of Rising Sun, Maryland, do hereby certify that the above and foregoing Resolution is a true, perfect and complete copy of the Resolution 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 13th day of November 2013.

Calvin A Bonenberger Jr,
Town Administrator