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 on the third floor of Town Hall in Rising Sun on Tuesday evening, September 23, 2014 at 7:00 PM. For the record the meeting place and time were duly posted as required.

MEMBERS IN ATTENDANCE: Mayor Travis Marion, Vice Mayor George Walker, Commissioner Allen Authenreath, Commissioner Jennifer Scully and Commissioner David Warnick.

MEMBERS ABSENT: None

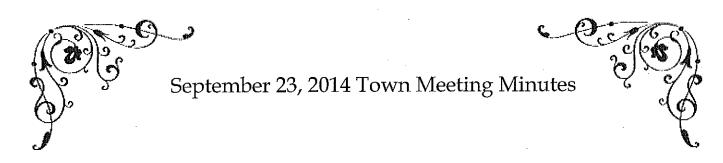
STAFF/CONSULTANTS PRESENT: Town Administrator Calvin A. Bonenberger, Jr., and Town Clerk Marsha Spencer

IN THE MATTER OF CALLING THE MEETING TO ORDER

The meeting was called to order at 7:00 PM by Mayor Travis Marion, followed by the Pledge of Allegiance. Mayor Marion opened the meeting with prayer.

IN THE MATTER OF APPROVAL OF MINUTES

Motion was made by Commissioner Walker and seconded by Commissioner Warnick to approve the Minutes of September 9, 2014. Motion carried 4-0.



IN THE MATTER OF REPORTING OF EXECUTIVE SESSION

None

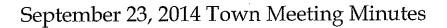
IN THE MATTER OF BUSINESS MEETING ITEMS

Resolution 2014-07 General Obligation Bond Anticipation Notes – Town Administrator Calvin Bonenberger

Town Administrator provided background on a \$13 Million Bond process to build the waste water treatment facility with financing through the United States Department of Agriculture (USDA). However, the USDA does not provide funding until the project is completed, at which point the USDA reimburses the Town. With short-term financing through a Bond Anticipation Note (BAN), the borrower is guaranteed that the financing will be bought in the future. The Town secured this construction loan through PNC Bank who will be repaid by USDA at the conclusion of the drawdown of those funds.

Originally the arrangement with PNC was for their financing to mature by November 2014 at which time all funds were to be spent. As a result of early delays with regulatory approvals and the unique nature of the project, as well as the contractor's inability to complete the project, the Town made an agreement with another contractor.

USDA has agreed to pay all the money borrowed from PNC to date which is about \$8 Million. PNC has agreed to rewrite the remaining amount needed to complete the project under a new loan with a new timeframe – essentially a year. This new money from PNC will see the Town through project completion by September 2015.



The new contractor is moving aggressively and has provided assurance of substantial completion in September 2015. All of USDA's financing must be spent in that same timeframe.

This resolution does not increase the amount of money that the Town borrowed in 2011. No changes will be made to the rates. We are essentially changing the format in which we receive that money. Also, the residents are going to be financing less money because of the \$2.7M grant from MDE. This resolution represents a huge win for the residents of Rising Sun.

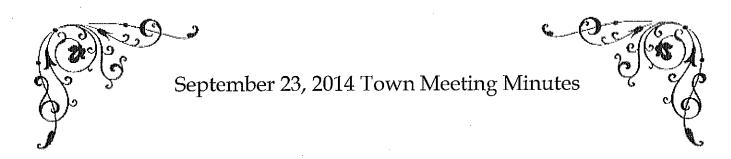
The interest rate of the PNC loan will be slightly different but is irrelevant because we are paying interest only on the amount of the loan which will be bought out by USDA in a year's time. The contract price with the new contractor is about \$4.1 Million.

The Town Administrator then read the Proclamation into the record. Motion was made by Commissioner Walker to adopt Resolution 2014-07 and was seconded by Commissioner Warnick. Commissioner Scully expressed appreciation that PNC Bank waived some of their fees for providing financing as reflected in Exhibit A.

Town Administrator Bonenberger also noted the typographical error on the second bullet point on the Davenport memo, Page 2, under "PNC Line of Credit" which referred to the term of September 15, 2015 with a balance due on that date. On Page one of the actual terms sheet the date is shown accurately as September 30, 2015.

With no other discussion, the motion carried 4-0.

Nomination to Economic Development and Community Revitalization Committee – Mayor Marion



Mayor Marion spoke of Bud McFadden's service to the community and nominated him to join the Economic Development and Community Revitalization Committee. Commissioner Warnick made a motion for Mr. McFadden to join this committee. The motion was seconded by Commissioner Scully. The Mayor thanked Mr. McFadden to serve on the committee. Motion carried 4-0.

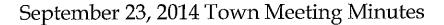
IN THE MATTER OF Citizens' Input

Mayor's Report

Marion was happy that all commissioners as well as former mayors and commissioners could be together for the opening of the Triangle Dog Park. The dog park was completed in cooperation with the Octorara watershed with one type of contractor while the park itself was completed with a second contractor. This coordinated effort proceeded well with few weather delays. The Mayor expressed appreciation to the Commissioners for giving their time and for the importance of their show of support.

The Mayor also mentioned a letter sent to business owners with properties adjacent to Town Hall inviting them to a roundtable discussion to solicit ideas to improve downtown aesthetics and storefronts.

Desiree Davis is providing leadership for the Spooktacular this year on October 18th, 11 AM to 4 PM. Plans are to include activities for kids. As one of our first donors, Armstrong is willing to donate \$300 that will help provide for pony rides.



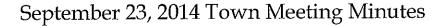
The executive director of Donate Life Maryland has asked permission to share Rising Sun's efforts and Ben Larsen's story on their Face book page. Thanks too for the support of our citizens.

Mayor Marion also attended the fall MML conference where lots of new classes were offered. He was officially appointed to the Maryland Mayor's Association and is noted to be the youngest mayor ever to be part of that association.

The Mayor also added a big thank you to Lowes for donating a lot of block and materials to the dog park. Many thanks as well to KCI Engineering for donating \$1,000 of engineering and survey costs.

IN THE MATTER OF STAFF REPORTS

Chief Peterson reported that the Police Department responded to 249 calls for service between September 10th and September 23rd. With a comparison to 2013, the first eight months reflect a lot of activity by officers. For example July 2014 shows 619 incidents in comparison to 439 for 2013. Again, the Chief asked for the public to help. Please call when something seems wrong, especially at park gatherings. The next drug take back is this Saturday 9/27 10 AM to 2 PM. This program takes prescription medications off the street and reduces the possibility of addiction. Lastly, an incident last Friday at Bucks has generated lots of conversation with rumors of a motorcycle gang war. One individual was wearing an outlaw motorcycle gang insignia. The Police Department has reached out to allied law enforcement agencies to gather more information on one individual in particular. Bucks' Restaurant has taken steps to not allow individuals with any type of insignia so associated with an outlaw motorcycle gang. More information will be shared as it becomes available. Mayor Marion added that the Town's officers are taking steps to be seen and to be approachable.



The Mayor added that a representative from the Guard met earlier this evening with the Commissioners who had signed a facsimile of support for a Proclamation signed on July 22, 2014.

The Town Administrator's Report

Since the early 2000's, the Town has a long history of some land development projects that haven't met with beneficial results One major issue is that the roads become littered with potholes. Legally, the Town has hesitated to make repairs and improvements because the developers remain responsible. Should the Town make those repairs and the infrastructure remain uncertified, a significant amount of taxpayers' dollars could be wasted.

Consequently, the Town has taken steps to alleviate some of the strain on the residents by plowing and salting the streets. Since seven years have lapsed, the Town will seek to recover fees and to legally encourage the developer to take responsibility.

The Town's engineer has provided a cost estimate of \$96,533.75 to repave the unpaved section of Maples Heights Drive, past Maple Heights Lane to where the townhouses begin.

The Town is currently paying \$152,657/year on other paving projects that include the \$650,000 project that was just completed. In anticipation of the Town's need to pave Maple Heights as mentioned above, the balanced budget includes \$100,000 for such work. Fortunately the \$96,533.75 estimate comes within that budgeted amount. Approximately \$15,000 of this work can be completed by the Town's staff or a local contractor.



The contractor can be on site in less than two weeks with one week to complete the project. Time is of essence as temperatures begin to drop.

Commissioner Authenreath added that negotiating the unsafe roads for plowing and traveling has caused thousands of dollars in damage to the Town's equipment and has created unsafe conditions for pedestrians, drivers and school children.

Commissioner Authenreath made a motion to approve the expenditure of \$96,533.75 to move forward with the paving of Maple Heights Lane and half of Maple Leaf Drive. The motion was seconded by Commissioner Walker. Other discussion included some safety issues relative to school bus stops, parked cars for parents with school children and other sidewalk and road repairs. Motion carried 4-0.

IN THE MATTER OF THE Historical Preservation

No Report.

IN THE MATTER OF OLD BUSINESS

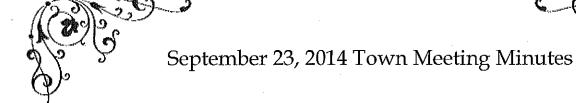
None.

IN THE MATTER OF NEW BUSINESS

None.

IN THE MATTER OF COMMISSIONER COMMENTS

Commissioner Authenreath reported that the Planning Commission meeting has been rescheduled to Monday, September 29th at 7 PM. He has met with Public Works



Director Ron Thomas about upcoming projects that may be affected by changing weather with the pending winter season. Some details include potholes on Wilson Road and Pearl Street; the top coat on a section of Pearl Street is peeling; a sidewalk driveway apron also on Pearl Street with protruding rebars.

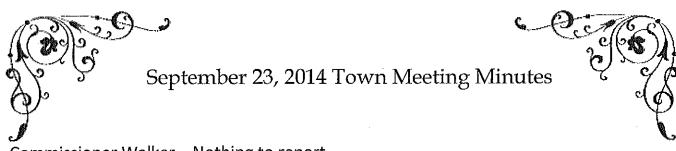
Commissioner Authenreath also plans to attend the Department of Transportation's Capital Program Tours Meeting next week concerning a Consolidated Transportation Program and Transportation Infrastructure Investment Act of 2013.

Through WILMAPCO and the Bikeways programs, some bike routes will be painted by the state and county on Routes 273 and 274. The Town will receive some signage and bike racks. Our labor will install and maintain them.

Mayor Marion reiterated a big thank you to our Public Works Director Ron Thomas and crew who worked hard to get Triangle Dog Park ready.

Commissioner Scully reported that the specific equipment for body cameras for officers has not yet been finalized. After further investigation, the application for grants for the cameras will be completed.

On addiction and domestic abuse awareness campaigns, the Chief recommended a meeting with April Foster and Carrie Miller of STEPS, a recovery resources program. Commissioner Scully would like to partner with them before finalizing her proposal. With respect to Mayor Marion's recent request for help in "The Guardian", residents are asked to help with community policing to work with officers to acquire information about individuals vandalizing public property. While the offer of amnesty is for a limited time, this generous offer might provide some accountability and reform through the payment of restitution and community service.



Commissioner Walker – Nothing to report.

Commissioner Warnick reiterated the hard work of the Town Administrator, Public Works Department, and Mayor for the opening of the Triangle Dog Park. Thanks were expressed to Mrs. Garvin for leading Yoga in the park" on September 19th with ten or so other residents. On Saturday personnel from the Adult Education Watershed Stewards Academy visited the park with positive feedback for the environmental/storm water management aspects of the park.

On Sunday night, Commissioner Warnick met with the Boy Scouts who will submit plans for the environmental learning deck in the next three weeks. Work should commence late this fall and extend into early spring. A resolution has been prepared to introduce an arts council for consideration at one of the next Town meetings. The spiral sliding board at Diddy Richardson Park has been damaged in an act of vandalism. Repair costs are being determined. The idea of amnesty has a limited window for someone to come forward and avoid prosecution. A public apology and restitution would save someone from a criminal record. Chief Peterson added that some information is being received.

IN THE MATTER OF ADJOURNMENT

With no other business to come before the board, motion was made by Commissioner Warnick and seconded by Commissioner Scully to adjourn. Motion carried 4-0 at 8 PM.

Motion to approve the minutes made by Commissioner Scully, seconded by Commissioner Warnick at the October 14, 2014 Town Meeting. Motion passed 4 to 0.



I, Marsha J. Spencer, Clerk for the Town of Rising Sun, Maryland, do herby 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 October, 2014.

Respectfully submitted,

Marsha & Spencer

Town Clerk

CERTIFICATE & TOWN SEAL

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