

TOWN OF RISING SUN

BOARD OF TOWN COMMISSIONERS

MAYOR
Judith M. Cox

COMMISSIONERS
Deborah Craig
James Majewski
Thomas Mumey
August Pierson

TOWN ADMINISTRATOR
Shawn Hershberger

**PLANNER/CODE
ENFORCER**

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December 12, 2006

CLERK-TREASURER
Sandra D. Didra

Present: Judy Cox, Tom Mumey, Debbie Craig, Jim Majewski

Town Administrator: Shawn Hershberger

Absent: Augie Pierson

Guests: See Attached List

The regular scheduled meeting of the Mayor and Commissioners of Rising Sun was held on December 12, 2006 at the Rising Sun Town Hall with all members in attendance, except Mr. Pierson. The meeting was called to order at 7:00 PM by Mayor Cox followed by the pledge of allegiance and a moment of silence.

Rupert Rosetti was in attendance and gave a presentation on Water Resources in the Piedmont. Mr. Rosetti is a geologist and does water quality testing in the Rising Sun watershed area. He fielded questions from the public. He advised that the Stone Run watershed is 6500 acres of which Rising Sun is 620 acres or approximately 10%. A copy of his presentation is attached to these minutes.

Shawn Hershberger introduced the acceptance of McNamee Lane into the Town's road system. A letter from KCI was read recommending acceptance of the roadway, but advising of 3 areas that needed attention either now or when Martin's was finished using it during construction. Mr. Hershberger advised that he had met Tom Montgomery on site and that Mr. Montgomery was in the process of making those repairs. A motion for approval was made by Mr. Mumey, seconded by Mrs. Craig and carried.

Mr. Hershberger reported on plans to modify the current building permit forms as the current ones are slightly outdated and need upgraded. There will be different permits for different activities such as additions, renovations, fences, etc. These will be presented at a later date.

A motion was made by Mrs. Craig, seconded by Mr. Mumey and carried to approve the minutes of the 11/28/06 meeting as presented.

REPORTS:

Mayor - Mayor Cox asked the Board's pleasure for Christmas Bonuses for the employees. A motion was made by Mr. Mumey, seconded by Mrs. Craig and carried to approve bonuses for the employees in the same amount as last year.

Mayor Cox thanked everyone who helped with the Christmas decorations and the annual Christmas Carol Sing. She advised that over a period of 2 weeks many volunteers put in over 200 collective hours in preparing the new street Christmas decorations.

Streets & Sidewalks - Mr. Mumey reported that he had received a inquiry about needed repairs to the roadway at the Little League Complex. He advised that there are no currently plans for any work being done there due to lack of money. He advised that he would be replying to the email and advised the complainant that as funds become available the work will be placed on the schedule.

Water & Sewer - Mr. Majewski gave kudos to the Rising Sun Historical Preservation Commission for their presence in the North East Christmas Parade. He advised that the water leak has been repaired on W. Main Street. 48 hour and 72 hour tests have been completed on the Legion wells and we are awaiting the results.

Parks & Recreation - Mrs. Craig advised that she had nothing to report.

Town Administrator - Mr. Hershberger presented a Memorandum of Understanding from the Cecil County Emergency Services for the Town to take part in the reverse 911 plan for acceptance and signatures.

He also gave an update on the situation at the intersection of Cherry & S. Queen Streets. He advised that he had met with the Chief of Police and they gave consideration to two scenarios. The first would be mirrors so that there is more visibility, but they were not sure if people would really use them and/or they would get broken. The second idea was to make the intersection a "right turn only". They are now looking at the legal aspects and will talk with the State.

Diane Ehrhart gave a update on the activities of the Rising Sun Historical Preservation Commission. A copy of her report is attached to these minutes.

Under unfinished business, Commissioner Craig requested an update of the Boyd Annexation. Mr. Hershberger advised that currently the annexation has been put on hold. The paperwork was not correctly filed and the State has advised the Town, that the annexation process would have to be done over again. Currently the Town is waiting to hear from the developer as to what their intent is. Right now, everything is null & void including the 45 day referendum period. Debbie advised that she would like to see the procedure go all the way back to Planning & Zoning for review. She advised that she hoped that this teaches us a lesson to follow the laws. Shawn advised that he should have followed up on the procedure.

CITIZEN INPUT:

Mr. Callahan asked if the developer had any recourse. He was advised that they did not. What the State had to say is final.

Shirley England questioned if the developer had taken the project to the County TAC Committee and if he was approved at the county level. She asked and was told where McNamee Lane was. She also asked if the railroad bed had been finished and was the Town taking it over. She was advised that the County was satisfied with the railroad bed and that currently the Town had no plans of taking it over. She questioned if the Town should take it over

Ed Ellison questioned where money would come from to do the upgrades to the water and wastewater systems. Mr. Mumey advised that the fines for the consent order will be much less than the \$10,000 per day as previously reported in the paper. Mr. Hershberger advised that he is working on an agreement with the developers whereas they will be paying an upfront cost of \$6500 per unit in the form of a line of credit. In addition, each new dwelling unit will be paying \$4000 per unit for water and \$4000 per unit for sewer. There are 906 proposed units. The Town will also be seeking some grant monies.

Dee Emsley questioned the Board if they felt that because a person did not speak at a meeting that they were in favor of an issue. Mrs. Craig advised that she did not. Mayor Cox advised that she felt they could go either way and Mr. Majewski advised that he felt that they were intimidated.

Mrs. Emsley also addressed the issue of the outhouse being removed from Town. PFC Parkinson advised that as a member of the Rising Sun Police Department, he took offense to the outhouse having RSPD on the side and that the outhouse was taking up a parking place. Mrs. Emsley advised that if the outhouse is not allowed because it takes up a parking place then neither should Sunfest or the Carol Sing be allowed. She feels that the outhouse is just as much a tradition as the Carol Sing and Sunfest.

Donald Craig addressed the Board questioning the water/sewer hookup fees. He questioned at the 9/12/06 meeting that the hookup fees were increased to \$6200. Mr. Hershberger advised that the upfront fee from the developer was first set at \$6200 and then changed to \$6500. Mr. Craig also questioned the increase in the cost of the upgrade to the lagoon from what was first reported earlier. The secretary found minutes of meeting is January 2006 and February 2006 where different costs were voted upon. He questioned the money in the budget and in the water and sewer funds. He was advised that the question concerned the lack of money for roads repair. He was advised that there was over \$800,000 in both the water fund and the wastewater fund. He questioned about monies being paid to MES. None has been paid to date. He questioned the Mayor and Commissioners about not knowing that the paperwork had been filed with the State.

Mr. Barr questioned when the swale project was being done. He was advised not until spring as 2 of the signed easement papers cannot be found and must be re-sent.

Mrs. DeAngelis questioned the location of the signs on the Highland Crossing (Boyd Farm). Since the property is being considered by the County, she was referred to the county concerning the signs.

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

Meeting was adjourned at 8:15 PM

Respectfully submitted,

Sandra D. Didra
Secretary