

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 July 9, 2013. For the record the meeting place and time were duly posted as required.

**MEMBERS IN ATTENDANCE** Mayor Robert A. Fisher, Commissioner Travis Marion, Commissioner Joanne Osborne, Commissioner Stephen Naughton and Commissioner Bernard Chiominto.

**MEMBERS ABSENT:** None

**STAFF/CONSULTANTS PRESENT** –Town Administrator Calvin A. Bonenberger Jr., and Rhonda Harmison Town Clerk.

**GUESTS:** See attached list.

**MEETING OPENING** – The meeting was called to order at 7:00 PM followed by the pledge of allegiance and a request from Mayor Fisher for a moment of silence to honor Jeffery Kessler and the groundbreaking for his new home.

**APPROVAL OF MEETING MINUTES** – Mayor Fisher asked for any corrections to the June 11, 2013 Town Meeting minutes. Commissioner Osborne motioned to approve the minutes as presented and was seconded by Commissioner Naughton. Vote passed 4-0.

**RECORD OF CLOSED MEETING MINUTES** – Commissioner Osborne read into the minutes of the Executive Session held July 9, 2013 on the 2<sup>nd</sup> floor of Town Hall at 5:10 PM. 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, compensation, removal, resignation, or performance evaluation of appointees, employees, or

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officials over whom it has jurisdiction; or any other personnel matter that affects one or more specific individuals. Motion to hold the meeting was made by Commissioner Osborne and was seconded by Commissioner Chiominto. Motion passed 4-0. Persons other than the elected body present listed below;

Commissioner Elect George Walker  
Commissioner Elect Lyn Dugger  
Town Attorney Jay Gullo  
Town Administrator Calvin Bonenberger  
Insurance Attorney Richard Coloresi  
Bond Council Attorney Kimberly Min

Commissioner Naughton motioned to adjourn the meeting and was seconded by Commissioner Chiominto. Motion passed 4-0. Meeting adjourned at 6:45. Mayor Fisher asked for a motion to approve the minutes. Commissioner Naughton motioned and was seconded by Commissioner Osborne. Motion passed 4-0.

**SPECIAL PRESENTATIONS,** - Mayor Fisher reported that the first order of business is to swear in the newly elected Commissioners.

Mr. Derrick Lowe the Clerk of the Circuit Court of Cecil County administered the oath of office to Ms. Evelyn Dugger, Commissioner and Mr. George Walker, Commissioner. The newly sworn in Board members took their seats at the meeting table.

Commissioner Travis Marion thanked the outgoing commissioners Joanne Osborne and Stephen Naughton and presented them with a signed picture of the Town Hall.

**ETHICS BOARD REPORT** - Mr. David Foxx Chairperson of the Rising Sun Ethics Board and fellow Board member Charles Slaybaugh presented a summary report to the Mayor and Commissioners of the ethics complaint filed by Mr. Bonenberger against himself as a result of various complaints of misconduct made against Mr.

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Bonenberger by Mr. Roger Lamb and Mr. Keith Campbell at the May 14<sup>th</sup> and the May 28<sup>th</sup> Town meeting. In addition there were allegations of misconduct voiced by Mayor Fisher to various town residents. The investigation and filing of the complaint was made by Mr. Bonenberger to insure that allegations made were fully investigated and the final conclusion reported to the residents. Mayor Fisher commented that he did not receive any notice of the July 2<sup>nd</sup> meeting.

**Repeal of Resolution 2010-12;** Commissioner Walker read into the minutes a summary to repeal of Resolution 2010-012 that appointed August Pierson and Thomas Mumey as Water and Sewer Legal Commission. Motion was made by Commissioner Walker and seconded by Commissioner Chiominto. Mayor Fisher asked for any discussion. Commissioner Marion commented that in the future all resolutions that appoint commissioners that are no longer in office become null and void. Mayor Fisher called for a vote. Vote passed 4-0.

**Council Appointment of Vice Mayor;** Mayor Fisher asked for nominations for the Office of Vice Mayor. Commissioner Chiominto nominated Commissioner Marion. Commissioner Dugger nominated herself. Mayor Fisher called for a vote. Vote results; 2-0 for Commissioner Dugger and 2-0 for Commissioner Marion. Mayor Fisher commented that since it was a tie vote it is his position to break the tie. Mayor Fisher voted for Commissioner Dugger. Vote passed 3-2 for Commissioner Dugger.

**Resolution 2013-13 General Powers of the Town;** Commissioner Marion read into the minutes Resolution 2012-13 which appointed Commissioner Chiominto, Commissioner Walker and Town Administrator Calvin Bonenberger to sign all financials on behalf of the Town of Rising Sun. Commissioner Marion motioned for a vote and the motion was seconded by Commissioner Dugger. Mayor Fisher called for a vote. Vote passé 4-0.

**Mayors Report-**

Commissioner Department Recommendations & Confirmation; Mayor Fisher nominated as listed below;

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- Police Commissioner - Commissioner Chiominto
- Streets & Sidewalks - Commissioner Walker
- Water & Sewer – Commissioner Dugger
- Parks & Recreation – Commissioner Marion

Commissioner Walker motioned and was seconded by Commissioner Marion to accept the nominations. Vote passed 4-0.

Annual MML Convention; reported that he attended the annual convention from June 21<sup>st</sup> through the 25<sup>th</sup>, he completed the requirements and graduation from the academy of excellence in Municipal Government.

Attended the service and ceremony at Jane's United Methodist Church for the newly appointed minister Reverend Drew Christian

PFC Kessler Groundbreaking; reported that on June 23<sup>rd</sup> he attended the groundbreaking ceremony and asked the Town to consider becoming involved when the construction starts.

Mayor Fisher in closing read into the minutes his hopes for this new government that we can work together and reiterated his promise of a cost effective, transparent, collaborative and transparent government.

**STAFF REPORTS–**

**Calvin Bonenberger reported on the following:**

Structure of Town Meetings; clarified for the benefit for the newly elected Board the format of the Town meetings outlining that the first meeting in the month is a workshop meeting and the second meeting of the month is a business meeting.

Pearl Street car crash; reported that on Monday there was a car crash involving the S&P Discount Store and the NBRS Bank on Pearl Street. The driver is seriously injured but he will survive, and stated that the S&P Discount Store sustained the most damage but repairs can be made.

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Banner Sponsorship; the business sponsorship banner program is doing well and we will use some of the proceeds to buy banners for the Lions Club.

Street Repaving Project; has been put on hold until a decision is made regarding Mount St.

Water Tower; the Town water tower was struck by lightning although no damage to the tank internal components and equipment was damaged.

Parks & Recreation: with the start of the dog park, temporary help may be hired to assist with grass cutting.

Planning & Zoning: a psychic reader business has submitted a request for a variance hearing. A Massage Therapist wants to open a business in town. Way of Life Church project is underway.

Mr. Bonenberger thanked everyone who attended the Town Administrator forum.

**POLICE CHIEF REPORT** – commented that with Commissioner Walker and Commissioner Chiominto the Town has more than 70 years of public safety experience on staff. Also reported that a large number of applicants have applied for the police officer jobs. Commended MPO Adam Dominick for his quick response and action of the regarding the car crash on Pearl Street.

**CITIZEN IMPUT -**

**August Pierson;** apologized to Commissioner Walker and Commissioner Dugger for misinformation that he had given.

**Tom Mullaney;** commended the Chief for his acknowledgment of MPO Adam Dominick and thanked all the emergency responders regarding the Pearl Street car crash.

**Lynn Griffin;** thanked the Commissioners for a successful Movies in the Park.

**Jeff Aughenbaugh;** spoke to the Board regarding the U S Constitution.

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**Chris Callahan;** thanked the outgoing commissioners for their hard work and dedication. Congratulated the new commissioners and stated the he hoped they will do the Town justice. Stated each and every Commissioner and the Mayor will be invited to participate in open forum. He asked Commissioner Dugger if she knows the duties of a Vice Mayor. Commissioner Dugger replied that she is learning fast.

**Sandra Campbell;** shared her concerns with the Board regarding Social Media and asked the Board to review the posts.

**Shirley Deppish;** clarified for Ms. Campbell that the media she is referring to is not an official Town site.

**Joanne Osborne;** stated that it was very rude for the Mayor to not allow Mr. Bonenberger to respond to a resident.

**Bud McFadden;** stated that Mr. Lamb, Mr. Fisher and Mr. Campbell owe Mr. Bonenberger an apology for the allegations that they made against him and commended Mr. Bonenberger on a great job he is doing.

**OLD BUSINESS –** None

**NEW BUSINESS.** Mayor Fisher nominated Commissioner Walker as the ex officio member of the Planning and Zoning Board. Motion was made by Commissioner Chiominto and was seconded by Commissioner Dugger. Motion passed 4-0. Mayor Fisher nominated Joanne Osborne to the Planning and Zoning Board. Motion made by Commissioner Marion and was seconded by Commissioner Chiominto. Motion passed 4-0

**COMMISSIONER S COMMENTS –**

**Commissioner Chiominto;** stated that we missed out on the purchase of the Port Deposit patrol car. An officer will be attending DARE program training next month. The priority is to fill the open police position with a qualified applicant.

**Commissioner Marion;** the movies in the park was a success and thanked the Public Works Department for their help. Met with the Octoraro Water Shed

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Association and the landscape architect and did a walk-through of the Triangle Dog Park. Also addressed the Social Media stated that the only official Town website is Town of Rising Sun Maryland Official.

**Commissioner Dugger;** thanked everyone for their election support. Stated that she attended the MML and attended many classes and found the training valuable and stated that her passion is to revitalize the town.

**Commissioner Walker;** addressed the Social Media problem and encouraged everyone to come and see him if they have any issues they would like to discuss.

**ADJOURNMENT** – meeting adjourned at 9:10 PM

Respectfully submitted



Rhonda Harmison  
Town Clerk

Motion to approve the minutes made by Commissioner Bernard Chiominto, seconded by Commissioner Travis Marion at the July 23, 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 15<sup>th</sup> day of July 2013.

Respectfully submitted



Rhonda Harmison  
Town Clerk

**CERTIFICATE & TOWN SEAL**