

## Commissioners of Ridgely

### Minutes August 18, 2008 Special Meeting

There was a special meeting held on August 18, 2008 at 7:00 p.m. at the Ridgely House. Chuck Hunter, President; Linda Epperly-Glover, Commissioner; Kathy Smith, Commissioner; Joe Mangini, Town Manager; Missy Vanskiver, Asst. Clerk; Joanne Stepp, Admin. Asst. to the Town Manager; Dan Divilio, The Times-Record; Archie Carroll; Leo Stepp; and Nancy Gearhart (in at 7:15) were in attendance.

**Call to Order** – President Hunter called the special meeting to order at 7:02. He stated the special meeting was a continuance of the last meeting where there was no quorum. There was an agenda specifically for the special meeting, and the work session would follow. Joe stated that the notice for the special meeting was advertised in the newspaper and the agenda was posted. He also said there was an item that was sent in by the town's attorney for the agenda, but the agenda had already been done. That item will be discussed at the work session. Joe reviewed the agenda. Chuck stated that Kathy had forwarded a list of concerns to him on August 4<sup>th</sup>, but they were neither read nor discussed at that meeting.

**Ordinance No. 311** – Chuck stated that notification had been sent, Planning & Zoning is in support of this ordinance, and it is now up for adoption. He asked Joe if the ordinance was read into the record; Joe said yes, it had been read into the record, and he read it into the record again. Joe said there has been a public hearing, and a continuation of that public hearing; there was not any opposition to the ordinance, just questions. Chuck made a motion to adopt Ordinance No. 311, seconded by Linda, unanimously approved, motion carried.

**Consideration of Approval of Award of Contract for WWTP Upgrade Phase One** – Chuck stated that the bid from Greensburg Environmental Contracting Systems was \$1.1M, which was remarkably lower than the others. Chuck also said that it was his understanding that Robin, David, and URS are also in agreement with Greensburg Environmental; Joe agreed. He also said that one of the main concerns is that the town is on a timeline, but per the proposal bid this company had no problems getting on the job site as soon as possible. They will not only be in charge of the actual ground work/ infrastructure, but the mechanical contracting too. Joe said the bid was \$1,123,984. Kathy asked about the difference in bid amounts, and if the town had anything that actually shows what the town is getting for that money. Joe said a bid package was received and reviewed by the town's engineers. Kathy asked if it was something the Commissioners should review – to see exactly what will be done. She said she has had people ask her specific questions and she has told them that Robin and David are taking care of it, and she doesn't know the particulars. Chuck said he's not disagreeing with Kathy, but the town has engineers for that reason. Kathy said she would feel better to be able to say she has seen the plans, and has a better understanding of what the companies are doing. Chuck said he is going to make his motion based on the companies having made open, comparable bids; Greensburg Environmental is a reputable company and had the lowest bid; that company is supported by the town's staff and URS; and the project needs to begin.

Chuck said he spoke with Robin and David to make sure that they were satisfied with the company. Kathy said that maybe since she is newer at this than others, she is not sure she really knows what David's and Robin's expertise is to make those judgment calls, and that she would feel better to see the bid. Joe said that if she had questions Robin, David, and URS would be able to explain the information to her. Chuck said the easiest way for anyone to obtain that information would be to be present at the bid openings. Chuck made a motion to award the contract for the WWTP Upgrade Phase One in the amount of \$1,123,984 to Greensburg Environmental Contracting Systems, seconded by Linda, Kathy abstained, motion carried.

Resolution R-07-08 – Joe said that MDE has indicated that the town's loan is being fast-tracked. Joe said a couple months ago a resolution was adopted which was a notice of intent to borrow funds, and get reimbursed by the loan. Joe read Resolution R-07-08 and the Declaration of Official Intent into the record. He then explained how the process involving the loan is going to work. Kathy asked if there had ever been discussion about any requirements of the loan, or if it is going to affect the water rates. Joe said that there has not been any discussion concerning a rate study. Chuck asked if there was any discussion in relation to this document (R-07-08). Nancy stated that she thinks the rate study is important. There was some discussion about a water/sewer study, interest rates, and the expenses available for reimbursement from the state. Kathy asked about the wording in the DRRA – if there was a specified amount the developer is to pay; Joe said that it is capped at \$4,825,000 for sewer. Chuck made a motion to adopt Resolution R-07-08, seconded by Linda, unanimously approved, motion carried.

Ordinance No. 313 – Joe said that this ordinance corrects some of the terms in Ordinance No. 312 by substituting a Line of Credit for a Bond, and shortening the time from four years to two years. There was some discussion. A motion to approve Ordinance No. 313 was made by Chuck, seconded by Linda, unanimously approved, motion carried.

Joe wanted to let the Commissioners know that he had received been in contact with Steve Horne (Elm Street Development), and has a call in to Paul Zanecki (Ridgely Park).

Request from Lister Estates HOA – Joe said a letter had been received in July 2007 from the Lister Estates HOA, asking for an abatement of the \$2500 assigned to the developer (\$1250 payment to Chicken Bridge Drainage Association and \$1250 for an insurance rider for pipe under railroad tracks to Chicken Bridge). The total cost to the Lister Estates HOA would be \$3170.98 annually, which includes a state permit access fee. The developer paid for the bills prior to the development being turned over to the HOA. One bill has been sent to the HOA, but the second one has not yet been sent. Joe explained the storm water management process/configuration as it, and associated fees, relate to Lister Estates. Joe also recommended abatement of the \$2500. Leo Stepp, Lister Estates HOA President, spoke about the HOA transfer and related issues. There was discussion concerning HOA fees and the insurance policy. It was estimated that the cost of the insurance was approximately \$5 per household. Chuck made a motion to remove the \$1200 fee that's set aside for the Chicken Bridge Ditch, because many people in addition to Lister Estates use that ditch, and

to drop the \$1250 fee for insurance to \$450/year. Chuck also said that the \$670.98 is a permit or access fee that has nothing to do with the town. Joe asked why \$450 for insurance was included in the motion; Chuck said because that is what the Lister Estates portion of the insurance cost would be, at \$5 per house. Chuck said that the compromise is that the origin of that came from that pipe access. Leo Stepp stated that everybody that uses it should pay. There was some additional discussion. Chuck restated his motion, Linda said she could go for the \$670.98 but not the \$450; hearing no second Chuck withdrew his motion. Linda made a counter-motion that the \$2500 be removed, and that Lister Estates is still responsible for the \$670.98 fee; hearing no second, the motion died. Chuck made another motion that the \$1250 Chicken Bridge fee be waived. Linda asked about the other \$1250 hearing no second; Chuck indicated his motion was only for the Chicken Bridge fee. Hearing no second, the motion died. Chuck asked if there was any more discussion; Linda said she thinks this needs to be settled. There was more discussion. Joanne asked what the next step is; Chuck said it will be to contact Chicken Bridge Drainage Association to find out if the increase in fee is strictly related to Lister Estates.

The special meeting was closed 8:27.

Respectfully Submitted,

Missy Vanskiver  
Asst. Clerk