

## Commissioners of Ridgely

### Minutes May 4, 2009

The May meeting was held in the Ridgely House on the above date at 7:00 pm. Chuck Hunter, Outgoing President; Linda Epperly-Glover, Incoming President; Kathy Smith, Commissioner; Dale Mumford, Incoming Commissioner; Joe Mangini, Town Manager; Gary Foster, Chief of Police; Kenny Rhodes, New Police Officer; Robin Eaton, Director of Public Works; David Crist, Supt. of Water/Wastewater; Dan Divilio, Times Record; and Carol Balderson, Town Clerk; were present.

The following folks were also present: John Balderson, Janice White, Betty J. Mumford, Leo Stepp, Joanne Stepp, Chuck Walls, Brenda Walls, Arlene Hege, David Hege, Elsie Ebling, Rick Schwab, Cathy Schwab, Nancy Gearhart, Toby Gearhart, Martin Sokolich, and Rev. Denzil Cheek.

**Call to Order** – President Hunter called the meeting to order with the Pledge of Allegiance and a moment of silence for our fallen soldiers.

President Hunter thanked everyone who had supported him the last 6 years. He said it had been an honor serving the residents of Ridgely. He wished Dale Mumford well, and turned the gavel over to Linda Epperly-Glover. He left at this time.

President Epperly-Glover said she had enjoyed working with Chuck Hunter. They didn't always agree, but they were still able to work together. She welcomed Dale onboard, and thanked all the town employees who have been so faithful. She said Chief Foster is already doing a great job. President Epperly-Glover went on to say that there have been a lot of challenges this past year. There have been some hard decisions. This is a new year, the election is over, and we need to put our differences aside and work together. Ridgely is a great town.

Dale Mumford was sworn in as Commissioner at this time.

Commissioner Mumford thanked everyone for their support. He hopes he earns their trust, and we will see a brighter day. There is always room for improvement. He feels there is a good base to start with. He thanked his wife; and his mother, brother, and sister for coming to see him sworn in.

President Epperly-Glover made a motion to re-appoint Carol Balderson as Clerk-Treasurer, seconded by Commissioner Mumford. Unanimously approved.

Clerk reported working here over 24 years and has seen a lot of changes. It has been an interesting time and it has been an opportunity to work with a lot of good people. Worked with Commissioner Mumford before, and that group of Commissioners was probably the best group she worked with, they complimented each other. Hoping everyone continues to work together.

**Approval of the Minutes** – Commissioner Smith said she would like to listen to some tapes before approving, and did not receive April 20 minutes in time to review. Deferred.

**Treasurer's Report** – Clerk reported a General Fund balance on April 30 of \$123,459.48, Sewer Fund - \$25,974.56, and Water Fund - \$7,574.90.

There are more bills to add to the list Commissioners received.

**Police Report** – Chief Foster reported incident comparison. In April 2008 there were 10

criminal reports; 3 assaults, 3 thefts, a breaking and entering, a telephone harassment, a trespass, and a destruction of property. This year in April they had 6 criminal reports, 4 assaults, and 2 thefts.

The Chief reported they are looking to increase foot patrol and bike patrol with additional personnel. He introduced his new officer, Kenny Rhodes.

Chief Foster said they are in the process of looking for a canine. They are looking at a 2-yr. old now. Commissioners have been given paperwork to review. He feels it is one of the most cost effective police tools you can get. He said they have received over \$5,500 in community donations. This will be enough to purchase the dog and maintain it for 2 to 3 years minimum.

Chief Foster said he is still actively recruiting for another officer.

The Chief asked for help from citizens; tips, etc.

Commissioner Smith thanked Chief Foster and his two officers for an awesome job over the last month. She is getting a lot of good feedback.

**Public Works Report** – Robin reported on his department activities in April.

24 trees were planted for Arbor Day this year.

Cathy Schwab thanked Robin and his crew for the great job on getting Railroad Memorial Park ready for Old Time Ridgely Days – it looked great!

**Water/Sewer Report** – David reported 32 days holding capacity in the lagoons. He reported on his activities in April.

**WWTP Upgrade** – David reported that there is only minor work left to be done. The start up date has been set for May 13.

President Epperly-Glover asked if there would no longer be any stream discharge.

David replied it will still be in the permit from January through March. It probably won't be needed unless there is a period with unusually heavy rains.

Commissioner Mumford asked how the 200,000 gal. capacity from the work being done treats the lagoons.

David said the lagoons were designed for 200,000 gals. The state said, based on records, we have been at about 175,000 gals. It will take a year or so to get the numbers to show we are at 200,000 gals.

Nancy Gearhart asked if MDE will make us wait a year for the allocations.

David and Joe think it will be okay when MDE sees the plant functioning properly.

Commissioner Mumford said it used to be that MDE would not grant 100% use, it was 80% of the capacity.

David said our EDUs are set higher (300 gals.) to allow for I & I and reserve.

**Other Board/Commission/Committee Reports** – **Planning/Zoning Commission** – Toby Gearhart reported they approved a permit for new house in Ridgeway Estates and a porch permit on Maryland Ave.

Toby said they voted to expand the Historic District to include the train station. Currently the Ridgely House is the only building included.

**Ridgely Historical Society** – Report on “Olde Tyme Ridgely Days” – Cathy Schwab and Brenda Walls thanked everyone for their help. There was lots of food, fun, and music.

Chuck Walls reported that Stanley Hutchison sent a crew over to repair the roof of the train

station at no cost.

Cathy Schwab is trying to get a Farmer's Market started in town.

Nancy said the money raised at all of the Historical Society's fund raisers goes toward the town clock.

Nancy said they had the annual meeting at the Schwab's house with John Wilson as the guest speaker.

Ridgely Tree Commission – Toby thanked Robin for his work on the trees. He said volunteers from the Methodist Youth Group helped plant the trees for Arbor Day. He said folks should drive around town and see the canopy of trees.

Commissioner Smith asked about an appointment for EDC.

Joe said they need someone on the Tree Commission. He will check the roster.

Town Manager's Report – Joe welcomed Commissioner Mumford. He also thanked all the volunteers doing a lot of work around town.

MDE Funding – Joe reported the stimulus requests for the water tower, I & I, and municipal public safety building were not approved. The letter received indicates there is a designation of a 0% interest loan for \$1.5 million for the WWTP Upgrade from MDE. The bank loan is 6% interest.

WWTP Sewer Allocation Numbers – Joe reported the latest flow figures at 115,688 gals. That leaves 84,312 gals. remaining; with the allocation that has been committed and reserved the remaining capacity is 46,912 gals.

There is to be 36,000 gals. reserved for the Tech Park when the proposed upgrade from 200,000 gals. to 300,000 gals. occurs.

Development Projects – Weese – Joe said he is expecting a sewer allocation renewal in the next couple of weeks.

Mid-Shore Regional Business Park – Joe reported this is completed and that JOK Walsh has agreed to start marketing.

Cow Barn Property/Project – Joe reported the Planning Commission has authorized him to send a letter to the owner detailing the next step to pursue on his subdivision.

Greater Ridgely Rails to Trails Project - Joe reported that the redesign was completed and approved by DNR. Hopefully, on Wednesday, the Bd. of Public Works will approve the sublease.

Cow Barn Athletic Field Facility – Joe reported that he has submitted invoices to the County for Little League expenses of about \$14,000 to put electric in. (There is a County grant for \$75,000).

Ridgely Railroad Station Renovation Project – Joe reported the grant that Joanne Stepp worked on for \$75,000 has been approved with no match required. The Bd. of Public Works will have to approve.

Other Pending Issues – Concepcion Request – Joe reported the Commissioners have said no because the property is outside of the town limits; nothing until annexed. The Concepcions have sent another letter asking for more answers.

A resident from Caroline Avenue complained about the smell and taste of the town's water. David said he will check it out tomorrow.

Bell Street Sewer Pumping Station – Joe reported meeting with the County. There was some concern over a payment the County made to the Town. The agreement with the County was to pay us \$207,500; they deducted their own engineering fees from this. They paid the \$36,300 to us, but there is some disagreement over it.

Joe is working on paperwork for this.

MES Proposal – Joe said MES talked to them about treating the leachate from the landfill. They would fund part of the operation of the plant. They are also talking to Denton.

Commissioner Mumford questioned the rain garden for the Rail to Trail; why required?

Joe said they are looking at it now because the changes to the plan will create a drainage issue that wasn't there before. They wanted it to run the whole length. Cindy Todd talked them into 90 feet.

Commissioner Mumford also questioned a letter dated May 23, 2008 – “subsequent to the upgrade, a developer intends to reimburse the Town for the upgrade, and additionally pay for upgrading the system's capacity to 300,000 gals. to serve their housing units”.

Joe said he has informed MDE and DBED that the Ridgely Park project will not be occurring.

Commissioner Mumford said we should act on the DRRRA and get that out of the way.

Joe agreed that legal counsel needs to get involved.

Toby said the Planning Commission received a letter from Jack Hall regarding this.

Commissioner Mumford and President Epperly-Glover agreed that another letter needs to be sent to the Concepcions stating again that it can't be done.

Joe said Leo Stepp is up for reappointment to the EDC.

President Epperly-Glover made a motion to re-appoint Leo Stepp to EDC, seconded by Commissioner Smith. Unanimously approved.

Joanne Stepp said she sent an email to the Commissioners and Joe on April 24 offering to manage the grant for the Railroad Station. She did not receive an answer. She would like to follow it through. She would involve JOK Walsh because of the historical value.

Commissioner Smith said they are not ready for that yet-need to involve JOK Walsh. He knows how to get more funds.

Commissioner Mumford questioned use for a community building. If RVFD gets a new building maybe the Town could get their old building.

Toby asked Joe to explain the leachate situation from the landfill.

Joe read from the letter – The time period would be at least 50 years.

David said this is runoff from the landfill. It will be high in nutrients. It would have to be pretreated before it reached us.

Joe said leachate is produced when precipitation falls on landfill cells and passes through the disposed solid waste. Impervious materials that line each of the landfill cells collect the leachate preventing it from infiltrating into the ground. The leachate is then removed from the cell by means of a gravity collection system and stored in an onsite storage tank prior to final disposal.

Toby questioned restrictions on medical waste, etc.

Martin Sokolich questioned all this coming to Ridgely and sitting in our lagoons for months...then it would be sprayed

Joe said they would have to pretreat before it came to us.

Rich Schwab asked if they will be able to meet the deadlines for 2010.

David said he doesn't think it will ever come to us because we don't treat for nitrogen and phosphorous because we aren't required to. They would have to build a pretreatment facility, and their best bet would be to go to Denton or Easton.

Robin said they have a pretreatment system at the landfill in Easton, then it goes to their old lagoon where it sits and slowly goes into their system.

Nancy asked if we could have someone from MES come to a meeting to discuss several issues.

**Old Business** – Ordinance No. 321 – “An Ordinance of the Commissioners of Ridgely Accepting as Public Streets of the Town, and Assuming Responsibility for the Maintenance of Lister Lane, and Robin's Court, and That Portion of Carroll Lane Lying Between Lister Lane and Walnut Street in Lister Estates”

Joe said the Town Attorney concurs with him that there is no maintenance bond in the Public Works Agreement. Upon completion of the work the bond can be reduced to a certain point.

There is a list of issues that needs to be addressed. We are holding \$300,000 right now, and he doesn't feel we need to hold that much. He will check with URS for amount.

Robin said we need as-builts and a list of subcontractors so that we can check to be sure they were paid and it doesn't come back on us. He is in a “catch 22” because technically there are things he is not supposed to take care of until this is done.

Leo Stepp said some things on the list were done, but have cracked, etc. Ryan Homes may be responsible for some of the items.

Some discussion on drainage into the stormwater management pond from properties that are not in Lister Estates.

**New Business** – 1) Consideration of Award of Trash Removal Contract – Joe said they had a bid opening on April 27 at 1:00 pm here at the Ridgely House. He and Robin attended along with some bidders. Allied Waste bid \$44,928 for residential (does not include tonnage) and \$4,872 for commercial (includes tonnage). M-T Trash bid \$41,472 for residential (does not include tonnage) and \$9,900 for commercial (includes tonnage). Waste Management came in highest. Cahall Recycling's commercial portion does not include tonnage, but residential is \$44,928 and commercial is \$3,792 (not including tonnage). Allied Waste and Cahall came in at \$6.50 per edu (what we are paying now). M-T Trash came in at \$6.00 but when you look at the total figures Allied Waste came in lowest because of the commercial.

Commissioner Smith said she brought a letter to the March meeting from Allied Waste saying we could piggyback off their price of \$4.95. She requested at that time that Robin research that. Robin said the trash had to go to bid, per Town policy.

Commissioner Smith said, per Jack Hall, the Commissioners can change the policy.

Chuck Walls said most governments use the bid process to get the best price. They don't pick and choose when they want to utilize the policy.

Commissioner Mumford said we need to check with the Town Attorney and see what can be done.

Betty J. Mumford asked if you have to use the same vendor for residential and commercial pickups.

Commissioner Mumford asked if commercial could be left to the businesses.

Commissioner Mumford said Robin should check with the businesses that have trash service now and see if they would rather go out on their own for that service.

Nancy said they should talk to all the commercials and see what they are paying now.

John Balderson said MDC pays \$225 to haul a dumpster and it's \$57/ton.

Commissioner Smith will check with the Town Attorney and this will be discussed at the Work Session.

2) Adoption of Services & Administrative Fee Regarding Semi-Annual Tax Payments (Caroline County) – Joe said the letter from the County Comptroller explains that in the past the County has collected the taxes for the Town, and submitted those taxes to us at no charge. Starting with the collection of taxes for FY2010 there will be an administrative fee of 1%. This is an additional charge.

The ordinance is for the service and administrative fee regarding semi-annual tax payments. The County Commissioners have adopted a .9% service fee and a 10% administrative fee for 2009-2010. Each municipality has to adopt the same rates.

President Epperly-Glover made a motion to adopt Ordinance No. 322 adopting these rates, seconded by Commissioner Mumford. Passed unanimously.

Commissioner Smith acknowledged receipt of a letter from RVFD requesting their funding for this fiscal year, and asked when it would be paid.

Joe said we may be able to pay part with the balance at year end.

**Public Comments** – Martin Sokolich said if they were going to discuss the trash situation at the Work Session they should involve the Ethics Commission, because if you are talking about taking a Town Policy and for some reason, waiving it, you're setting a precedent. It doesn't make sense to have a policy if you can arbitrarily just go and not do it. He said he understands the impulse in wanting to save people money; half the people in this room are in business and he was trying to imagine being on the other end of it.

Commissioner Mumford said they will talk to the Town Attorney before they do anything.

Arlene Hege said they received an offer of some property for a community garden; need to find someone to work it up.

Leo Stepp said in reference to the gentleman's complaint about the water, the Fire Dept. has been doing some training at the school. A couple of weeks ago they pumped out a lot of water and he noticed after that his water seemed heavily chlorinated. This happens every two or three months.

President Epperly-Glover made a motion to pay the bills, seconded by Commissioner Mumford.

Motion passed with the exception of one bill.

Meeting adjourned at 9:40 pm.

Respectfully submitted,

Carol A. Balderson  
Clerk