

**COMMISSIONERS OF RIDGELY
TOWN MEETING
JULY 18, 2011**

The July Commissioners Meeting was held in the Ridgely House on the above date at 7:00pm. In attendance were: President Dale Mumford, Commissioner Linda Epperly-Glover, Commissioner Anthony Casey, Town Administrator Diane Wojcik, Clerk-Treasurer Stephanie Berkey, Assistant Clerk-Treasurer Melissa Leonard, Wastewater Superintendent David Crist, Director of Public Works Robin Eaton and Chief of Police Gary Foster. Others in attendance were: Gary Vogt, Rick & Cathy Schwab, Robert Musselman, Terrie Vacek, Mike Rex, Mike Redgraves, Archie Carroll, Gerald Sutton, Carol Balderson and Dan Divilio.

President Mumford opened the meeting with the Pledge of Allegiance followed by a moment of silence in honor of those serving our country.

APPROVAL OF MINUTES: Commissioner Epperly-Glover made a motion to approve the minutes from the June 20, 2011 meeting. 2nd by Commissioner Casey unanimous approval.

TREASURER'S REPORT: Bills were presented to the Commissioners. Commissioner Epperly-Glover made a motion to pay the bills, 2nd by Commissioner Casey, unanimous approval. Total General Funds - \$202,835.29, total Sewer Funds - \$175,333.30 and total Water Funds - \$67,764.57. Checks are being prepared for the transfer of funds to allot for the 22% increase for the 2nd quarter into the water and sewer accounts of the Local Government Investment Pool. \$18,883.85 will be transferred into the sewer account and \$14,440.23 into the water account. The K-9 account has been closed.

POLICE REPORT: Chief Foster presented his report and noted that the spike in arrests was as a result of bad check writing. The officers are working a modified schedule to try and allow for more coverage. The new vehicle has been ordered as of June 30th. With the Commissioners approval he will order the 2nd vehicle. It will take about 8-10 weeks for delivery. Commissioner Casey made a motion for Chief to order the 2nd vehicle, 2nd by Commissioner Epperly-Glover, approved. Gary Vogt informed the Chief there is a gentleman that has been driving through the town "dumpster diving" on a regular basis, is there anything the police can do about this? Chief asked if possible to get the man's tag number and we can try to find out who he is and stop him. We could charge him with littering and will be on the lookout for him. Mr. Vogt informed the Chief that this man is usually here in the mornings and on the weekends.

WATER/WASTEWATER: David presented his report and informed the Commissioners of the current status of the water tank. On July 13th we began draining the water tank and got it down to about 45 PSI as we have in the past, we began to close it down and shut the valves. Everything seemed fine. Thursday afternoon the contractor arrived and the water level was steady going down. Friday morning about 7am the contractor discovered that the water level had been rising and was halfway up the tank. The gate valve had to have failed sometime on Thursday or Thursday night. David has been in contact with Garrison Enterprises in New Jersey in regards to fixing the problem with a hydro-stop. There is not a 100% guarantee that this will work and David has concerns about this approach. He talked to the contractor today and they can put a temporary cork stop in this line to allow them to take the old gate valve out and put a new one in. They could be here in 2-3 weeks to fix it, but the cost will be \$9,000 - \$12,000. The valve has been in there for 25-30 years. President Mumford asked what the danger would be to have the cork in without the gate valve. David said there is a chance the cork could fail and could fall into the pipe and the town would have no water. The contractor has said that the inside of the tank is not that bad and recommended doing the outside of the tank before the inside. Diane contacted Maryland Department of the Environment and that we would like to treat this as an emergency and if it is declared an emergency we could get funding for a new tank. President Mumford agreed with David's suggestion

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that we get the inspector to come and look at this. David will talk with Russ Brown about the maintenance agreement for the tank. David does not think it needs to be entirely repainted, but cleaned. The Commissioners agreed that a meeting needed to be set up with the inspector to get a second opinion. David will call Garrison to find out about a set price.

David also reported that we currently have 150 days holding time and no rain in sight. We can only go down about 18 inches in each lagoon. We are losing at least 2 inches a week in the lagoons because of evaporation.

PUBLIC WORKS: Robin reported that it was a busy month reading meters, but it is starting to slow down. President Mumford asked about the walking trail being sprayed. Robin said that rubble and weather held us up, but the trail is at the top of the list. Cathy Schwab asked if tree limbs could still be put out for brush, yes if they are less than 4 feet long and 4 inches in diameter. Commissioner Casey asked about the grass that grows in the ditches along properties. Robin said that in his tenure it has not been the Town's responsibility. Commissioner Casey indicated that perhaps it should be. Robin indicated that Codes Administrator Cary Malkus would send letters to the homeowners to mow the ditches. The town does not have the equipment to mow ditches. Commissioner Epperly-Glover asked about the weeds that are growing in the cracks of the streets. He indicated that he may need to take the backhoe and scrape them up as they are so far gone. A street sweeper would be nice. Bramble used to sweep the streets and still tries to, but it is far behind. It is a matter of manpower and time. President Mumford asked Robin to contact Bramble to come on a regular basis to sweep the streets. Cathy Schwab asked about the possibility of hiring a part-time person to help public works for a few weeks. There are few things that they could do other than mowing without licenses and supervision. Danny's will continue to do brush and leaves and Betty Ballast's crew will help with the leaf pick-up in the fall. The Commissioners are not ready to hire someone at this time. Commissioner Casey reported that at the MML Convention he was informed that the \$35,000 we received this year from state highway is a one-time deal and we will not be getting it again next year. President Mumford asked Robin to get in touch with Danny Hutchison and Bramble regarding this discussion.

TOWN MANAGER: ORD 2011-04 Grass Violations was presented for signing. President Mumford asked if there were any comments. Carol Balderson asked how the ordinance can be made retroactive. The ordinance will be retroactive to include the full 2011 calendar year. President Mumford did not see why it could not be made retroactive. Asst. Clerk-Treasurer Melissa Leonard said that it was intended to include the current grass cutting season and current offenders, some of which are already on their 3rd offense. President Mumford said that maybe the wording should not read retroactive and instead change it to "apply to all active cases." Mr. Vogt said that Charter Government does not allow you to go retroactive. President Mumford understands the reservation about this. The Commissioners agreed that the ordinance needs to be redrafted before they would sign.

Diane presented a card for the Commissioner to sign welcoming the new County Administrator.

The interior storm widows have been installed. We are to pay the contractor and the State will reimburse us. The application for the reimbursement has been sent.

All of the bump-out gardens are under cultivation. So far it has only cost \$1,433.

Martin Sokolich has reviewed the outline from Shane Johnston regarding what is needed to update the planning and zoning regulations, last updated in 1997. Task 1 is drafting the zoning ordinance text at a cost of \$7,900.00. Task 2 is the zoning maps, which we will need next year (cost \$2,625.00). Task 3 is for a draft of Subdivision Regulations Text (\$2,450.00). Several public hearings are integrated into the process. Task 6 would finalize the Ordinance, Zoning Map, Subdivision Regulations and prepare for official adoption. This revision would last a long while and asks the Commissioners to consider adding this project to the current year's finances.

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We had to have service on the air conditioners in the Ridgely House. They are old and in need of replacement. Diane has found a program through Delmarva Power that will pay 50% for an energy efficient system HVAC that they approve. Is it ok to pursue? The Commissioners approved. Diane requested that Ridgely joins the Maryland Mayors Association. The Commissioners discussed that the problem is that we rotate a President every year, they declined the request.

Diane has been working on a salary comparison with other towns, but other towns are not being cooperative. The last comparison was done in 2005.

A letter went to the County on June 21 regarding the tech park water and sewer allocations. It was a bill in the form of a letter. As yet there is no response.

We have had meetings regarding the Christmas lights and are getting quotes for LED lights. Diane requested that we donate \$800 to the Lions club for their efforts. It will be considered at the next meeting.

Sprinkler systems - we have seen where our infrastructure is not adequate for line size or pressure for sprinkler systems. Do we want to make any changes to the sprinkler system requirements? President Mumford responded that our ordinance follows the law of the State requiring them to be installed in new construction. A discussion followed about the town's infrastructure and how they are connected and why the ordinance has been passed. Diane asked Robin if there was a fire and 2 houses had to use the sprinkler system, would that affect the hydrant? Robin said that it shouldn't, they are not putting out a large flow. Insurance companies actually charge more for homes with sprinklers because of faulty sprinkler systems. Mr. Carroll agreed. Commissioner Epperly-Glover said that this is going to be a recurring issue. She was Commissioner when the sprinkler law was first presented and the idea was to save lives. The Commissioner at that time did ask if it would affect the current water system and were told that it would not. President Mumford stated that this is a law that the State passed and we are supposed to comply with this law. Commissioner Casey stated that the County and Town does have the option to not accept this law. Dan Divilio from the Times Record agreed and said that the County had in fact voted to make it optional. President Mumford suggested that we get more information and continue to discuss this at the next meeting.

Town Commissions – we are in need of persons to fill some of the Town Commissions. There is a notice on the website.

Sue Simmons is working on an application for Program Open Space and US Tennis Association grants for the tennis courts. Diane is meeting with Mike Parks on the 23rd about the tennis courts.

We have met with Comcast and will be changing our phone service over to them at a much cheaper cost. Savings should be over \$2,000 a year.

Diane presented copies of the request for funding from USDA for the snow plow blade for the Commissioners to sign.

OLD BUSINESS

President Mumford received a letter from the Preservation of Maryland requesting a contribution for economic development. The Commissioners discussed the situation and decided against the contribution. Diane will send them a letter.

The auditors were here in June for their preliminary field work. They were only here for one day and everything went well. They will be back in September for the audit.

NEW BUSINESS

Robert Musselman asked the commissioners for relief on his water bill for a commercial property on Bell Street. He indicated that between the taxes and the water bills, he would need to rent out more than 50% of the buildings space to break even, but the high water bills are causing prospective tenants to move elsewhere. A discussion followed and President Mumford explained that the town has a \$1.5 million state loan it has to pay for the town's wastewater treatment system, and even if a building is not occupied, it is still hooked up to that system and using the allocations. The commissioners did not grant any relief to Mr. Musselman, but did agree to take his concerns under advisement. The Commissioners will look

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into different billing options. Mr. Vogt asked if it would be possible to apply a vacant property fee to this building. He was informed that there is a commercial vacant property fee and that it has been applied to the appropriate units. Mr. Musselman indicated that he is very willing to sell the building if there was anyone that would be interested.

Gary Vogt expressed his concern that the town is in violation of the charter government regulations. He specified that the addition of water and sewer charges for an apartment is in violation of this. He is upset that he is being charged for the flush tax based on the number of units in his buildings rather than the number of EDU's. Asst. Clerk-Treasurer Melissa Leonard responded that we did correct the issue on one of his accounts and if he brings in the information on the other building she would apply it that account as well. Mr. Vogt questioned the amount of Bay Restoration Fee money that would be due back to him. Melissa responded that she has been in contact with the State about the amount and how he is to go about getting a refund and will let him know when she gets the correct information.

Mr. Carroll said in regards to economic development that the town should consider reducing the impact fees as the economy will start to improve and the town should want to make it easier for development in Ridgely. The Commissioners said that this has been discussed before and that our impact fees are in line with other towns, if not cheaper. If we cut revenue we are going to be back in the hole. Mr. Carroll responded that if we don't lower the costs no developers will build and then our expenses will go up. Gerald Sutton spoke up and said that we need to have a good economic development group that would take into account the "good times and the bad times." Most business owners don't have the time to be on the EDC but we really need a good one and some ideas and different approaches. It costs the town a lot of money to run the town and we cannot afford to give up any revenue. He does not feel that we are doing much to help the businesses in this town and that needs to change. The town needs a group that prepares for growth and development. We need to be listening to the business people and the issues that can help in these difficult times.

Mr. Carroll had asked to be on the agenda for this meeting. He is pleading with the board to get Jack Hall to get his project finished. Diane responded that we have papers that we need Archie to fill out from Jack. Archie indicated that Jack will not talk to him and has been dragging this façade easement for 2 years. Can the commissioners please get Jack to get the façade easement and ordinance here for the next meeting? Diane responded that the plats are out of date and she has called EMS requesting updated plats, but has not received anything. The application for the floating zone has never been signed. These were taken over last week to Mr. Carroll's office. President Mumford said that Diane's summary seems accurate and that the following information needs to be assembled in order for this project to move forward: 1. Plats for town homes must be updated to eliminate all outdated references as identified by the town attorney and presented to the planning commission. 2. Application for an assignment of the property to a floating zone has to be signed and in correct, current, usable formation." Archie will look into this. This has been going on since 2006 and both Mr. Carroll and town have paid Jack Hall a lot of money. Linda agreed and said that we would like to get this settled as well.

Asst. Clerk-Treasurer Melissa Leonard presented a request from town resident Mrs. Glover. She is requesting an abatement in the amount of \$104.00 for a water leak that occurred at her house. The leak is on her end, but she believes that public works should have caught the leak. The Commissioners unanimously agreed to decline her request.

PUBLIC COMMENT

Cathy Schwab commented that she understands Mr. Carroll's concerns and complaints about Jack Hall. She also believes that the town is being "sucked dry" with legal fees. He needs to get back to us in a timely fashion as it is embarrassing. The Commissioners need to ensure that he is regulated. President Mumford responded that he has worked with Mr. Hall for 10 years and has a different opinion. Cathy said personal opinions aside this still needs to be addressed.

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On a happier note she and Rick the prior owner of the caboose provided a bunch of newspaper clippings about the caboose and that it is the model for the American Flyer model train. She has done research trying to get confirmation that the information is correct. She sent a letter to Mr. Morganstern, the last owner of the caboose and they are meeting with him next week to discuss the history of the caboose. He has suggestions on refurbishing ideas and is excited to get involved. It was commissioned on June 25, 1931. It is the caboose that the model train is based on. He is interested in getting MES and other sponsors involved. He may ask the town for a letter stating our interest/intent of the caboose for the Railroad Interpretive Center. Diane said that the Commissioners have approved the caboose for this purpose.

The Commissioners and residents at the meeting had a discussion of possible people for the economic development commission. Diane will get a list of who is actually on it already and where we need people.

Cathy Schwab asked if there was any way for people to drop off a suggestion sheet for the EDC at the town hall. Diane said as she is getting the addresses together so that we might be able to do this.

Rick Schwab said that the historical society is trying to get the water fountain working again and has an estimate. He has talked to Robin about a water line for the fountain from the train station. He has about \$9,000 left on the \$30,000 grant. Can we go ahead with this? President Mumford asked if there is a well in the area of Bell Street. Robin responded that he thought there was but it was abandoned and does not go to the system. It is capped and closed off. Rick said that this was well within the budget. President Mumford said that the commissioners had already signed a letter to this effect.

Commissioner Epperly-Glover made a motion to adjourn the meeting, 2nd by Commissioner Casey. The meeting was adjourned at 8:55pm.

Respectfully Submitted,
Stephanie L. Berkey
Clerk-Treasurer