

**BOONSBORO MAYOR AND COUNCIL
REGULAR MEETING MINUTES
MONDAY, MARCH 6, 2017**

The Mayor and Council of Boonsboro held their Regular Meeting on Monday, March 6, 2017 in the Meeting Chambers of the Charles F. 'Skip' Kauffman Building. In attendance were Mayor Howard W. Long, Assistant Mayor Cynthia Kauffman, Council Members Janeen Solberg, Brigitte Schmidt, Rick Byrd, Marilee Kerns and Terry Davis. Also present were Town Manager Megan Clark, Police Chief Charles Stanford and Administrative Assistant Kimberly Miller. The meeting convened at 7:00 PM with the pledge and the invocation offered by Mayor Long.

APPROVAL OF MARCH MEETING AGENDA

Mayor Long requested the approval of the March 2017 Meeting Agenda. **Motion** by Council Member Solberg, second by Assistant Mayor Kauffman to approve the **March 6, 2017 Regular Meeting Agenda**, and motion carried.

REVIEW AND APPROVAL OF DECEMBER MEETING MINUTES

- **Motion** by Council Member Solberg, second by Council Member Schmidt to approve the **February 2016 Regular Meeting, Workshop Meeting and Workshop Executive Meeting Minutes** as amended, and motion carried.
- **Motion** by Assistant Mayor Kauffman, second by Council Member Davis to approve the **February 2017 Treasurer's Report**, and motion carried.
 - Council Member Kerns inquired as to why the Mayor and Council do not receive a copy of the Water and Sewer Funds Treasurer Reports each month to review. Town Manager Clark stated that they are separate accounts that are maintained and approved by the Boonsboro Municipal Utilities Commission.
- **Motion** by Assistant Mayor Kauffman, second by Council Member Schmidt to approve the **February 2017 Bills to be Paid Report**, and motion carried.

RECOGNITION OF EMPLOYEES

- **Pete Shumaker, Utilities Superintendent.** Superintendent Shumaker was honored for his dedication, knowledge and work ethic in running the Waste Water Treatment Plant. The Plant has received numerous Performance Awards during the 8-years it has been online and received the 2016 Exceptional Plant Performance Award from Aqua Aerobics.
- **Dave Poffenberger and Ryan Ward, Municipal Service Workers.** Mr. Poffenberger and Mr. Ward were honored for their extraordinary service in calling the Boonsboro Fire Department after hearing a Park View Drive resident's smoke alarm. The Fire Department kicked in the door and discovered a stove fire and the resident non-responsive. Thanks to Mr. Poffenberger and Mr. Ward's fast thinking, this resident and home were both saved.

Mayor Long welcomed Scout Daniel Stouffer, from Troop 20, who was attending the Meeting as a requirement for his Eagle Scout.

MAYOR AND COUNCIL MEMBER CORRESPONDENCE

- **Council Member Schmidt** thanked Town resident Roland England for planting and taking care of the trees in Shafer Park
- **Assistant Mayor Kauffman** stated that Council Member Schmidt, Council Member Kerns and she attended the Eagle Scout ceremony for Zane Poffenberger on March 5. Eagle Scout Poffenberger's Eagle Scout project was the rehabilitation of the William Boone Grave site behind the Trinity Reformed United Church of Christ.
- **Assistant Mayor Kauffman** stated that she attended the quarterly meeting for the Community Life Center at the Boonsboro Hospice Center

Police Department Report – Chief Stanford. The Police Department received 218 calls for service, which included 192 motor vehicle violator contacts for the month of February 2017. There were 2 adult criminal arrests for CDS Violations, 0 adult traffic arrest, 0 juvenile arrests and 0 juvenile traffic arrests. Stated that the Department collected 5.4 pounds of prescription drugs through the Drug Turn-In Program for the month of February 2017. All Officers attended in-service training during the month.

NEW BUSINESS

Washington County Commission on Aging: Town Manager Clark stated that Amy Olack, Executive Director of the Washington County Commission on Aging, Inc., presented a request to use Eugene C. Smith Community Center 3-times per week as a

congregate site Senior Center. She stated that the Commission on Aging is requesting the use of the building from 9am until 1pm on Mondays, Wednesdays and Fridays to allow seniors in the Boonsboro area to meet for socialization and a nutritious noon-time meal. She further stated, pending approval, that the Commission on Aging plans to make the investment of providing new padded folding chairs, round tables and a stove to the Community Center, as well as a hand washing sink and locked refrigerator. Town Manager Clark provided the Eugene C. Smith Community Center Lease Agreement which includes a monthly usage fee of \$125 for the Councils' review and input. **Motion** by Council Member Solberg, second by Council Member Byrd to approve the Lease Agreement with the Washington County Commission on Aging, Inc. for the use to use Eugene C. Smith Community Center 3-times per week as a congregate site Senior Center with a monthly usage fee of \$125, and motion carried.

South Mountain Little League License Update: Town Manager Clark presented the *South Mountain Little League License Agreement for the Little League Ball Fields* for the Mayor and Councils review and input. She stated that the proposed License Agreement between the Town and SMLL for the land located at 6819 Monroe Road has been drafted to replace the 1980 SMLL License Agreement and covers a time period of 20 years with the option to renew the License for 2 additional periods of 5 years each. She further stated that Attorney Wantz has reviewed the proposed License Agreement. **Motion** by Assistant Mayor Kauffman, second by Council Member Schmidt to approve the *South Mountain Little League License Agreement for the Little League Ball Fields* as presented, and motion carried.

- Alan Mullendore, on behalf of the Antietam Youth Athletic League, asked what the process would be to request field usage and what that fee would be to use the South Mountain Little League fields. Town Manager Clark stated that Mr. Mullendore would need to contact SMLL President Ernie Harr to discuss field usage and associated fees.

County Commissioner Boonsboro Meeting – March 14th: Town Manager Clark reviewed that the Washington County Commissioners will hold their annual Boonsboro meeting on Tuesday, March 14, 2017 at 7:00 PM in the C. F. Kauffman Building Meeting Chambers. She provided the letter to the Commissioners with the following items for discussion as requested by the Mayor and Council:

- Extending a 'Thank You' for the POS and ARC Grants
- The request for the Washington County Inmate Program to be reinstated
- The Waste Water Treatment Plant Debt
- The influx of growth in South County and the need to update the conditions of the Boonsboro Schools
- The ongoing need for public transportation in Boonsboro
- NPDES Phase II General Permit

Motion by Assistant Mayor Kauffman, second by Council Member Schmidt to approve the letter to the Washington County Commissioners for the March 14, 2017 meeting as presented, and motion carried.

2016 Annual Planning and Zoning Report: Town Manager Clark, on behalf of the Planning Commission, presented the 2016 Planning and Zoning Annual Report, in accordance with the Land Use Article Section 1-207 of the Maryland Annotated Code. She stated that the Report will be published online and sent to the State after it is approved by the Council. **Motion** by Council Member Solberg, second by Assistant Mayor Kauffman to approve the 2016 Planning and Zoning Annual Report as presented, and motion carried.

Fiscal Year 2018 Sanitation Contract: Town Manager Clark reviewed that she received the request from Apple Valley Waste to extend their Sanitation Contract for 1-year through June 30, 2018 at their year 3 proposal rate of \$129,749 per year and the twice a year bulk trash collection at the same flat rate of \$995 in the Fall and \$995 in the Spring. She stated that the contract rate is a \$3,744 increase over the current rate of \$125,975 per year. **Motion** by Assistant Mayor Kauffman, second by Council Member Solberg to approve the 1-year extension of the Apple Valley Waste Sanitation Contract through June 30, 2018 at the AVW year 3 proposal rate of \$129,749 per year and the twice a year bulk trash collection at the flat rate of \$995 in the Fall and \$995 in the Spring, and motion carried

2017 - 2018 Mowing Contract: Town Manager Clark reviewed that she received the request from Simply Divine Lawn Care Service to extend their Mowing Contract for the 2017- 2018 Season at their current rate of \$1,110 per week, which includes the 2 large stormwater ditches at Orchard Drive from Valley View Court to the GESAC property and at Kinsey Heights along Lanafield Circle. She stated that the Town will be asking the Washington County Commissioners at their March 14th Boonsboro Meeting about the much needed twice a week ground maintenance assistance from Washington County inmates for various work details, including weed eating in the storm drains. Council Member Kerns stated that the Mowing Contract did not include 'extensions' and that the Town Charter does not include anything regarding extensions. Town Manager Clark stated

the Town has extended contracts in the past and the Charter does not state that extensions are not permitted. **Motion** by Assistant Mayor Kauffman, second by Council Member Schmidt to approve the 1-year Mowing Contract extension with Simply Divine Lawn Care Service for the 2017- 2018 Season at the current rate of \$1,100 per week, with Council Member Kerns opposing, and motion carried 5-1.

Equal Opportunity Plan: Town Manager Clark stated that as a recipient of Federal Funds through the Appalachian Regional Commission Grant (ARC), the Town is required to comply with all Federal statutes, regulations and Executive Orders relating to Civil Rights, fair housing, non-discrimination and equal opportunity. She stated that she is recommending the approval of the Equal Opportunity Plan, which was reviewed by Town Attorney Wantz. **Motion** by Council Member Kerns, second by Assistant Mayor Kauffman to approve the Equal Opportunity Plan as presented, and motion carried.

Yard Debris Site Expansion: Town Manager Clark presented the request, on behalf of Public Works Superintendent Greg Huntsberry, to expand the Yard Debris Site on Monroe Road that has been in use for the past 15 years or so. She stated Town staff is currently unable to push the piles of debris higher to create additional space and more space is required to be able to take in more debris. She further stated that Superintendent Huntsberry is recommending contracting with Custom Landscape Management to remove 43 Sumac trees to create additional space for the cost of \$3,580 and to use a track loader to push the existing debris piles higher, noting that the new additional space would serve the Town for approximately 5 to 10 more years. Council Member Kerns inquired as to where the unbudgeted \$3,580 would come from. Town Manager Clark stated that it could be taken from Contingency Funds. Council Member Kerns asked if any other options have been explored. Town Manager Clark stated that there is currently no place to store the mulch from the yearly tubgrinding and that the Town would need to apply for a permit from MDE to sell the untreated mulch. Council discussed various options for the site. **Motion** by Council Member Schmidt, second by Assistant Mayor Kauffman to approve the expansion of the Yard Debris Site by contracting with Custom Landscape Management to remove 43 Sumac trees to create additional space for the cost of \$3,580 and to begin the permit process with MDE to sell the untreated mulch, and motion carried.

COMMISSION REPORTS

Public Safety Commission – R. Byrd. Meeting held on February 16, 2017. Discussions included updates on the Sycamore Run resident's concerns regarding loud disturbances and racial harassment from individuals driving in his neighborhood, an update on the status of the grant process for the speed trailer, the SHA Meeting on March 16, 2017, and the donation to the Police Department of a 2007 Dodge Charger from the Washington County Sheriff's Department.

Park Board –M. Kerns. Meeting held on February 22, 2017. Discussions included plans for the Stream Clean-Up, Fishing Derby, Wagon Train and Independence Day Celebration events, upcoming Summer Concerts, and the possibility of purchasing an outdoor movie screen and suggestion to host 4 movies this Summer.

Utilities Commission –T. Davis. Meeting held on February 16, 2017. Discussions included a status update on Well #8 and the cloudy drinking water issues, the Fiscal Year 2017 Mid-Year Budget Review, an update on Capital Improvement Projects, the status of the Wastewater System Root Management Program, and the training budget for the Short Course Registration for June 4 to 9, 2017.

Planning Commission –J. Solberg. Meeting held on February 28, 2017. Discussions included the scheduling of a Joint Public Hearing for the Request for a Zoning Map Amendment for Battlefield Estates, the Concept Plan Review for Battlefield Estates, approval to recommend the approval of the 2016 Planning and Zoning Report to the Mayor and Council, and the approval of the Request for Bond Reduction/Release from Dollar General.

Economic Development Commission –C. Kauffman. Meeting held on February 22, 2017. Discussions included updates on the Spring rack card, ideas to promote the *Love Your Local* First Saturday event, update on the 225th Anniversary event plans, the Fiscal Year 2017 Mid-Year Budget Review, and the status of the kiosk which will be placed in the alley beside the Hospice Life Center. The next Networking Breakfast will be held on March 17, 2017 at 7:30am at Vesta's, with guest speaker Mary Ironside from DNR. The next EDC meeting will be held on April 26, 2017 at 9am.

Environmental Commission – B. Schmidt. Meeting held on February 14, 2017. Discussions included the plans for the upcoming Farmer's Market and updates on the Meeting held on February 23, an update on the Monarch Butterfly Pledge, the upcoming Sustainable Maryland Certified webinars, the Shafer Park Stream Clean-Up on April 23 and the Subcommittee Reports.

Town Manager Report – M. Clark.

- Stated that she received a request from Habitat for Humanity Restore store manager Carol Crisci to see if the Town would be interested in hosting a temporary donation drop-spot on the 1st and 3rd Saturdays of the month from 9:00am until 2:00pm
- Stated that she submitted a letter to MDE regarding MS4 Permit to request a meeting and waiver
- Stated that she submitted the MEA Smart Energies Grant for Variable Frequency Drives for Wells, and that she is working on the ARC Applications for April
- Stated that the State Highway Administration will be holding a meeting in the Meeting Chambers on March 16
- Stated that she will be attending a workshop for Grants for bikes and trails in Shafer Park
- Stated that the new Tot Lot construction is slated to begin on March 27th
- Stated that staff is nearing completion of software upgrade for the BMUC Water and Sewer Billing
- Stated that the Yard Debris Lot will be open on Saturday March 18 from 7am until 12 noon

Mayor Long announced that Delegate William Wivell will be introducing a Legislative Bill to the State to assist the Town with the Waste Water Treatment Loan Debt. He stated that he will provide updates when they are available.

Motion by Assistant Mayor Kauffman, second by Council Member Davis to close the Regular Meeting at 8:35pm, and motion carried.

Respectfully submitted,

Kimberly A. Miller
Administrative Assistant

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BOONSBORO MAYOR & COUNCIL
MONDAY, MARCH 20, 2017
WORKSHOP MEETING

The Mayor and Council held their Workshop Meeting on Monday, March 20, 2017 in the Meeting Chambers of the Charles F. 'Skip' Kauffman Building to set the Regular Session Agenda for Monday, April 3, 2017. Present were Mayor Howard Long, Assistant Mayor Cynthia Kauffman, Council Members Janeen Solberg, Brigitte Schmidt, Rick Bryd, Marilee Kerns and Terry Davis. Also present were Town Manager Megan Clark, Town Engineer Brian Hopkins and Administrative Assistant Kimberly Miller. The meeting convened at 7:00 PM.

Fiscal Year 2017 Street Projects: Town Engineer Hopkins presented the Fiscal Year 2017 Street Project recommendations to the Mayor and Council. He stated that Public Works Superintendent Huntsberry and he looked at various methods of pavement preservation in order to extend the life of the streets. He and Superintendent Huntsberry are recommending milling and overlaying of Sinnesin Drive and High Street for FY17. He also stated he will be looking for a contract to possibly piggyback on for crack sealing . **(NEW BUSINESS)**

NPDES (MS4) Permit: Town Engineer Hopkins stated that the Maryland Department of the Environment has proposed to reissue the National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges for Small Municipal Separate Storm Sewer Systems (MS4). He stated that the MS4 general discharge permit will establish a Stormwater Management Program in the Town of Boonsboro to effectively control the discharge of storm drain system pollutants and improve water quality. He further stated that the Permit is for 8 years, until 2025. Town Engineer Hopkins discussed the various aspects of the permit, including mapping, methods for treating impervious surfaces, retrofitting existing facilities, and noted the most economically feasible methods will be recommended when required. Town Manager Clark presented the 'Boonsboro Phase II MS4' draft letter to Raymond Bahr, MDE Water Management Administration, addressing the Towns' efforts to comply with MDE's regulations for the Councils' review and input. Consensus is to mail the letter to Mr. Bahr.

Athletic Facilities: Ernie Harr, Town resident and 2017 South Mountain Little League (SMLL) President, presented the request on behalf of SMLL, Antietam Youth Athletic League (AYAL), Boonsboro Area Athletics Association (BAAA) and the Boonsboro Titans, to the Mayor and Council to propose the development of the Town Farm land as a Multi-Purpose Youth Sports Complex. Representatives from each of the organizations presented their need for a permanent youth sports area due to the lack of space available at the Boonsboro schools and the issue of having to constantly change practice and play areas at the last minute. Mr. Harr presented a map showing the potential area for the proposed Complex, noting that there are 25 acres of unused Town Farm land on Monroe Road. Council agreed that this is would be a positive development of the Farm Land and requested that Mr. Harr submit a conceptual design for the area.

Transportation Priorities: Town Manager Clark stated that the Maryland Department of Transportation's State Highway Administration (SHA) presented the results of the recently completed traffic study for several State Highway intersections within the boundaries of the Town on March 16, 2017. She stated that the SHA indicated that Main Street is a major highway serving east and west bound traffic through Southeastern Washington County and experiences high volumes of traffic during peak hours and made recommendations for improvements. She further stated based on the Traffic Study recommendations she is requesting approval to send a letter outlining the Town's priorities for the 2017 Annual MDOT Tour Meeting to State Highway Secretary Pete Rahn. Council Member Solberg stated that the Town Square 'brick' crosswalks are in extreme need of replacement, noting that the area is beyond repair and that the crosswalk will need to be completely rebuilt. Consensus is to mail the Town priority letter to MDOT. **(NEW BUSINESS)**

Fiscal Year 2017 Capital Improvement Projects; Town Hall Heating : Town Manager Clark presented the request to place the Fiscal Year 2017 CIP Town Hall HVAC Replacement Project out for bids. She stated that the scope of work consists of providing all labor, materials, equipment and incidentals for the replacement of an oil furnace and 2 aging A/C condensers and evaporator coil with a high efficiency heat pump/furnace and programmable thermostats for the Town Hall. She further stated that all bids must be received by 2:30pm on April 20, 2017. **(NEW BUSINESS)**

Child Abuse Awareness: Town Manager Clark presented the request from San Mar Children's Home, Inc. for permission to allow the Boonsboro High School Service Group "Make Boonsboro Blue" by placing blue ribbons along Main Street on April 3, 2017 to promote awareness of April being "Child Abuse Awareness/Prevention Month." She stated that San Mar will be

hosting an Open House and the BHS Service Group will be sponsoring a community bonfire on April 28. Consensus to allow San Mar to place blue ribbons throughout Town.

Zoning Map Amendment: Town Manager Clark reviewed that a Joint Public Hearing is scheduled for March 28, 2017 at 6:30pm regarding Board of Zoning Appeals Case Number BNRZ 17-01 for the request to rezone 10 acres of land at 3 Orchard Drive and the adjacent wooded lot to Town Residential. She stated that the property owner submitted a Concept Plan showing the layout of the proposed development of 70 townhomes, noting that this is the first phase of the development process and does not guarantee development of the property. She further stated that the Town Residential (TR) Zoning District requires a Special Exception approval to allow the use of townhomes on a property. Town Manager Clark stated that if a Special Exception is approved, a Preliminary Plan that includes engineered drawings will need to be submitted to the Town. She further stated that those Plans will then be reviewed for compliance of regulations pertaining to stormwater management, road design, open space, lot size, traffic studies, drainage plans, sidewalks and landscaping which will be reviewed and submitted to the Planning Commission for discussion and/or approval.

Zoning Administrator Position: Town Manager Clark reviewed that the Fiscal Year 2017 Budget includes the hiring of a part-time Zoning Administrator/Code Enforcement Officer at the pay rate of \$15.52 per hour for approximately 20 to 25 hours per week. She stated that the position was originally advertised in September 2016, that 6 applications were received, but no one was hired. She further stated that the position was re-advertised in February 2017 on the Town website and Facebook page, that 3 applications were received and 2 interviews were held. Town Manager Clark stated that she is recommending the hiring of Ray Harner as the Zoning Administrator/Code Enforcement Officer, and if approved, she plans to 'test' him on his computer knowledge before offering him the position. Council discussed the pros and cons of hiring a part-time Zoning Administrator/Code Enforcement Officer and asked if any of the current Town staff could take on the proposed Zoning Administrator responsibilities. Council Member Byrd asked how many 'complaints' have been received and processed since July 2016, and suggested having the Public Works staff check Code Enforcement issues or having the Water/Sewer Billing Clerk handle Zoning Administration rather than hiring a new person. Town Manager Clark stated that the Town has received 30 Property Maintenance Code complaints since July 2017, and that Town staff have their own job responsibilities to attend to and cannot take on additional tasks that are not part of their job descriptions. Council Member Kerns inquired as to what items in the Budget will be cut in order to absorb the proposed \$20,000 salary for the Zoning Administrator/Code Enforcement Officer position. Town Manager Clark stated that the Zoning Administrator/Code Enforcement Officer position is already part of the FY17 Budget. Council Member Byrd stated that there has not been any supporting correspondence or information presented to the Council showing how many complaints are currently being received and how they are being processed. Council Member Schmidt stated that Town Manager Clark has shown that additional staff support is needed to address the Property Maintenance items and to help with administration of permits. **(NEW BUSINESS)**

Council Member Kerns asked if anything has been done towards Bonding individuals in the Town. Town Manager Clark stated that she will need to obtain the necessary forms.

Town Manager Clark stated that the Fiscal Year 2018 Budget Workshop Meeting will be held at 5:00pm on April 5, 2017.

Motion by Assistant Mayor Kauffman, second by Council Member Davis to close the Regular Meeting at 8:42PM, and motion carried.

Respectfully submitted,

Kimberly A. Miller
Administrative Assistant

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