

**BOONSBORO MAYOR AND COUNCIL
REGULAR MEETING MINUTES
TUESDAY, JANUARY 3, 2017**

The Mayor and Council of Boonsboro held their Regular Meeting on Tuesday, January 3, 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 and Administrative Assistant Kimberly Miller. The meeting convened at 7:00 PM with the pledge and the invocation offered by Mayor Long.

APPROVAL OF JANUARY MEETING AGENDA

Mayor Long requested the approval of the January 2017 Meeting Agenda. **Motion** by Assistant Mayor Kauffman, second by Council Member Kerns to approve the **January 3, 2017 Regular Meeting Agenda**, and motion carried.

REVIEW AND APPROVAL OF DECEMBER MEETING MINUTES

- **Motion** by Council Member Solberg, second by Assistant Mayor Kauffman to approve the December 5, 2016 **Meeting Minutes**, and motion carried.
- **Motion** by Council Member Schmidt, second by Council Member Davis to approve the December 2016 **Treasurer's Report**, and motion carried.
 - Council Member Kerns asked if the USDA WWTP Debt Service Loan payment of \$79,501 can be paid from the \$100,000 funds in the BB&T MWQFA WWTP Debt Reserve Account, rather than transferring the needed funds from the General Fund to the Sewer Fund. Town Manager Clark stated that USDA mandates that \$100,000 stays in the BB&T account at all times as part of the original loan agreement.
- **Motion** by Council Member Assistant Mayor Kauffman, second by Council Member Schmidt to approve the December 2016 **Bills to be Paid Report**, and motion carried.
 - Council Member Kerns stated that she wants a more detailed monthly bill report and wants to know where the Town is in the Budget each month. She asked why the bills that are paid in January are not approved at the January Meeting, noting that she does not feel comfortable approving bills that have already been paid. Town Manager Clark explained that the Town's auditing firm, *Smith, Elliott, Kearns and Company*, approved the formatting and distribution of the Bills to be Paid monthly report as it is presented to the Council for approval, and that the 'Pre-Paid Bills' are paid earlier in the month because of their 'due dates' so as not to incur late charges and finance charges. She stated that she will provide a Financial Report of the Budget at the January Workshop Meeting.

PUBLIC COMMENTS

- **Laura Kirby**, 401 Brookridge Drive, voiced concerns regarding The Herald-Mail Newspaper article about the Town requesting forgiveness of the USDA WWTP Debt Service Loan. Stated that she was concerned that the residents would have to absorb the cost of the loan if it isn't 'forgiven.' Mayor Long stated that he is doing everything to make sure that the residents do not have to absorb that burden.
- **Paul Duenas**, 314 Lanafield Circle, stated that he has emailed the Mayor and Town Manager regarding his concerns about the fire in Kinsey Heights. Stated that the gentleman that passed away in the fire was a known hoarder/collector and nothing was done to enforce the Town's Maintenance Code at that property. Stated that he also has concerns regarding the water pressure in Kinsey Heights and the fire hydrant maintenance. The Mayor and Town Manager will look into the water pressure and hydrant maintenance in the Kinsey Heights area, and recommended that Mr. Duenas electronically file property maintenance concerns on the Town website or in person at Town Hall.
- **Logan Arnold**, Life Scout from Boy Scout Troop 252. Working towards his Eagle Scout.

MAYOR AND COUNCIL MEMBER CORRESPONDENCE

Mayor Long stated that there was no correspondence this month.

Police Department Report – *Town Manager Clark for Chief Stanford*. The Police Department received 249 calls for service, which included 163 motor vehicle violator contacts for the month of December 2016. There was 1 adult criminal arrest, 0

adult traffic arrests, 0 juvenile arrests and 0 juvenile traffic arrests. Stated that the Department collected 8.97 pounds of prescription drugs through the Drug Turn-In Program for the month of December, and 90.47 pounds total in 2016.

NEW BUSINESS

State of the Town Address as presented by *Mayor Howard Long*

2016 has been a productive year. With the help of volunteers, Commission Members, Board Members, staff and the Council, the Town has accomplished many projects, established new initiatives, reinvested in Capital Projects, and supported a vision of smart growth and sustainable actions throughout the year. Activities during 2016 can be broken into 5 main concentrations: Parks and Recreation; Environmental; Economic Development; Police and Public Safety; and Public Infrastructure. Highlights of some of the actions in each of these categories include:

PARKS AND REC:

- Completion of Phases 1 & 2 of the Shafer Park Trail
- Awarded contract for construction of new playground
- Hosted two successful Outdoor Movie Nights in the park
- Added and replaced park equipment

ENVIRONMENTAL:

- Offered **Compost Bins** to residential property owners at lower cost due to grant funding
- Continued support of the **Farmer's Market** in Shafer Park from June through September
- Continued **Tree City USA** and **PLANT Community Certifications**
- Pledged and proclaimed support of **Monarch Butterfly**
- Supported construction of **Monarch Butterfly Waystation**

ECONOMIC DEVELOPMENT:

- Distributed **Seasonal Town Event Mailers**
- Supported the **National Road Heritage Museum**
- Participated in the MML Conference with a **Main Street Exhibit**
- Continued offering **Networking Breakfasts** and **Girls Nite Out**
- Began **1st Saturday Program** to promote local downtown businesses
- Began planning **225th Anniversary** celebration

PUBLIC INFRASTRUCTURE:

- Completed **Sewer Inflow and Infiltration Project**, reducing sewer infiltration by more than 1/3
- Purchased and installed **new metering equipment** both in water and sewer plants as well as commercial and residential meters
- Updated **Pedestrian signage, crosswalk painting, and street signs**
- Constructed **Salt Storage Facility**
- Rehabilitated Town Clock**

POLICE AND PUBLIC SAFETY:

- Contributed **\$21,000 each** to **Fire and Rescue Companies**
- Continued **Local Drug Turn In Program**, collecting approximately **80 pounds** of prescription drugs
- Updated **Video Surveillance Equipment** at Shafer Park, in Town Hall, and Town Square

As we move forward in 2017, we hope to continue striving to keep the Town moving forward in a prosperous and efficient manner. New growth in both residential and commercial developments will bring new opportunities to the community. Focusing on maintaining our existing infrastructure and implementing our Capital Improvement plan will ensure achieving strong public benefit. Promoting economic development encourages investment in our community. Strong Police and public safety enables security of our welfare. Parks and Recreation encourage community wellbeing. Environmentally friendly consideration and action assures a sustainable future. Continuing to focus on these five categories, the Town of Boonsboro will advance into the New Year successfully and focused on achieving continual prosperity.

Water and Sewer Revised Billing Policies and Procedures: Town Manager Clark, on behalf of a recommendation from the Boonsboro Municipal Utilities Commission, presented the revised Water and Sewer Billing Policies and Procedures. She stated that various changes and clarifications to the Policies and Procedures have been discussed at several Workshop sessions and that the Maryland Municipal League follow-up has been completed regarding whether other Municipalities have an appeals process for billing disputes, noting that the MML found no reference to an appeals process other than going to a specific Utilities Board. She further stated that Town Attorney Wantz has reviewed the revisions. Council Member Kerns stated that she has concerns that the Policy wording states 'within Town limits' and not 'within the Town water and sewer system.' She also questioned as to why there is still a fee for disconnected water at properties. Town Manager Clark stated that ALL

properties, whether they are connected or disconnected to water, incur a 'Maintenance Fee' on their account to be part of the Town water and sewer system. **Motion** by Council Member Solberg, second by Assistant Mayor Kauffman to approve the Water & Sewer Billing Policies and Procedures as presented, with Council Member Kerns voting nay, and motion carried 5-1.

BKRWB Appointment: Town Manager Clark stated that the Utilities Commission is recommending that the Council appoint Ernie Harr as an Alternate Member on the Boonsboro Keedysville Regional Water Board. **Motion** by Council Member Davis, second by Assistant Mayor Kauffman to appoint Ernie Harr as an Alternate Member on the BKRWB, and motion carried.

EDC Appointment: Assistant Mayor Kauffman stated that the Economic Development Commission is recommending that the Council appoint Kristin Bowl, owner of Skipjack Web Services, to the EDC to fill the vacancy with the term ending January 2020. **Motion** by Assistant Mayor Kauffman, second by Council Member Schmidt to appoint Kristin Bowl to the EDC for a 3-year term, and motion carried.

COMMISSION REPORTS

Public Safety Commission – R. Byrd. No meeting was held during the month of December 2016.

Park Board –M. Kerns. No formal meeting was held during the month of December 2016 due to Olde Tyme Christmas.

Utilities Commission –T. Davis. Meeting held on December 8, 2016. Discussions included the Request for Reconsideration on the Water bill for 7504 Mountain Laurel Road and the credit to the account for \$691 resulting in a balance due of \$1,017.50, the approval to recommend the revised BMUC Water and Sewer Usage and Billing Policies to the Mayor and Council, the BKRWB Annual True-Up, the Flow Monitoring results, the review of the Capital Improvement Plan Projects through 2022, and the approval to recommend that Commission Member Ernie Harr be appointed as an Alternate Member on the Boonsboro Keedysville Regional Water Board.

Planning Commission –J. Solberg. No meeting was held during the month of December 2016.

Economic Development Commission –C. Kauffman. Meeting held on December 14, 2016. Discussions included updates on the 225th Anniversary plans, the Town Historic Walking Tour brochure, the EDC Budget and the recommendation to replace the Welcome sign at the south end of Town, to purchase a kiosk to place in the alley beside the Hospice Life Center and a brochure rack to place at the Trolley Station, the Main Street booth at the MML Convention in June 2017, the success of the Pop-Up shops at the Hospice Life Center for Christmas in Boonsboro, the Washington County Community Coalition and the approval to purchase a table for \$250 at the Washington County Community Coalition Legislative Day in Annapolis on February 1, 2017 and the approval to recommend that Kristin Bowl, owner of Skipjack Web Services, be appointed to the EDC. The next Networking Breakfast will be held on January 20, 2017 at 7:30am at Vesta's, with guest speaker Mayor Long. The next EDC meeting will be held on February 22, 2017 at 9am.

Environmental Commission – B. Schmidt. Meeting held on December 11, 2016. Discussions included the plans for the upcoming Farmer's Market and tentative dates of May 2 through October 10, 2017, the recap of the Sustainable Maryland Certified Leadership 'Green Team' training and Zero Waste Workshop - both attended by Commission Member Kathy Vesely, the progress of the Water Conservation Plan, and the Subcommittee Reports.

Town Manager Report – M. Clark.

- Stated that the Municipal Service Worker position closed on December 30, 2016. She stated that 18 applications were received and they are currently under review by the Public Works Superintendent.
- Stated that 107 Building Permits were received by the Town in 2016, with 25 new homes constructed in Sycamore Run. Stated that she is currently working on the Annual Planning and Zoning Report.
- Stated that the Town received \$415,000 in Grant funding during 2016, in addition to the Police Protection and HUR funding.
- Stated that Beth Seabright is currently interning with Town Engineer Hopkins. Stated that Ms. Seabright is a Boonsboro resident and interned with the Town last year. She is pursuing an Undergraduate degree in Environmental Engineering at the University of Delaware.
- Stated that the Town received a notification from MDE that we will be required to maintain a NPDES permit
- Stated that the Yard Debris Site will be open on January 21 from 7am to 12 noon
- Stated that the street sweeper will be in Town on Monday, January 16

- Stated that Christmas tree collection will take place on every Monday during January with the exception of January 16, due to the Town being closed for the holiday. Collection will be done on Tuesday, January 17 that week.

Motion by Council Member Solberg, second by Assistant Mayor Kauffman to close the Regular Meeting at 7:52 pm, and motion carried.

Respectfully submitted,

Kimberly A. Miller
Administrative Assistant

"In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discrimination on the basis of race, color, national origin, sex, age, familial status, religion, or disability. To file a complaint of discrimination you may file in person with, or write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW., Washington, DC 20250-9410 or call (800)795-3272 (voice) or (202)720-6382 (TDD)".

BOONSBORO MAYOR & COUNCIL
MONDAY, JANUARY 30, 2017
WORKSHOP MEETING

The Mayor and Council held their Workshop Meeting on Monday, January 30, 2017 in the Meeting Chambers of the Charles F. 'Skip' Kauffman Building to set the Regular Session Agenda for Monday, February 6, 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 Attorney William Wantz, Boonsboro Municipal Utilities Commission Chairman Paul Loeber and Administrative Assistant Kimberly Miller. The meeting convened at 7:12 PM.

South Mountain Little League Lease Update: Ernie Harr, on behalf of the Board of Directors for the South Mountain Little League, presented the *SMLL Lease Agreement for the Little League Ball Fields* to the Mayor and Council for their review and consideration. He stated that the proposed Lease 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 Lease for 2 additional periods of 5 years each. He further stated that the proposed Lease would allow SMLL to apply for grants, formalizes all documents and insurances, and proposes SMLL assume full responsibility for the property with the exception of Tributary #102 due to stream protection. Council voiced concerns regarding the difference between the current License Agreement and the proposed Lease Agreement, specifically the length of the proposed Lease and the ability to break the Lease if need be. They agreed that the preferred contract with SMLL would be in the form of a License Agreement. Consensus is to have Attorney Wantz review the current License Agreement between the Town and SMLL, and further research the proposed Lease Agreement.

Boonsboro – Keedysville Regional Water Board Recommendation to Amend Water Agreement: *Mayor Long stated that BKRWB Chairman Austin Abraham was ill and unable to attend this meeting.* Town Manager Clark stated that the Boonsboro – Keedysville Regional Water Board held their annual True-Up Meeting on December 7, 2016, at which time they determined that it was time to adjust the formula that is used to determine shared costs between the Towns. She stated that the 35% True-Up formula, established in the 1999 Water Service Agreement between the two Towns, is provided to account for a percent in the water fund budget allocated to Boonsboro's distribution system. Town Manager Clark presented information showing that the distribution system has grown since 1999, with 45% more customers, additional staffing and administrative costs added to the water fund budget, and extensions of the water distribution system to areas such as Millpoint Road, Fletcher's Grove, and Sycamore Run. BMUC Chairman Paul Loeber stated that the BKRWB is recommending that the True-Up formula be changed from 35% to 50% based on the system upgrades and additional administrative costs, noting that the new formula would be fairer than the current one. **(NEW BUSINESS)**

Body Camera Policy: Chief Stanford presented the *Policies for Officers Wearing Body Cameras Issued by the Town of Boonsboro* to the Mayor and Council for their review and consideration. He stated that he met with Town Attorney Wantz to review and revise the proposed Policy, noting that it was originally drafted based on the Town of Hancock's current Body Camera Agreement. He further stated that Attorney Wantz advised him to look into creating a Policy in case the Police Department decides to implement or field test the body cameras. Chief Stanford stated that the Police Department currently has 1 body camera, but has received a grant from LGIT which will partially cover the cost to purchase additional cameras. **(NEW BUSINESS)**

Fiscal Year 2017 Mid-Year Financial Review: Town Manager Clark provided the Town's General Fund Financial Income Statement for the month ending January 30, 2017 for the Council's review and discussion of the Fiscal Year 2017 Budget to date. She stated that all of the funds appear to be on track and doing well, noting that the State and County Tax contributions are slightly behind due to both bodies issuing checks at least 2-months behind schedule.

Fiscal Year 2017 New Position; Request to Advertise Municipal Service Worker: Town Manager Clark stated, on behalf of Public Works Superintendent Greg Huntsberry, that six (6) interviews were held for the Municipal Service Worker position. She stated that she is recommending the hiring of Carl Saunders, Jr., of Boonsboro, at the starting level of Municipal Service Worker 1 - Step 1. Council Member Kerns voiced her concerns regarding the hiring of new Town employees based on the overall Budget and actual need for additional employees. Town Manager Clark stated that both Superintendent Huntsberry and she agree that this is a much needed position to help with the daily work flow of the Town. Council Member Solberg asked if a decision had been made regarding the hiring of a part-time Zoning Administrator/Code Enforcement Officer. Town

Manager Clark stated that the applications that were received did not produce the results that she was hoping for, and that she has been putting off advertising the position again due to the associated costs. Mayor Long suggested advertising the position 'free of charge' on the Town website and the MML website. **(NEW BUSINESS)**

Motion by Council Member Schmidt, second by Council Member Solberg to close the Regular Meeting at 8:23 PM and move into **Executive Session** as permitted under General Provisions Article, §3-305(b)(1), subsection (i) to discuss the appointment, employments, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction and Article §3-305 (b)(8), (8) to consult with staff, consultants, or other individuals about pending or potential litigation.

Respectfully submitted,

Kimberly A. Miller
Administrative Assistant

"In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discrimination on the basis of race, color, national origin, sex, age, familial status, religion, or disability. To file a complaint of discrimination you may file in person with, or write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW., Washington, DC 20250-9410 or call (800)795-3272 (voice) or (202)720-6382 (TDD)".