

**BOONSBORO MAYOR AND COUNCIL
REGULAR MEETING MINUTES
MONDAY, JUNE 5, 2017**

The Mayor and Council of Boonsboro held their Regular Meeting on Monday, June 5, 2017 in the Meeting Chambers of the Charles F. 'Skip' Kauffman Building. In attendance were Mayor Howard Long, Assistant Mayor Cynthia Kauffman, Council Members Janeen Solberg, Brigitte Schmidt, Rick Byrd and Marilee Kerns. Also present were Town Manager Megan Clark, Police Chief Charles Stanford and Administrative Assistant Kimberly Miller. Council Member Terry Davis was absent. The meeting convened at 7:00 PM with the pledge and the invocation offered by Mayor Long.

APPROVAL OF JUNE 2017 REGULAR MEETING AGENDA

Mayor Long requested the approval of the June 2017 Meeting Agenda. **Motion** by Assistant Mayor Kauffman, second by Council Member Kerns to approve the **June 5, 2017 Regular Meeting Agenda**, and motion carried.

REVIEW AND APPROVAL OF MAY 2017 MEETING MINUTES and REPORTS

- **Motion** by Council Member Schmidt, second by Council Member Solberg to approve the **May 2017 Regular Meeting, Budget Workshop Meeting Minutes** and the **Workshop Meeting Minutes**, and motion carried.
- **Motion** by Assistant Mayor Kauffman, second by Council Member Schmidt to approve the **April 2017 Treasurers Report**, and motion carried.
- **Motion** by Council Member Kerns, second by Assistant Mayor Kauffman to approve the **May 2017 Treasurers Report**, and motion carried.
 - Council Member Kerns stated that she'd like to receive the actual accounting book balances rather than the bank balances.
- **Motion** by Assistant Mayor Kauffman, second by Council Member Solberg to approve the **May 2017 Bills to be Paid Report**, and motion carried.

CITIZENS COMMENTS

- **Laura Kirby**, 401 Brookridge Drive. Mrs. Kirby voiced her concerns regarding the recent Herald-Mail Newspaper article which mentioned the proposed approximate \$10 increase for residents on their Utilities bills. She stated that all Commission Members receive \$10 per meeting and that this 'pay' could be removed to possibly stop the increase of the Utilities bills. She further stated that the people in her neighborhood are not happy with the proposed increase. Mrs. Kirby stated that the Town should be obtaining grants for needed projects rather than playgrounds and trails at the Park.
- **Tracy Carr**, 4 Knode Circle. Ms. Carr, on behalf of the family of Frank Summers, presented the request to the Mayor and Council to name the park area in the center of Knode Circle "Summers Place." She inquired as to when the landscaping is going to be completed, stating that the plans were discussed at the December 2016 Mayor and Council Meeting and it is now June 2017. She stated that there are still holes in the ground from where the fence posts were removed and that the pavement is severely deteriorated, noting that her mother said that the road has not been paved in over 63 years. Town Manager Clark stated she spoke to the Boy Scout who plans to do the landscaping as his Eagle Scout Project and she encouraged him to contact the residents of Knode Circle to get input. He will not be able to start the project until he receives approval from the Boy Scouts of America. She stated that she will follow-up with him to see what the status is, and stated that the grass area has been hydro-seeded. Ms. Carr stated that the grass still looks bad and asked how long they will have to wait until something is done. Town Manager Clark stated that if the Eagle Scout Project is not approved then the Town will step in and take care of the grass area and will fill the fence post holes as soon as possible. Ms. Carr stated that the road looks neglected and that Council Member Davis told the Knode Circle residents that the road will be paved.
 - **Bob Sweeney**, 14 Knode Circle. Mr. Sweeney stated that he has lived at his home for 47 years and the road has never been tarred and chipped.

PRESENTATION

Cultural Trail Project – Dan Spedden and Charles Schwalbe. Charles Schwalbe, of the 225th Town Anniversary Committee, introduced himself and his fellow Committee Member Amy Gibson, as well as Dan Spedden, of the Washington County CVB. He stated that back in September 2016, Mr. Spedden, Mrs. Gibson and he presented their plans for the 225th Town Anniversary and the proposed plans to create a 2-mile cultural hiking trail from the Town Square to the Washington Monument to help the Town reconnect with the heritage of the Monument. Mr. Spedden announced that \$80,000 is needed

for the Cultural Trail Feasibility Study and announced that a grant has been received for \$40,000. He stated that he is proposing that a 4-person Cultural Trail Committee be established, which should be comprised of someone from the 225th Town Anniversary Committee and a Boonsboro Council Member, to apply for the additional \$40,000 grant. He further stated that he will assist the Committee any way that he can. Mr. Spedden stated that next step would then be for the Town to draft a Resolution supporting the Feasibility Study, and eventually create a Memorandum of Understanding after the Cultural Trail Project begins to take shape.

MAYOR AND COUNCIL MEMBER CORRESPONDENCE

- **Mayor Long** stated that the Town received a 'thank you' card from the 4th grade class of Boonsboro Elementary School for their Bowman House tour, which was part of the 225th Town Anniversary Celebration.
- **Assistant Mayor Kauffman** stated that the Herald-Mail Newspaper will be distributing an insert focusing on the Town's 225th Town Anniversary. She stated that it will highlight all of the upcoming events.
- **Council Member Solberg** stated that a caregiver from Mt. Nebo preschool inquired about doing a project for "Save the Earth" week at the Park on August 8th. She stated that she suggested a stream clean-up might be a good idea.

Police Department Report – Chief Stanford. The Police Department received 184 calls for service, which included 202 motor vehicle violator contacts for the month of May 2017. There was 1 adult criminal arrests for a Washington County warrant, 0 adult traffic arrests, 0 juvenile arrests and 0 juvenile traffic arrests. Stated that the Department collected 5.8 pounds of prescription drugs through the Drug Turn-In Program for the month of May 2017. Chief Stanford also stated that 4 large bags were collected for the portable Drug Turn-In Program at the Green Fest event on May 13th.

NEW BUSINESS

Introduction of Ordinance 2017-03; Floodplain Ordinance: Town Manager Clark presented Ordinance 2017-03; *Floodplain Ordinance*. She stated that FEMA has updated the 1991 floodplain maps and that the Town is required to adopt the Ordinance before the August 15, 2017 Federal effective date, noting that Washington County adopted the Floodplain Ordinance on May 16, 2017. She further stated that she is recommending the Introduction of Ordinance 2017-03 and the scheduling of the Public Hearing on Monday, July 3, 2017 at 6:45pm. **Motion** by Council Member Schmidt, second by Council Member Kerns to approve the Introduction of Ordinance 2017-03; *Floodplain Ordinance* and the scheduling of the Public Hearing on Monday, July 3, 2017 at 6:45pm, and motion carried.

Introduction of Resolution 2017-01; Floodplain Delegation of Authority to Washington County: Town Manager Clark presented Resolution 2017-01; *Washington County Authority of Floodplain Ordinance* in conjunction with Ordinance 2017-03; *Floodplain Ordinance Update*, which provides enforcement authority of the Floodplain Ordinance to Washington County. She stated that she is recommending the Introduction of Resolution 2017-01. **Motion** by Assistant Mayor Kauffman, second by Council Member Byrd to approve the Introduction of Resolution 2017-01; *Washington County Authority of Floodplain*, and motion carried

Recommendation to Award Fiscal Year 2017 Capital Improvement Projects; Town Hall HVAC: Town Manager Clark presented the updated bid results for the Fiscal Year 2017 CIP Town Hall HVAC Replacement Project from Air Doctor, LLC of Boonsboro and Thompson Best Heating & Air Conditioning of Frederick as request at the May 2017 Regular Meeting. She stated that both companies submitted bids for 2 heat pumps, 2 coils, 2 thermostats and 1 oil furnace at the cost of \$13,099 from Air Doctor and \$13,385 from Thompson Best. She further stated that Air Doctor did the HVAC work at the Community Center and that staff is very pleased with their work. Council Member Kerns stated that Thompson Best's bid package includes 2 name-brand Lennox Heat Pumps and 2 hard start kits, whereas the Air Doctor's bid package contains 2 American Standard heat pumps and no hard start kits. **Motion** by Council Member Kerns, second by Council Member Schmidt to award the Fiscal Year 2017 CIP Town Hall HVAC Replacement Project to Thompson Best Heating & Air Conditioning for the cost of \$13,385, with Assistant Mayor Kauffman abstaining, and motion carried 3-1-1.

Request for Donation; Dwight Scott Golf Tournament: Town Manager Clark stated that a donation requested was received from the Boonsboro Athletic Boosters, Inc. for the 25th Annual Dwight Scott Golf Tournament at the Black Rock Golf Course. She stated that the Mayor and Council usually donate \$100 to the fundraiser. **Motion** by Council Member Solberg, second by Assistant Mayor Kauffman to donate \$100 to the Boonsboro Athletic Boosters, Inc. for the 25th Annual Dwight Scott Golf Tournament, with Council Member Kerns, Council Member Schmidt and Council Member Byrd voting nay, and motion failed 3-2.

- Council Member Byrd stated that he would like to have the \$100 donation for the Dwight Scott Golf Tournament taken out of his quarterly Council pay. Town Manager Clark stated that she will contact Smith, Elliott, Kerns and Co. to see if this is something that can be done or if Council Member Byrd should just make the donation himself directly to the fundraiser.

Recommendation for Appointment; Planning Commission: Council Member Solberg, on behalf of the Planning Commission, presented the recommendation to appoint Doug Moore, of 6 Coldstream Court, and Riccardo Aiello, of 504 Brookridge Drive, to the Planning Commission to fill the existing vacancies.

- **Motion** by Council Member Solberg, second by Assistant Mayor Kauffman to appoint Doug Moore to the Planning Commission, and motion carried.
- **Motion** by Council Member Solberg, second by Council Member Schmidt to appoint Riccardo Aiello to the Planning Commission, and motion carried.

Recommendation for Re-Appointment; Utilities Commission: Town Manager Clark, on behalf of the Utilities Commission, presented the recommendation to re-appoint Paul Loeber and Bobby Mose to the BMUC with the terms ending June 2021.

- **Motion** by Assistant Mayor Kauffman, second by Council Member Schmidt to re-appoint Paul Loeber to the Utilities Commission for a 4-year term ending June 2021, and motion carried.
- **Motion** by Council Member Solberg, second by Council Member Byrd to re-appoint Bobby Mose to the Utilities Commission for a 4-year term ending June 2021, and motion carried.

COMMISSION REPORTS

Public Safety Commission – R. Byrd. Meeting held on May 18, 2017. Discussions included the Maryland State Highway Administration Report recommendations, plans for National Night Out, the request to have handicapped parking available near Shafer Park during all Town events, and the issue with blinking traffic lights after 10pm. Projected donation towards the purchase of the speed trailer include \$1,000 from Randy Thompson and \$200 from Columbia Bank, with the PSC requesting that \$2,500 be set aside from the Fiscal Year 2017 Budget and \$2,500 from the Fiscal Year 2018 Budget.

Park Board –M. Kerns. Meeting held on May 24, 2017. Discussions included the approval to send a \$50 donation to the Boonsboro High School Wind Ensemble for their Concert in the Park on May 21, vendor updates for the Independence Day Celebration, the completion of the Tot Lot and Restroom Rehabilitation Projects, the planting of the plants at the Monarch Way Station, updates on the Wagon Train and Fishing Derby events, and a concern with dying older trees in the Park.

Utilities Commission – M. Clark. Meeting held on May 11, 2017. A presentation from Cintas Corporation on the Federal and State of Maryland regulatory required compliances for medical and safety training courses and services they can provide for the Water and Waste Water Treatment facilities. Discussions included an update on the Well #8 evaluation, the motion to deny the Request for Consideration from Battlefield Estates for discounted charges for the water and wastewater tie ins, the approval to recommend Option 2 of the Fiscal Year 2018 Water and Sewer Fund Draft Budgets to the Mayor and Council, the approval of the recommendation to refinance the USDA Waste Water Treatment Plant Loan, a draft summary report on the Water Loss Evaluation, proposed Water System improvements from Town Engineer Hopkins and the approval to re-appoint Paul Loeber and Bobby Mose for a 4-year term to the BMUC.

Planning Commission –J. Solberg. Meeting held on May 23, 2017. Discussions included the Request for Variance from the Fletcher’s Grove Community to construct a 3-foot sign in the ‘right of way’ on Chase Six Boulevard and the motion to recommend that the Board of Zoning Appeals deny the request, and the motion to appoint Doug Moore and Riccardo Aiello to the Commission to fill the vacancies.

Economic Development Commission –C. Kauffman. The Networking Breakfast was held on May 19, 2017 at 7:30am at Vesta’s Restaurant, with guest speaker Dr. Ken Film from South Mountain Dentistry. The next EDC meeting will be held on June 21, 2017 at 9am in the Meeting Chambers.

Environmental Commission – M. Clark. Meeting held on April 11, 2017. Discussions included the Farmers Market, approval to add changes and additions to the Sustainable Maryland Certified Recertification Action Plan and the Subcommittee Reports.

Town Manager Report – M. Clark.

- Stated that the Town is ‘piggybacking’ the Washington County Contract for the Fiscal Year 2017 Paving Project which includes the milling and overlay of Sinnesin Drive and Monument Drive and the crack sealing in Crestview for the cost of \$55,000. Stated that work will begin on June 6.
 - Council Member Schmidt asked if Knode Circle could be added to the FY17 Paving Project since the Town is saving funds by piggybacking with Washington County. Town Manager Clark will contact Huntzberry Brothers to obtain an estimate and then further conduct a poll vote. * A poll vote was conducted on Tuesday, June 6, 2017 to add Knode Circle into the paving contract and the Council unanimously approved the addition of Knode Circle paving for a total cost of \$36,277.
- Stated that the Town is beginning the early stages of the Sewer Replacement ARC Project by advertising funding and sending the plans for the environmental review to the State agencies
- Stated that the Town was awarded \$25,000 from the MEA Smart Energy Grant for Variable Frequency Drives
- Stated that 2 of the Public Works staff are attending training at Mount St. Mary’s this week for Sewer Collections
- Stated that there is a new STOP sign at the intersection of Young Avenue and Monument Drive
- Stated that she is meeting with MDE at the end of the month regarding the NPDES Stormwater Discharge Permit
- Stated that ReStore of Washington County will begin monthly collections in Boonsboro on the 2nd Saturday of each month from 9am to 2pm in the Shafer Park Community Center parking lot

Motion by Assistant Mayor Kauffman, second by Council Member Byrd to close the Regular Meeting at 8:53pm, and motion carried.

Respectfully submitted,

Kimberly A. Miller
Administrative Assistant

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BOONSBORO MAYOR AND COUNCIL
JUNE 14, 2017
PUBLIC HEARING
6:30 PM
Ordinance 2017-02; Refinancing USDA Debt

The Boonsboro Mayor and Council held a Public Hearing as duly advertised on Monday, June 14, 2017 in the Meeting Chambers of the Charles F. 'Skip' Kauffman Building. In attendance were Mayor Howard 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.

Assistant Mayor Long opened the Public Hearing at 6:30 PM for the purpose of receiving public input, either in support of or in opposition to Ordinance 2017-02; *Refinancing USDA Debt*, which was introduced at the May 30, 2017 Workshop Meeting.

The floor was opened for public comment.
There were no comments.

Assistant Mayor Long closed the Public Hearing at 6:32 PM.

Respectfully submitted,

Kimberly A. Miller
Administrative Assistant

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BOONSBORO MAYOR AND COUNCIL PUBLIC HEARING
Ordinance 2017-01; Fiscal Year 2018 General, Water and Sewer Fund Budgets
June 14, 2017
6:30 PM

The Boonsboro Mayor and Council held a Public Hearing as duly advertised on Monday, June 14, 2017 in the Meeting Chambers of the Charles F. 'Skip' Kauffman Building. In attendance were Mayor Howard 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.

Mayor Long opened the Public Hearing at 6:32 PM for the purpose of receiving public input, either in support of or in opposition to the proposed Ordinance 2017-01; *Fiscal Year 2018 General, Water and Sewer Fund Budgets*, which was introduced at the May 30, 2017 Workshop Meeting.

Town Manager Clark presented a Power Point presentation of the Fiscal Year 2018 General, Water and Sewer Fund Budgets.

General Fund Budgetary highlights include:

- Maintaining the current Constant Yield Tax Rate of \$0.3591 per \$100 of assessed property value for Fiscal Year 2018 will provide the potential revenue of \$1,007,202
- Maintaining the current Personal Property Tax Rate of \$0.87 per \$100 of assessed personal property value for Fiscal Year 2018 will provide the potential revenue of \$70,000
- Highway User Revenues: Highway User Revenues will decrease from \$122,912 to \$121,617 for Fiscal Year 2018
- Program Open Space: The expected allocation for Fiscal Year 2018 is \$60,000
- Fire and Rescue Donations: An increase of the annual contribution amount to both agencies by \$1,000 each, bringing the total Fiscal Year 2018 donation amounts to \$46,000 per agency.
- Long-Term Capital Improvements: \$196,617
 - Street & Overlay Programs - \$121,617
 - National Road Heritage Museum - \$15,000
 - Shafer Park – Project Open Space - \$60,000
- Capital Improvements: \$22,500
 - Replace 2007 Ford F350 Truck - \$17,500
 - Replace Police Department Garage Roof - \$5,000
- Debt: \$273,000
 - New Park Development - \$165,000
 - Wellhead Protection - \$15,500
 - General Fund to Sewer Fund to Grant Match - \$92,500
- **Total Revenues and Expenses of \$1,818,742**

Water and Sewer Fund Budgetary highlights include:

- The Mayor and Council approved and implemented a tiered rate structure in Fiscal Year 2016, which charges users a small fixed fee and for the quantity of Water/Sewer that they use, per 1000 gallons. An increase in both the fixed fee and the usage charge is proposed for both the Water and the Sewer rates in order to cover operations, deferred maintenance, and Capital Improvements to the aging infrastructure. The proposed increase to the Sewer Fund does not fully fund the Budget, and a subsidy from the General Fund is required in order to pay a portion of the Waste Water Treatment Plant debt and provide the grant match for a Sewer main replacement project. Both the Water Fund and Sewer Fund rely on customer charges to provide enough revenue to meet the demand of distributing water to the customers, providing treatment of the sewerage in accordance with State regulations and maintaining the existing infrastructure.

The proposed rates for the Fiscal Year 2018 Water/Sewer Funds are as follows:

Proposed Rates July 1, 2017	In-Town Residential	Out of Town Residential	In-Town Commercial	Out of Town Commercial
Wastewater Fixed Fee	\$55	-	\$55 per EDU	-
Proposed Rates July 1, 2017	In-Town Residential	Out of Town Residential	In-Town Commercial	Out of Town Commercial
1 - 18000 gallons Wastewater	\$9/1,000 gal	-	\$9/1,000 gal	-
1 - 8001+ gallons Wastewater	\$13/1,000 gal	-	\$13/1,000 gal	-
Water Fixed Fee	\$15	\$22.50	\$15 per EDU	\$22.50 per EDU
1 – 18,000 gallons water	\$6.20/1,000 gal	\$9.30/1,000 gal	\$6.20/1,000 gal	\$9.30/1,000 gal
18,001+ gallons water	\$9.30/1,000 gal	\$11.30/1,000 gal	\$9.30/1,000 gal	\$11.30/1,000 gal

Water Fund Budgetary highlights include:

- Based on the proposed rates, revenue from Water charges increases from \$601,896 to \$648,706
- Expenses: Reflects 1/3 of the expense of the Salaries and Insurance for the Administration and Public Works Employees, as well as 1/2 of the salary for the Water and Sewer Operators and the Water and Sewer Clerk. Administrative Expenses total \$212,700, Operations totals \$235,500, Maintenance totals \$87,600, Debt Service totals \$99,565, and Contingency Fund of \$45,425 for the Water Fund
- **Total Revenues and Expenses of \$746,666**
- Capital Improvement: \$65,876
 - Clean Clear Wells/Reservoir/Water Tower - \$8,000
 - Replace Meters with R900 Radio Read Meters - \$25,000
 - Replace Raw, Finished/Combo and Warrenfeltz Meter and Display - \$15,000
 - Replace 2007 Ford F350 Truck - \$17,500

Sewer Fund Budgetary highlights include:

- Based on the proposed rates, revenue from Sewer charges increases from \$1,010,080 to \$1,129,260
- Expenses: Reflects 1/3 of the expense of the Salaries and Insurance for the Administration and Public Works Employees, as well as 1/2 of the salary for the Water and Sewer Operators and the Water and Sewer Clerk. Administrative Expenses total \$245,700, Operations totals \$443,000, Maintenance totals \$140,500, Debt Service totals \$443,423, and Contingency Fund of \$36,077 for the Sewer Fund
- **Total Revenues and Expenses of \$1,548,200**
- Capital Improvement: \$167,500
 - Wet Weather Video – \$30,000
 - Sewer Line Replacement (Grant Match) - \$120,000
 - Replace 2004 Ford F350 Truck - \$17,500

The floor was opened for public comment:

- **Bob Sweeney**, 14 Knode Circle, stated that he has attended most of the Budget Workshop meetings and that the Budgets have increased over the last 4-years. Stated that the Mayor and Council show a disregard for any input from the residents, noting that the people need better representation. Stated that many of the Mayor and Council Members show a lack of concern for the Budget details and that they need to go back to the drawing board. Stated that he applauds the 3 Council Members who voted against an increase.
- **Paul Duenas**, 314 Lanafield Circle, stated that there has been a number of increases over the past 17 years. Stated that many budgeted items could be removed. Stated that the Town should look into reducing costs by adding solar panels, LED lighting and stopping the street sweeping contract. Stated that there are too many new Police vehicles which cost a lot of money to outfit. Stated that there are 3 new neighborhoods in Town and asked if the Town is calculating Impact Fees and what is being done with the additional tax money. Asked the Mayor and Council what the true benefit is of the proposed Water and Sewer increases.
- **Paul Loeber**, 313 Tiger Way, introduced himself as the Chairman of the Boonsboro Utilities Commission. Stated that the Water and Sewer Funds are hoping to receive grants and possible loan forgiveness in Fiscal Year 2018, and are looking for ways to off-set the Waste Water Treatment Plant debt. Stated that everything increases, not just Utility

rates. Stated that it is irresponsible to subsidize the Sewer Fund debt with General Fund Tax Revenue, which could eventually drive up residents' property tax rates. Stated that by increasing the Water and Sewer rates it will offset the General Funds need to continue subsidizing the funding.

- **Tony Nally**, 110 David Drive, asked how many rate increase have there been in the past 10 years, what were the rate increases for and what were their purpose? Stated that even after the increase the Town is still in the red and that the Mayor and Council need to be smarter with spending. Stated that the streetlight on Stouffer Avenue has been on 24/7 and asked who is paying for that? Stated that he has been to numerous Mayor and Council and BMUC meetings. Asked why the Town isn't using their funds to fix things rather than raise rates.
- **Kim Nally**, 110 David Drive, stated that she has been to numerous BMUC meetings. Stated that there was a discussion about outdated Utility billing software. Has the billing issues been corrected with the purchase of the new software? Stated that there are Tap Fees over \$500,000 that haven't been collected and asked what is been done to fix this. Stated that the Mayor and Council should reconsider their votes to raise Water and Sewer rates and look for a better solution.
- **Stu Mullendore**, 3 Maple Avenue, stated that he has been to numerous Workshop meetings. Stated that the Town maintains a significant balance in funds over \$1 million and that they should consider reducing their bond obligations and lending from other Funds. Stated that the Town needs to have a formal investment policy and should not be putting funds into CDs. Stated that it is a huge concern that the Town does not know the actual cost per service per household, and that they need to find a way to collect that information.
- **Marilee Kerns**, 5 Stouffer Avenue, stated that she signed up as a resident because she would not have been able to speak as a Council Member otherwise. Asked why Town Personnel costs have gone up \$524,789 since 2014, which is a 63% increase? Distributed 2 spreadsheets showing the *Personnel Expense Analysis* and *Water/Sewer Rate Comparison* for Boonsboro, Middletown, Smithsburg, Williamsport and the City of Hagerstown. Stated that there is nothing that shows that the proposed Utility rate increase will be going towards paying down the debt. Stated that only Washington County has higher Utility rates than Boonsboro. Stated that the rate increase is too much and that Budget cuts need to be made rather than raising rates, noting that the Town has a spending problem. Stated that she did not have an opportunity to review the Town Manager Clark's PowerPoint presentation before the Public Hearing and that it is not on the Town website.
- **Kathy Vesely**, 101 Redfern Place, stated that the Town residents are not used to having rate increases and that the rates should have been increased gradually to prepare for debts. Suggested building the Water/Sewer/Sanitation Funds into the Tax Rates and eliminating Utility bills.
- **Ginger Bigelow**, 138 Lakin Avenue, thanked the Mayor and Council for allowing her to speak. Stated that many Town residents are on fixed incomes. Stated that the residents began recycling when asked to help reduce the Town's sanitation tipping fees. Asked if the proposed Utility rate increases, which calculate to about 13%, are really necessary. Asked why there is always more spending like the Town employees pay increases, funding the Town employees health insurance and the 100% funded Town employee Pension Plan, the meeting chamber renovations, hiring of the Water and Sewer Clerk and the new Utility billing software, the new Police vehicles and the Public Works trucks. Stated that Council needs to look into cost-cutting measures. Stated that the Town has a problem with gross mismanagement of funds and discusses nothing about cut backs.
- **Rick Beall**, 104 Della Lane, stated that he feels that the Mayor and Council have not talked enough about keeping the Utility rates low and have not done enough to mitigate the charges. Stated that he urges the Mayor and Council to consider looking at reducing funding to the Town Commissions and sponsored events, and transferring those funds to the Sewer Fund to help pay down the loan debt. Stated that the reduction of spending will help stop rate increases.
- **Laura Kirby**, 401 Brookridge Drive, stated that the Mayor and Council do what they want and don't take what the people need and ask for into consideration. Stated that the Mayor and Council do not listen to what the people want. Asked how many times in the last 4-years have the employees received raises? Stated that the Town needs to stop funding the Commission and that the Commission Member will do their work regardless of the \$10 per month compensation. Asked if any items have been deleted from this year's Budget. Stated that probably nothing will be removed but Utility rates will be raised.
- **Eric Kitchen**, 115 Orchard Drive, introduced himself as the Treasurer of the Boonsboro Utilities Commission. Stated that he is a life-long resident of Boonsboro, knows many people and has met many people in Town. Stated that the Town needs to form a Budget Task Force, which has been agreed upon and hopefully will be moved forward on. Stated that he saw the Water and Sewer Budget FAQ draft but did not see the final version before it was posted on the Town website. Stated that Mayor Long should have better explained Ordinance 2017-02; *Refinancing USDA Debt* at the first Public Hearing tonight so that people would better understand that the Town has the opportunity to save \$700,000 over the life of the loan. Stated that people can come and talk to him if they'd like to.

Hearing no further comments the Public Hearing was closed at 7:22 PM.

Respectfully submitted,

Kimberly A. Miller
Administrative Assistant

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BOONSBORO MAYOR & COUNCIL
MONDAY, JUNE 19, 2017
WORKSHOP/BUSINESS MEETING

The Mayor and Council held their Workshop/Business Meeting on Monday, June 19, 2017 in the Meeting Chambers of the Charles F. 'Skip' Kauffman Building to set the Regular Session Agenda for Monday, July 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, Police Chief Charles Stanford and Administrative Assistant Kimberly Miller. The meeting convened at 7:00 PM.

APPROVAL OF JUNE 19, 2017 MEETING AGENDA

Mayor Long requested the approval of the June 19, 2017 Workshop/Business Meeting Agenda. Motion by Assistant Mayor Kauffman, second by Council Member Solberg to approve the **June 19, 2017 Workshop/Business Meeting Agenda**, and motion carried.

CITIZENS COMMENTS

- **Tony Nally**, 110 David Drive, presented his final appeal to the Mayor and Council to reconsider moving forward with the Water and Sewer rate increases, especially after the Public Hearing. Stated that he agrees with BMUC Treasurer Eric Kitchen that a Budget Task Force should be formed and that he is willing to serve as one of the members. He addressed Assistant Mayor Kauffman, and Council Members Solberg and Davis, asking them to change their minds when voting on the Budget Ordinance. Stated that instead of a 16% increase the Budget should be trimmed by 20%.
- **Bob Sweeney**, 14 Knode Circle, stated that he is requesting that the Mayor and Council reconsider moving forward with the Water and Sewer rate increases. Stated that if the Fiscal Year Budget is passed, he and many other residents are prepared to circulate a petition around Town to all of the registered voters to take the Water and Sewer rate increase to Referendum and hold a Special Election so the that residents of Boonsboro can vote on the Fiscal Year 2018 Budget.
- **Jami Mullendore**, 3 Maple Avenue, stated that the Mayor and Council are the stewards of the Town finances and urged them to be fiscally responsible. Stated that families make cuts when times are tight, and asked the Council to look at the Budget and make responsible cuts and decreases.
- **Dwayne Henson**, 110 Orchard Drive, stated that he agrees with the other citizen comments. Asked the Mayor and Council to look at the Budget and finances in a different way and not put the debt burden on the Town residents.

UNFINISHED BUSINESS

Ordinance 2017-01; Fiscal Year 2018 General, Water and Sewer Fund Budgets: Mayor Long stated that Ordinance 2017-01; *Fiscal Year 2018 General, Water and Sewer Fund Budgets* was Introduced at the May 30, 2017 Workshop Meeting and a Public Hearing was held on June 5, 2017 at 6:32PM, noting that Ordinance 2017-01 establishes the Property Tax and Personal Property Tax Rates, the Water and Sewer Utility Rates, the Sanitation Rate and the Fiscal Year 2018 General, Water, and Sewer Budgets. Mayor Long read a few of the highlights from the *Budget Public Hearing Questions and Responses* hand-out, which was distributed to the Council and attendees before the Meeting.

- **Has there been consideration of spending less and making reductions?** *An overall \$125,000 (7%) of funding cuts were made to the General Fund Budget during the Budget Workshop Meetings.*
- **How many times have the rates increased and what at the increases for?** *There have been 4 Water rate increase over 20 years. From 1997 to 2007 the Sewer Fund increased the base fee 4 times (an average of \$0.85 per year) and then for the next 6 years, through 2013, a 2% increase in the charges was approved for increased operations and expenses.*
- **Has the Town used the Reserve (savings/investment accounts) Funds to pay down the Water/Sewer Fund debt and loans?** *To date, the General Fund has funded \$1,008,308.72 of the Sewer Fund debt. In Fiscal Year 2018, the General Fund will use \$253,640 of Reserve Funding plus \$92,500 Budgeted Funding for Sewer debt and operations.*
- **What has been done to reduce the debt and stop or slow down the Water/Sewer rate increases?** *In 2013, a Debt Task Force was formed and this group met quarterly. The group was able to get the MDE portion of the debt deferred for three years, beginning 2014. The group also continually notified lawmakers about the hardship and evaluated refinancing options. As the USDA portion of the loan is a 40-year loan, it was difficult to find savings in refinancing. Finally in 2017, with 8 years paid into the debt, refinancing the loan does provide savings and an affordable payment. In addition, legislation was approved for up to \$2million for communities to apply to use towards debt reductions. Last, the General Fund has paid \$1,008,308.72 towards the debt so that all of the debt does not have to be absorbed into rate increases.*

Mayor Long stated that he would like each member of the Mayor and Council to share their input on Ordinance 2017-01; *Fiscal Year 2018 General, Water and Sewer Fund Budgets*:

- **Council Member Byrd:** Presented the Water and Sewer rate increase percentages from 2003 to present, noting that there has been an annual average rate increase of 6.9% since 2004 and asked when will it stop? Stated that it is completely ridiculous that employee salaries have increased 3% annually for the last 3 years. Stated that the BMUC can't give an actual money amount for 1 gallon of water and that there is no factual information about anything. Asked why the Town is not being more responsible until we find out if the USDA debt will be cut in October 2017.
 - Council Member Byrd and BMUC Chairman Paul Loeber discussed cutting the Budgets, the Water/Sewer rate increases and if they are truly necessary, and cutting Town staff. Stated that the Water and Sewer Funds will never be self-sufficient.
- **Council Member Solberg:** Stated that she appreciates everyone's input and that this is not an easy decision to make. She asked if other household bills are going up, noting that not many typically increase at the same rate as the Water and Sewer bills. She stated that she is all for cutting corners, but on the other hand she is thankful for clean, safe water that you don't have to worry about drinking. She stated that the Town can still find things to cut out of the Budgets, but that there is more to it than having a low Water and Sewer bill.
- **Assistant Mayor Kauffman:** Stated that she has listened to the residents and heard their concerns. Stated that it is not a popular decision to have to make, noting that the Town always strives to provide good service and it's a difficult decision to increase Water and Sewer rates. Stated that Boonsboro is 1 out of the 3 towns that has its own Water and Sewer Plants in the County, and that ours was mandated by the State. Stated that originally tap fees from developers looked great from 2006 until 2008 for paying down the debt. Stated that the General Fund can't continue subsidizing the Water and Sewer Funds. Stated that the BMUC came to the Mayor and Council with 3 rate options, that it's a difficult decision to make, but that the Town needs to pay down the Treatment Plant debt, pay for maintenance and repair, and operate the Water and Sewer Plants.
- **Council Member Schmidt:** Stated that she supports moving forward with the Budget Task Force. Stated that the last Water and Sewer rate increase hurt a lot of families and elderly people on fixed incomes. Stated that she is for the BMUC's Option 3, no Water and Sewer rate increase, due to the large rate increase last year. Stated that she is hopeful that the State will come through with the debt forgiveness. Stated that we need to hold off on rate increases until we hear from the State. Stated that she is in favor of competitive salaries for the Town staff.
- **Council Member Kerns:** Stated the Budgets need cuts. Stated that she asked the Mayor and Council and the Water and Sewer Funds to make cuts during the Budget Workshops and nothing was done at all. Stated that the Water and Sewer rate increases are going towards Town staff salaries not debt. Stated that the numbers in the Budget do not add up and that the Mayor and Council did not spend time adequately on the Budget. Stated that there is a failure of leadership by the Town Manager and BMUC.
- **Council Member Davis:** Stated that prior to coming on to the Council he was the Chairman of the BMUC. Stated that the State mandated the Waste Water Treatment Plant and the BMUC had to take loans that were supposed to be paid by developers tap fees that stopped coming in. Stated that there were terrible unforeseen I&I issues and water distribution repairs that needed to be corrected over the last few years that cut into funds, as well as repairs on Knode Circle and Maple Avenue. Stated that staff job safety is a priority. Stated that many past employees left due to low pay, and retaining employees was helped by reclassifying positions and creating a pay scale. Stated the increases are necessary in order to maintain the aging infrastructure and the increases of gone to repairing the system that was ignored previously.
- **Mayor Long:** Stated that he has been part of the Mayor and Council since 1984, that he has been through 2 Mayors and 4 or 5 BMUC Chairmen. Stated that he was one of the people that preached to the BMUC Chairmen to slowly increase Water and Sewer rates by \$0.05 every other year since 2004, and that no one wanted to do it. Stated that the Mayor and Council are trying to do their best. Stated that there have been many Sewer back-ups and I&I issues from bad stormwater rerouting from the State. Stated that recently Town Engineer Hopkins and the Public Works staff found I&I breaks and leaks and the Town has repaired them. Stated that cutting the Town Commission funding isn't going to fix things, noting that the Environmental Commissions' Sustainable Maryland Certified helps the Town get grants, that the Park Board does a great job with events and the Park, and that the Economic Development Commission helps bring business to the Town.

Council Member Schmidt asked if the Fiscal Year 2018 Budgets are not passed will the Town property taxes increase this year. Mayor Long stated that no, the Town property taxes will not increase. BMUC Chairman Paul Loeber stated that as reserves go down the Town will need to increase the Town property taxes to cover the deficit. Mayor Long stated that no, there will be no increase to taxes this Fiscal Year. Council Member Schmidt made the motion to separate the Fiscal Year 2018 General, Water and Sewer Fund Budgets. Mayor Long stated that no, that can't be done because the Council is voting on one Ordinance at this meeting. **Motion** by Council Member Solberg, second by Assistant Mayor Kauffman to approve Ordinance 2017-01; *Fiscal Year 2018 General, Water and Sewer Fund Budgets*.

- **Eric Kitchen**, 115 Orchard Drive, BMUC Treasurer. Asked the Mayor if he could speak. Stated that the Budget Task Force is an Agenda item. Stated that he is requesting that the Budget Task Force work on the Fiscal Year 2018 Budget numbers for 120 days and that the Town maintain the Fiscal Year 2017 Budget until that time.
 - Assistant Mayor Kauffman stated that she was not happy that Mr. Kitchen and Council Member Kerns met before the meeting to discuss this recommendation, and that the information and proposed recommendation were not shared with the rest of the Mayor and Council prior to the Meeting.

Council briefly discussed Mr. Kitchen's recommendation. **Motion** by Council Member Solberg, second by Assistant Mayor Kauffman to amend the motion and approve the retaining of the Fiscal Year 2017 General, Water and Sewer Fund Budgets for Fiscal Year 2018 and reconvene in 120 days (October 17, 2017), pending the Budget review by the newly formed Budget Task Force.

Mayor Long called for a Roll-Call Vote:

- Council Member Byrd – *yes*
- Council Member Solberg - *yes*
- Assistant Mayor Kauffman - *yes*
- Council Member Schmidt - *yes*
- Council Member Kerns - *yes*
- Council Member Davis - *yes*

Motion carried unanimously.

Ordinance 2017-02; Refinance USDA Debt: Town Manager Clark stated Ordinance 2017-02; *Refinance USDA Debt* was Introduced at the May 30, 2017 Workshop Meeting and a Public Hearing was held on June 5, 2017 at 6:30PM. She state that the Ordinance would allow for the refinancing of the \$5.3 million Federal bonds for the Waste Water Treatment Plant debt, would reduce the interest rate from 4.375% to 3.65%, and would reduce the debt term from 32 years to 30 years. She further stated that the Ordinance does not obligate the Town to refinance the debt. Council Member Kerns stated that she sent out an email stating that the Town needs to explore more options by using reserve funds to pay down the debt. She stated that she ran the numbers and that she recommends using the Town's CDs or other options to save money overall. **Motion** by Assistant Mayor Kauffman, second by Council Member Solberg to approve Ordinance 2017-02; *Refinance USDA Debt*.

Mayor Long called for a Roll-Call Vote:

- Council Member Byrd – *no*
- Council Member Solberg - *yes*
- Assistant Mayor Kauffman - *yes*
- Council Member Schmidt - *yes*
- Council Member Kerns - *no*
- Council Member Davis - *yes*

Motion carried 4-2.

DISCUSSION

Budget Task Force: Town Manager Clark reviewed that at the May 1, 2017 Regular Meeting, BMUC Treasurer Eric Kitchen proposed that the Mayor and Council and BMUC formally establish a *Budget Task Force* and adopt by-laws of the Task Force that would include members made up of the Town Manager, General Fund Treasurer, 2 Council Members, 2 BMUC Members and 2 members of the general public who do not serve on Town Commissions. She stated that interested citizens could complete an application online on the Town website and interested residents can also apply at Town Hall. Mayor Long stated that he is nominating Council Member/Town Treasurer Solberg, Assistant Mayor Kauffman, Council Member Kerns and BMUC Treasurer Kitchen to serve on the Budget Task Force. **Chris Weaver**, 8 Knode Circle, stated that she is recommending that Bob Sweeney and Stu Mullendore both serve on the Task Force. Mayor Long stated that residents are asked to submit applications, and that the Council will review them at the July workshop.

Resolution 2017-02; Appointment of Municipal Infraction Enforcement Officer: Town Manager Clark presented Resolution 2017-02; *Appointment of Municipal Infraction Enforcement Officer* for the Mayor and Councils consideration. She stated the purpose of this Resolution is in case a Property Maintenance Code violation would make its way to court, Michael Kinna, the Town's Property Maintenance Code and Zoning Administrator, would represent the Town as the Municipal Infraction Enforcement Officer. She further stated that Resolution 2017-02 will be formally Introduced at the July Regular Meeting.

State Highway Administration (SHA) Recommendations: Public Safety Commission Chairman Tony Nally and John Wolford, State Highway Administration Traffic Engineering Manager, attended the Meeting for further discussions on the State Highway Traffic Study Report and the Public Safety Commission's recommendation, which were presented at the May Workshop/Business Meeting.

- Mr. Wolford confirmed the SHA recommendation to place a left turn lane at the eastbound approach of Main Street at its intersection with Maple Avenue and the necessary removal of parking spaces to accommodate this change. He stated that the first 2 homes at the intersection will lose their street parking spaces (20 feet from the no-parking sign), but that he will do everything that he can to decrease the space needed for the left turn lane.
- Regarding the right turn and pedestrian zones at the Maple Avenue and Main Street intersection, the Public Safety Commission's recommendations is to remove the right lane turning arrow and make that intersection a 'no turn on red' area from North Main Street to Maple Avenue near the School Complex entrance. Mr. Wolford stated that the turn arrow is necessary to keep traffic flowing and from backing up at the intersection, noting that the SHA does plan to update the pedestrian zone.
- Mr. Wolford stated that the SHA will move forward with the Main Street traffic speed updates of 25 mph from Mousetown Road through Thomas Lane and 30 mph from Thomas Lane to Route 68/Lappans Road and Chase Six Boulevard.
- Mr. Wolford stated that he will review adjusting the Town Square intersection 'flashing lights' from 10pm to a later time.

Town Manager Clark thanked Mr. Wolford and stated that a Public Hearing will be scheduled for the July Workshop Meeting.

Tony Nally, 110 David Drive, commended the Mayor and Council for not approving the Water and Sewer rate increase.

Laura Kirby, 401 Brookridge Drive, stated that it appears that the Mayor and Council disrespect each other from the looks on their faces and their body language during the Meeting. Stated that they need to first show respect to each other so that the residents will know that they respect them and their comments.

Mayor Long closed the Workshop/Business Meeting at 9:17PM.

Respectfully submitted,

Kimberly A. Miller
Administrative Assistant

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