

BOONSBORO MAYOR AND COUNCIL
REGULAR MEETING MINUTES
Monday, April 13, 2020

The Mayor and Council of Boonsboro held their Regular Meeting on Monday, April 13, 2020 in the Meeting Chambers. The Meeting was streamed via GoToMeeting online for the public. In attendance were Mayor Howard Long, Assistant Mayor Rick Byrd, Council Members Marilee Kerns, Terri Hollingshead, Tony Nally and Ricky Weaver. Also present were Town Manager Paul Mantello and Police Chief Kevin Morgan. Office Manager Kimberly Miller was not in attendance but viewed the Meeting via GoToMeeting online. The meeting convened at 7:04PM with the pledge and invocation offered by Mayor Long.

REVIEW AND APPROVAL OF MEETING MINUTES and TREASURER'S REPORT

- **Motion** by Assistant Mayor Byrd, second by Council Member Hollingshead to approve the March 9, 2020 **Closed Session Meeting** and the **Regular Meeting**. **Motion carried.**
- **Motion** by Council Member Nally, second by Council Member Hollingshead to approve the **March 2020 Treasurer's Report**. **Motion carried.**
 - Council Member Kerns stated that she is recommending that the General Fund loan the Sewer Fund \$250,000 to help bring current the 'Due to and Due From' between the two Funds and to advise that the Boonsboro Municipal Utilities Commission to come up with terms for the repayment of the Debt Loan. **Motion** by Council Member Nally, second by Council Member Weaver to approve the General Fund loaning the Sewer Fund \$250,000 to help bring current the 'Due Tos and Due Froms' between the two Funds. **Motion carried.**
 - Council Member Kerns stated that the Wells Fargo CDs for \$110,000, \$75,000 and \$200,000 matured at the end of March 2020, and that the current best interest rate is .9% for 3-months. **Motion** by Council Member Kerns, second by Council Member Nally to reinvest the funds by combining the \$110,000 and \$75,000 into one CD for a 3-month term and reinvest the \$200,000 for a 3-month term. **Motion carried.**
 - Council Member Kerns stated that she is recommending that the Council hold their first Fiscal Year 2021 Budget Workshop Meeting on Monday, April 20, 2020 at 6PM.

MAYOR AND COUNCIL MEMBER CORRESPONDENCE

- **Mayor Long** thanked everyone who participated in the Easter Bunny fire truck visits around Boonsboro on Saturday, April 11, 2020. He stated that residents enjoyed it.
 - Council Member Kerns thanked everyone who contributed and donated to make the Easter Bunny visit possible, especially:
 - Vernon Brown and Jim Cochran for the fire truck
 - Cochran Auctions, Thompson Gas and CVS Pharmacy for the candy
 - Patti Hull of Harry and David for the Bunny costume
- **Mayor Long** stated that the Boonsboro Ambulance and Rescue Company has made the final decision to cancel this year's Carnival in Shafer Park. He stated that this is a huge fundraiser for the Company and urged people to support the company any other way that they can.

Police Department Report – *Chief Morgan*. The Police Department received 68 calls for service, which included 133 motor vehicle violator contacts and 0 Parking Citation for the month of March 2020. There were 0 adult criminal arrests, 1 adult paper service arrest, 1 adult traffic arrest, and 0 juvenile arrests.

OLD BUSINESS

Ordinance 2020-03: Antietam Cable Television Franchise Agreement and Irrevocable Amendment: Mayor Long asked what the Council wants to do with this Agenda item. Council Member Kerns stated that she is concerned that Antietam Broadband has stopped the installation of Flight Gigabyte and that the Town will not receive their Franchise funds. Council discussed their options and agreed that they would prefer to table this Agenda item until the April 20, 2020 Budget Workshop Meeting. **Motion** by Council Member Nally, second by Council Member Weaver to table Ordinance 2020-03: *Antietam Cable Television Franchise Agreement*. **Motion carried.**

NEW BUSINESS

Civil Emergency and Postponement of May 12, 2020 Town Election due to the COVID-19 Pandemic

- **Ordinance 2020-04; To Amend the Code of the Town and Adopt a New Ordinance - Civil Emergency:** Town Manager Mantello stated that due to the State of Emergency declared by Governor Hogan and catastrophic health emergency that is in existence currently, it is necessary for the Town to enact an Ordinance immediately and emergently to establish procedures to respond during a State of Emergency and catastrophic health emergency. The Town Charter, Section 210 provides the procedure for adopting Ordinances and authorizes and enables the Council to enact an emergency Ordinance by suspending the normal timeframe between introducing and adopting an Ordinance and enables the Council to introduce and adopt the Ordinance at the same meeting, and the Town Charter authorizes the Council to make an emergency Ordinance effective immediately upon approval.
 - **Motion** by Council Member Kerns, second by Assistant Mayor Byrd to approve the Introduction of Ordinance 2020-04; *To Amend the Code of the Town and Adopt a New Ordinance - Civil Emergency*. **Motion carried.**
 - **Motion** by Council Member Nally, second by Council Member Weaver to approve Ordinance 2020-04; *To Amend the Code of the Town and Adopt a New Ordinance - Civil Emergency*. **Motion carried.**
- **Resolution 2020-01; Charter Amendment - Postpone Election:** Town Manager Mantello stated that due to the State of Emergency and catastrophic health emergency that is in existence currently due to the COVID-19 pandemic it is being recommended that Resolution 2020-01; *Charter Amendment - Postpone Election* be enacted. He stated that it has been determined that it is in the best interests of the citizens of Boonsboro to postpone the Municipal Election from May 12, 2020 until the Tuesday immediately following the State of Maryland 2020 Primary Election.
 - **Motion** by Council Member Hollingshead, second by Council Member Nally to approve the Introduction of Resolution 2020-01; *Charter Amendment - Postpone Election*, with Council Member Kerns and Council Member Hanson abstaining. **Motion carried 4-0-2 .**
 - **Motion** by Council Member Hollingshead, second by Council Member Nally to approve Resolution 2020-01; *Charter Amendment - Postpone Election* and to hold the Boonsboro 2020 Municipal Election on the Tuesday immediately following the State of Maryland 2020 Primary Election, with Council Member Kerns and Council Member Hanson abstaining. **Motion carried 4-0-2 . Motion carried.**

Recommendation to Hire Town Planner: Town Manager Mantello stated that Mayor Long, Office Manager Miller and he interviewed three full-time candidate and two part-time candidate for the Town Planner vacancy. He stated that he is recommending the hiring of Stephen Goodrich as the Town Planner, noting that Mr. Goodrich took an early retirement from Washington County and would be a great addition to the Town staff. He further stated that Mr. Goodrich is fine with starting work after things return to normal from the COVID-19 pandemic. **Motion** by Council Member Kerns, second by Assistant Mayor Byrd to hire Stephen Goodrich as the Town Planner. **Motion carried.**

Program Open Space (POS) 2020 Grant: Town Manager Mantello reviewed that the Program Open Space (POS) Grant was awarded to the Town to cover 90% of the funding for the Shafer Park Roof Project for the six (6) Shafer Park facilities; the Community Center, Pavilions 4, 5 and 6, the gazebo, and the east restroom building and for the Shafer Park Parking Lots Project for milling and asphalt overlay. He stated that four (4) bids were received for the Roof Project and that one (1) bid was received for the Paving Project at the bid opening on March 27, 2020.

- **Bid Results: Shafer Park Roof Replacement Project:** Town Manger Mantello stated that he is recommending the low bidder, Hardy Builders, Inc., at the total cost of \$52,500 for architectural shingles covered by 90% the Grant amount of \$54,000, noting the Town's out-of-pocket expense of 10% of the Project would be \$5,250. Council discussed the difference between shingles and metal roofing. **Motion** by Council Member Nally, second by Council Member Weaver to award the Shafer Park Facilities Roof Replacement Project to Hardy Builders, Inc. for the cost of \$52,500. **Motion carried.**
- **Bid Results: Shafer Park Parking Lot Milling and Overlay Project:** Town Manger Mantello stated that he is recommending the only bidder, Huntzberry Brothers, at the total cost of \$61,950 covered by 90% the Grant amount of \$49,500, noting the Town's out-of-pocket expense of 10% plus the balance of the Project would be \$12,450. Council discussed the difference between shingles and metal roofing. **Motion** by Council Member Hollingshead, second by Council Member Weaver to award the Shafer Park Parking Lots Project to Huntzberry Brothers for the cost of \$61,950. **Motion carried**

Invitation for Bids: Waste Water Treatment Plant Roof: Town Manager Mantello stated that he is requesting to advertise the Invitation for Bids for the Waste Water Treatment Plant Roof Replacement Project. He stated that the scope of work consists

of replacing the flat rubber membrane roof, measuring 85 feet by 36 feet, and replacing it with a new thermoplastic polyolefin with at least a 25-year warranty. **Motion** by Council Member Hollingshead, second by Council Member Kerns to advertise the Invitation for Bids for the Waste Water Treatment Plant Roof Replacement Project. **Motion carried.**

Shafer Park and Police Department Tree Trimming Quote: Town Manager Mantello stated that Public Works Superintendent Huntsberry is requesting to have the trees trimmed in Shafer Park and near the Police Department, which was budgeted for Fiscal Year 2020. He stated that Superintendent Huntsberry tried to acquire three quotes for the trimming, but was only able to obtain one quote due to the current pandemic. He provided the one quote from Preferred Arbor Care, LLC for the total of \$18,500. Council Member Nally stated that he has used Preferred Arbor Care before and that they are a good company. **Motion** by Council Member Nally, second by Council Member Kerns to approve the tree trimming in Shafer Park and near the Police Department by Preferred Arbor Care, LLC. **Motion carried.**

Fiscal Year 2021 Real Estate and Personal Property Tax Rates: Council Member Kerns stated that the Fiscal Year 2021 Constant Yield Tax Rate must be established by June 1, 2020 so that Washington County can prepare the annual tax bills for July 1, 2020. She stated, for the tax year beginning July 1, 2020, the estimated Real Property assessable base will increase by 2.3%, from \$316,246,141 to \$323,710,946, noting that if the Town maintains the current tax rate of \$0.3591 per \$100 of assessment, Real Property Tax Revenues will increase by 2.3% resulting in \$26,806 of new Real Property Tax Revenue. She further stated that in order to fully offset the effect of increasing assessments, the Real Property Tax Rate should be reduced to \$0.3508, the FY2021 Constant Yield Tax Rate. Council Member Kerns stated that the recommendation is that the Town not reduce its Real Property Tax Rate to \$0.3508 and adopts the current Real Property Tax Rate of \$0.3591 per \$100 of assessment. She stated that this tax rate is 2.3% higher than the Constant Yield Tax Rate and will generate \$26,806 in additional Property Tax Revenues for the Town. She further stated that she is recommending that a Public Hearing on the proposed Fiscal Year 2021 Real Property Tax Rate be held at 6:30PM on Monday, May 11, 2020. **Motion** by Council Member Kerns, second by Council Member Nally to hold a Public Hearing on the proposed Fiscal Year 2021 Real Property Tax Rate on Monday, May 11, 2020. **Motion carried.**

Recommendation to pay Excavating Associates for additional cost on Keedysville Weir Wall Renovation: Town Manger Mantello stated that Excavating Associates did an amazing job on the Keedysville Weir Wall Renovation Project and completed the Project in the allotted time period. He stated that during the Project, EA ran into the issue of not being able to easily stop the water running through the weir wall which resulted in the need to use an additional 400 sandbags and stone than originally estimated. He further stated that this resulted in an unforeseen additional expense of \$5,166. Council discussed obtaining the additional sandbags for future Town use and that the Town of Keedysville is responsible for 15% of all costs. **Motion** by Council Member Hollingshead, second by Council Member Nally to pay the additional invoice from Excavating Associates for \$5,166. **Motion carried.**

Memorial Day Wreath Laying and Parade – May 24, 2020: Mayor Long presented the request from the American Legion Post 10 Ladies Auxiliary to hold the annual Memorial Day wreath laying ceremony at 1:00 PM and parade at 2:00 PM on Sunday, May 24, 2020, pending Governor Hogan’s formal approval. **Motion** by Council Member Nally, second by Council Member Hollingshead to approve the annual Memorial Day wreath laying ceremony and parade on Sunday, May 24, 2020, pending Governor Hogan’s formal approval. **Motion carried**

Nora Roberts Foundation Thank You Letter: Town Manager Mantello reviewed a letter to the Nora Roberts Foundation, on behalf of the Town, thanking them for the Grant award of \$7,443.85. He stated that the Grant was used to purchase five Automated External Defibrillators (AED) and five Bleeding Control Kits (BCK) which will be placed at Police Department, the Waste Water Treatment Plant, the Maintenance Shop, the Community Center and Town Hall.

Residents Request to Temporarily Open Yard Debris Site 1 Evening per Week: Mayor Long stated that a request was received to open the Yard Debris Site one evening a week during the COVID-19 pandemic to allow essential workers a time to take their yard debris to the Site in the addition to Saturday. Council discussed staff overtime and suggested staggering shifts on Wednesday to accommodate the additional evening time. **Motion** by Council Member Hanson, second by Council Member Hollingshead to open the Yard Debris Site on Wednesdays from 4PM to 7PM and Saturdays from 8AM to 12 noon during the pandemic. **Motion carried.**

Arbor Day 2020 Proclamation: Mayor Long read the 2020 Arbor Day Proclamation. He stated that April 26, 2020 has been proclaimed Arbor Day in Boonsboro. **Motion** by Council Member Hanson, second by Council Member Kerns to approve the Arbor Day Proclamation. **Motion carried.**

Direction to Town Commissions and Boards for Public Meetings during COVID-19 Pandemic: Town Manager Mantello stated that he feels that it is up to the Town and the Council to provide the Town Commissions with direction to stay active and productive with public meetings during the COVID-19 pandemic. Assistant Mayor Byrd and Council Member Weaver stated that it should really be up to the Commissions as to what they feel comfortable doing during these uncertain times. Town Manager Mantello stated that he plans on purchasing a subscription for GoToMeeting which can be shared with the Commissions so that they, too, can hold their monthly meetings. Council Member Nally suggested that Council Liaisons reach out to their Commissions Chairperson to find out what they want to do and give them the option to meet via GoToMeeting.

COMMISSION REPORTS

The Public Safety Commission, Park Board, Boonsboro Municipal Utilities Commission, Planning Commission and Economic Development Commission did not hold Meeting during March 2020

Environmental Commission – T. Hollingshead. Meeting held on March 10, 2020. Discussions included the BEC Fiscal Year 2021 Budget and Subcommittee Reports.

Town Manager Report – P. Mantello

- Stated that there will be one electric vehicle charging parking space added in the Town Hall parking lot
- Stated that the COVID-19 Assistance Resources List of Federal and State Agencies has been added to the Town website
- Stated that Town staff is current tracking all purchase and payroll through the MEMA/FEMA Web-Portal for the COVID-19 pandemic reimbursement program
- Stated that he submitted the ARC Grant application for the Sewer Pipe Line, Shafer park Drive and Volute Press projects

Council Member Kerns had a few closing discussion topics for the Councils consideration:

- The date for the Spring Bulk Trash Curb-side pick-up needs to be established, need to find out if Apple Valley Waste will be postponing it due to COVID-19. Mayor Long stated that he and Office Manager Miller have contacted Steve Blickenstaff and are waiting to hear back from him.
- Reminded Town Manager Mantello and Council that there should be no late notices sent out for late Boonsboro Municipal Utilities Commission or Keedysville utility bills due to the pandemic.
- Suggested sending out an updated Spring Town Newsletter to let citizens know of all of the changes, cancellations and new dates this year.
- Stated that there has been a lot of discussion on social media about honoring the 2020 Boonsboro High School seniors since there may not be a traditional graduation ceremony this year. Stated that people were suggesting hanging banners throughout the Town and wondered how many banner brackets there currently are.
- Stated that due to the cancellation of the annual Rescue Company Carnival and the presumable need for funds, she is recommending that the Rescue Company and Fire Department 2nd semi-annual donation checks of \$12,500 each be given to the companies now rather than at the end of June 2020. **Motion** by Council Member Kerns, second by Council Member Nally to approve the distribution of the Rescue Company and Fire Department 2nd semi-annual donation checks of \$12,500 each.
Motion carried.

Motion by Council Member Hollingshead, second by Council Member Nally to adjourn the Regular Meeting at 9:25PM.

Motion carried.

Respectfully submitted,

Kimberly A. Miller, Office Manager