

BOONSBORO MAYOR AND COUNCIL
REGULAR MEETING MINUTES
Monday, April 11, 2022

The Mayor and Council of Boonsboro held their Regular Meeting on Monday, April 11, 2022 in the Meeting Chambers. The Meeting was streamed via GoToMeeting. In attendance were Mayor Howard Long, Assistant Mayor Rick Byrd, Council Members Marilee Kerns, Ray Hanson, Terri Hollingshead, Tony Nally and Ricky Weaver. Also present were Town Manager Paul Mantello, Office Manager Kimberly Miller, Town Planner Reiley Stanley, Police Chief Kevin Morgan and Police Administrative Assistant Amy Rudy. The meeting convened at 7:00PM with the pledge and invocation offered by Mayor Long.

REVIEW AND APPROVAL OF MEETING MINUTES and TREASURER'S REPORT

- **Motion** by Council Member Kerns, second by Assistant Mayor Byrd to approve the **March 14, 2022 Regular Meeting Minutes. Motion carried.**
- **Motion** by Council Member Hollingshead, second by Assistant Mayor Byrd to approve the **March 2022 Treasurer's Report. Motion carried.**
 - **Council Member Kerns** announced that she is resigning as Town Treasurer. Mayor Long thanked her for everything she has done for the Town. He stated that he is recommending the appointment of Council Member/Assistant Town Treasurer Tony Nally as the Town Treasurer. **Motion** by Council Member Kerns, second by Council Member Weaver to appoint Council Member Tony Nally as the Town Treasurer, with Council Member Nally abstaining. **Motion carried.**

GUEST

- **Farmer's Market Invitation to Opening Day – Tuesday, May 3, 2022:** Farmer Market Manager Jen Raab, Social Media Specialist Leigh McFarland and Environmental Commission Member Kathy Vesely formally invited the Mayor and Council to attend the Opening Day of the 2022 Farmer's Market. They stated that there are currently 14 full-time vendors and 5 part-time vendors, that there will be 2 food trucks every week as well as musical entertainment.
- **Park Board Annual Trout Fishing Derby:** Office Manger Miller stated that Park Board Member Rich Hawkins was slated to attend the Meeting but may have forgotten. She stated that current the Annual Trout Fishing Derby has been cancelled due to not being able to get fish from the Department of Natural Resources. She stated that she apologizes for not getting the fish request application turned into the Department of Natural Resources on time this year, but that it was during the time that her family was dealing with her mother-in-law's sudden cancer diagnosis and passing and it was overlooked. She further stated that when she did get it submitted, Michael Anderson from DNR stated that unfortunately his boss was adamant about not accepting late applications, noting that they have turned so many other applications away and they can't make an exception for any one group in fear that the people who were already turned down would find out. Office Manger Miller stated that he did, however, provide her with a list of approved fish suppliers for the State of Maryland which turned out to be all out of state. She stated that the last that she heard, Rich Hawkins was attempting to find a fish supplier for the event, and she will keep the Council update as soon as she hears anything.

PRESENTATION

- **Chad Walker, National Pike Festival and James Shaull Wagon Train Foundation:** Chad Walker introduced himself and stated that he is visiting all of the Towns in Washington County that the 2022 Wagon Train will travel through. He stated that he has 3 requests for the Mayor and Council:
 - Stated that the National Pike Festival and James Shaull Wagon Train Foundation is requesting the permission to use Shafer Park on Sunday, May 22, 2022 as the end point of their journey. **Motion** by Council Member Kerns, second by Council Member Weaver to approve the use of Shafer Park for the Annual Wagon Trian Event on May 22, 2022. **Motion carried.**
 - Stated that this years Wagon Train event will cost the Foundation \$8,256.49 and that they are requesting that the Town donates \$250 from the Washington County Hotel Motel Tax to help offset the cost of their rental van for participants to travel in from the dropping points to starting points. **Motion**

by Council Member Hollingshead, second by Council Member Kerns to approve donating \$250 to the James Shaull Wagon Train Foundation. **Motion carried.**

- Requested that the Public Works staff check all of the manhole covers prior to the Wagon Train coming through Town, especially with the State Highway road work that is currently going on. Stated that loose manhole covers are a danger to the horses.
- **Charles Schwalbe, Board of Directors President, Boonsborough Museum of History:** Chuck Schwalbe, on behalf of the Boonsborough Museum of History, stated that he is requesting the donation of \$15,000 from the Town for Fiscal Year 2023. He stated that with the passing of Doug Bast, the Boonsborough Museum of History Board of Directors are implementing a plan to ensure the sustainability of the Museum. He stated that since the Museum is an attraction in Boonsboro and promises to become more popular, they are requesting funds to help implement the sustainability plan and build a working partnership with the Mayor and Council.

PUBLIC COMMENTS

Valarie Oliver, Smithsburg Candidate for Washington County Commissioner. Stated that she is a Republican candidate for County Commissioner and is attending all of the local Municipal Meetings to introduce herself.

Police Department Report – Chief Morgan. The Police Department received 69 calls for service, which included 66 motor vehicle violator contacts and 0 Parking Citations for the month of March 2022. There were 0 adult criminal arrests, 0 adult paper service arrests, 0 adult traffic arrests, and 0 juvenile arrests.

NEW BUSINESS

Appointment of Interim Town Clerk for Town Elections: Mayor Long formally appointed Office Manager Kimberly Miller as the Interim Town Clerk for the 2022 Town Election. **Motion** by Council Member Hollingshead, second by Council Member Kerns to appoint Kimberly Miller as the Interim Town Clerk. **Motion carried.**

Boonsboro Town Alliance – Establishing a 501c3 Committee of the Economic Development Commission: EDC Member Natoma Vargason attended the Meeting and discussed the newly formed Boonsboro Town Alliance. Ms. Vargason stated that the EDC met with the Town Attorney on April 7, 2022 to begin working through the process of establishing a 501c3 Committee and that they are working on creating a Mission Statement. She stated that they are looking for way to get more people in the community involved. Council Member Kerns stated that the Town Attorney fees should be paid from the EDC Budget to cover the costs incurred when meeting with them, and that the checks that the EDC has already collected for the Boonsboro Town Alliance could be held in the Restricted Funds Account until they have established their own checking account. **Motion** by Council Member Kerns, second by Council Member Nally to approve the deposit of the Boonsboro Town Alliance checks into the Town’s Restricted Funds Bank Account. **Motion carried.**

Economic Development Commission Request – Event Banners in Shafer Park: EDC Member Natoma Vargason, on behalf of the Economic Development Commission, presented the request to place two directional “tree signs” in the Shafer Park area. She stated that the signs will help people find local attractions and that they have received approval from the Park Board. She further stated that she would like to have access to the key to the informational kiosks in the Park so that she can keep the information in there up to date as well. **Motion** by Council Member Hollingshead, second by Council Member Weaver to approve the placing of the directional “tree signs” in Shafer Park. **Motion carried.**

- EDC Member Natoma Vargason stated that the Economic Development Commission would like to host a “Meet and Greet” for all of the Town Commissions to come together on a Thursday evening from 5pm to 7pm in either May or June of this year.

Zoning Map Amendment - Application Packet BNR222-02 and Staff Report: Town Planner Stanley stated that a Public Hearing was held this evening at 6:30pm and that no public comments were received. She stated that the Zoning Map Amendment will change the Morgan Property on Old National Pike from Suburban Residential (SR) to General Commercial (GC), noting that the reason for the request by the applicant is due to a mistake in the existing Zoning Classification. **Motion** by Council Member Hollingshead, second by Assistant Mayor Byrd to approve the Zoning Map Amendment BNR222-02. **Motion carried.**

Maryland 2021 Planning and Zoning Report: Town Planner Stanley, on behalf of the Planning Commission, presented the Maryland 2021 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.

Maryland General Assembly – 2022 Legislative Session Update: Town Manager Mantello provided the 2022 Legislative Session Update from Roger Manno, the Town's Lobbying Consultant, noting that the three priority funding requests have passed both the House and the Senate totaling \$1.35M in direct State funding (grant funding) with no match requirements.

- Reservoir Project \$1,00,000
- Sludge Dewatering Project \$150,000
- Chase Six Project \$200,000

He stated that he also received a 1-year Agreement at \$5,000 per month from Manno and Associates, LLC for the Fiscal Year 2023 Budget for continued consulting and lobbying before the Legislative and Executive branches of the Maryland Government. He further stated that he is working to try to reduce that monthly rate and will update the Mayor and Council.

Town Reservoir Replacement Project Update:

- **WRA's Slope Assessment & Monitoring:** Town Manager Mantello presented the Boonsboro Reservoir Slope Assessment and Monitoring Recommendations from Whitman, Requardt and Associates, LLC (WRA) dated March 3, 2022 for the Mayor and Councils review and input.
 - Western Slope: A shallow but long horizontal hole at the top of the slope and two bulges on the side of the western slope.
 - Southern Slope: A 15-foot wide dip at the top of the slope west of the staircase, an active animal burrow hole west of the staircase, soil sloughing from the crest to the middle of the slope east of the staircase, and erosion of both sides of the staircase with loose granular material on the surface.
 - Eastern Slope: A couple of shallow holes extending horizontally at the top of the slope and a 9-foot vegetated scarp with bulging underneath was identified. On this side, at the bottom of the slope, two wet patches of soil were identified.

Town Manager Mantello stated that the sinkholes, sloughing and bulging on the levee of the Reservoir were determined by MDE Dam Safety and WRA to be caused by groundhogs. He stated that WRA has been working on a remediation and monitoring plan that the Town can implement while design and construction are being completed, noting Public Works Superintendent Huntsberry has begun filling the holes with mud.

- **WRA's Dive Report:** Town Manager Mantello presented the Dive Inspection Field Report from Whitman, Requardt and Associates, LLC (WRA) dated March 31, 2022 for the Mayor and Councils review and input.
 - On March 18, 2022 the Frederick County Dive Team entered the Reservoir. During the first inspection, Commander Eaves led two divers into the reservoir. The live feed video was not working properly so communication was not possible while the inspection was occurring. During the initial dive, the team entered the Reservoir and started assessing the condition of the walls and floor. The team did an initial walk around but since the communication lines with the team's safety lookout on the outside were not working properly, the assessment was cut short. The team exited the Reservoir and reported seeing several sunken areas at the bottom located along the eastern and southern edges of the floor. Commander Eaves entered the Reservoir again by himself to get better footage and to perform dye tests at locations where the wall and floor had recessed and at the drain pipe which had a visible gap between the Hypalon liner and the pipe. The videos from the second dive show many cracks in the concrete liner, mainly in the east and south side walls and floor area adjacent to these sides. No substantial dips or cavities were observed along the walls. The sunken areas identified by the divers were observed along the eastern and southern sides of the Reservoir, where the walls meet the Reservoir floor; and are approximately 2 to 3 inches deep. Additionally, an approximately 4- to 6-inch gap was observed at the connection of the drain pipe and the floor. Based on the divers' observations and dye tests, the Hypalon liner appears to be in good condition with no visible cracks or holes, even over the depressions and cracks of the concrete liner.
 - The cracks and depressions in the concrete liner are not a concern due to the age of the Reservoir. These cracks do not appear to be a recent development as some of them were noted in the 1985 field report. Since the Hypalon liner appears to be in good condition along the Reservoir's walls and floor and there is no indication of cracks at or along the sunken areas, WRA anticipates that the embankments are well protected from water infiltrating the berms soil masses. As a temporary solution, WRA recommends the leak by the drain pipe and the gap in the seam adjacent to the inlet pipe be covered by tightly packed sandbags in order to lessen the current water loss. For a more permanent solution, the Reservoir would have to be drained and the liner patched in accordance with the manufacturer's instructions.

ARC Grant Award - Shafer Park Well Replacement Project: Town Manager Mantello, on behalf of the Boonsboro Municipal Utilities Commission, informed the Mayor and Council that the Town is waiting on the Department of Housing and Community

Development (DHCD) Agreement for the Appalachian Regional Commission (ARC) Matching Grant Award of \$100,000 for the Shafer Park Well Replacement Project, noting that the Project should start this Spring or early Summer.

Fiscal Year 2023 Congressionally Directed Spending Applications: Town Manager Mantello, on behalf of the Boonsboro Municipal Utilities Commission, informed the Mayor and Council that Environmental Protection Agency (EPA) has announced the development of a new regulation, Lead and Copper Rule Improvements (LCRI), to better protect communities from exposure to lead in drinking water with the compliance deadline to October 16, 2024. He stated that what this mean for the Town is that all lead and copper water pipes and joints must be replaced. He further stated that the Project will include the rerouting of water lines and the addition of pressure valves.

Invitations to participate in Boonsboro and Sharpsburg Memorial Day Parades: Mayor Long presented the invitation for the Council to participate in the Annual Boonsboro American Legion Post 10 Auxiliary Memorial Day Parade, which will be held on Sunday, May 29, 2022 with the wreath laying ceremony at 1:00PM and parade at 2:00PM. He stated that he will not be able to ride in the parade, but if the Council would like to, to please let Office Manager Miller know so that she can submit the information to the Legion. Mayor Long stated that the Council also received an invitation to participate in the 155th Annual Sharpsburg Memorial Day Parade on Saturday, May 28, 2022 at 2:00PM.

Council Member Kerns stated that in the past the Town donated to the Boonsboro American Legion Post 10's Annual Easter Egg Hunt in Shafer Park and that this year's event is on Saturday, April 16, 2022. She stated that she is recommending that the Town donate \$100. **Motion** by Council Member Kerns, second by Council Member Hollingshead to donate \$100 to the Boonsboro American Legion Post 10 Annual Easter Egg Hunt. **Motion carried.**

COMMISSION REPORTS

Park Board - Council Member Weaver. Meeting held on March 23, 2022. Discussions included updates on the Park Clean-Up Day, DNR tree planting near the High School and Waste Water Treatment Plant, updates on the Annual Fishing Derby, the Green Fest Swap and Recycling Event, the Wagon Train, Summer Concerts and Outdoor Movies and the Independence Day Celebration, updates on the Environmental Commission Community Garden Project, the approval of the request from the Economic Development Commission to place signs around the Park to advertise businesses and places of interest in Boonsboro, and the Fiscal Year 2023 Park Board Budget.

- Office Manager Miller stated that she has been in communication with Epic Pyrotechnics, the Town's fireworks company, since March 28, 2022 regarding the status of the fireworks. She stated that Epic Pyrotechnics reported that they do not have the fireworks and that they are currently located on a barge in the middle of the Pacific Ocean on their way from China. She stated that they will not know if the fireworks have been received until mid-May and that the price will increase by 40% for the scheduled 2022 show. She further stated that it is too late in the year to find a different company to shoot the fireworks and that no deposit has been given to Epic Pyrotechnics.

Boonsboro Municipal Utilities Commission – Council Member Nally. Meeting held on March 16, 2022. Discussions included the Drinking Water Reservoir Replacement Project, the American Rescue Plan Capital Planning Task Force Updates, the WWTP Sludge Dewatering Project Update, the Keedysville Booster Station Water Pressure Reduction Project Update, the Re-Advertising of the Public Works position, the WRA Advanced Metering Infrastructure Design Proposal, the trip to Annapolis Recap, the SERCAP Water and Sewer Rate Study and Implementation Plan, the Shafer Park Well Replacement Project, the MDE NPDES MS4 Annual Review and the EDU Survey Results.

Planning Commission – Assistant Mayor Byrd. Meeting held on March 22, 2022. Discussions included an update from Eric Kitchen on the American Rescue Plan Capital Planning Task Force Projects, the Rezoning of the Morgan Property on Old National Pike from Suburban Residential (SR) to General Commercial (GC), the Fletcher's Grove School Mitigation APFO and an update on the development of Battlefield Estates.

Economic Development Commission – Council Member Hanson. Networking Meeting held on March 17, 2022 at the American Legion. Budget Workshop Meeting held on April 7, 2022. Next Regular Meeting will be held on April 27, 2022 at 9:00am.

Environmental Commission – Council Member Hollingshead. Meeting held on March 8, 2022. Guest Presentation by Susan Simonson of the Antietam Conococheague Watershed Alliance. Discussions included the American Rescue Plan Submission Request, the Community Garden, the items for the April 2022 Town Newsletter and Subcommittee Reports.

Town Planner Report – R. Stanley

- Stated that she has nothing additional to report at this time

Town Manager Report – P. Mantello

- Stated that he has been working with Kathryn Gratton, of the Maryland Rural Development Corporation, on multiple grant opportunities for the Town
- State that he will be attending the April 2022 Park Board Meeting to discuss the 2022 Tree Giveaway

Motion by Council Member Hollingshead, second by Council Member Hanson to adjourn the Regular Meeting at 8:55PM.

Motion carried.

Respectfully submitted,

Kimberly Miller, Office Manager