

BOONSBORO MAYOR AND COUNCIL
REGULAR MEETING MINUTES
Monday, April 10, 2023

The Mayor and Council of Boonsboro held their Regular Meeting on Monday, April 10, 2023 in the Meeting Chambers. The Meeting was streamed via GoToMeeting. In attendance were Mayor Howard Long, Assistant Mayor Tony Nally, Council Members Ray Hanson, Terri Hollingshead, Marilee Kerns, Eric Kitchen and Ricky Weaver. Also present were Town Manager Paul Mantello, Office Manager Kimberly Miller, Town Clerk Bryan Wachtel, Police Chief Kevin Morgan. Town Planner Reiley Stanley was not in attendance. 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 Hanson, second by Assistant Mayor Nally to approve the **March 13, 2023 Regular Meeting** and the **April 4, 2023 Special Meeting. Motion carried.**
- **Motion** by Council Member Kerns, second by Council Member Hanson to approve the **March 2023 Treasurer's Report. Motion carried.**

GUESTS

- **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 2023 Wagon Train will travel through. He stated that he has three 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 21, 2023 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 Train Event on May 21, 2023. **Motion carried.**
 - Requested that the Boonsboro Police Department meet the Wagon Train this year at the intersection at AC&T to provide escort to Shafer Park and to assure that vehicles do not enter the procession.
 - Stated that the Foundation is requesting that the Town donate \$500 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 and to help fund the Annual Scholarship Fund. **Motion** by Council Member Hollingshead, second by Assistant Mayor Nally to approve donating \$500 to the James Shaull Wagon Train Foundation. **Motion carried.**
- **Cesar Gonzalez - Adventist Community Services (ACS) Coordinator:** Pastor Gonzalez introduced himself as the Pastor of the Middletown Valley and Catocin View Churches of the Chesapeake Conference of Seventh-day Adventists. He stated that he is visiting communities to offer their services and assist with anything in the Community.

PUBLIC COMMENTS (3-minute limit)

- **Colin Shanaberger, 15 Young Avenue.** Thanked Town Manager Mantello for all that he has done for the Town. Stated that the Town needs to address how many projects there are that will be left unattended. Stated that the Town could free up a lot of the incoming Town Managers time by having a Town Engineer on staff.
- **Anita Sweigert, 56 St. Paul Street.** Voiced her concerns regarding the proposed sub-division at 50 St. Paul Street. Stated that she is extremely disappointed that the Planning Commission feel that the concerns of the developers are more important than the residents. Stated that she feels that the Planning Commission Chairman did not consider the residents at all.
- **David Bell, 22 St. Paul Street.** Voiced his disappointment with the Planning Commission when approving the subdivision at 50 St. Paul Street. Stated that the subdivision should not be approved because there is not an existing street to connect to. Stated that the Planning Commission Chairman conducted a vote without taking the residents' concerns into consideration.

MAYOR AND COUNCIL CORRESPONDENCE

- Mayor Long stated that the Boonsboro American Legion's Annual Easter Egg Hunt held in Shafer Park on April 8, 2023 was well attended and everyone had a great time.

Police Department Report – *Chief Morgan*. The Police Department received 72 calls for service, which included 82 motor vehicle violator contacts and 0 Parking Citations for the month of March 2023. There was 1 adult criminal arrest, 0 adult paper service arrests, 0 adult traffic arrests and 0 juvenile arrests.

- Stated that the new Police Interceptor is ready to be delivered any day.
- Stated that Officer Moretti is now driving by himself during patrols.

NEW BUSINESS

Arbor Day Proclamation: Mayor Long read the 2023 Arbor Day Proclamation. He stated that April 23, 2023 has been proclaimed Arbor Day in Boonsboro, and that there will be a ceremony, tree planting and the annual Shafer Park clean-up from 1pm to 4pm. **Motion** by Assistant Mayor Nally, second by Council Member Kerns to approve the Arbor Day Proclamation. **Motion** carried.

MDE NPDES MS4 Annual Review: Town Manager Mantello presented the Maryland Department of the Environment's National Pollutant Discharge Elimination System (NPDES) Small Municipal Separate Storm Systems (MS4) Annual Progress Report for the Mayor and Councils review and input. He stated that he is happy with the Town's progress, and that 5 acres of restoration were added this past year with 30 acres being added very soon at the Waste Water Treatment Plant. He further stated that he will be handing over the MS4 Permitting process to Town Planner Stanley.

Water and Sewer Rate Study Presentation and Recommendations: Council Member Kitchen presented a Power Point presentation of the Fiscal Year 2024 Utility Rate Study Presentation and Recommendations for the Councils review and input. He stated that BMUC Assistant Chairman Colin Shanaberger, Town Manager Mantello, Town Clerk Wachtel, Administrative Assistant May and he have been meeting on Fridays at Town Hall to work on the Study and that he presented it at the Boonsboro Municipal Utilities Commission March 22, 2023 Meeting. Council Member Kitchen stated that for years, and probably decades, the Water and Sewer rates have not kept up with inflation and that the "Systems" will not stand on their own without subsidy from the General Fund, noting that everyone has seen the Sercap Report and it is time to do something. He stated that the goal is for a responsible, sustaining, transparent Budget to move the Town forward. He asked if it possible to achieve full cost recovery to have the System stand on its own without any General Fund subsidy, and if so, can we identify fixed costs and variable costs, and align each to their respective revenue category. He presented a proposed 7-year plan for fixed Water Fees and Sewer Fees for Fiscal Years 2024 through 2030 and the projected fixed cost increases from our basis, and applied a COLA or CPI as applicable, and in an effort to have our Fixed Fees cover our fixed costs by Fiscal Year 2030, they calculated our Fixed Fee increases per year.

- For **Fixed Water Fees**, Water In Town, the increase is \$7.47 per quarter per year for each of the next 7 years. In Fiscal Year 2024 the charge would go from \$15 per quarter to \$22.47 per quarter. Water Out of Town, the increase is \$11.19 per quarter per year for each of the next 7 years. In Fiscal Year 2024 the charge would go from \$22.50 per quarter to \$33.69 per quarter. These increases will generate an increase of \$58,000 in Revenue in the first year and each year thereafter. The current ratio of \$15 and \$22.50 for In Town and Out of Town respectively is maintained throughout the 7-year plan.
- For **Usage Water Fees**, there is no change from our current fee of \$6.20 for the first tier and \$9.30 for the second tier.
- The **Fixed Fee Sewer** numbers are as follows: the increase is \$5.37 per quarter per year for each of the next 7 years. In Fiscal Year 2024 the charge will go from \$55 per quarter to \$60.37 per quarter. That increase will generate an increased revenue of \$37,000 in the first year and every year thereafter.
- We have not completed the **Usage Sewer Fees**. No increase in Fiscal Year 2024 from our current fee of \$9 for the first tier and \$13 for the second tier.

Council Member Kitchen stated that the last increases were in Fiscal Year 2018 and in order to meet the current Budget cycle, they are recommending implementing year one of the plan in Fiscal Year 2024 to increase the Fixed Fees for Water and Sewer as previously noted. He stated as an example, an In-Town customer Water Fixed Fee increases by \$7.47 and the Sewer Fixed Fee increases by \$5.37 for a total increase on the bill of \$12.84 per quarter, or \$4.28 a month, and no other increases in Fiscal Year 2024. BMUC Assistant Chairman Shanaberger stated that the Town needs to move in a direction that is positive. Council Member Kerns stated that the rate increase should be part of the Budget. Council thanked Council Member Kitchen and everyone who worked on the Rate Study. Mayor Long asked that Water and Sewer Rate Study Presentation and Recommendations be placed on the April 24, 2023 Workshop Agenda for further discussion and on the May 8, 2023 Regular Meeting Agenda.

Invitation for Bids – Shafer Park Community Garden Perimeter Fence: Town Manager Mantello, on behalf of the Environmental Commission, presented the request to place the Invitation for Bids for the Shafer Park Community Garden Perimeter Fence out for bids for the Councils review and input. He stated that the scope of work consists of installing approximately 536 linear feet of 6-foot-high galvanized chain link fence, with dark green vinyl coating, around the Community Garden, noting that the fence will include two 5-foot-wide walk gates and one 10-foot-wide utility gate. He further stated that a check was received today for \$25,000 from a grant from the Nora Roberts Foundation for the fence. **Motion** by Council Member Hollingshead, second by Council Member Hanson to place the Invitation for Bids for the Shafer Park Community Garden Perimeter Fence out for bids. **Motion carried.**

Bid Results – Auditing Service for Fiscal Year Ending June 30, 2023: Office Manager Miller presented the bid results for the Professional Audit Service for the Fiscal Year Ending June 30, 2023 for the Councils review and input. She stated that the contract for Auditing Services is for a 1-year term with the option to extend for four (4) additional 1-year terms, for a total 5-year term, at the sole discretion of the Mayor and Council. She further stated that one (1) bid was received from Albright, Crumbacker, Moul and Itell at the following rates:

Fiscal Year 2023 - \$21,500

Fiscal Year 2024 - \$21,500

Fiscal Year 2025 - \$21,500

Fiscal Year 2026 - \$21,500

Fiscal Year 2027 - \$21,500

Motion by Council Member Hanson, second by Assistant Mayor Nally to award the Professional Audit Service contract to Albright, Crumbacker, Moul and Itell. **Motion carried.**

Bid Results – Retirement Administration for Fiscal Year Ending June 30, 2023: Office Manager Miller presented the bid results for the Town Employees Retirement Administration for Fiscal Year Ending June 30, 2023 for the Councils review and input. She stated that the contract for the Retirement Administration is for a 3-year term with the option to extend two (2) additional 1-year terms, for a total 5-year term, at the discretion of the Mayor and Council. She further stated that one (1) bid was received from Smith, Elliott, Kerns and Company CPAs at the following rates, noting that the Service is for record and book keeping due to employees having control over their own investments:

Fiscal Year 2023 - \$2,075

Fiscal Year 2024 - \$2,125

Fiscal Year 2025 - \$2,150

Fiscal Year 2026 - \$2,200

Fiscal Year 2027 - \$2,250

Motion by Assistant Mayor Nally, second by Council Member Hollingshead to award the Retirement Administration contract to Smith, Elliott, Kerns and Company CPA. **Motion carried.**

Bid Results – Accounting Services: Office Manager Miller presented the bid results for the Accounting Services for the Councils review and input. She stated that the contract for Accounting Services is for a 1-year term with the option to extend for two (2) additional 1-year terms, at the sole discretion of the Mayor and Council. She further stated that two (2) bids were received from Albright, Crumbacker, Moul and Itell and Clifton, Larson, Allen LLP, noting that staff is recommending Clifton, Larson, Allen LLP at the rate of \$200 per hour. Office Manager Miller stated that the Accounting Services will be used primarily for year-end closing and Audit preparation. **Motion** by Council Member Hollingshead, second by Assistant Mayor Nally to award the Accounting Services contract to Clifton, Larson, Allen LLP. **Motion carried.**

Boonsboro Municipal Utilities Commission Member Appointment: Mayor Long, on behalf of the BMUC, stated that he is recommending the appointment of the following people:

- **Chad Matthews** to fill the vacancy on the Boonsboro Municipal Utilities Commission for a 4-year term. **Motion** by Council Member Kitchen, second by Assistant Mayor Nally to appoint Chad Matthews to the Boonsboro Municipal Utilities Commission with the term ending April 2027. **Motion carried.**
- **Terry Davis** to fill the vacancy on the Boonsboro Municipal Utilities Commission for a 4-year term. **Motion** by Council Member Kitchen, second by Assistant Mayor Nally to appoint Terry Davis to the Boonsboro Municipal Utilities Commission with the term ending April 2027, with Council Member Weaver opposing. **Motion carried 5-1.**

Planning Commission Member Appointment: Mayor Long, on behalf of the Planning Commission, stated that he is recommending the appointment of the following people, noting that Commission Members Doug Moore and Anita Colliere will soon be stepping down from their positions in May 2023:

- Travis Riner to fill the vacancy on the Planning Commission for a 5-year term. **Motion** by Council Member Kitchen, second by Assistant Mayor Nally to appoint Travis Rinner to the Planning Commission with the term ending May 2028. **Motion carried.**
- Carmella Smith to fill the vacancy on the Planning Commission for a 5-year term. **Motion** by Council Member Kitchen, second by Assistant Mayor Nally to appoint Carmella Smith to the Planning Commission with the term ending May 2028. **Motion carried.**

COMMISSION REPORTS

Park Board - Council Member Weaver. Meeting held on March 22, 2023. Presentation from Audrey Vargason and Jackson Dolly about installing a Disc Golf Course in Shafer Park. Discussions included an update on the port-a-john and Park restrooms, updates from the Tree Board, plans for the Arbor Day – Stream Clean-up, plans for the Fishing Derby, updates on the Green Fest Recycling Event, Wagon Train, Independence Day Celebration, Summer Concert Series and Summer Outdoor Movies, plans for the Boy Scout Troop 20 Dutch Oven Games and camp out on April 14 to 16, 2023, the Park Path Phase IV Landscaping Plan, the Fiscal Year 2024 Budget and update on the Community Garden.

Boonsboro Municipal Utilities Commission – Council Member Nally. Meeting held on March 22, 2023. Commission Member Applicant Interviews were held for Chad Matthews and Terry Davis. Discussions included Project updates on the WWTP Sludge Dewatering Facility, Advanced Metering Infrastructure, Shafer Park Well Replacement, Commercial Customer Billing Audit and Implementation Date, Crestview Water Treatment Plant Decommission and Demolition, Drinking Water Reservoir Replacement Project Update, the Crestview Pressure Reduction and Bypass Draft WRA Preliminary Engineering Report Review, the Fiscal Year 2024 Utility Rate Structure Development Update, the Fiscal Year 2024 Community Development Funding Applications, the Lead Service Line Replacement Accelerators and ‘Get the Lead Out’ Partnership, the BKWAB Meeting Debriefing and System Reports.

Planning Commission – Council Member Kitchen. Meeting held on March 28, 2023. Discussions included the 50 St. Paul Street Subdivision and Commission Member Applicant Interviews for Travis Riner and Carmella Smith.

Public Safety Commission – Council Member Kerns. Meeting held on March 9, 2023. Discussions included an update on School House Manor and Washington County Housing Authority, an update on the Opticom Traffic Signal, an update on the Knox Box program in the EDC Business Newsletter, the articles for the Town Newsletter, the approval from the Mayor and Council to use the donations in excess of budget from National Night Out to purchase a Stop the Bleed Training Kit and a Life/Forms CPR training demonstration kit, the request for the Shafer Park PA System upgrade, the Town Ordinance for House Numbering, the Fiscal Year 2024 Budget, plans for National Night Out, and updates from the PSC Chairperson, Boonsboro Police Department, the Boonsboro Fire Department and the Boonsboro Ambulance and Rescue Company.

Economic Development Commission – Council Member Hanson. The Networking Meeting was held on March 16, 2023 at the Boonsboro American Legion and the next EDC Meeting will be on April 26, 2023.

Environmental Commission – Council Member Hollingshead. Meeting held on March 14, 2023. Discussions include updates on the Community Garden, the Fiscal Year 2023 Special Budget Requests, the Town’s Arbor Day and Park Clean-Up event, the Appalachian Trail Designation Event and Subcommittee Reports.

Town Planner Report – No Report given.

Town Manager Report – P. Mantello.

- Stated that it is the end of the Legislative Session, and the Town should be receiving \$1.5 Million in Capital Bonds
- Stated that he is working on a transition plan and extensive list of projects to close out his employment with the Town and for the hiring of a new Town Manager
- Stated that the Town received notice from the Maryland Energy Administration that the application that was submitted for the *Fiscal Year 2023 Public Facility Solar Grant Programs: Water Treatment Plants* has been selected for an award. Stated that the grant award shall not exceed \$57,020 and funds may be used for the installation of the 14.60 and 8.76 kW-dc solar rooftop arrays for the Boonsboro Water Treatment Plant and Keedysville Water

Treatment Plant roofs. Stated with that in mind, the roofs on both Plants, as well as the roof on the Town Maintenance Building, need replaced. Stated that he obtained estimates and the cost is around \$7,300 per roof.

- Presented the request to place the Request for Bids for the Boonsboro Water Treatment Plant, the Keedysville Water Treatment Plant and the Town Maintenance Building roofs out for bids for the Councils review and input. **Motion** by Council Member Kitchen, second by Council Member Hollingshead to place the Request for Bids for the Boonsboro Water Treatment Plant, the Keedysville Water Treatment Plant and the Town Maintenance Building roofs out for bids out for bids. **Motion carried.**
- Stated that the Shafer Park Creek Masonry Repair and Renovation Project is moving along well and the stone work looks great

Motion by Council Member Hanson, second by Council Member Weaver to adjourn the Regular Meeting at 9:11PM and move into Executive Session as provided 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. **Motion carried.**

Motion by Council Member Hollingshead, second by Assistant Mayor Nally to adjourn the Executive Session at 9:20PM. **Motion carried.**

Motion by Council Member Kerns, second by Assistant Mayor Nally to adjourn the Regular Meeting at 9:20PM. **Motion carried.**

Respectfully submitted,

Kimberly Miller, Office Manager