

**BOONSBORO MAYOR AND COUNCIL
REGULAR MEETING MINUTES
Monday, August 10, 2020**

The Mayor and Council of Boonsboro held their Regular Meeting on Monday, August 10, 2020 in the Meeting Chambers. The Meeting was streamed via GoToMeeting online for the public. In attendance were Mayor Howard Long, Council Members Marilee Kerns, Ray Hanson, Terri Hollingshead, Tony Nally and Ricky Weaver. Also present were Town Manager Paul Mantello, Office Manager Kimberly Miller and Interim Town Planner Tim Lung. Assistant Mayor Rick Byrd was absent. 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 Council Member Hollingshead to approve the July 13, 2020 **Regular Meeting Minutes, as amended. Motion carried.**
- **Motion** by Council Member Nally, second by Council Member Hollingshead to approve the **July 2020 Treasurer’s Report. Motion carried.**

PRESENTATION – James Smyle, *Appalachian Trail Community Ambassador*. Mr. Smyle introduced himself, stating that he was a resident of Boonsboro for 17 years on Clevelandtown Road and now resides in Virginia. He stated that he is the Mid-Atlantic Director for the Appalachian Trail Community. Mr. Smyle explained that the Appalachian Trail is the only continuous footpath in the United States, spanning 2,190 miles from Georgia to Maine with close to 3-million hikers walking it each year. He stated that 41 miles of the Trail runs through Maryland, that there are currently no towns in Maryland that are part of the Appalachian Trail Community and that he’d like Boonsboro to be the first. He further stated that it would promote Eco-Tourism and help provide services that hikers want and need. Mr. Smyle stated that the Program is designed as a co-op and that he is proposing that the Town creates a ‘steering committee’ of 3-4 people to provide input, initiatives and fund raising ideas, noting that he is also working with Dan Spedden, president of the Hagerstown-Washington County CVB.

PUBLIC COMMENTS

- **Bob Sweeney**, *14 Knode Circle*. Stated that he recently discovered an Ordinance [Chapter 5 – Article 1] from 1972 providing for establishing one-way and weight restrictions on public streets, alleys and roadways by Resolution of the Mayor and Council. Stated that this would address the large truck traffic issues on Knode Circle and in the Sycamore Run development. Stated that it also would address school bus traffic issues. Stated that local delivery truck could be exempt.

2020 Town Election Update – *Election Board Member Eric Kitchen*. Election Board Member Kitchen reported that the 2020 Town Election has been finalized. He reviewed that at the end of June 2020, a Town employee found a bundle of mail that included 163 uncounted election ballots in the decommissioned book-return drop box on the rear of Town Hall. He stated that on July 16, 2020 the Election Board and Town Clerk held a recount of the 491 ballots. The recount did not change the outcome of the Election, except for the totals: Mayor Howard Long – 424 votes (previously 282), Council Member Marilee Kerns – 400 votes (previously 270), and Council Member Raymond Hanson – 354 votes (previously 236). Mr. Kitchen stated that this closes the chapter on the 2020 Town Election and thanked the Town for their patience and participation.

MAYOR AND COUNCIL MEMBER CORRESPONDENCE

- **Mayor Long** stated that he attended the Fletcher’s Grove Community sign unveiling and ceremony on August 1, 2020

Police Department Report – *Mayor Long*. The Police Department received 54 calls for service, which included 270 motor vehicle violator contacts and 0 Parking Citations for the month of July 2020. There were 0 adult criminal arrests, 1 adult paper service arrest, 0 adult traffic arrest, and 0 juvenile arrests. Mayor Long stated that 23 people attended the *Black Lives Matters* protest on Saturday, August 8, 2020.

NEW BUSINESS

Renewal of Ordinance 2020-04; To Amend the Code of the Town and Adopt a New Ordinance - Civil Emergency: Mayor Long stated that due to the State of Emergency declared by Governor Hogan due to the COVID-19 pandemic, the Town enacted an Ordinance 2020-04; *To Amend the Code of the Town and Adopt a New Ordinance - Civil Emergency*. He stated that the Ordinance must be renewed every 30-days to keep it active. **Motion** by Council Member Nally, second by Council Member

Hollingshead to approve the renewal of Ordinance 2020-04; *To Amend the Code of the Town and Adopt a New Ordinance - Civil Emergency*, with Council Member Kerns opposing and Council Member Hanson abstaining. **Motion carried 3-1-1.**

Ordinance 2020-07; Zoning Text Amendment Storage Containers: Mayor Long stated that a Public Hearing was held at 6:30PM for public input on Ordinance 2020-07; *Zoning Text Amendment Storage Containers*, noting that no public comments were received. Interim Town Planner Lung reviewed that the proposed Ordinance regulates the time period that residents can have 'portable storage containers' on their property and requires that a permit be obtained for the containers, noting that this includes PODS and other 'moving' containers, metal sea containers and large roll-off trash containers for home renovations. Council Member Kerns stated that special consideration will be given to hardship causes such as fires and/or flooding and extensions can be obtained. Council Member Nally stated that information should be posted on the Town website, social media and in the Fall newsletter. **Motion** by Council Member Hollingshead, second by Council Member Nally to approve Ordinance 2020-07; *Zoning Text Amendment Storage Containers*. **Motion carried.**

Public Works Agreement; Easterday – United State Postal Service Boonsboro Office: Town Manager Mantello presented the Easterday's Public Works Agreement for the USPS Boonsboro Office and Phase II of the South End Pumping Station for the Council's review and input, noting that the Planning Commission is meeting on Tuesday, August 11, 2020 and the review of the Agreement will help keep things moving along. He stated that he is recommending the approval of the Agreement on the contingency that the Planning Commission and the BMUC both approve the PW Agreement as to not hold up permitting. Council Member Kerns asked if the PW Agreement could be placed on the August Workshop Meeting Agenda rather than having the Council decide this evening in case the Planning Commission and BMUC have comments that require the Council's review. She stated that she feels uncomfortable making a decision 'out of order.' Bob Sweeney, Chairman of the BMUC, stated that he has concerns about the Stormwater Management and the amount of time that Superintendents Greg Huntsberry and Pete Shumaker spend 'holding the Easterday's hands,' noting that the Town should be reimbursed for their services. Town Manager Mantello stated that Ed Scott is in the process of purchasing a parcel of the Easterday's property and that the Town needs to do everything that they can to make sure the Post Office doesn't pull out of their contract. Council discussed moving the Easterday's Public Works Agreement forward to the Planning Commission and the BMUC for their review. **Motion** by Council Member Hanson, second by Council Member Weaver to table the Easterday's Public Works Agreement for the USPS Boonsboro Office and Phase II of the South End Pumping Station until the August 24, 2020 Workshop Meeting. **Motion carried.**

Appalachian Regional Commission Grant - CIPP Lining – Bids & BMUC Recommendation to Award: Town Manager Mantello stated that the Town placed the Collections System Rehabilitation Project out for bids, with proposals due on July 10, 2020. He stated that four bids were received and that the BMUC is recommending Insituform Technologies, LLC for the cost of \$282,205, primarily because they are familiar with the Town's system and they completed Phase 1 of the Project. He stated that this is a 'matching fund' ARC Grant in the amount of \$156,000. **Motion** by Council Member Nally, second by Council Member Kerns to award the Collections System Rehabilitation Project to Insituform Technologies, LLC. **Motion carried.**

HVAC Bids & Recommendation to Award: Town Manager Mantello stated that the HVAC contract with Air Doctor expired and that the contract was put out for bids, with proposals due on July 17, 2020. He stated that two bids were received from Harrell's Services for \$1,886.25 and from Affordable Heating and Air Conditioning, LLC for \$4,330. He further stated that Harrell's Services visited the sites and evaluated all of the equipment and facilities before submitting their bid, and that he is recommending that the contract be awarded to them. **Motion** by Council Member Hanson, second by Council Member Nally to award the HVAC Maintenance Contract to Harrell's Services. **Motion carried.**

Washington County Notice of FY21 Grant Award - Program Open Space – Shafer Park Fence Demolition & Floodplain Restoration: Town Manager Mantello stated that the Town received notice that we are recipients of the Fiscal Year 2021 Program Open Space Grant for the removal of the 500+ feet of old barbed wire fencing and the floodplain restoration project which includes the planting of trees in Shafer Park. He stated that this is a 'matching fund' POS Grant in the amount of \$21,600. He further stated that he will make the recommendation at the August Workshop Meeting to place the Project out for bids.

Breast Cancer Awareness Month – Pink Ribbon Campaign – October 2020: Mayor Long stated that the Town received the annual request from the Cumberland Valley Chapter of the Breast Cancer Association to place pink ribbons on Main Street during the month of October 2020. **Motion** by Council Member Hollingshead, second by Council Member Weaver to approve the Cumberland Valley Chapter of the Breast Cancer Association annual pink ribbon drive. **Motion carried.**

- Mayor Long stated that **Washington Goes Purple** is hosting a purple light bulb and ribbon campaign in September. **Motion** by Council Member Kerns, second by Council Member Nally to approve the Washington Goes Purple light bulb and ribbon campaign. **Motion carried.**

Annual September 11th Parade: Mayor Long stated that Vernon Brown, of the First Hose Company of Boonsboro, has received approval from the State Highway Administration to hold the annual September 11th parade.

COMMISSION REPORTS

Public Safety Commission – Council Member Hanson. (Did not meet in July 2020).

Park Board - Council Member Weaver. (Did not meet in July 2020).

Boonsboro Municipal Utilities Commission – Council Member Nally. Meeting held on July 15, 2020. Discussions included updates on the Meter Replacement Program, the Water Loss Task Force, the Waste Water Model, the South End Pumping Station Upgrade, the reappointment of Stu Mullendore, the Shafer Park Well Replacement, the Boonsboro High School Irrigation Well and the Strategic Plan, the approval of the Collection System Rehabilitation Project Phase II, an update on the Municipal Asset and Capital Improvement Project, the MDE Grant award for \$30,000 for the Enhanced Nutrient Removal Operations and Maintenance and the approval to replace the Flusher Meter at the end of Alternate 40.

Planning Commission – Assistant Mayor Byrd (Did not meet in July 2020)

Economic Development Commission – Council Member Kerns. (Did not meet in July 2020) The bi-monthly Networking Breakfast has been suspended until further notice.

Environmental Commission – Council Member Hollingshead. Meeting held on July 14, 2020. Discussions included the recommendation to appoint Jennifer Clements to fill the vacancy on the BEC, Sustainable Maryland Certified and Subcommittee Reports.

- Mayor Long, on behalf of the Environmental Commission, presented the recommendation to appoint Jennifer Clements to the BEC for a 3-year term. **Motion** by Council Member Hollingshead, second by Council Member Kerns to appoint Jennifer Clements to the BEC with a term ending August 2023. **Motion carried.**

Town Planner's Report - Interim Town Planner Tim Lung

- Stated that he issued several Zoning and Property Maintenance Code Violation letters recently
- Stated that there have been a few new building permits for shed and swimming pools
- Stated that the Planning Commission Meeting scheduled for tomorrow, August 11, has a very heavy Agenda

Town Manager Report – P. Mantello

- Stated that there might be some confusion with the annual True-Up between Boonsboro and Keedysville and that he has invited Austin Abrahams, Chairman of the Boonsboro Keedysville Water Advisory Board, to the August Workshop Meeting to help explain the True-Up process.
- Stated that the Town was invited to submit a Grant application to the Appalachian Regional Commission for the volute press at the Waste Water Treatment Plant.
- Stated that the Safety and Risk Committee met on July 17, 2020.
 - Stated the Mike Malooly, Consultant from Chesapeake Employers Insurance attended the Meeting and recommended doing new employee background checks and driving record reviews, as well as annual criminal background, driving record, and credit check (financial personnel only) for all Town employees and Town Officials. Stated that he will draft a Policy for review at October 9, 2020 S&R Meeting.
 - Stated that Mike Malooly to plans to schedule a visit to the WWTP for a CEI Site Survey of the SBR Tank ladders, gated access and signage
 - Stated that all Public Works and Water and Sewer Employees now have HAZCOM, BBP and PPE training.
 - Stated that Fit Testing and Confined Space Training will be held on August 21 and September 25
 - Stated that AED and BCK Training will be held on September 1 for Public Works and Water and Sewer and Administrative Employees and will be held at the August 24 Workshop for Mayor and Council.
 - Stated the he revised Employee COVID-19 Policy on August 5, 2020:
 - New self-screening cell-phone application will be available

- New mask policy
- New monthly sanitization schedule for Town facilities and vehicles
- Stated that the Shafer Park Connector Trail Project is nearing completion and that the pervious pavement will soon be installed. Stated that the Hospice Parking Lot Project will begin soon.

Motion by Council Member Hollingshead, second by Council Member Nally to adjourn the Regular Meeting at 8:42PM and enter 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.**

Respectfully submitted,

Kimberly Miller
Office Manager