

BOONSBORO MAYOR AND COUNCIL
REGULAR MEETING MINUTES
Monday, December 9, 2019

The Mayor and Council of Boonsboro held their Regular Meeting on Monday, December 9, 2019 in the Meeting Chambers. 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, Town Planner Ethan Strickler, Office Manager Kimberly Miller and Police Chief Kevin Morgan. 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 Hollingshead, second by Assistant Mayor Byrd to approve the **November 4, 2019 Regular Meeting, the November 18, 2019 Closed Session, Workshop Meeting and Executive Session. Motion carried.**
- **Motion** by Council Member Nally, second by Council Member Hollingshead to approve the **November 2019 Treasurer’s Report. Motion carried.**
 - **Motion** by Council Member Kerns, second by Council Member Nally to transfer \$89,399.93 from the Middletown Valley Bank General Fund Checking Account to the Middletown Valley Bank General Fund “Restricted Funds” (Excise Tax) Account. **Motion carried.**
 - Council Member Kerns stated that this will yield a balance in the Restricted Funds Account of \$166,478. (Reflects Restricted Funds balance as of June 30, 2019 per Audit)
 - Excise Tax \$ 76,673
 - Hotel/Motel Tax \$ 9,960
 - Highway User Tax \$ 79,845
 - **Motion** by Council Member Kerns, second by Council Member Nally to add an additional \$50,000 to the \$200,000 Wells Fargo CD maturing and creating a 6-month CD of \$250,000. **Motion carried.**
 - **Motion** by Council Member Kerns, second by Council Member Nally to renew the Wells Fargo CD of \$250,000 for 1 year at best rate 1.65%. **Motion carried.**
 - **Motion** by Council Member Kerns, second by Council Member Nally to renew the Wells Fargo CD of \$250,000 for 3 months at best rate 1.60%. **Motion carried.**

MAYOR AND COUNCIL MEMBER CORRESPONDENCE

- Mayor Long thanked everyone who made Olde Tyme Christmas as great success on Friday, December 6th. He thanked the Public Works staff for decorating the Town beautifully.

Police Department Report – *Chief Morgan*. The Police Department received 59 calls for service, which included 59 motor vehicle violator contacts and 0 Parking Citation for the month of November 2019. There were 2 adult criminal arrests, 4 adult paper service arrests, 1 adult traffic arrest, 0 juvenile criminal and traffic arrests.

- Provided an update on the two new Police hires. Jon Witmer’s hire date will be in January 2020. Ryan Christman will enroll in the Prince Georges County Police Academy, at the cost of \$700, to fulfill his comparative compliance training requirement and his hire date will be February or March 2020.

NEW BUSINESS

Planning and Zoning Update Report:

- Town Planner Stricker stated that the Public Hearings for Ordinance 2019-04; *An Ordinance to Amend and Add Certain Provisions to the Zoning Ordinance to Allow for Storage Containers as Temporary Uses with Changes Relating to its Text* and Ordinance 2019-05; *Illicit Discharge Detection and Elimination Ordinance (IDDE) for MS4* were both cancelled due to an issue with publishing the Legal Notices in the Herald-Mail Newspaper. He stated that they will be rescheduled for February 10, 2020 at 6:00PM and 6:30PM.
- Town Planner Stricker stated the RFPs for the Shafer Park Path Connector Project are due December 18, 2019.
- Town Planner Stricker stated that he will begin holding meetings for the new Comprehensive Plan beginning in January 2020.
- Town Planner Stricker stated that the Boonsboro Post Office site plans were approved at the last Planning Commission Meeting. Council Member Kerns stated that she has concerns regarding the lack of lighting in the new traffic circle. Town Planner Strickler stated that he lights should be coming soon from State Highway.

Boonsboro Municipal Utilities Commission Recommendation – Appointing of Boonsboro Keedysville Water Advisory Board Members:

- Mayor Long stated, on behalf of the Boonsboro Municipal Utilities Commission, that he is recommending that he be appointed to the Boonsboro Keedysville Water Advisory Board as a voting member because Keedysville Mayor is on the Board. He stated that he would be filling Paul Loeber’s vacancy. **Motion** by Council Member Nally, second by Assistant Mayor Byrd to appoint Mayor Howard Long as a voting member on the Boonsboro Keedysville Water Advisory Board. **Motion carried.**
- Mayor Long stated, on behalf of the Boonsboro Municipal Utilities Commission, that he is recommending that BMUC Members Ken Eshbaugh and Stu Mullendore be appointed to the Boonsboro Keedysville Water Advisory Board as alternate members to fill the vacancies. **Motion** by Council Member Kerns, second by Council Member Weaver to appoint Ken Eshbaugh and Stu Mullendore as alternate members on the Boonsboro Keedysville Water Advisory Board. **Motion carried.**

Antietam Cable Television Franchise Agreement and Irrevocable Consent to Amendment of Franchise: Town Manager Mantello reviewed that he presented the Antietam Cable Television Franchise Agreement and Irrevocable Amendment for the Councils review and input at the November Workshop Meeting. He stated that he is recommending that a Public Hearing be scheduled at 6:00PM on January 6, 2020 before the Regular Meeting, noting that Brian Lynch, President of Antietam Broadband, has agreed to attend. **Motion** by Assistant Mayor Byrd, second by Council Member Weaver to approve the scheduling of the Public Hearing on Monday, January 6, 2020 at 6:00pm to received citizen comments on the Antietam Cable Television Franchise Agreement. **Motion carried.**

Request for Proposals - Legal Services: Town Manager Mantello presented the Request for Proposals for Legal Services, noting that the last time an RFP was put out for Legal Services was in 2015. He stated that the Legal Service Contract was reevaluate and a ‘soft cap’ threshold of \$1,000 per task was added, as well as the initial period of the contract was updated to a 1- year term with the option to extend for an additional 1-year, for a total 2-year term, at the discretion of the Mayor and Council. **Motion** by Council Member Hanson, second by Council Member Weaver to place the Request for Proposals for Legal Services out for bids as presented. **Motion carried.**

Annual Tub Grinding Quotes: Town Manager Mantello presented the annual Yard Debris Site tub grinding proposals from Custom Landscape Management and Maryland Environmental Services. Public Works Superintendent Greg Huntsberry stated that since receiving the bids, Custom Landscape Management has reduced their cost from \$9,000 to \$8,500, the same price as the past 2 years, noting that they are only company that has the portable needed equipment. **Motion** by Council Member Kerns, second by Assistant Mayor Byrd to approve the annual Yard Debris Site tub grinding proposal from Custom Landscape Management for \$8,500. **Motion carried.**

2020 Independence Day Celebration Fireworks Proposal: Office Manager Miller stated that after the not-so-favorable 2019 fireworks display at the annual Independence Day Celebration in Shafer Park, she contacted Mary Jane Blickenstaff from the Boonsboro Rescue Company to obtain contact information for the companies that they contract with for the annual Rescue Company Carnival’s fireworks display. She stated that she received three bids for the July 3, 2020 (Rain date July 5, 2020) fireworks display and is recommending that the Town contract with Epic Pyrotechnics, who come highly recommended by the Boonsboro Rescue Company at the cost of \$5,500. She stated that Epic Pyrotechnics requires a 10% down payment with the signing of the contract and 40% payment 30 days prior to shooting date, with the remaining balance due after the display. **Motion** by Council Member Nally, second by Assistant Mayor Byrd to approve the July 3, 2020 fireworks contract with Epic Pyrotechnics for the cost of \$5,500. **Motion carried.**

Request for Donation – Boonsboro Middle and High School Warrior Bands: Office Manager stated that the Town received a Request for Donation from the Boonsboro High and Middle School Band Boosters. She stated that they are asking that the Town maintain their previous donation amount of \$100. **Motion** by Council Member Nally, second by Council Member Kerns to donate \$100 the Boonsboro High and Middle School Band Boosters. **Motion carried.**

Request for Donation – American Legion Post 10 Ladies Auxiliary Children Christmas Party: Office Manager stated that the Town received a Request for Donation from the American Legion Post 10 Ladies Auxiliary for the annual Children Christmas Party held on Sunday, December 8, 2019. She stated that they are asking that the Town maintain their previous donation amount of \$100. **Motion** by Council Member Hanson, second by Council Member Kerns to donate \$100 the American Legion

Post 10 Ladies Auxiliary for the annual Children Christmas Party, with Council Member Hollingshead abstaining. **Motion carried.**

COMMISSION REPORTS

Public Safety Commission – *R. Hanson*. Meeting held on November 21, 2019. Discussions included the school crossing guard petition and issues with the crosswalks on Main Street, the scheduling of a Town walk-around and an additional drug-collection with Emily Keller in the Spring, and the request to become more involved in community concerns brought to Town Hall and invite citizens to attend the PSC meeting to voice their concerns.

Park Board – *R. Weaver*. Meeting held on November 20, 2019. Discussions included finalizing the Olde Tyme Christmas plans, the approval and recommendation to name the Town pond “*Hawkins Grove Pond*” in honor of Rich Hawkins and in memory of Ray Grove for all of their hard work on making the annual Fishing Derby a great success for so many years, and the approval to purchase 2 moveable handicapped parking signs for Shafer Park events, and the dedicating of Shafer Park Pavilion 2 in memory of Shirley Metz.

- **Motion** by Council Member Weaver, second by Council Member Kerns to name the Town pond “*Hawkins Grove Pond*” in honor of Rich Hawkins and in memory of Ray Grove. **Motion carried.**

Utilities Commission – *T. Nally*. Meeting held on November 20, 2019. Discussions included an update on the drilling of the well and holding tank for watering the Boonsboro High School athletic fields, noting that this could potentially free up 12 taps, submission of the Appalachian Regional Commission (ARC) Grant application for Inflow and Infiltrations (I&I) Phase II, an update on funding option to repair the Keedysville Springhouse weir wall, an update on water meter replacements, the approval to recommend Mayor Long as a voting member of the Boonsboro Keedysville Water Advisory Board and Ken Eshbaugh and Stu Mullendore as alternates, an update on the work group to review the bids from the Request for Proposals for the Wastewater Model as well as the Water Model Impact Fee and Policy for design and implementation of infrastructure.

Planning Commission – *R. Byrd*. Meeting held on November 19, 2019. Discussions included the review of BNSP19-03 for the Easterday Post Office Site Plan, the need to fill the Planning Commission member vacancy, updates on the Sycamore Run and King Road Associates remaining land development, the remain two development lots in the Sycamore Run Development, and the scheduling of a Public Hearing for Ordinance 2019-04; Zoning Text Amendment for Temporary Storage Containers.

Economic Development Commission – *M. Kerns*. The Networking Breakfast was held on Thursday, November 21, 2019 at 7:30am at Vesta’s Restaurant, with guest speaker Bernadette Wagner of Prime Time 4 Women. The next EDC Meeting will be on December 18, 2019 in the Meeting Chambers at 9:00am.

Environmental Commission – *T. Hollingshead*. Meeting held on November 12, 2019. Discussions included the BEC Strategic Plan, the Sustainable Maryland Certified Workshop, the Keep Maryland Beautiful grant opportunity for “Clean Up and Green UP” for plants behind Town Hall and to purchase rain barrels, the suggestion to install a walking path from Della Lane through the Historic Park on North Main Street, the suggestion to establish a master calendar for 2020 to keep track of grant opportunities and certification deadline, and the Subcommittee Reports.

Town Manager Report – *P. Mantello*

- Stated that BMUC Chairman Bob Sweeney and he are meeting with Senator Andrew Serafini and Delegate Bill Wivell this week to discuss funding for the Keedysville Springhouse weir wall repair. Repairs will cost around \$160,000 to \$180,000.

Motion by Council Member Nally, second by Council Member Hanson to close the Workshop Meeting at 8:26PM 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.**

Respectfully submitted,

Kimberly A. Miller, Office Manager