

BOONSBORO MAYOR AND COUNCIL
REGULAR MEETING MINUTES
Monday, February 14, 2022

The Mayor and Council of Boonsboro held their Regular Meeting on Monday, February 14, 2022 in the Meeting Chambers. The Meeting was streamed via GoToMeeting online. 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 6:30PM 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 Nally to approve the **January 10, 2022 Regular Meeting Minutes**, the **January 31, 2022 Workshop Meeting Minutes** and **Executive Session Meeting Minutes**, with Council Member Kerns abstaining. **Motion carried.**
- **Motion** by Council Member Nally, second by Assistant Mayor Byrd to approve the **January 2022 Treasurer’s Report. Motion carried.**
 - Council Member Kerns stated that the Fulton Bank CD in the amount of \$128,508.01 matured on January 21, 2022 and that it was renewed for a 1-year term at the interest rate of .15%

PRESENTATION

Roger Manno; DBA Manno and Associates, LLC; Introduction and Consulting Agreement: Mayor Long introduced Mr. Manno and stated that he was instrumental in helping the Delegation obtain the \$2,000,000 to pay off the Town’s Maryland Department of the Environment Waste Water Treatment Plant loan. Mr. Manno explained that he is an attorney, lobbyist and former Maryland Senator, noting that he is a legislative and regulatory architect who has spent decades in Government service, working in the White House, on the U.S. House Judiciary Committee, as Legislative Director and Senior Counsel to members of Congress, and as an elected member of the Maryland House and a senior member of the Maryland Senate. Mr. Manno stated that there is a lot of money and opportunities in the Maryland Budget and that he would like to represent the Town, help obtain funds and get things done. He stated that he feels confident in the fact that he can secure funds for the Town’s dewatering press, reservoir and Maple Avenue intersection and speed issues. He further stated that he will work with the State representatives in Annapolis and lobby for funds for the Town. Town Manager Mantello stated that Mr. Manno’s initial Consulting Agreement is for a 2-month term and presented the Agreement for the Councils review and input.

MAYOR AND COUNCIL CORRESPONDENCE

- Mayor Long stated that the Town received confirmation from the Boonsboro Area Rescue Company that the Great Boonsboro Carnival will be held this year on May 27 to June 4, 2022

Police Department Report – Chief Morgan. The Police Department received 65 calls for service, which included 84 motor vehicle violator contacts and 0 Parking Citations for the month of January 2022. There was 1 adult criminal arrest, 1 adult paper service arrest, 0 adult traffic arrests, and 0 juvenile arrests.

NEW BUSINESS

School Zone Speed Detection System Summary: Police Administrative Assistant Rudy reviewed the recommendations for the School Zone Speed Detection System on Maple Avenue. She stated that based on the proposals that were received and her research, a 1-year contract with Rekor Systems, Inc. and piggybacking on the Calvert County contract for cost savings, at the cost of \$2,800 per month, would be the most cost effective, noting that the monthly fee is even higher with the other Speed Detection System companies. She reminded the Council that the Town can only charge \$40 per ticket, with the cost due to the company per look-up fee of \$13 per violation. Chief Morgan reminded the Council that if installed, the speed camera will only run Monday thru Friday during school hours and will only issue tickets for motorist driving 12 miles over the posted 30mph speed limit, noting that they cannot issue tickets after school hours or on weekends due to the School Zone Speed Detection System regulations being for school safety only. He stated that the Town will also need to obtain permission from the State to place the speed detection system on Maple Avenue due to it being a State Highway. Assistant Mayor Byrd asked if Washington County could handle that process, and that he feels the Town should wait until the new intersection at Chase Six Boulevard, Maple Avenue and Campus Avenue is completed. Town Manager Mantello stated that he placed a request with the State Highway Administration to reduce the speed limit on Maple Avenue to 25mph. Police Administrative Assistant Rudy stated that the main issue is the traffic congestion caused by the school buses and parents picking up their children at the

School Complex on Campus Avenue. Council proposed waiting to see what happens with the new intersection at Chase Six Boulevard, Maple Avenue and Campus Avenue and have the Police Department obtain a quote for a Pole Mounted Portable Speed Display to assist in slowing the speed rate of motorist on Maple Avenue. Assistant Mayor Byrd suggested asking Washington County to share the cost. **Motion** by Council Member Nally, second by Council Member Hanson to table discussion on the School Zone Speed Detection System until the February Workshop Meeting. **Motion carried**

Participant-Directed Investment Employee Retirement Plan: Town Manger Mantello reviewed that the Council met with Bill Abeles, Managing Director of Investments of the Abeles Flurie Wealth Management Group of Wells Fargo Advisors, during a Closed Session on January 31, 2022 to review a new investment format as requested by the Mayor and Council at the December 13, 2021 Meeting. He stated that Mr. Abeles presented the Proposal Summary for a 401(k) participant-directed investment account, where employees can manage their own retirement funds, for the Councils review and input. He further stated that if the Council decides to go with this option, employees will have the ability to create portfolios with safer or more aggressive investments based on their retirement saving needs, with investment options from either John Hancock or American Funds. Town Manger Mantello stated that Mr. Abeles says that the investing platform is user friendly and that he will hold an employee training session to educate staff. **Motion** by Assistant Mayor Byrd, second by Council Member Kerns to approve the American Funds Participant-Directed Investment Retirement Plan. **Motion carried.**

Resolution 2022-01; Endorse and Adopt Sustainable Communities Designation: Town Manger Mantello presented Resolution 2022-01; *Endorse and Adopt Sustainable Communities Designation* for the Councils review and input, noting that this is the next step in the Program. He reviewed that Kathryn Gratton, of the Maryland Rural Development Corporation, attended the January 2022 Workshop Meeting and presented the Sustainable Communities Application Draft. Ms. Gratton stated that she submitted the draft Application to the State of Maryland and that they said everything looks good. She stated that the Town Commissions she has talked to for the application have been extremely helpful. The Mayor and Council thanked Ms. Gratton for her outstanding work. **Motion** by Assistant Mayor Byrd, second by Council Member Kerns to approve Resolution 2022-01; *Endorse and Adopt Sustainable Communities Designation*. **Motion carried.**

Appointment to Economic Development Commission: Mayor Long, on behalf of the Economic Development Commission, stated that he is recommending the appointment of Glorianne Manley to fill the vacant term ending November 2023. **Motion** by Council Member Hanson, second by Assistant Mayor Byrd to appoint Glorianne Manley to the Economic Development Commission. **Motion carried.**

COMMISSION REPORTS

Park Board - Council Member Weaver. Meeting held on February 9, 2022. Discussions included the approval for a Community Garden in Shafer Park near the Boy Scout Building utilizing American Rescue Plan Capital Funds, and four other possible ARP ideas which include a community pool, restoring and cleaning the Park stream, a pickleball court and a dog park.

Boonsboro Municipal Utilities Commission – Council Member Nally. Meeting held on January 20, 2022. Presentations were given by Gwin Dobson and Foreman on the draft design plans for the Sludge Dewatering Project and Eric Kitchen on the American Rescue Plan Capital Planning Task Force. Discussions included the quote from Fournier for the purchase of the rotary press for the Sludge Dewatering Project, an update of the Reservoir Replacement Project, an update on the Keedysville Booster Station Water Pressure Reduction Project, a review of WRA’s proposal to provide a PER for the Keedysville Booster Station, an update on the Boonsboro High School Irrigation Well, the plans to purchase the Public Works and Water and Sewer F350 Ford trucks from Hagerstown Ford, an update on the I&I Basement Drains for 217 and 219 Della Lane, the WWTP Wetland Creation Site Plan Review, the Public Works Maintenance Worker vacancy, and the Sustainable Communities SWOT Analysis provided to Kathryn Gratton, of the Maryland Rural Development Corporation, for inclusion in the Town’s Sustainable Communities Application.

Planning Commission – Assistant Mayor Byrd. Meeting held on January 25, 2022. Discussions included the As-Built Sycamore Run Bond Reduction, a presentation from Eric Kitchen on the American Rescue Plan Capital Planning Task Force and Request Form, a presentation from Kathryn Gratton, of the Maryland Rural Development Corporation, on the Sustainable Communities Program and the BZA 2022-01 Request for a Brewery at 7700 Old National Pike.

Economic Development Commission – Council Member Hanson. Meetings held on January 5 and 20, 2022. Discussions included the Downtown Beautification Program, the plans for upcoming Networking Breakfasts, advertising in the Visit Hagerstown brochure, the new business ribbon cutting and recognitions, EDC Love Your Local Banners, the Food Truck event, the new Boonsboro Business Association, the Appalachian Trail Community, the Spring Jubilee, the Community Safety Works Grant, the 60th Anniversary JFK Ultramarathon, the American Rescue Plan Capital Planning Task Force, the Boonsboro Town

Alliance, the restarting of the quarterly rack cards, a recap on the Vanish Brewery proposal to come to Boonsboro and filling the vacancy on the EDC. The next Networking Meeting will be held on February 17, 2022 at 7:30am at the American Legion.

Environmental Commission – Council Member Hollingshead. Meeting held on January 11, 2022. Presentations were given by David Muns the Frederick News Post Community Garden Manager, by Eric Kitchen on the American Rescue Plan Capital Planning Task Force and by Kathryn Gratton, of the Maryland Rural Development Corporation, on the Sustainable Communities Program. Discussions included the Safe Roads to Schools Act and that improved sidewalks and crosswalks in the vicinity of the School Campus is an opportunity, the congratulations to Commission Member Kathy Vesely who was nominated for the Small-Town America Civic Volunteer Award and Subcommittee Reports.

Town Manager Report – P. Mantello

- Stated that WRA submitted a Design Proposal for the Reservoir for \$154,000
- Stated that the final draft of the SERCAP Water and Sewer Rate Analysis Study has been completed and that the Report will be presented at the BMUC by Jean Holloway
- Stated that a revised Billing Policy and EDU Allocation Correction will be addressed with the BMUC. Stated that the EDU discrepancies needed to be correct with the size of buildings and units before the rate changes can go into effect

Council Member Hollingshead asked what happened with the Boonsboro Police cruiser that was in the accident in Hagerstown. Mayor Long stated that a motorist attempted to pass a Washington County school bus, crossed over the double yellow line, hit the school bus causing the driver of the bus to drive over the curb and into a light pole. He stated that after the car hit the bus, it then hit one of the Town's Police cruiser that was heading south on Potomac Street in Hagerstown. Council Member Hollingshead stated that the Mayor and Council should be notified when something involving the Town happens and is going to be printed in the newspaper or on the news. Council agreed that they should be notified when events occur before the public hears about it.

Maryland Department of Taxation: Council Member Kerns stated that the Town received the annual Constant Yield Tax Rate (CYTR) Certificate Notice from the Maryland Department of Taxation. She stated that she will check with the State to see if the Notice can be included in the April 2022 utility bill mailing and will then contact HBP, Inc. for pricing, noting that this may be a lower cost option rather than advertising it in the newspaper. She further stated that if the Town decides to go with Constant Yield Tax Rate she doesn't think we will have to do the Notice, but if the Town wants to keep same Tax Rate we will need to send the Notice and we will get an increase in revenues due to the assessment base increase. Council Member Kerns stated that the current Tax Rate is \$0.3591 per \$100 of assessment and the 2023 Constant Yield Tax Rate is \$ 0.3462 per \$100 of assessment. She stated she will bring her findings to the February Workshop Meeting.

PUBLIC COMMENTS (3-minute limit)

Jarrett Rottmund, 7414 Mountain Laurel Road. Stated that he received a very large utility bill for the quarter ending December 2021 and that he was notified of an unground leak on his property. Stated that his bill increased over \$1,700 the last 2 quarters. Stated that he lives pay check to pay check and attempted to contact Town Hall to stop his ACH auto draft but was not able to reach anyone until after the draft was taken for around \$1,400. Stated that he was unable to pay his mortgage because of this. Requested to have the funds reimbursed and to be put on a payment plan. Council discussed reversing the transaction and refunding Mr. Rottmund's funds back to him and asked that he provides a letter stating hardship as well as the cost of the plumber who repaired the leak. **Motion** by Council Member Kerns, second by Council Member Nally to approved reversing the transaction and refunding Mr. Rottmund's funds back to him in the amount of \$1,426.80. **Motion carried.**

Town Manager Mantello stated that he is recommending that a decision be made on whether to contract with Mr. Manno, noting that the Consulting Agreement is for a 2-month term at the cost of \$2,000 for the first month and \$4,000 for the second month. Council Member Kerns stated that Town Manger Mantello and the Council will need to determine where to pull the funds from. **Motion** by Council Member Hanson, second by Council Member Nally to approve the Consulting Agreement with Roger Manno. **Motion carried.**

Motion by Council Member Kerns, second by Council Member Nally to adjourn the Regular Meeting at 8:22PM. **Motion carried.**

Respectfully submitted,
Kimberly Miller, Office Manager

BOONSBORO MAYOR AND COUNCIL
WORKSHOP MEETING MINUTES
Monday, February 28, 2022

The Mayor and Council of Boonsboro held their Workshop Meeting on Monday, February 28, 2022 in the Meeting Chambers to set the Regular Session Agenda for Monday, March 14, 2022. The Meeting was streamed via GoToMeeting online. 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 Office Manager Kimberly Miller, Town Planner Reiley Stanley and Police Administrative Specialist Amy Rudy. Town Manager Paul Mantello and Police Chief Kevin Morgan were not in attendance. The meeting convened at 7:00PM.

Maple Avenue - Portable Radar Display Quotes: Police Administrative Assistant Rudy presented the Portable Radar Display quotes, as requested at the February Regular Meeting, for the Councils review and input. She reviewed quotes from Radarsign, Kustom Signals and Traffic Logix, noting that in her opinion, the equipment from Radarsign would best suit the Towns needs. She stated that the TC400 battery powered radar speed sign from Radarsign is lightweight, mobile and includes rechargeable batteries that can be charged and swapped out every 2 to 3 weeks as needed. She further stated that the TC600 solar powered radar sign from Radarsign is more of a permanent solution and can be programmed with "message alerts" such as SCHOOL ZONE, SLOW DOWN and TOO FAST. She explained that both devices include "Streetsmart," a traffic data collection software. Police Administrative Assistant Rudy stated that the Town would need to purchase 2 Speed Detection Signs, one for either side of Maple Avenue, and that Radarsign's quotes for the TC400 of \$7,144 and the TC600 of \$7,643 includes 2 signs, noting that this is a flat one-time fee with not monthly reoccurring charges. Council Member Hanson stated he feels that this is a positive gap-measure before the speed limit reduction and the new intersection at Chase Six Boulevard, Maple Avenue and Campus Avenue. Police Administrative Assistant Rudy stated that the Portable Radar Display sign would be a very useful tool for the Police Department and that it could be easily moved and used in other locations. **(NEW BUSINESS)**

Constant Yield Tax Rate (CYTR) Certificate Notice: Council Member Kerns reviewed that the Town received the 2022 Constant Yield Tax Rate (CYTR) Certificate Notice from the Maryland Department of Taxation. She stated that she checked with the State, as discussed at the February Regular Meeting, and the Notice can be included in the March 2022 utility bill mailing as long as the bills are postmarked by April 4, 2022, which will be a lower cost option than advertising the Notice in the newspaper. Council Member Kerns stated that the estimated Real Property Assessable Base will increase by 3.73%, from \$338,183,395 to \$350,796,706 for tax year beginning July 1, 2022. She explained that if the Town maintains the current tax rate of \$0.3591 per \$100 of assessment, the Real Property Tax Revenues will increase by 3.73% resulting in \$45,294 of new Real Property Tax Revenues, noting that in order to fully offset the effect of increasing assessments, the Real Property Tax Rate should be reduced to \$0.3462, the Constant Yield Tax Rate. She stated that the Public Hearing on the Proposed Real Property Tax Increase could be held at 6:30pm on Monday, April 11, 2022 before the April Regular Meeting.

- Mayor Long stated that while Council is discussing the Public Hearing for the Tax Rate, they should consider the date for the Public Hearing for the Fiscal Year 2023 Budget. Consensus is to reach out to American Rescue Plan Capital Planning Task Force Chair Eric Kitchen and then tentatively schedule the Public Hearing for May 16, 2022.

Consideration to Renew or Request for Proposals – Fiscal Year 2023 Sanitation Contract: Office Manager Miller presented the recommendation to renew or to place the Request for Proposals for the Fiscal Year 2023 Sanitation Contract out for bids for the Councils review and input, noting that the Fiscal Year 2022 Sanitation Contract was placed out for bids in March 2021 and that the current contract with Apple Valley Waste is \$132,695. She stated that the cost to renew with Apple Valley Waste for Fiscal Year 2023 is \$136,012 and that this would be the 2nd year in the contract out of the 3-year contract option. **Motion** by Assistant Mayor Byrd, second by Council Member Nally to renew the Sanitation Contract with Apple Valley Waste for Fiscal Year 2023. **Motion** carried.

Request for Proposals – 2022 Mowing Contract: Office Manager Miller presented the Request for Proposals for the 2022 Mowing Contract for the Councils review and input, noting that the contract is for 1-year with the option to extend an additional 1-year, for a total 2-year term, at the discretion of the Mayor and Council. She stated that the current contract with Yetter's Lawn Care has ended and the new Mowing Contract is slated to begin on April 1, 2022. Council Member Kerns asked that the RFP be sent out to local landscaping companies.

Minor Subdivision Plat Old National Pike: Town Planner Stanley presented the Morgan Property Minor Subdivision Plat and Application for the property located on Old National Pike beside Eby's Garage for the Councils review and input. She stated that the Morgan Property is approximately 10 acres and that they are requesting to divide it in half to make 2 parcels, noting

that there will be a rezoning of the parcels in the future to add a possible hardware store and storage lot. She further stated at this time she is requesting approval of the Morgan Property Minor Subdivision Plat. **Motion** by Assistant Mayor Byrd, second by Council Member Hollingshead to approve the Minor Subdivision Plat as presented. **Motion** carried.

SERCAP Rate Analysis Report and Water and Sewer Policy Draft: Council Member/Boonsboro Municipal Utilities Commission Liaison Nally, on behalf of the recommendation from the Boonsboro Municipal Utilities Commission, presented the South East Rural Community Assistance Project, Inc. (SERCAP) Rate Analysis Report and Water and Sewer Policy Draft for the Councils review and input, as well as a few other pages of information regarding other Municipalities rates and connection fees. He stated that the BMUC wanted to provide the Report and Policy draft at the February Workshop Meeting because Jean Holloway, Technical Assistance Provider at SERCAP, will give a presentation of the Report at the March Regular Meeting. He further stated that the new Water and Sewer Policy was drafted to correct the EDU issue the Town has been having, noting that Town Manager Mantello has forwarded the Policy to the Town Attorney and they are reviewing it. Council Member Kerns stated that she noticed a few discrepancies in the numbers for the Debt Service and is not in favor of doubling rates for senior citizens that only use the base amount of water and sewer each quarter. Council Member Nally stated that he is not in favor of doubling rates either, but that this is a good starting point for rate discussions.

WRA Reservoir Design Proposal and Project Update: Council Member/Boonsboro Municipal Utilities Commission Liaison Nally, on behalf of the recommendation from the Boonsboro Municipal Utilities Commission, presented the Whitman, Requardt and Associate's (WRA) Design Engineering Services Proposal for the replacement of the Reservoir and the Project Update for the Councils review and input. He stated that the cost of the Proposal is \$154,299 and that the Town of Middletown had a similar design requirement and cost. He further stated that Town Manger Mantello submitted two Project updates:

- Stated that Senator Van Hollen's office informed the Town that the \$1 million CDS application will pass the Senate later this week. Stated that the Town should expect an award letter and Grant Agreement late next month.
- 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. Stated that WRA is working on a mitigation and monitoring plan that the Town can implement while design and construction are being completed.

Council Member Kerns stated that the Proposal fees of \$154,299 can be paid from the American Rescue Plan Funds. **Motion** by Council Member Nally, second by Council Member Hollingshead to approve the WRA Design Engineering Services Proposal for the replacement of the Reservoir in the amount of \$154,299 from the ARP Funds. **Motion** carried.

Request for Proposals – Dewatering Press: Council Member/Boonsboro Municipal Utilities Commission Liaison Nally, on behalf of the recommendation from the Boonsboro Municipal Utilities Commission, presented the request to work with Gwin, Dobson and Foreman Engineers to mitigate inflation cost and long lead times and to allow the Town to bid out the prefabricated modular components of the Dewatering Press Project, which will hopefully save the Town around 20% in costs by doing so rather than working entirely through a general contractor. He stated that the BMUC is requesting the approval of this approach for the Project. **Motion** by Council Member Kerns, second by Council Member Nally to approve the BMUC's recommendation to work with Gwin, Dobson and Foreman Engineers for the Request for Proposals for the Dewatering Press. **Motion** carried.

Comcast Notice of Default: Mayor Long presented a status update on the Comcast Notice of Default letter dated January 11, 2022. He stated that since sending the letter, Town staff is reporting that Comcast has been much more responsive and has had better oversight of their subcontractor. He further stated that Town staff has not reported any recent resident complaints.

Town Planner Report – Reiley Stanley

- Stated that the Planning Commission is recommending the dismissal of Commission Member Jonathan Hart due to him missing a lot of meetings in the past year. Stated that their recommendation is based on Section III of Planning and Zoning Commission By-Laws: *Any Commission Member who is absent for three (3) regular or special meetings within a twelve-month period would be subject to removal from the Commission.* Consensus is that it is up to the Planning Commission to dismiss members as they see necessary.

Council Member Kerns stated that she is recommending that the Fiscal Year 2023 Real Estate and Personal Property Tax Rates Public Hearing be held at 6:30pm on Monday, April 11, 2022 before the April Regular Meeting. **Motion** by Council Member Nally, second by Assistant Mayor Byrd to hold the Fiscal Year 2023 Real Estate and Personal Property Tax Rates Public Hearing at 6:30pm on Monday, April 11, 2022. **Motion** carried.

Mayor Long stated that on Monday, February 21, 2022, Town Manger Mantello, *Jeffrey Proulx*, Washington County Board of Education *Chief Operating Officer*, and he met with Roger Manno in Annapolis to discuss the items in the Town's Fiscal Year 2023 Maryland Legislative Bond Initiative Request Meeting Packet. He stated that they visited with three members of the Appropriations Committee: Senator Corderman, Senator Zucker and Delegate Barnes, noting that all three meetings went well, and that the Town should have their support on the Legislative Bond Initiatives that were submitted. He further stated that the Town is asking for assistance with Chase Six Boulevard – Campus Avenue Realignment and Intersection, the Drinking Water Reservoir Replacement Project, the WWTP Sludge Dewatering Pres and Facility and the WWTP Solar Field Transfer. Mayor Long stated that on Wednesday, March 2, Town Manger Mantello and he will attend the Washington County Community Coalition Reception in Annapolis to continue promoting the Town's proposed Capital Projects.

Council Member Hollingshead asked when the Police Chief will start using his new Police Ford Explorer cruiser. She stated that the Town needs to get rid of the cruisers that are not in use, noting that there is an auction coming up and that the vehicles need to be sold there. Mayor Long stated that he will talk to Chief Morgan and find out the status of the new cruiser outfitting, noting that there are many supply issues going on and that it may be hard to get the equipment needed to make it road safe.

Council Member Kerns asked if the Council wants to schedule a Fiscal Year 2023 Budget Workshop. Council discussed dates and agreed upon Monday, March 14, 2022 at 6:00pm before the March Regular Meeting.

Motion by Council Member Hollingshead, second by Council Member Nally to adjourn the Workshop Meeting at 8:18PM.
Motion carried.

Respectfully submitted,
Kimberly A. Miller, Office Manager