

BOONSBORO MAYOR AND COUNCIL
REGULAR MEETING MINUTES
Monday, February 12, 2024

The Mayor and Council of Boonsboro held their Regular Meeting on Monday, February 12, 2024 in the Town Annex Meeting Chambers. The Meeting was streamed via GoToMeeting. In attendance were Mayor Howard Long, Assistant Mayor Tony Nally, Council Members Ray Hanson, Marilee Kerns, Eric Kitchen, Terri Hollingshead, and Ricky Weaver. Also present were Town Manager Jared Schumacher, Town Planner Drew Bowen, Office Manager Kimberly Miller, Police Chief Kevin Morgan, Water and Sewer Superintendent Pete Shumaker and Public Works Superintendent Greg Huntsberry. 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 **January 8, 2024 Regular Meeting and January 29, 2024 Workshop Meeting** as amended. **Motion carried.**
- **Motion** by Council Member Kitchen, second by Council Member Hollingshead to approve the **January 2024 Treasurer’s Report. Motion carried.**
 - **Assistant Mayor Nally** stated that two Certificates of Deposit renewed at Fulton Bank at 3.8%, noting that this is the best rate offered and that it is locked in for 1-year.
 - **Assistant Mayor Nally** stated they have been looking at funding for the Wastewater Treatment Plant Dewatering Press Project. He stated that the Project is on schedule and slated to finish in March 2024 but is lagging in funds to pay out the two most recent outstanding invoices. He stated to keep everything solvent, he is recommending that the General Fund loan the Sewer Fund \$500,000. **Motion** by Council Member Kerns, second by Council Member Hollingshead to approve a 60-day loan of \$500,000 from the General Fund to the Sewer Fund. **Motion carried.**

PUBLIC COMMENT

- Scout Zeke Fong attended the Meeting representing Boy Scout Troop 51 of Sharpsburg, Maryland for his Merit Badge for Citizenship in the Community.

GUEST

Update on National Road Heritage Foundation – Richard Keesecker

Mr. Keesecker stated that the National Road Heritage Foundation appreciates all of the support that the Town has been giving them and that they have been following the plan to get the Museum open as soon as possible. He provided the following updates:

- Stated that for the public restroom upgrades they have reduced the number of toilets to meet Code
- Stated that they met with members of the Economic Development Commission regarding the Boonsboro Visitors Center that will be located inside the Museum
- Stated that they will be upgrading the electrical system, drywall, and carpet
- Stated that they are searching for volunteers for the Museum and Trolley Station
- Stated that they will be hosting an Open House during the EDC’s Spring Jubilee
- Stated that the HVAC System in the Museum is over 14 years old and is failing. Stated that they will be applying for a Maryland Heritage Areas Authority (MHAA) Matching Grant to replace all of the HVAC components. Stated that the estimated cost for the project is around \$18,000 of which they will be responsible for \$9,000. Stated that they are asking for consideration of the Match Funding from the Town to cover their portion of the Matching Grant. Stated that they are asking for a Letter of Commitment from the Town by March 1, 2024.
 - **Motion** by Council Member Hollingshead, second by Assistant Mayor Nally to approve submitting a Letter of Commitment on behalf of the National Road Heritage Foundation to the Maryland Heritage Areas Authority (MHAA) Matching Grant. **Motion carried.**

FACILITIES REPORTS

PUBLIC WORKS SUPERINTENDENT’S REPORT – Greg Huntsberry

- Stated that everything is going well for Public Works
- Stated that they installed a 550-foot waterline connection to the Community Garden in Shafer Park
- Stated that they are working on their annual Park equipment and picnic table maintenance

- Stated that all of the recently purchased water meters have been installed
- Stated that the snow plows are on the trucks, and they are ready for the predicted snow tomorrow

WATER AND SEWER SUPERINTENDENT’S REPORT – Pete Shumaker

- Stated that the Town is in good shape in the Water and Sewer Departments
- Stated that they are still waiting on the test results from the lab for the Park Well Project
- Stated that they had to replace the generator at the Waste Water Treatment Plant at the cost of \$24,712
- Stated that the Dewatering Press Project is progressing well. Stated that there was a Change Order and that the completion date is now April 2024. Stated that all of the concrete and the buildings are completed

TOWN PLANNER’S REPORT – Drew Bowen

- Stated that the Planning Commission met with the Economic Development Commission and Park Board for discussion of the Comprehensive Plan
- Stated that he will be meeting with the Lions Club at the American Legion on February 14, 2024 for discussion of the Comprehensive Plan
- Stated that he met with the King Road Associates on February 9, 2024 to discuss their future plans for the property
- Stated that High’s Dairy Store requested information to move forward with their building permit. Stated that their Sediment and Erosion Plans and Stormwater Management Plans have expired and will need to be resubmitted
- Stated that the Bonding Company is negotiating the Agreement for the Preserve at Fox Gap for the completion of the Public Improvements
- Stated that the full Construction Plans have been submitted to SHA for review and approval for the Chase Six – Campus Avenue Realignment Project. Stated that the Town is reviewing the Final Plats for the land swap. Stated that we will need an approval of an Architect to document the McIlwee house at 202 Maple Avenue for the purposed of designing a similar house for the land swap.
- Stated that the Reservoir Project Design has been submitted to MDE for approval. Stated that notifications will be sent to all adjacent property owners regarding the Project
- Stated that he has been working with the Auction House (Vanish Brewery) owner Richard DiPietro and property owner Ken Clements, and that WRA is working on developing a regional sanitary sewer pumps station for servicing their needs and future needs of the surrounding properties.

TOWN MANAGER’S REPORT – Jared Schumacher

- Stated that Senator Corderman requested information on current and future awards for Town Projects. Stated that he is hoping that this is to show the Town’s need for the Governor’s Budget request of \$1.5million
- Stated that he is working with the State for Grants for the Reservoir and Dewatering Press Projects. Stated that everything has been submitted for the \$1million grant and that we are just waiting for the funds to become available

POLICE DEPARTMENT REPORT – Chief Kevin Morgan. The Police Department received 61 calls for service, which included 158 motor vehicle violator contacts and Parking Citations for the month of January 2024. There was 1 adult criminal arrest, 0 adult paper service arrests, 1 adult traffic arrest and 0 juvenile arrests.

- Stated that they have two new potential Police Officer hires coming on board and that they are both coming from Washington County, Stated that he hopes to be fully staffed by Summer.

MAYOR AND COUNCIL CORRESPONDENCE

- **Council Member Kerns** stated that a Town resident approached her with concerns about Elm Crest Avenue in the Crestview Development and King Road needing repaired. Public Works Superintendent Huntsberry stated that yes, Elm Crest Avenue has ‘spider cracks’ and needs to be overlaid, and that King Road would be Washington County’s responsibility.

NEW BUSINESS

Resolution 2024-02; Amend Fees for Connection to Water and Wastewater System: Mayor Long stated that Resolution 2024-02; *Amend Fees for Connection to Water and Wastewater System* was introduced at the January 29, 2024 Mayor and Council Workshop Meeting and that a Public Hearing was held at 6:45PM this evening to receive public input. Mayor Long stated that Town Planner Bowen reviewed the current Fees for the Connection to the Town’s Water and Wastewater System and is recommending the simplifying of the charges on the application from the Water Connection Fee’s two charges of the \$2,000

Connection Fee and the \$8,550 User Fee to one “Water Connection Fee” of \$10,550 and the charges on the application from the Sewer Connection Fee’s two charges of \$2,000 Connection Fee and the \$13,500 User Fee to one “Sewer Connection Fee” of \$15,500 for the applicant. He stated that there is no increase in fees, that it is just combining the two current fees into one fee each for Water and Sewer. **Motion** by Assistant Mayor Nally, second by Council Member Kitchen to approve Resolution 2024-02; *Amend Fees for Connection to Water and Wastewater System.* **Motion carried.**

Proposed Amendments for Subdivision Process: Town Planner Bowen presented a PowerPoint presentation on the proposed Amendments for the Subdivision Process. He reviewed that the current Subdivision Process has three steps, and he is proposing that the Town add two additional steps to the Process for the creation of new lots: Concept Plan, Preliminary Plan, Water and Sewer Certificate of Capacity from the Boonsboro Municipal Utilities Commission (NEW), Improvement Plans (NEW), and Final Plat. He stated that he is providing this information for discussion only, and that it can be further discussed at the next Meeting. Council Member Kitchen stated that he would like to know how this Amendment would apply to ‘in progress’ subdivisions. Council discussed that it is a State law to allow for the subdivision of properties and it is the Town’s responsibility to create the process for how it is done.

Chase Six Boulevard – Campus Avenue Realignment Memorandum of Understanding (MOU): Town Planner Bowen reviewed the background he has been able to find on the land swap and house located at 202 Maple Avenue as part of the Chase Six Boulevard – Campus Avenue Realignment Project. He stated that Mr. McIlwee believes that the Town is building him a house based on a promise from the previous Town Administration. He stated that he would like to present Mr. McIlwee with a Proposal Offer to pay him cash for the house and the land. Council agreed that the Town should not be in the business of building houses. Town Planner Bowen stated that the Town should have the house and land appraised and Mr. McIlwee should have the house and land appraised, and that then we can meet somewhere in the middle. He stated that he will work on setting up a meeting in the near future to start the discussions and the Memorandum of Understanding.

Maryland Local Government Investment Pool (MLGIP): Assistant Mayor Nally presented the Maryland Local Government Investment Pool (MLGIP) investment options for short term investments of funds for the Councils review and input. He stated that the MLGIP is set up for Municipalities through PNC Bank, is safe and abides by all of the Town’s investment rules. He further stated that invested funds are ‘liquid’ and can be invested one days and taken out the next. Assistant Mayor Nally stated that this is just another investment source available to the Town and that he is sharing information this evening. Council asked Assistant Mayor Nally to check to see if there are any fees involved with the MLGIP.

three+one Investment Company - Professional Services Agreement: Town Manager Schumacher reviewed that he presented the three+one cashVest Professional Agreement and Scope of Service at the September 2023 and January 2024 Meetings and that a representative from three+one attended the October 2023 Meeting and conducted a presentation for the Mayor and Council. He stated that he asked the Council to send him their specific questions and concerns regarding signing on with three+one, noting that he is circling back to answer any additional questions and looking for additional comments. Council stated that this Agenda item goes hand-in-hand with the previous item, and that they have asked Assistant Mayor Nally to check with the MLGIP for fees so that it can be compared with three+one, noting that three+one does have fees associated with it. Maryland Local Government Investment Pool and three+one will be further reviewed at the February Workshop Meeting.

Request for Proposals – Auditing Firm for Fiscal Year Ending June 30, 2024: Office Manager Miller presented the recommendation to place the Request for Proposals for the Professional Audit Service for the Fiscal Year Ending June 30, 2024 out for bids for the Councils review and input. She stated that the current contract for Auditing Services was for a 1-year term with the option to extend for four (4) additional 1- year terms, at the sole discretion of the Mayor and Council, and that the contract has reached its renewal limit. She further stated that she is requesting that bids be received by March 27, 2024. **Motion** by Council Member Hollingshead, second by Council Member Hanson to approve placing the Request for Proposals for the Professional Audit Service for the Fiscal Year Ending June 30, 2024 out for bids. **Motion carried.**

Request for Proposals – Sanitation and Recycling Contract: Office Manager Miller presented the recommendation to place the Request for Proposals for the Fiscal Year 2024 Sanitation Contract out for bids for the Councils review and input. She stated that the current contract for Sanitation and Recycling Services was 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, and that the contract has reached its renewal limit. She further stated that she is requesting that bids be received by March 20, 2024. **Motion** by Council Member Hollingshead, second by Assistant Mayor Nally to approve placing the Request for Proposals for the Fiscal Year 2024 Sanitation and Recycling Contract out for bids. **Motion carried.**

Request for Proposals – 2024 Mowing Services: Office Manager Miller presented the recommendation to place the Request for Proposals for the 2024 Mowing Contract out for bids for the Councils review and input. She stated that the current contract for Mowing Contract was for a 1-year term with the option to extend for one (1) additional 1-year term, at the discretion of the Mayor and Council, and that the contract has reached its renewal limit. She further stated that the Mowing Contract is slated to begin on April 1, 2024 and run through November 2024 and that she is requesting that bids be received by March 1, 2024. **Motion** by Council Member Hollingshead, second by Assistant Mayor Nally to approve placing the Request for Proposals for the 2024 Mowing Services out for bids. **Motion carried.**

Donation Request: Boonsboro High School “We the People” Team: Mayor Long stated that a donation requested was received from the Boonsboro High School “We the People” Team to help pay for their expenses to attend the National Competition in Washington, DC to represent the State of Maryland and Washington County. Office Manager Miller stated that there is \$480 left in the Donation line item of the Fiscal Year 2024 Budget. **Motion** by Assistant Mayor Nally, second by Council Member Kerns to donate \$100 to the Boonsboro High School “We the People” Team. **Motion carried.**

Donation Request – Washington County Soil Conservation District: Mayor Long stated that a donation requested was received from the Washington County Soil Conservation District to help pay for their expenses for the Annual Washington County Envirothon to be held on April 4, 2024 for local High School students. Office Manager Miller stated that there is \$380 left in the Donation line item of the Fiscal Year 2023 Budget. **Motion** by Council Member Hanson, second by Council Member Hollingshead to donate \$100 to the Washington County Soil Conservation District. **Motion carried.**

Public Safety Commission: Council Member Kerns reviewed that there are many vacancies on the Public Safety Commission, that there is currently no Chairperson, that no one has stepped forward to fill that position, and that this evening the Vice Chairperson has resigned. Council discussed the lack of PSC member participation, the lack of a mission other than the National Night Out event, and the suggestion of possibly holding meetings quarterly rather than monthly. Council agreed that it might be for the best that the PSC to be on a temporary hiatus and the suggested creating a National Night Out Team or Committee. **Motion** by Council Member Hanson, second by Council Member Hollingshead to temporarily suspend the Public Safety Commission and revisit this topic later in the year, with Council Member Kerns opposing. **Motion carried 5-1.**

Town Planner Bowen stated that he was approached by Trinity Evangelical Lutheran Church to place two (2) handicapped parking spaces at 64 South Main Street in front of the Church for handicapped parking ONLY on Sundays between the hours of 9AM and 12 noon. **Motion** by Council Member Hollingshead, second by Council Member Kitchen to place two handicapped parking spaces on South Main Street in front of 64 South Main Street, with Assistant Mayor Nally and Council Member Kerns abstaining **Motion carried 4-0-2.**

COMMISSION REPORTS

Park Board - Council Member Weaver. Meeting held on January 24, 2024. Discussions included the success of Olde Tyme Christmas, ideas to discuss plants for the entrance of Shafer Park for the Economic Development Commission’s Downtown Beautification Project, Capital Projects for Fiscal Year 2025, the 2024 Arbor Day Celebration on Sunday, April 28, 2024 and the Maryland Urban and Community Forestry Committee (MUCFC) 2024 Grant to purchase trees to replace trees that died after the Fall 2022 planting. The Park Board joined the Planning Commission and Economic Development Commission for the Town Comprehensive Plan Meeting in the Annex.

Boonsboro Municipal Utilities Commission – Assistant Mayor Nally. Meeting held on January 17, 2024. Discussions included updates on the Waste Water Treatment Plant Sludge Dewatering Facility, the Shafer Park Well, the review of the presentation for the Mayor and Council of the Future Demands Policies and Application Process, the Reservoir Project status, Tap Fees and System Reports.

Planning Commission – Council Member Kitchen. Meeting held on January 24, 2024. Joint Meeting of the Planning Commission, Economic Development Commission and Park Board. Discussions included the Comprehensive Plan Update Implementation and the Chase Six – Campus Avenue Realignment Project.

Public Safety Commission – Council Member Kerns. Meeting held on January 18, 2024. Discussions included plans for the Municipal Center, Sycamore Run ‘yield vs stop sign’ issues, parking issues on North Main Street, Safe Paths to School and the Public Safety Commission membership and leadership issues.

Economic Development Commission – *Council Member Hanson*. Meeting held on January 3, 2024. Discussions included Commission vacancies, Grant opportunities, the Downtown Beautification Program, the Networking Breakfast Series, the Business Ribbon Cuttings, the Quarterly Rack Cards, the Main Street Maryland application, a follow up on Verstandig Media and the EDC website, the scheduling of a meeting with the Planning Commission to begin work on the Comprehensive Plan update, and Committee Reports. The EDC Networking Breakfast was held on January 18, 2024 and was sponsored by Fahrney Keedy.

Environmental Commission –*Council Member Hollingshead*. Meeting held on January 9, 2024. Discussions included coming up with articles for the Spring Town Newsletter, the new EV charging station in Shafer Park and the need to relocate the ‘PlugShare’ location pin, the plans to move forward with the fence proposal from Long Fence for the Community Garden and Subcommittee Reports.

Town Planner Bowen provided the Mayor and Council with cost breakdown information regarding the GIS Start Up Budget, which was approved with the Fiscal Year 2024 Budget. He stated that he will be moving forward with the purchases and services in the near future.

Motion by Assistant Mayor Nally, second by Council Member Hollingshead to adjourn the Regular Meeting at 8:57PM and move into **Executive Session** as provided under **General Provisions Article §3-305 (b)(8), (8) to consult with staff, consultants, or other individuals about pending or potential litigation. Motion carried.**

Motion by Council Member Kerns, second by Council Member Hanson to adjourn the Executive Session at 9:11PM. **Motion carried.**

Motion by Council Member Hollingshead, second by Council Member Hanson to adjourn the Regular Meeting at 9:12PM. **Motion carried.**

Respectfully submitted,

Kimberly A. Miller, Office Manager