

BOONSBORO MAYOR AND COUNCIL
REGULAR MEETING MINUTES
Monday, March 8, 2021

The Mayor and Council of Boonsboro held their Regular Meeting on Monday, March 8, 2021 in the Meeting Chambers. The Meeting was streamed via GoToMeeting online for the public. 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 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 Nally, second by Council Member Hanson to approve the **February 8, 2021 Regular Meeting** and the **February 22, 2021 Workshop Meeting** and **Executive Session Minutes** as amended. **Motion carried.**
- **Motion** by Council Member Nally, second by Assistant Mayor Byrd to approve the **February Treasurer’s Report.** **Motion carried.**

Police Department Report – Chief Morgan. The Police Department received 32 calls for service, which included 36 motor vehicle violator contacts and 0 Parking Citations for the month of February 2021. There were 0 adult criminal arrests, 0 adult paper service arrests, 0 adult traffic arrests, and 0 juvenile arrests.

- Chief Morgan introduced Office Hannah Easley to the Mayor and Council. He stated that Officer Easley comes from the Hagerstown Police Department, where she worked for a year and a half, and has acclimated well to the Boonsboro Police Department.
- Office Morgan stated that the Police Department has interviewed two candidates for the Officer vacancy and that he is recommending the individual that he discussed with the Council in Executive Session, noting that he is certified and has very specialized training and would be an asset to the Town. He stated that if approved, he would like to hire him immediately and that he would begin working for the Town in about 3 weeks. **Motion** by Council Member Hanson, second by Council Member Hollingshead to approve Chief Morgan’s hiring of the new Boonsboro Police Officer. **Motion carried.**

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 Assistant Mayor Byrd, second by Council Member Nally 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. **Motion carried 5-1.**

Ordinance 2021-01; Quit Claim Property to Eric Kitchen: Mayor Long stated that a Public Hearing was held at 6:30PM for Ordinance 2021-01; *Quit Claim Property to Eric Kitchen* and that no public comments were received. Town Planner Stanley stated that Mr. Kitchen is requesting the small piece of ground to the right of his property at 115 Orchard Drive which he has been mowing and maintaining since the purchase of his home in 1998. She stated that the piece of ground was originally intended to be part of a road but that development plans changed. **Motion** by Council Member Hollingshead, second by Assistant Mayor Byrd to approve Ordinance 2021-01; *Quit Claim Property to Eric Kitchen*. **Motion carried.**

Request for Rezoning from Town Residential (TR) to General Commercial (GC) at 7514 Old National Pike: Mayor Long stated that a Public Hearing was held at 6:32PM for Rezoning Map Request for 7514 Old National Pike from Town Residential (TR) to General Commercial (GC). Town Planner Stanley stated, per the Comprehensive Plan, that commercial development in certain areas of Town, especially at major State Highway intersections, is encouraged. She further stated that the property will need to hook into the Town sewer system before construction can begin. **Motion** by Assistant Mayor Byrd, second by Council Member Kerns to approve Rezoning Map Request for 7514 Old National Pike from Town Residential (TR) to General Commercial (GC), and that it will require Site Plan approval, connection to the Town sewer system and State Highway review and approval before commercial construction can begin. **Motion carried.**

Resolution 2021-01; Preserve at Fox Gap LLC Residential Development Submittal – Concept Plan and Map: Town Planner Stanley stated that based on the original Annexation Agreement #3 with the Easterdays, all residential development on the property must be approved as a Resolution by the Mayor and Council. She reviewed that BNCP19-02; *Concept Plan for The Preserve at Fox Gap Residential Subdivision* originally included 118 single family building lots on 43.34 acres of land and that this Concept Plan, BNCP21-01, includes 125 single family building lots and a cul-de-sac as well as forest conservation. She further stated that Resolution 2021-01 will authorize permission for The Preserve at Fox Gap, LLC to submit BNCP21-01; Concept Plan for The Preserve at Fox Gap Residential Subdivision to the Planning Commission as stipulated in the Annexation Agreement. Town Planner Stanley stated that she is recommending both the Introduction of the Resolution and approval at this meeting. **Motion** by Assistant Mayor Byrd, second by Council Member Hollingshead to Introduce and approve Resolution 2021-01; *Preserve at Fox Gap LLC Residential Development Submittal*. **Motion** carried

Fiscal Year 2022 Real Estate and Personal Property Tax Rates: Council Member Kerns stated that she is Introducing the Fiscal Year 2022 Constant Yield Tax Rate that must be established by June 1, 2021 so that Washington County can prepare the annual tax bills for July 1, 2021. She stated, for the tax year beginning July 1, 2021, the estimated Real Property assessable base will increase by 2.3%, from \$328,112,318 to \$335,720,698, noting that if the Town maintains the current tax rate of \$0.3591 per \$100 of assessment, Real Property Tax Revenues will increase by 2.3% resulting in \$27,321 of new Real Property Tax Revenue. She further stated that in order to fully offset the effect of increasing assessments, the Real Property Tax Rate should be reduced to \$0.3510, the FY2022 Constant Yield Tax Rate. Council Member Kerns stated that the recommendation is that the Town considers not reducing its Real Property Tax Rate to \$0.3591 and adopts the current Real Property Tax Rate of \$0.3591 per \$100 of assessment. She stated that this tax rate is 2.3% higher than the Constant Yield Tax Rate and will generate \$27,321 in additional Property Tax Revenues for the Town. She further stated that she is recommending that a Public Hearing on the proposed Fiscal Year 2022 Real Property Tax Rate be held at 6:30PM on April 12, 2021

Maryland Department of the Environment’s MS4 Progress Report Review: Town Manager Mantello presented the MDE MS4 Progress Report for the Councils review and input. He stated that the Town still has work to be done but that the State is satisfied with the Town’s level of progress. He stated that he plans to work on designing a MS4 Program and develop the Comprehensive Plan. Council Member Kerns stated that the City of Hagerstown implemented a Stormwater Management Fee this month, noting that she is interested in seeing that that is going to work. She stated that a priority for the Town should be educating our residents.

Appalachian Regional Commission (ARC) Grant Award – Waste Water Treatment Plant Dewatering Press: Town Manager Mantello presented the ARC Grant Award for the Waste Water Treatment Plant Dewatering Press for the Councils review and input. He stated that he received a call from Senator Van Hollen regarding the ARC Grant Award in the amount of \$325,000 in matching fund, noting that the funds are immediately available. He further stated that a Resolution will need to be approved in April declaring the official intent to reimburse expenditure debt incurred during the Waste Water Treatment Plant Dewatering Press Project and reviewed the proposed Semi-Annual Debt Service options for 5-10-15-20 years for their consideration.

Consideration to Renew or Request for Proposals – Fiscal Year Ending June 30, 2021 Professional Audit Service: Office Manager Miller presented, for the Councils consideration, the renewal or Request for Proposals for the Fiscal Year Ending June 30, 2021 Professional Audit Service, noting that this time 3 years ago that the Council placed the Request for Proposals out for the Fiscal Year 2018 Professional Audit Service. Council discussed that the FY2018 Proposal for Auditing Services was for a 1-year term for the Fiscal Year ending June 30, 2020, with the option to extend for four (4) additional one-year terms, at the sole discretion of the Mayor and Council. If the Council decides to renew Albright, Crumbacker, Moul and Intell, Inc. contact for Fiscal Year 2021, the proposal cost is \$13,500 which is the same as the past three years. **Motion** by Council Member Kerns, second by Council Member Nally to approve the renewal of the Fiscal Year Auditing Service for the year ending June 30, 2021 with Albright, Crumbacker, Moul and Intell, Inc. for the cost of \$13,500. **Motion** carried.

Request to Proposals – Fiscal Year 2021 Sanitation Contract: Office Manager Miller presented, for the Councils consideration, the recommendation to place the Request for Proposals for the Fiscal Year 2022 Sanitation Contract out for bids, noting that Sanitation Contract has been renewed with Apple Valley Waste for the term limit of 3-years as stipulated in the Fiscal Year 2018 RFP. She stated that the current contract with Apple Valley Waste is \$131,850 and that it ends on June 30, 2021. **Motion**

by Council Member Hollingshead, second by Council Member Weaver to place the Request for Proposals for the Trash and Recycling Collection Services for Fiscal Year 2022 out for bids. **Motion** carried.

Recommendation for Appointment to Economic Development Commission (2-Year Terms): Mayor Long, on behalf of the Economic Development Commission, presented the recommendation to appoint Marie Oyster for 2-year term. **Motion** by Council Member Kerns, second by Council Member Hollingshead to appoint Marie Oyster to the Economic Development Commission for a 2-year term ending March 2023. **Motion** carried.

Memorial Day Wreath Laying and Parade – May 30, 2021: Mayor Long presented the request from the American Legion Post 10 Ladies Auxiliary to hold the annual Memorial Day wreath laying ceremony at 1:00 PM and parade at 2:00 PM on Sunday, May 30, 2021, pending formal approval from MEMA. **Motion** by Assistant Mayor Byrd, second by Council Member Nally to approve the annual Memorial Day wreath laying ceremony and parade on Sunday, May 30, 2021, pending formal approval from MEMA, with Council Member Hollingshead abstaining. **Motion** carried 5-1.

COMMISSION REPORTS

Public Safety Commission: *Council Member Hanson.* Did not meet in February 2021. The next Meeting will be held on March 18, 2021 and will be a reorganizational meeting.

Park Board - Council Member Weaver. Meeting held on February 24, 2021. Eagle Scout presentation by Ben Dellinger of Troop 51. His proposal includes planting 150-250 trees in Shafer Park and around Boonsboro. Discussions included event updates for the Arbor Day/Park Clean-Up Day on April 25, the Annual Fishing Derby on May 1 (rain date May 8) and dedication of the *Hawkins Grove Pond*, the Wagon Train on May 16, and the Summer Concert Series. Green Fest has been cancelled for the year and in place of it there will be a Recycling and Swap Event. Park Movie Nights will be discussed at the next Meeting, as well as the Independence Day Celebration on July 2 (rain date July 3).

Boonsboro Municipal Utilities Commission – Council Member Nally. Meeting held on February 17, 2021. Presentation on Asset Management by Dawn Nall from the Southwest Environmental Finance Center. Discussions included updates on the Rate Study, the Water Loss Task Force, the Route 34 Streambank Stabilization Project, the Collections Systems Rehabilitation Project Phase II, the Shafer Park Well issues, the Boonsboro High School Irrigation Well Project, and the SCADA System for Well #8. New Business discussions included the recommendation to test all commercial meters 2 inches and over every 2-years, the ARC Grant Award for the Waste Water Treatment Plant Dewatering Press, the Keedysville Springhouse Weir Wall Project funding, and the recommendation to increase Connection Fees from \$1,000 to \$2,000 based on WRA's Models for Water and Waste Water.

- **Motion** by Council Member Nally, second by Council Member Kerns to increase the Connection Fees from \$1,000 to \$2,000 effective immediately. **Motion** carried.

Planning Commission – Assistant Mayor Byrd. Meeting held on February 23, 2021. Discussions included the Rezoning Application for 7514 Old Nation Pike and an interview of a potential new Commission Member, Robert Welty.

Economic Development Commission - Council Member Kerns. Meeting held on February 24, 2021. Discussions included the election of Commission Officers and the tabling of the election of a Secretary until the next Meeting, the updates on Girls Night Out in May 2012, the Cultural Crossroads banners on the Town Square, and the idea to make a proclamation for Barber Pete Buchanan. Discussions on annual Town Events, the plans to host the Springtastic Jubilee April 17 to May 2, 2021 on Main Street, the Town Beautification Project and the plans to contract with Boonsboro High School's FFA to maintain the Main Street planters, the recommendation to appoint Marie Oyster to the EDC and the plans to start up the Business Networking Breakfasts as soon as COVID-19 restrictions are lifted.

Environmental Commission - Council Member Hollingshead. Meeting held on February 9, 2021. Discussions included an update on the Town Hall parking lot new EV Station, the EDC Members biographies and pictures for the Town website, the plans to place a news item in the quarterly Town Newsletter to help earn points towards Sustainable Maryland, the Recycling and Swap Event in Shafer Park on May 15, 2021 hosted by the EDC and members of the Green Fest Committee, and Subcommittee Reports.

Town Planner's Report – R. Stanley (No Report provided.)

Town Manager Report – P. Mantello

- Stated that Departmental Budget Meetings will be held on March 16, 2021 with Public Works, Water and Sewer and the Police Department.
- Stated that he reviewed old Meeting Minutes and is working with the Town Attorney for clarifications between EDUs verses Fixed Fees for water and sewer connections.

Council Member Kerns stated that she is recommending that the Council schedules its first Fiscal Year 2022 Budget Workshop at 6:00PM on March 29, 2021 before the Workshop Meeting.

Motion by Council Member Hollingshead, second by Assistant Mayor Byrd to adjourn the Regular Meeting at 8:15PM. **Motion carried.**

Respectfully submitted,

Kimberly Miller
Office Manager