

**BOONSBORO MAYOR AND COUNCIL  
REGULAR MEETING MINUTES  
Monday, October 7, 2019**

The Mayor and Council of Boonsboro held their Regular Meeting on Monday, October 7, 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 Officer Wes McKenzie. 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 Assistant Mayor Byrd to approve the **September 9, 2019 Regular Meeting**, the **September 23, 2019 Workshop Meeting** and **September 23, 2019 Closed Session** and. **Motion** carried.
- **Motion** by Council Member Nally, second by Assistant Mayor Byrd to approve the **September 2019 Treasurer's Report**. **Motion** carried.
  - Council Member Kerns stated that a \$250,000 CD at Wells Fargo matured this month and asked the Council what they would like to do with the funds. She stated that the current interest rate with Wells Fargo for 9 months and for 1-year investments is 1.8% and a 6-month investment is 1.85%. **Motion** by Council Member Nally, second by Assistant Mayor Byrd to establish a \$250,000 CD for 1-year at the best rate available. **Motion** carried.

**CERTIFICATE OF APPRECIATION**

Mayor Long presented Al Martin with a Certificate of Appreciation as a thank you for his service and dedication in sharing his wealth of knowledge in finance and accounting and for serving as a consultant and mentor for the Town.

**PUBLIC COMMENTS** *(must sign in and limit comments to 3 minutes)*

- **Kathy Vesely**. 101 Redfern Drive. Thanked the Mayor and Council for participating in the cornhole event at the Farmer's Market on October 1. Reminded the Council of the upcoming tours of the Apple Valley Waste and Entsorga West Virginia facilities on November 12, 2019. Stated that she and BEC Member Alison Preston attended the September Public Safety Commission meeting to voice their concerns regarding the crosswalk on Potomac Street at the Boonsboro Library. Stated that Chief Morgan suggested placing the crosswalk signs out during the day and that the signage is working. Stated that motorists are stopping to allow pedestrians to cross the road. Asked that the crosswalk be re-painted soon so that it is more visible.
- **Ginger Bigelow**. 138 Lakin Avenue. Voiced her concerns regarding the rerouting of the 14 Washington County school buses traveling from the Boonsboro School Complex, down Center Street, up Lakin Avenue and down St. Paul Street twice daily to transport students home from school. Stated that the Washington County School Board told her that the rerouting was done this school year to clear out the traffic at the School Complex faster. Stated that the huge issue is that there is no sidewalk on Center Street and children are walking home from school while buses and other vehicles are traveling on the road, noting that it is very, very unsafe. Stated that when the buses turn right at the top of Lakin Avenue there is a back-up from the traffic light in the Town Square the whole way to Lakin Avenue and that the buses are blocking the Fire Department driveway so that firetrucks would not be able to leave if there was a fire call emergency. Stated that she spoke to the Board of Education and County Sheriff's Office and requested that a traffic light be installed, or traffic control be performed daily. Stated that she spoke to Delegate Neil Parrott and he agrees that it is a definite safety problem and asked that the Mayor and Council write letters to the Washington County Board of Education President and Board Members, individually and from the Town expressing the need for safety for the students and issues on the Towns small neighborhood roads.

**MAYOR AND COUNCIL MEMBER CORRESPONDENCE**

- Council Member Nally suggested that the Mayor and Council hand out treats on Halloween at Town Hall. Council liked the suggestion and will participate in Trick-or-Treat on October 31 from 6pm to 8pm.
- Mayor Long stated that the Fall Bulk Clean-Up and Recycling Event will be held this Saturday, October 12 in Shafer Park from 8am to 12 noon.
- Mayor Long stated that BooneFest will be held on Saturday, October 12, 2019 from 10am to 6pm on Main Street and for all Council Members to come out and show their support for local businesses.

**Police Department Report – Officer McKenzie.** The Police Department received 94 calls for service, which included 194 motor vehicle violator contacts and 0 Parking Citation for the month of September 2019. There was 1 adult criminal arrest, 4 adult paper service arrests, 1 adult traffic arrest, 0 juvenile criminal and traffic arrests.

- Officer McKenzie read the thank you letter from Alison Preston regarding the signage at the crosswalk on Potomac Street near the Boonsboro Library.
- Office McKenzie stated that there is an issue with traffic on Orchard Drive and Maple Avenue when school dismisses.
- Stated that Bryce Dickens will be graduating from the Police Academy on Tuesday, October 15, 2019 at 6pm at the Kepler Theater at Hagerstown Community College and Chief Morgan will be hosting a graduation party on Sunday, October 20<sup>th</sup>

## **NEW BUSINESS**

**Next Generation 911 - Town/Washington County Memorandum of Understanding:** Town Manager Mantello stated that he has not received the final draft of the Memorandum of Understanding between the Town and Washington County Bud Gudmundson, *GIS Manager for Washington County*, reviewing that this is an agreement regarding the responsibility for assignment of site addresses and approval of proposed road names in association with the County maintained geographic information system (*GIS*) and address attribute database for properties located within Washington County, and that it will also be signed by the Towns of Clear Spring, Funkstown, Hancock, Keedysville, Sharpsburg, Smithburg and Williamsport. He stated that based on previous discussion that he is recommending the approval of the MOU at this time and will provide the final draft to the Mayor for his signature when it arrives at Town Hall. **Motion** by Council Member Kerns, second by Council Member Nally to approve the Next Generation 911 - Town/Washington County Commissioners Memorandum of Understanding; *Addressing and Road Naming*. **Motion** carried.

**Policy for the Distribution of Water and Sewer Capacity:** Town Planner Strickler, on behalf of the recommendation from the Boonsboro Municipal Utilities Commission and Planning Commission, presented the Policy for the Distribution of Water and Sewer Capacity for the Councils review and input. He stated that Town Manager Mantello and he have been working on the Policy for the past month, noting that it will help clarify the Water and Sewer Allocations more clearly for Developers and will require them to submit an Agreement. Council Member Kerns stated that she spoke to *Weyrich, Cronin and Sorra*, the accounting firm that Town is using for guidance, and *Albright, Crumbacker, Moul and Itell*, the Town's auditors, regarding the Capacity Allocation and Reservation Policy. She stated that since the fee is for the "reservation" of an allocation and is non-refundable, we will be able to declare when paid/collected as current income and not have a liability on the Town's books. She further stated that the payment of the "reduced" connection/tap fee will be income when the connection happens and will be reported at the reduced amount since the Developer will get a credit for paying the "reservation" fee. **Motion** by Council Member Kerns, second by Assistant Mayor Byrd to adopt the Policy for the Distribution of Water and Sewer Capacity. **Motion** carried.

**Ordinance 2019-04; Zoning Ordinance Amendment for Temporary Storage Containers:** Town Planner Strickler, on behalf of the recommendation from the Planning Commission, presented two drafts of Ordinance 2019-04; *Zoning Ordinance Amendment for Temporary Storage Containers* for the Councils review and input, noting that the first draft was approved by the Planning Commission and the other one is slightly more detailed to clarify temporary storage container usage. After review, Council agreed that the second draft of Ordinance 2019-04 with revisions is more concise. Town Planner Strickler stated that he will have the Planning Commission review the revisions at their October 22, 2019 meeting and bring their decision back to the Council at the October Workshop Meeting.

**Ordinance 2019-05; Illicit Discharge Detection and Elimination Ordinance (IDDE) for MS4:** Town Planner Strickler presented the preliminary draft of Ordinance 2019-05; *Illicit Discharge Detection and Elimination Ordinance (IDDE) for MS4*, copied from Washington County, for the Councils review and input. He stated that the Ordinance will make sump pump sewer connections illegal and will give residents a way to report illicit discharges, dumping and spills. He further stated that the Ordinance will show MDE that the Town is moving forward with the MS4 (Municipal Separate Storm Sewer System) permitting process, noting that there is now an area on the Town website to submit Stormwater Management concerns. Town Planner Strickler stated that Ordinance 2019-05 is not ready for *Introduction* yet, that it still needs some work, but that he wanted to share the progress and information with the Council for discussion.

**Wastewater System Master Plan and Model Proposal; BMUC Recommendation:** Town Manager Mantello stated that Town Attorney Wantz reviewed the BMUC's recommendation for Engineering Services for a Wastewater System Master Plan and Hydraulic Model and feels that the Council should move forward with a Request for Proposal for those services. He provided a draft of the RFP for the Councils review and input, noting that it is based on the RFP for the Water System Master Plan and

Hydraulic Model. **Motion** by Assistant Mayor Byrd, second by Council Member Nally to move forward with advertising the Request for Proposal for Engineering Services for a Wastewater System Master Plan and Hydraulic Model. **Motion** carried.

**Reeder's Alley Curb and Repaving:** Town Manager Mantello stated that Public Works Superintendent Huntsberry obtain a proposal from Huntzberry Brothers to repair and pave Reeder's Alley along the parking lot at the rear of 2 through 16 South Main Street due to erosion at the cost of \$7,500. He stated that the proposal includes the building of a roll-top curb and footer to try to help stop future erosion at that location. Council discussed their concerns regarding the possible need to install a concrete apron at the entrance to the parking lot for help with erosion, as well as the possibility to piggy-back on Washington County's contract for paving. Council Member Kerns stated that the Town should obtain competitive quotes for the paving project and notify the property owners. **Motion** by Assistant Mayor Byrd, second by Council Member Weaver to approve the Huntzberry Brothers paving proposal for \$7,500 for the Reeder's Alley road repair and installation of depressed curbing, with Council Member Kerns opposing and Council Member Hollingshead abstaining. **Motion** carried 4-2.

**Breast Cancer Awareness Event:** Council Member Kerns stated that she was approached by Stacey Nikirk about holding a Breast Cancer Awareness event in Shafer Park. Mayor and Council agreed that this could be done free of charge and to have Ms. Nikirk contact Office Manager Miller.

Office Manager Miller stated that she was approached by Marty Price of Magnolia Counseling Services to use the Community Center on Tuesdays for counseling of Boonsboro students and their families instead of having them travel to Hagerstown to his office. Council discussed the issue of allowing 'not-for-profit' versus 'for-profit' usage of the Community Center and decided that Office Manager Miller could suggest that Mr. Price contact the Hospice LifeCare of Washington County to see if they have any space available for him to use for counseling sessions.

## COMMISSION REPORTS

**Public Safety Commission – R. Weaver.** Meeting held on August 15, 2019. Discussions included the request from resident Stu Mullendore to place speed humps on Knode Circle to slow vehicles, the request from resident Doug Bigelow to place a school crossing guard at the intersection of Alternate Route 40 and Maple Avenue along with a petition signed by 600 residents, the plans to invite surrounding Town to National Night Out next year, the plans to schedule a Town Walk Around on a Saturday in the near future, and plans for another Washington Goes Purple event in the spring of 2020.

**Park Board – R. Weaver.** Meeting held on September 25, 2019. Discussions included the suggest to contact Boonsboro High School to find students who are will to help remove the white plastic tree-tubes in Shafer Park for Student Service Learning hours, the vandalism in the Park and that it is the Mayor and Councils decision as to who to ban from the Park and for what length of time, and the naming of the Boonsboro Pond in honor of the Fishing Derby founders, Rich Hawkins and Ray Grove, noting that Mr. Grove recently passed away on August 13, 2019. Office Manager Miller suggested naming the pond *Hawkins Grove Pond*.

**Utilities Commission – T. Nally.** Meeting held on September 8, 2019. Discussions included the drilling of the well for watering the Boonsboro High School athletic fields is in progress, noting that this could potentially free up 12 taps, the Volute Press demonstration is scheduled for 8am on November 11, the BMUC Strategic Plan draft Mission and Vision Statements review, the SERCAP Rate Study and Example Reports scheduled to be completed in December, the Election of Commission Officers, the BMUC membership application from Ken Eshbaugh, the refund of the double charged Water and Sewer tap fees to NVR for 120 Monument Drive, the Washington County Health Department Water Application verification for the Ford subdivision for water allocations for 4 lots and up to 5 additional taps, the approval to recommend the WRA Wastewater Model proposal to the Mayor and Council, the SB & Company Evaluation of Water Utility Production and Billing proposal, and the Capacity Allocation Policy Revisions. Stated that the Waste Water Treatment Plant upgrades will begin on October 8, 2019.

**Planning Commission – E. Strickler.** Meeting held on September 24, 2019. Discussions included the approval to recommend the Capacity Allocation Policy Revision to the Mayor and Council, the approval to recommend the Temporary Storage Container Ordinance to the Mayor and Council, the Plan Review for the Post Office on the Easterday property – BNSP19-03 and the Planning Commission vacancy.

**Economic Development Commission – M. Kerns.** The Networking Breakfast was held on Thursday, September 19, 2019 at 7:30am at Vesta's Restaurant, with guest speaker Audrey Vargason from the Washington County Convention and Visitors Bureau. The next EDC Meeting will be on October 23, 2019 in the Meeting Chambers at 9:00am.

**Environmental Commission** – *T. Hollingshead*. Meeting held on September 10, 2019. Presentation by Evan Sisler, a 4<sup>th</sup> grade student at Boonsboro Elementary School, entitled *Renewable Energy at Work: Electric Vehicles*. Meeting discussions included the BEC Strategic Plan, past Grant funds, the approval to recommend the appointment of Barbara Wetzel to the BEC and Subcommittee Reports.

- **Appointment of New BEC Member:** Mayor Long, on behalf of the Boonsboro Environmental Commission, stated that he is recommending the appointment of Barbara Wetzel to fill the vacancy with the term ending October 2022. **Motion** by Council Member Hollingshead, second by Council Member Kerns to appoint Barbara Wetzel to the BEC for a 3-year term ending October 2022. **Motion** carried.

**Town Manager Report** – *P. Mantello*

- Stated that the first Safety and Risk Committee meeting will be held on Friday, October 11 at 2pm.
- Stated that there has been a FCC ruling that will probably create changes to the Antietam Broadband Franchise Agreement. Stated that Council might want to consider changing the in-kind offering request to a mandatory request.

**Motion** by Assistant Mayor Byrd, second by Council Member Hollingshead to close the Regular Meeting at 9:22pm. **Motion** carried.

Respectfully submitted,

Kimberly A. Miller  
Office Manager

**BOONSBORO MAYOR AND COUNCIL**

**October 28, 2019**

**PUBLIC HEARING**

**6:30 PM**

**State Highway Administration – Parking Changes on South Main Street**

The Boonsboro Mayor and Council held a Public Hearing as duly advertised on Monday, October 28, 2019 in the Meeting Chambers of the Charles F. ‘Skip’ Kauffman Building. In attendance were Mayor Howard Long, Assistant Mayor Rick Byrd, Council Members Marilee Kerns, Ray Hanson, Terri Hollingshead, Tony Nally and Rick Weaver. Also present were Town Manager Paul Mantello, Town Planner Ethan Strickler and Office Manager Kimberly Miller.

Mayor Long opened the Public Hearing at 6:30 PM for the purpose of receiving public input, either in support of or in opposition to the proposed changes on South Main Street and Old National Pike.

Town Planner Strickler presented a fair summary of the proposed South Main Street and Old National Pike as described below:

- To add striping and blue painted curb for three (3) ADA street parking spaces on the eastbound side of South Main Street in front of 134 S Main Street; and
- To add striping for nine (9) parking spaces and red painted curb for the curb radii into private property entrances on the westbound side of South Main Street between 309 S Main Street and 6741 Old National Pike.

Hearing no comments, Mayor Long closed the Public Hearing at 6:40PM.

Motion by Council Member Hollingshead, second by Council Member Weaver. Motion carried.

Respectfully submitted,

Kimberly A. Miller  
Office Manager

**BOONSBORO MAYOR & COUNCIL**  
**MONDAY, OCTOBER 28, 2019**  
**WORKSHOP MEETING**

The Mayor and Council held their Workshop Meeting on Monday, October 28, 2019 in the Meeting Chambers to set the Regular Session Agenda for Monday, November 4, 2019. Present were Mayor Howard Long, Assistant Mayor Rick Byrd, Council Members Marilee Kerns, Ray Hanson, Terri Hollingshead, Tony Nally and Rick Weaver. Also present were Town Manager Paul Mantello, Office Manager Kimberly Miller, Town Planner Ethan Strickler and Police Chief Kevin Morgan. The meeting convened at 7:00PM.

**Swearing in of Police Officer:** Mayor Long and Chief Morgan presented the Oath of Office to new Boonsboro Police Officer Bryce Dickens. Officer Dickens graduated from the Washington County Police Academy on October 15, 2019.

**Presentation of Certificate of Appreciation:** Mayor Long and Chief Morgan presented Police Officer Aaron Taylor with a Certificate of Appreciation on behalf of the Town and Police Department. Officer Taylor's last day with the Town will be on October 31, 2019.

**PUBLIC COMMENTS** (*No comments were presented.*)

**Police Department Update:** Chief Morgan stated with Police Officer Taylor's last workday being October 31, 2019 and the termination of Officer Wade's position in mid-September, he plans on starting the interviewing process to hire two new Police Officers as soon as possible. He stated that he has three interviews scheduled for the afternoon of October 29 and will share the employment applications with the Council.

**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:** Town Planner Strickler presented **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** for the Councils review and input. He stated that the Ordinance was approved by the Planning Commission and includes details to clarify temporary storage container usage, permitting fees, 60-day allotted time periods and hardship exemptions. He further stated that the Ordinance addresses 'future' containers and not currently places containers, as they have been grandfathered in. Council voiced their concerns with regulations for existing containers and for removing old containers. Town Planner Strickler will further explore those regulations and report his findings back to the Council. He stated that he plans to schedule a Public Hearing before the December 2019 Mayor and Council Meeting. **(NEW BUSINESS)**

**MS4 Stormwater Regulations Memorandum of Understanding:** Town Planner Strickler presented the MS4 Stormwater Regulations Memorandum of Understanding (MOU) for the Councils review and input, noting that it is an agreement with Washington County over the shared responsibilities of implementing the National Pollutant Discharge Elimination System (NPDES) Small Municipal Separate Storm Sewer System (MS4) General Permit requirements. He thoroughly reviewed the *Recitals* of the MOU highlighting the sections of:

- Washington County Stormwater Management, Grading and Erosion Control Ordinance
- MCM#1 Public Education and Outreach
- MCM #3 Illicit Discharge Detection and Elimination (IDDE)
- MCM #4 Construction Site Stormwater Runoff Control
- MCM #5 Post Construction Stormwater management
- MCM #6 Pollution Prevention and Good Housekeeping
- Chesapeake Bay Restoration and Meeting Total Maximum Daily Loads

Town Planner Strickler stated that all Municipalities will be submitting similar MOU's with slight alteration to Washington County. **(NEW BUSINESS)**

**Resolution 2019-08; Washington County Stormwater Management Ordinance Re-Adoption:** Town Planner Strickler presented Resolution 2019-08; *Stormwater Management Ordinance Update*, noting that the previous Resolution was enacted on February 26, 2013 as Resolution 2010-03; *Stormwater Management Ordinance Update - Revision 1*, for the Councils review and input. He stated that he is recommending the Resolution update to coincide with Washington County. **(NEW BUSINESS)**

**Ordinance 2019-05; Illicit Discharge Detection and Elimination:** Town Planner Strickler presented Ordinance 2019-05; *Illicit Discharge Detection and Elimination Ordinance (IDDE) for MS4* for the Councils review and input. He stated that the Ordinance goes along with the MS4 (Municipal Separate Storm Sewer System) MOU with Washington County, section MCM #3. He further stated that the Ordinance will establish methods for controlling the introduction of requirements of the National Pollutant Discharge Elimination System (NPDES) permit process and will show the Maryland Department of the Environment that the Town is progressing with the MS4 permit. Town Planner Strickler stated that a Public Hearing will be scheduled before the December 2019 Mayor and Council Meeting. **(NEW BUSINESS)**

**RFP Results; 2019-2020 Snow Plowing and Sidewalk Clearing:** Town Manager Mantello presented the Request for Proposals results for the 2019-2020 Snow Plowing and Sidewalk Clearing bid for the Councils review and input. He stated, after consulting with Public Works Superintendent Greg Huntsberry, that they are recommending accepting the bid from Custom Landscape Management, noting that they cost a few dollars more but that they are the most reliable contractor that the Town has worked with during the winter months. Council Member Kerns suggested that the Town could accept the bids from all three contractors and use them as needed throughout the season. Council agreed that sounds like a good option. **(NEW BUSINESS)**

**Town Managers Update:**

- **Keedysville Weir Update:** Stated that he spoke with Kendra Harmon of USDA regarding emergency funding, noting that as soon as the Town receives the Fiscal Year 2019 Audit, engineering plans and job cost, we can begin the application process. Stated that he is working on items for the Delegation's Pre-Legislative Forum on November 6, 2019. Stated that Wuihib Bayou of MDE visited the site and reported that the Town can perform emergency repairs without the permit, as we have been, as long as MDE is in the loop. After the application and plans have been submitted, the Town should receive the permit within 45-days. However, due to the trout spawning season in the Spring, no installation can be done between March 1<sup>st</sup> and May 31<sup>st</sup>. Additional sand and sandbags have been purchased and reinforcement of the temporary repair will continue. The water level is steady, and Keedysville Springhouse and Plant remain operational.
- **Banning Girls from Shafer Park:** Stated that the juvenile girls who vandalized Shafer Park have been banned from the park until restitution is paid. Stated that the Town received notification from the Maryland Department of Juvenile Services that parents/guardians of the girls have both failed to pay \$1,188.00 in restitution for property damage by the agreed due date. Stated that letters will be delivered to the parents/guardians of both girls. Council discussed pursuing payment of the restitution by filing in Small Claims Court.
- **Repairing Reeder's Alley:** Stated that the repaving of Reeder's Alley will begin on Wednesday of this week.
- **Bus Routes:** Stated that the Mayor, Town Planner Strickler and he met with Jeff Proulx, from Washington County Public Schools, this morning to changed bus routes and try to come up with a solution. Stated that they are working towards the idea of a traffic light at Campus Avenue and Maple Ave which operate in the morning and when school is dismissing, and flash at other times of the day. Stated that they will be putting together their request to present to the Delegates at the Pre-Legislative Forum.

**Motion** by Council Member Weaver, second by Assistant Mayor Byrd to close the Workshop Meeting at 8:40PM. **Motion carried.**

Respectfully submitted,  
Kimberly A. Miller, Office Manager