

**BOONSBORO MAYOR AND COUNCIL
REGULAR MEETING MINUTES
Monday, October 12, 2020**

The Mayor and Council of Boonsboro held their Regular Meeting on Monday, October 12, 2020 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, 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 Boonsboro Municipal Utilities Commission Chairman Bob Sweeney. Council Member Hollingshead was not in attendance but participated in the meeting via GoToMeeting. The meeting convened at 7:04PM 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 Hanson to approve the **September 14, 2020 Regular Meeting** and the **September 29, 2020 Workshop Meeting** and **Executive Session Minutes** as amended. **Motion carried.**
- **Motion** by Assistant Mayor Byrd, second by Council Member Nally to approve the **September 2020 Treasurer’s Report**. **Motion carried.**
 - Council Member Kerns stated that there are four (4) Certificates of Deposits maturing this month. She stated that she did not move forward with the two new General Fund Certificates of Deposit for \$250,000 that the Council approved in September due to the current interest rate. She further stated that the funds are making the same interest, or more, in the General Fund checking account at Middletown Valley Bank as they would in a CD.

PUBLIC COMMENTS

- **Kathy Vesely and Alison Preston**, representing the Boonsboro Environmental Commission. BEC Chairperson Vesely and BEC Member Preston presented the BEC’s plans to plant low maintenance shrubs and plants around the Gazebo in Shafer Park during the Park Clean-Up and Arbor Day event on Sunday, November 1, 2020. BEC Chairperson Vesely stated that Boy Scout Troop 20 will be doing the planting.
- **Carol Crisci and Mark Bundy**, 505 and 503 Brookridge Drive. Ms. Crisci and Mr. Bundy voiced their concerns regarding the responsibility of the shared easement between their properties on Brookridge Drive that is the access road to the decommissioned Crestview Water Treatment Plant. Ms. Crisci stated that children are riding their bikes and skateboards on the access road and running into the fencing around the building. She stated that Mr. Bundy and she are concerned about the insurance liability if one of the children gets hurt because the access road is on an easement that is owned by the two properties. Mayor Long stated that the Crestview Water Treatment Plant is the first item under New Business on the Agenda this evening.

MAYOR AND COUNCIL MEMBER CORRESPONDENCE

- **Mayor Long** thanked the Town staff and members of the Green Fest Committee and Environmental Commission for their help on Saturday, October 10, 2020 during the Fall Bulk Clean-Up and Recycling Event in Shafer Park. He said there was a very good turn out and that Apple Valley Waste had two completely full roll-off containers.
- **Mayor Long** stated that the Town received notice today for the Maryland Department of Transportation that Fiscal Year 2021 Highway User Funds (HUR) will be about \$16,000 less than originally reported this year.

Police Department Report – Chief Morgan. The Police Department received 64 calls for service, which included 117 motor vehicle violator contacts and 0 Parking Citations for the month of September 2020. There were 0 adult criminal arrests, 1 adult paper service arrest, 1 adult traffic arrest, and 0 juvenile arrests.

NEW BUSINESS

Crestview Water Treatment Plant – Discussion: Town Manager Mantello stated that the Crestview Water Treatment Plant is not in use and that the well has not been used for many years due to high turbidity. He stated that it is being cannibalized for parts. Council Member Hanson stated that residents are very concerned because a lot more people, primarily children, have been using the access road between 503 and 505 Brookridge Drive to go down near the CWTP building and green space surrounding it. He stated that children are riding their bikes and skateboards on the access road and playing in the green space around the fencing, noting that the trees and vegetation have taken over the fence area. He further stated that it’s only

a matter of time before someone ends up getting hurt, which bring up the insurance liability issue. BMUC Chairman Sweeney suggested tearing down the Crestview Water Treatment Plant building and capping the well. Mayor Long asked staff to contact the Town Attorney for their input and for Town Planner Stanley to review the easement information and report back to the Council.

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 Weaver to 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 and Council Member Hanson abstaining. **Motion carried 3-2.**

Resolution 2020-14; Appointment of Municipal Infraction Enforcement Officers: Mayor Long presented Resolution 2020-14; *Appointment of Municipal Infraction Enforcement Officer* for the Council's review and input. He stated that the purpose of this Resolution is to appoint Town Planner Stanley and Town Manager Mantello as the Municipal Infraction Enforcement Officers to enforce Property Maintenance Code violations. **Motion** by Council Member Nally, second by Council Member Hanson to approve Resolution 2020-14; *Appointment of Municipal Infraction Enforcement Officers*. **Motion carried.**

Introduction - Ordinance 2020-08; Boonsboro Ethics Ordinance: Town Manager Mantello presented Ordinance 2020-08; *Boonsboro Ethics Ordinance* for the Council's review and input. He stated the State of Maryland Ethics Commission recently updated the State Ethics Ordinance and that those updates needed to be applied to the Town's. He further stated that Ordinance 2020-08 was drafted by Attorney Wantz, who drafted the 2014 Boonsboro Ethics Ordinance, and has been forwarded to the State for their review and approval. Town Manager Mantello stated that the Ethics Ordinance is being Introduced at this meeting and, if approved, a Public Hearing will be scheduled for November 9, 2020 at 6:30PM. **Motion** by Assistant Mayor Byrd, second by Council Member Hanson to approve the Introduction of Ordinance 2020-08; *Boonsboro Ethics Ordinance* and scheduling of a Public Hearing for November 9, 2020 at 6:30PM. **Motion carried.**

Appalachian Regional Commission (ARC) Grant Application Invitation and Maryland Environmental Services Proposal for ARC Dewatering Grant: Town Manager Mantello reviewed the Appalachian Regional Commission (ARC) Grant Application Invitation and the Maryland Environmental Services (MES) Proposal for Task 1 of the Dewatering Facility Volute Press through the ARC Grant, which was presented by BMUC Chairman Sweeney at the September Workshop Meeting. He stated that the cost of the proposal from MES for Task 1, which includes the preparing of supporting technical documentation for the ARC Grant, is around \$20,000, noting that the Dewatering Facility Volute Press will save the Town a lot of money on sludge hauling and disposal. Council Member Kerns stated that there is \$15,000 budgeted in the Sewer Fund *Engineering Fees* for Fiscal Year 2021. **Motion** by Council Member Nally, second by Council Member Kerns to approve the Maryland Environmental Services (MES) Proposal for Task 1 of the Dewatering Facility Volute Press through the ARC Grant. **Motion carried.**

2020 – 2021 Snow Removal Quotes: Mayor Long presented the 2020-2021 Snow Removal quotes for the Councils review and input. He stated that Public Works Superintendent Huntsberry is recommending that the Town accepts both bids from Botanica Enterprise, Inc. and Custom Landscape Management again this year, in preparation of a possible major snow season. **Motion** by Council Member Kerns, second by Council Member Nally to approve the 2020 – 2021 Snow Removal bids from Botanica Enterprise, Inc. and Custom Landscape Management. **Motion carried.**

2020 - 2023 Winter Salt Contract – 3 Year SHA Salt Agreement: Mayor Long stated that the Town received the Salt and Aggregate Utilization Agreement from the State Highway Administration (SHA) to be able to purchase salt from the SHA for a 3-years term period beginning September 1, 2020 through August 31, 2023. He stated the cost is \$63.81 per ton with a 7.87% charge for overhead. He stated that the Town currently has a good amount of salt leftover from last year due to a light winter, but that staff is recommending the Town approve the Agreement; should an emergency occur. **Motion** by Council Member Kerns, second by Council Member Hanson to approve the 2020 – 2023 Salt and Aggregate Utilization Agreement from the State Highway Administration. **Motion carried.**

Park Drive Sewer Main Replacement & RFP: Park Drive, McKeldin Drive and Center Street Milling and Overlay Project: Town Manager Mantello stated that the Town received approval from the Maryland Department of Housing and Community Development (MDHCD) regarding an extension of the Appalachian Regional Commission (ARC) Grant number MD-ARC-3's fund

balance of \$32,835, originally awarded in December 2017, until December 31, 2020. He stated that the Grant funds will be used to continue the Sewer Main Replacement Project on Park Drive with Excavating Associates, the company that performed the Shafer Park Sewer Main Replacement Project which was part of the Grant. He further stated that the Park Drive Sewer Main has been identified by Whitman, Requardt and Associates (WRA) in the Wastewater System Master Plan and Hydraulic Model as an area that needs replaced. Town Manager Mantello stated, that because of the need to dig up the street during the Project, he is requesting to place a Request for Proposal out for bids for the Park Drive, McKeldin Drive and Center Street Milling and Overlay Project due to the Grant funds not covering paving. He stated that McKeldin Drive and Center Street have both been identified as streets that need work and that the total paving project would be around 8,000 square feet. **Motion** by Council Member Kerns, second by Council Member Hanson to place the RFP: Park Drive, McKeldin Drive and Center Street Milling and Overlay Project out for bids. **Motion carried.**

COMMISSION REPORTS

(The Public Safety Commission, Economic Development Commission and Environmental Commission did not meet in September 2020)

Park Board - Council Member Weaver. Meeting held on September 23, 2020. Discussions included plans for Olde Tyme Christmas in Shafer Park, the Park Clean-Up and Arbor Day event on November 1, the Tree Seminar on November 1, the newly paved Park trail connecting the old and new sections together, the success of the Summer Concerts and Outdoor Movies and the request to purchase and install a new light at the flag pole in the Park.

Boonsboro Municipal Utilities Commission – Council Member Nally. Meeting held on September 16, 2020. Discussions included updates on the ARC Grant and MES proposal for the dewatering press, updates on the Meter Replacement Program, the replacement of the Flush Meter, updates from the Water Loss Task Force, updates on the Waste Water Model and WRA's the testing of the Reservoir for leaks, updates on Phase 1 of the South End Pumping Station Upgrade, the grant process for the Crestview Pump Station Streambank Restoration Project, updates on the status of the Strategic Plan, updates on the Collection System Rehabilitation Project Phase II, updates on the status of the Boonsboro High School Irrigation Well, updates on the RFP of the Shafer Park Well Replacement, updates on the Washington County Chemical Contract, the status of the Park Lane Main Replacement and Paving Project to start next month, the Leak Detection Survey results, the possibility of rerouting the Fletcher's Grove Well, repayment options to the CHIEF Loan for the Weir Wall, and the possibility of using the Innovative Readiness Training (IRT) National Guard Program to help with upcoming projects.

Planning Commission – Assistant Mayor Byrd. Meeting held on September 22, 2020. Introduction of new Town Planner Reiley Stanley. Discussions included updates on the Sycamore Run Driveway Bond Reductions for Phase I and II, updates on the status of the Public Works Agreement; *Easterday – United State Postal Service Boonsboro Office*, update on the Notice of Default of the Ostertag Pass Public Works Agreement, and the approval to forward the BZA Request for a setback variance at 102 Potomac Street to the Board of Zoning Appeals.

Town Planner's Report – R. Stanley

- Stated that 33 building permits have been received this year, with no new homes to date.
- Stated that a visual inspection was conducted earlier this month at the Preserve at Fox Gap and the Town is awaiting comments on the as-builts.
- Stated that the AC&T parking lot extension site plan has been picked up and that they should be submitting their building permit soon.
- Stated that the preliminary site plan has been submitted from H&H Investments (Paul Healy and Ron Humbel) for the development of the vacant lot at 39 North Main Street.

Town Manager Report – P. Mantello

- Stated that Maryland State Senator Paul Corderman will be visiting the Town on Monday, October 26, 2020. He will be touring the Town and attending the Mayor and Council Workshop Meeting that evening at 6:30PM.
- Stated that the State Highway Administration is on board for the Crestview Pump Station Streambank Restoration Project and that the Project will be counted towards the Town's MS4 Permitting.

- Stated that the Town is in the process of submitting the grant application to the Appalachian Regional Commission (ARC) for the dewatering volute press at the Waste Water Treatment Plant. Stated that staff has been working with Fredericktowne Labs, Inc. for biosolid sludge testing.
- Stated that WRA is working to take the Reservoir out of use for a solid month for inspect the liner for leaks. May need to wait until warmer weather.

Motion by Council Member Hollingshead, second by Council Member Nally to adjourn the Regular Meeting at 8:35PM.

Motion carried.

Respectfully submitted,

Kimberly Miller, Office Manager