

**BOONSBORO MAYOR AND COUNCIL
REGULAR MEETING MINUTES
Monday, October 10, 2022**

The Mayor and Council of Boonsboro held their Regular Meeting on Monday, October 10, 2022 in the Meeting Chambers. The Meeting was streamed via GoToMeeting. In attendance were Assistant Mayor Tony Nally, Council Members Ray Hanson, Terri Hollingshead, Marilee Kerns, Eric Kitchen and Ricky Weaver. Also present were Town Manager Paul Mantello, Office Manager Kimberly Miller and Police Chief Kevin Morgan. Mayor Howard Long and Town Planner Reiley Stanley were not in attendance. The meeting convened at 7:00PM with the pledge and invocation offered by Assistant Mayor Nally.

REVIEW AND APPROVAL OF MEETING MINUTES and TREASURER’S REPORT

- **Motion** by Council Member Kerns, second by Council Member Weaver to approve the **September 19, 2022 Regular Meeting** as amended. **Motion carried.**
- **Motion** by Council Member Kitchen, second by Council Member Kerns to approve the **September 2022 Treasurer’s Report**. **Motion carried.**
 - **Investment Policy Amendment Draft and Certificate of Deposit Option:** Assistant Mayor Nally stated that the Town would like the option to start working with Edward Jones to obtain better investment rates. He stated that after speaking with Tyler Hornbecker, Financial Advisor for Edward Jones, there is some verbiage that needs updated in the Town’s current Resolution 2018-02: *Investment Policy*, Section IX: Safekeeping and Custody. He further stated that he is recommending that the verbiage “delivery-versus-payment basis” be updated allowing brokerage and investment firms to be exempt from that so long as the investment security is FDIC insured. Assistant Mayor Nally stated that the amended wording will be “*Business can be conducted with Brokerage/Investment Firms so long as the investment security is FDIC insured, and the firm’s ability to insure custody of our funds with Securities Investor Protection Corporation (SIPC) Insurance.*” **Motion** by Council Member Kitchen, second by Council Member Kerns to amend Resolution 2018-02: *Investment Policy*, Section IX: Safekeeping and Custody as presented. **Motion carried.**

GUEST

- **Gary Harding – Proposed “Between the Pines” Family Camping Resort.** Mr. Harding presented his proposal to build a family camping and Recreation Vehicle Resort off of Route 67 near Appletown Road, just outside of Town limits. He stated that he presented his site-plan to the Planning Commission and is proposing a campsite with 114 lots on a 13-acre parcel which he is hoping can be annexed into the Town. He further stated that if the annexation into the Town isn’t an option then he’d consider reaching out to Washington County. Council thanked him for his presentation and will look for additional correspondence as the project progresses.

PUBLIC COMMENTS

- **Tyler Hornbecker, Financial Advisor for Edward Jones.** Thanked the Council for moving forward with updating the Investment Policy and working with Edward Jones. Stated that he is happy to be a resource for the Town and looks forward to sharing investment opportunities.

MAYOR AND COUNCIL CORRESPONDENCE

- Assistant Mayor Nally stated that the Fall Bulk Clean-Up and Fall Tree Give Away in Shafer Park went very well this past Saturday, October 8, 2022
- Assistant Mayor Nally stated that BooneFest will be held this upcoming weekend on Main Street, Saturday, October 15 and Cruise for Kids, benefiting Children’s National Hospital, will be held Sunday, October 23 in Shafer Park. Stated that Trick-or-Treat will be held on Monday, October 31 from 6pm to 8pm.
- Council Member Hanson stated that Senator Corderman toured the Boonsborough Museum of History recently and that he’d like to invite the Mayor and Council to do the same. Stated that the Museum is in need of assistance with obtaining funding and was wondering if the Town might be able to allow them to piggy-back on our Lobbyist contract with Roger Manno, and that they have offered to pay towards the monthly fee. Council Member Kerns stated that she has concerns with offering this service to one group and then other groups stepping forward for assistance, noting if you provide a service for one you need to provide it for others. Town Manager Mantello will reach out to the Lobbyist to see if the Museum could start their own contract working off of the Towns. Council Member Hanson invited the Mayor and Council to tour the Museum at 6:30pm on October 24, 2022 before the Workshop Meeting.

- Council Member Weaver stated that he attended the open house and ribbon cutting ceremony for the Washington County Public Safety Training Center (PSTC) on September 20, 2022.

Police Department Report – *Police Chief Morgan*. The Police Department received 86 calls for service, which included 79 motor vehicle violator contacts and 0 Parking Citations for the month of September 2022. There were 0 adult criminal arrests, 0 adult paper service arrests, 0 adult traffic arrests, and 0 juvenile arrests.

- Stated that Officer Ryan Christman’s last day with the Police Department was September 5, 2022
- Stated that Officer Emily Daveler’s first day with the Police Department was September 7, 2022 and she completed her FTO on September 20.

NEW BUSINESS

Boonsboro Municipal Utilities Commission Amended Water and Sewer Billing Policy: Assistant Mayor Nally, on behalf of the Boonsboro Municipal Utilities Commission, presented an updated amended BMUC Amended Water and Sewer Billing Policy for the Councils review and input, noting that the BMUC would like to implement the amended Policy on January 1, 2023 for the March 2023 mailing. He presented the amended wording and the chart detailing Dwelling Types. (*amended wording is bold and italicized*):

- Water and sewer fixed fees are based on the meter size, customer attributes, or the number of plumbing fixtures. For residential properties, one household will be charged a water fixed fee and a sewer fixed fee. ***A fixed fee is a charge for on-demand service, paid by each household for the space or allocation it takes up in the system. A household is defined as all people who occupy a single housing unit, regardless of their relationship to one another.***
- ***For multihousehold residential properties sharing a single water meter, a fixed fee will be applied to each household residing at the service location. Multihousehold properties contain multiple units or households within a single residential structure and/or multiple residential structures serviced by one water meter.*** Fixed water fees and fixed sewers fees for commercial properties will be assessed by meter size, by fixture unit analysis, or by consultation with the Town’s consulting engineer.

Council Member Kerns asked why the Billing Policy change is being referred to as a ‘billing correction’ rather than a rate change, noting that it was not for a lack of understanding on her part for voting against the Policy but rather that she was not happy with the implementation process of the Policy. She stated that she was the only Council Member asked to submit questions and is not pleased that those questions were shared publicly. Town Manager Mantello stated that the updated amended BMUC Amended Water and Sewer Billing Policy is not a billing correction, that in order to correct the billing the Town needs to change and update the Policy, noting that for clarification of the Policy it called for a change in the verbiage. Council Member Kitchen stated that his concerns he brought up at the September Regular Meeting have been addressed and resolved, but that he is not happy with the way that the BMUC held an email vote in September 2022 that should have been conducted publicly. Council Member Kerns stated that in her opinion the commercial properties should have been included in this amended Policy as well. **Motion** by Council Member Kitchen, second by Council Member Hollingshead to approve the amended Boonsboro Municipal Utilities Commission Amended Water and Sewer Billing Policy as presented, based on a recommendation from the Boonsboro Municipal Utilities Commission, effective on January 1, 2023 and included on the March 31, 2023 bill mailing, with the BMUC sending out a new letter to affected property owners explain the tiered multiplier.

Assistant Mayor Nally called for a roll-call vote:

- Council Member Hanson - yes
- Council Member Weaver - yes
- Council Member Kitchen - yes
- Council Member Kerns - no
- Council Member Hollingshead - yes
- Assistant Mayor Nally – abstaining

Motion carried 4-1-1.

Recommendation to Set Homestead Credit Cap for Fiscal Year 2024: Town Manager Mantello stated that Town Clerk Bryan Wachtel received an email from the Maryland Department of Assessments and Taxation about sending the Annual Reassessment Notices out at the end of December 2022 and that all Towns must set their Homestead Credit Cap no later than Monday, October 31, 2022 for the tax year beginning on July 1, 2023. He stated that the Homestead Credit Cap is used to calculate the taxable assessment for eligible taxpayers for all jurisdiction, noting that Town Clerk Wachtel reported that the Municipalities in Washington County that responded to him are keeping their Credit Cap unchanged at 5%. **Motion** by Council Member Kerns, second by Council Member Weaver to approve keeping the Homestead Credit Cap at 5%. **Motion carried.**

60th Annual John F. Kennedy 50 Mile Ultra Marathon Starting Line Commemoration: Town Manager Mantello presented the recommendation to install two bronze sidewalk inserts, which were designed by Stu Mullendore, commemorating the 60th Anniversary and the *starting line* of the annual JFK 50 Mile Race that starts on Main Street each year in November. He stated that the cost is \$6,932.18 and that Dan Spedden, President of the Hagerstown/Washington County Convention and Visitors Bureau, has pledged 1/3 of the cost and that the Economic Development Commission has requested to amend their budget to allow for a pledge of 1/3 of the cost as well. He further stated that he is hoping to obtain a grant for the remaining 1/3 of the cost or to reach out to the JFK 50 Mile coordinators to help with the balance. Town Manager Mantello stated that the Town plans to place temporary signage at the starting line this year because the bronze markers will not be finished in time for the race day.

- **Motion** by Council Member Hollingshead, second by Council Member Hanson to approve the 60th Anniversary JFK 50 Mile Race commemorating bronze markers. **Council requested amending the Motion.**
 - **Motion** by Council Member Hollingshead, second by Council Member Hanson to approve the 60th Anniversary JFK 50 Mile Race commemorating bronze markers providing that funding is obtained. **Motion carried.**

Maryland Department of the Environment Drinking Water State Revolving Fund Comment Letters: Town Manager Mantello stated that as it stands now the Town is income-ineligible for MDE Grants through the Drinking Water State Revolving Fund (DWSRF) Program. He stated that the EPA announced a 5-year funding increase, including \$800+ million for Maryland, noting that MDE is currently accepting comments regarding their eligibility criteria and newly proposed “Environmental Justice Screening Tool.” He further stated that because the Town is already eligible for Federal Grant Funds through the Appalachian Regional Commission (ARC) Program, he is working with ARC to lobby MDE and asking them to adopt ARC’s eligibility criteria.

COMMISSION REPORTS

Park Board - Council Member Weaver. Meeting held on September 28, 2022. Discussions included the approval of a Squishmallow Swap Event in Shafer Park on October 21, an update on the Park Trail Phase III, updates from the Tree Board, updates on the upcoming Cruise for Kids Event, the winterizing of the Park and request to remove the ‘Born Learning Trail’ signs for the season, the request from the Boonsboro National Honor Society for volunteer hours and preliminary plans for Olde Tyme Christmas on Friday, December 2, 2022.

Boonsboro Municipal Utilities Commission – Council Member Nally. Meeting held on September 29, 2022. Discussions included updates on the WWTP Sludge Dewatering Press, the Advanced Metering Infrastructure, the Alternate 40 Waterline Looping, the MDE Drinking Water State Revolving Fund (DWSRF), the Shafer Park Well Replacement, the Keedysville Booster Station and Crestview Pressure Reduction, the Reservoir Replacement Project, the MDE MS4 Annual Report, the Stormwater GIS Modeling and Tree Inventory, the Crestview Water Treatment Plant Decommissioning and Demolition, the Commission Charter Amendment, the Billing Policy Email Vote on September 14, 2022, the Amended Water and Sewer Billing Policy Proposal, the Commercial Customer Audit and System Reports.

Planning Commission – Council Member Kitchen. Meeting held on August 24, 2022. Discussions included a developer’s request for a 5-lot Subdivision at 50 St. Paul Street, an update on the Ace Hardware and Storage Unit Site Plan, the Sycamore Run Bond Release, and updates on the Dunkin’ Donuts, Campus Avenue and Chase Six Boulevard Intersection and the Fox Gap Development.

Public Safety Commission – Council Member Kerns. No Meeting held in September 2022.

Economic Development Commission – Council Member Hanson. Networking Meeting was held on September 15, 2022 at the Pathfinder Farm Distillery. The next EDC Meeting will be held on October 26, 2022 at 9am. The EDC will host BooneFest on Main Street from 10am to 5pm and the 40th Anniversary Event at 6:00PM at the Boonsboro National Road Museum on Saturday, October 15, 2022.

Environmental Commission – Council Member Hollingshead. Meeting Held on September 13, 2022. Discussions included the Community Garden Subcommittee kick-off meeting, updates on the Butterfly Weigh Station, updates on the Appalachian Trail Task Force, ideas for the October Town Newsletter and Subcommittee Reports.

Town Planner Report – No Report given.

Town Manager Report – P. Mantello

- Stated that Crestview Well Decommissioning Project is slated to begin in December 2022 and that he will be working the Crestview Home Owners Association
- Stated that Stu Mullendore designed a plaque to give to elected officials who have gone above and beyond to help the Town, such as Senator Corderman. Stated that the cost is \$1,500 for 10 plaques and that they can be completed in time for the Legislative Session
- Stated that 156 trees were planted during the Fall Tree Give-Away
- Stated that he met with representatives from the Washington County and the landowner on Maple Avenue to discuss the logistics of the land transfer. Stated that they want the Town to follow the “Uniform Act” and will now need to hire a special consultant for the land swap and Project

Council Member Kerns stated that the Council should receive the Commission meeting minutes before the meeting.

Motion by Council Member Hollingshead, second by Council Member Hanson to adjourn the Regular Meeting at 8:53PM.

Motion carried.

Respectfully submitted,

Kimberly Miller, Office Manager