

**BOONSBORO MAYOR AND COUNCIL**  
**REGULAR MEETING MINUTES**  
**Monday, October 14, 2024**

The Mayor and Council of Boonsboro held their Regular Meeting on Monday, October 14, 2024 in the Town Annex Meeting Chambers. In attendance were Mayor Howard Long, Assistant Mayor Tony Nally, Council Members Ray Hanson, Marilee Kerns, Eric Kitchen and Terri Hollingshead. Also present were Town Manager Rachel Souders, Office Manager Kimberly Miller, Town Planner Drew Bowen, Public Works Superintendent Greg Huntsberry, Utilities Superintendent Pete Shumaker, Police Chief Dave Rizer, Police Sergeant Rob Whittington, Police Operations Manager Amy Rudy and Police Officer James Rogers. Council Member Ricky Weaver was not in attendance. 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 Assistant Mayor Nally to approve the **September 9, 2024 Regular Meeting Minutes** as amended. **Motion carried.**
- **Motion** by Council Member Kitchen, second by Council Member Kerns to approve the **September 2024 Treasurer’s Report.** **Motion carried.**

**GUEST**

**Exhaust System Concerns** – *Lee and Joanna Daugherty, 21 South Main Street.* Stated that they live in the house next to My Mini Mart (23 South Main Street) and that Mrs. Daugherty’s elderly father lives with them as well. Mr. Daugherty stated that in May 2024 the owner of My Mini Mart installed an unpermitted illegal cooking exhaust system on the outside of her building that blows directly onto their rear patio. He stated that he emailed Town Planner Bowen on May 27, 2024 and told him that he filed a formal complaint with Washington County about the exhaust system. He stated that Town Planner Bowen discussed the situation at the June 10, 2024 Mayor and Council Meeting and stated that the Washington County Inspector would be looking into it due to no permits being obtained for the installation. Mr. Daugherty stated that the exhaust system violates the Washington County Code for exhaust fans and shared photos and a video of the deafening noise the fan makes when it is running. He stated that it makes his outdoor living space unusable and that when it is running you cannot have a normal conversation because it is so loud. He stated that deep frying equipment was delivered to My Mini Mart and that Thompson Gas installed a propane tank, noting that to his knowledge there is no fire suppression system onsite. He further stated that he was told by Washington County that they would work with him and the 23 South Main Street property owner to remedy this situation and that was over 2 months ago. He reported that there has been no further correspondence. Mrs. Daugherty stated that the last time the exhaust fan was on was 2 weeks ago and it ran all day long while no one was in the building.

- Mayor and Council stated that the Town will send a letter to the Washington County Commissioners, the Washington County Health Department and the Washington County Permits and Inspections Office.

**PUBLIC COMMENTS (3-minute limit)**

- **Kelly and Abigail Losquadro, 310 St. Paul Street.** Ms. Losquadro stated that her daughter (Abigail) recently purchased 310 St. Paul Street. She stated that she is concerned with the road (*parking lot area*) in front of the townhouse getting paved due to it being very deteriorated and maintained by the Town. She stated that she is a real estate agent and to her knowledge the Town owns the road and that the HOA there was dissolved many, many years ago. She stated that the road (*parking lot area*) is in extreme disrepair, and she is concerned that when it snows her daughter will not be able to get out of her parking spot to go to work if it is not plowed by the Town.
  - Town Manager Souders stated that she has been in contact with Washington County regarding the Wolfsville Commons HOA.
- **Brenda Kefauver, 320 St Paul Street.** Ms. Kefauver voiced her concerns about the parking lot in front of her townhouse as well and stated that the Town does, in fact, own it. She stated that she talked to County Commissioner Jeff Cline and that he said he called Mayor Long to tell him that the Town does owns it. Mayor Long stated that he has not heard from Commissioner Cline. Ms. Kefauver proceeded to talk loudly and to walk around the room showing the pictures on her phone to the Council. (*Ms. Kefauver was then escorted out of the building due to a No Trespassing order being issued to her 2 years ago which states that she is not to be inside the building unless she is invited*)
  - Council stated that it is their understanding that not all of the residents of Wolfsville Commons were onboard with turning their property in front of their homes where their parking spaces are over to the Town. Town

Manager Souders stated that she has been in contact with Washington County and would like to bring all of the Wolfsville Commons property owners in for a meeting so they can all be present for a discussion.

## **FACILITIES REPORTS**

### **PUBLIC WORKS SUPERINTENDENT'S REPORT – *Greg Huntsberry***

- Stated that Huntzberry Brothers have finished the Town road milling, paving, and patching for this year.
- Stated that we are waiting on the Washington County Grading Permit for the Shafer Park Walking Trail Project. Stated that once it is received it will take about 1 week for Huntzberry Brothers to complete the Project
- Stated that the Lead and Cooper Service Line Inventory Action Plan is underway and that the EADS Group has completed the work on the survey and in-putting all of the data. Stated that he is working with Town Planner Bowen and Water and Sewer Billing Clerk May to submit the survey to the State of Maryland by October 16, 2024.

### **WATER AND SEWER SUPERINTENDENT'S REPORT – *Pete Shumaker***

- Stated that they had to pull a failed pump at the Keedysville Spring Plant and replace it
- Stated that they are waiting for MDE to finish reviewing the lab results from the Shafer Park Well tests
- Stated that the by-pass pump failed on Young Avenue and that it will be serviced
- Stated that it is about a 6-week wait for the replacement pump for the Crestview/Route 34 location

### **TOWN MANAGER'S REPORT – *Rachel Souders***

- Stated that she is submitting the application and request for the Maryland Historical Trust Project Review for the Reservoir's \$1.5M and the Alternate Route 40 Sewer's \$300k. Stated that the next step is for the Board of Public Works to approve the Grant Agreement and the contract eligibility determinations, and then we can finally submit for reimbursements
- Stated that the Safe Route to School Sidewalk Retrofit Project Grant funding is available and that the Feasibility Study is complete. Stated that the next step is to create a Request for Proposals for the design of the Project
- Stated that the bids are due this Friday, October 18, 2024 at 3:30pm and will be opened at that time for the RFP for the Engineering Services during Construction and Construction Management and Inspection of the 12-Inch Water Main and Replacement Potable Water Reservoir Project Contract No. R-2
- Stated that the bids were opened and reviewed today at 4:00pm for the RFP for the 12-Inch Water Main and Replacement Potable Water Reservoir Contract No. R-1
- Stated that she completed her online classes for the Financial Administration of Federal Grants certification last week
- Stated that she will be working with the Wolfsville Commons townhome residents to get a meeting scheduled to hear their concerns and feedback, and to do additional research on what happened with the HOA and how everyone can move forward

### **PLANNER'S REPORT – *Drew Bowen***

- Stated that he met with Richard O'Brien from LGI Homes about the development of the King Road property and that he asked about Zoning in that area
- Stated that all of the State Highway Plans have been approved for the Chase Six Boulevard – Campus Avenue Realignment Project
- Stated that Town Manager Souders and he met with Mr. Scott McIlwee to formulate a plan to move forward with the land swap of 202 Maple Avenue for the Chase Six Boulevard – Campus Avenue Realignment Project. Stated that Mr. McIlwee would like to have a pole building built in the new location before Christmas. Stated that he was very receptive to the appraisal amount of the property and is very much in favor of moving forward so that the property is construction ready when school lets out for the Summer
  - Town Manager Souders stated that information will be provided in the Executive Session at the October 28, 2024 Workshop Meeting and that she will work to draft a proposal for approval at the November 12, 2024 Mayor and Council Meeting
  - Council Member Kerns suggested reaching out to the Maryland Municipal League for assistance with dissolving the Wolfsville Commons HOA, noting that other Municipalities have had to have been through the same thing
  - Assistant Mayor Nally asked for help with getting the Boonsboro Cemetery roads to show up on Google Maps. Town Planner Bowen will look into this for him.

**POLICE DEPARTMENT REPORT** – *Chief Dave Rizer*. The Police Department received 67 calls for service, which included 109 motor vehicle violator contacts and 1 Parking Citation for the month of September 2024. There were 0 adult criminal arrests, 0 adult paper service arrests, 0 adult traffic arrests and 0 juvenile arrests.

- Stated that they had three vehicles removed from Valley View Court and ticketed multiple vehicles for parking in the wrong direction.
- Stated that they are looking at the PowerDMS Software for the Department. Stated that it is a software that includes tools for scheduling, policy management and training that can be easily sent out to all of the Officers, noting that Washington County uses this system. Stated that there is no rush and could be considered in the Fiscal Year 2026 Budget. Stated that they will be having a demonstration of the software soon and that it requires a 3-year agreement
- Stated that volunteers are needed at the Police Academy from November 25 to December 19, 2024 for the “Patrol Tactics” course
- Stated that a new security camera will be installed by Verkada next week as a test camera for a new security system. Stated that they are looking into expanding the current system and switching over to Verkada.
- Stated that Police Academy Cadet Billy Gilbert will be graduating on January 8, 2025 at 6:30pm and the graduation will be held at the Kepler Theater at Hagerstown Community College in Hagerstown.
- Police Sergeant Whittington suggested to place a “Local Traffic Only” sign on Monument Drive to help cut down on the traffic driving through the neighborhood.

### **MAYOR AND COUNCIL UPDATES and CORRESPONDENCE**

- **Mayor Long** stated that he attended the Fall Bulk Clean-Up and Recycling Event in the Shafer Park parking lot on Saturday, October 12. He stated that it was very well attended and very well organized. He stated that J&J Trash Services did an excellent job and he thanked everyone who volunteered for the event.
- **Mayor Long** stated the Trick-or-Treat will be held on Thursday, October 31 in Boonsboro from 6:00pm until 8:00pm.

### **NEW BUSINESS**

**Approve Contract Award: 12-Inch Water Main and Replacement Potable Water Reservoir Contract NO. R-1:** Town Manager Souders and Town Planner Bowen presented the results from the Request for Proposals for the 12-Inch Water Main and Replacement Potable Water Reservoir Contract NO. R-1 for the Mayor and Councils review and input. Town Manager Souders stated that four bids were received on October 11, 2024, that they were opened publicly today at 4:00PM and thoroughly reviewed by the Ad-Hoc Committee made up of representatives from the Mayor and Council, Boonsboro Municipal Utilities Commission and Town staff. She presented the following bid results:

- Calla Contractors, LLC \$6,091,535
- C. Willaim Hetzer, Inc. \$6,197,545
- Conewago Enterprises, Inc. \$6,777,314
- HRI, Inc. \$5,973,870

Town Manager Souders stated that the Ad-Hoc Committee assured that all of the addendums were met and that all of the equipment being used is American made. She stated that all contractors have met all of the requirements and the Ad-Hoc Committee is recommending HRI, Inc. based on their low bid and their work reputation. Town Planner Bowen stated that HRI, Inc. is currently the contractor for the Town’s Dewatering Press Project at the Waste Water Treatment Plant and recently constructed the Town of Middletown’s Reservoir. **Motion** by Assistant Mayor Nally, second by Council Member Kitchen to award the contract for the 12-Inch Water Main and Replacement Potable Water Reservoir Contract NO. R-1 to HRI, Inc. at the total cost of \$5,973,870. **Motion carried.**

- Council Member Kitchen asked if anyone contacted Dutchland, LLC to check on the lead time for the Reservoir tank. Town Manager Souders stated not yet.

**Approve Contract Award: 2024 - 2025 Road Salt:** Town Manager Souders presented the 2024 - 2025 Road Salt quotes from Mid-Atlantic Salt, Rock Salt Source, Inc., Snow and Ice Salt and Chemicals Unlimited, LLC, and Eastern Salt Company for the Mayor and Councils review and input. She stated that staff is recommending the low bid from Eastern Salt Company at the cost of \$82.25 per ton, equaling \$16,450 for 200 tons of road salt. **Motion** by Assistant Mayor Nally, second by Council Member Hollingshead to approve the 2024 – 2025 Road Salt quote from Eastern Salt Company at the cost of \$82.25 per ton contingent upon the cost includes delivery, and if not then the quote from Mid-Atlantic Salt for \$85 per ton would be approved. **Motion carried.**

**Potential for Sludge Use:** Town Planner Bowen stated that Tracy Thomas has approached the Town and requested to use the sludge from the Waste Water Treatment Plant Dewatering Press for his farmland. Superintendent Shumaker stated that the Town is still waiting on the nutrient content and testing requirement results. He stated that we will be working with MDE to establish a process for land application of the sludge, noting that we are still waiting on the testing to be complete. Town Planner Bowen stated that we need to think about a plan to dispose of the sludge product by either sending it to the landfill or giving it to local farmers. He stated that we can contract with a company like Synagro Technologies, Inc. who specializes in surplus dewatered biosolids removal, and they can handle the negotiations with MDE on behalf of the Town.

**Approval to Hire Police Officer: James Sword:** Mayor Long stated that the Council held an Executive Session in September 2024 to approve the hiring of part-time Police Officer James Sword. He stated that he is recommending formal approval of Office Sword's hiring at this time. **Motion** by Assistant Mayor Nally, second by Council Member Hanson to hire James Sword as a part-time Boonsboro Police Officer. **Motion carried.**

**WRA Change Order #4 – Additional Engineering Services for Reservoir Project Permitting:** Town Manager Souders presented the Additional Engineering Services for Reservoir Project Permitting Change Order #4 from Whitman, Requardt and Associates, LLP (WRA) for the Mayor and Councils review and input. She stated that this Change Order includes the costs for the additional Engineering Services related to the extended permitting process with Washington County and Soil Conservation totaling \$27,140. Assistant Mayor Nally suggested submitting the additional fees to the Washington County Commissioners because it was due to the County's permitting issues. **Motion** by Assistant Mayor Nally, second by Council Member Kitchen to approve Change Order #4 from Whitman, Requardt and Associates, LLP in the amount of \$27,140. **Motion carried.**

**GDF Change Order #3 – Additional Site Paving for Sludge Dewatering Press Project:** Town Manager Souders presented the Sludge Dewatering Press Change Order #3 from HRI, Inc. for the Mayor and Councils review and input. She stated that this is the last Change Order for the Project and includes the costs for the additional paving so that the trucks can safely turn and the time extension to complete the paving totaling \$14,889.65. Superintendent Shumaker stated that all work should be completed in the next 2 weeks. **Motion** by Council Member Kerns, second by Council Member Hollingshead to approve Change Order #3 from HRI, Inc. in the amount of \$14,889.65. **Motion carried.**

**Boonsboro Environmental Commission Member Recommendation:**

- Mayor Long, on behalf of the Boonsboro Environmental Commission, stated that he is recommending the appointment of Spice Cromie for a term ending November 2025 to the BEC. **Motion** by Council Member Hollingshead, second by Assistant Mayor Nally to appoint Spice Cromie to the Boonsboro Environmental Commission. **Motion carried.**
- Mayor Long, on behalf of the Boonsboro Environmental Commission, stated that he is recommending the reappointment of Cassandra Ladino (4 years), Laura Schnackenberg (4 years), and Kathy Vesely (3 years) to the BEC. **Motion** by Council Member Hollingshead, second by Assistant Mayor Nally to reappoint Cassandra Ladino, Laura Schnackenberg and Kathy Vesely to the Boonsboro Environmental Commission. **Motion carried.**

**Donation Request – Boonsboro Middle and High School Warrior Bands:** Mayor Long stated that the Town received the annual donation request from the Boonsboro High School and Middle School Warrior Band Boosters for the 2024 – 2025 school year. **Motion** by Council Member Kerns, second by Council Member Hollingshead to donate \$100 to the Boonsboro High School and Middle School Warrior Band Boosters. **Motion carried.**

**COMMISSION REPORTS**

**Park Board** – Meeting held on September 25, 2024. No report provided.

**Boonsboro Municipal Utilities Commission** – *Assistant Mayor Nally.* Meeting held on September 18, 2024. Discussions included updates on the Shafer Park Well status, updates on the Reservoir Replacement Project, updates on the Crestview Water Pressure Reduction and Bypass Project, the Lead Service Line Inventory Action Plan, the Internal Water Audit, the Reservoir Contingency Plan, new connections updates and Utility Plans for DiPietro and Son, LLC, the ARM Group LLC Geophysical Survey, the EDU availability update, a proposal of a BMUC Charter Amendment, the recognition ceremony to honor Ray Hoffman for his commitment to facilitating the Dewatering Press, the approval to advertise the RFP for the Construction Management and Inspection for the Reservoir Project and System Reports.

**Planning Commission** – *Council Member Kitchen*. Meeting held on September 24, 2024. Discussions included updates on the progress of the Comprehensive Plan, Concept Plans for the McIlwee New Parcel Lot Layout, the Utility Plans for the Sanitary Sewer Connections at the Auction House and the Boonsboro Rescue Company, the draft of the Final Plats for the Washington County Board of Education and McIlwee Subdivision, the Chapter One draft of the Comprehensive Plan, Chase Six Boulevard Restriping Plan cost estimate and Staff Reports.

**Economic Development Commission** – *Council Member Hanson*. The Networking Meeting was held on September 19, 2024 at the Boonsboro American Legion at 7:30am. The next EDC Meeting will be on October 23, 2024 in the Town Annex at 8am.

- Ribbon Cutting at Solara Roots Yoga Studio above SR Studios at 103 North Main Street on October 24, 2024 at 11am
- Stated that the Visitors Center will be opening at the National Road Museum on December 14, 2024 at 214 North Main Street
- Stated that the Annual Commission Mixer Event will be held in November 2024. Stated that the date will be announced very soon
- Stated that BooneFest will be held on Main Street on Saturday, October 26, 2024 from 10am to 5pm and sponsored by the Boonsboro Town Alliance

**Environmental Commission** – *Council Member Hollingshead*. Meeting held on September 10, 2024. Discussions included the recommendation to appoint Spice Cromie to the BEC to fill the position that ends November 2026, the October 2024 Newsletter article submissions, updates on the Monarch Waystation, the Fall Bulk Clean-Up and Recycling Event in the Shafer Park parking lot on Saturday, October 12, 2024 from 8am to 12 noon and Subcommittee Reports.

Police Sergeant Whittington asked if the Mayor and Council would consider providing Town employees who opt out of having Health Insurance the option to receive an annual 40-hours vacation leave in lieu of a onetime \$1,000 payment. Town Manager Souders stated that this is something that the Personnel Committee can discuss and bring back to the Mayor and Council. Police Sergeant Whittington stated that Washington County offers this option to their employees.

**Motion** by Assistant Mayor Nally, second by Council Member Hanson to adjourn the Regular Meeting at 9:12PM and move into **EXECUTIVE SESSION**; *as provided under General Provisions Article §3-305 (b)(1), subsection (i) to discuss the appointment, employments, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction.* **Motion carried.**

**Motion** by Assistant Mayor Nally, second by Council Member Hanson to adjourn the Executive Session at 10:04PM. **Motion carried.**

**Motion** by Assistant Mayor Nally, second by Council Member Kerns to adjourn the Regular Meeting at 10:04PM. **Motion carried.**

Respectfully submitted,

Kimberly A. Miller, Office Manager