

**BOONSBORO MAYOR AND COUNCIL
REGULAR MEETING MINUTES
Monday, September 14, 2020**

The Mayor and Council of Boonsboro held their Regular Meeting on Monday, September 14, 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, Terri Hollingshead, Tony Nally and Ricky Weaver. Also present were Town Manager Paul Mantello, Office Manager Kimberly Miller and Interim Town Planner Tim Lung. 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 Byrd to approve the **August 10, 2020 Public Hearing, Regular Meeting and Executive Session Minutes**, and the **August 24, 2020 Workshop Meeting and Executive Session Minutes** as amended. **Motion carried.**
- **Motion** by Council Member Nally, second by Council Member Hanson to approve the **August 2020 Treasurer’s Report.** **Motion carried.**
 - Council Member Kerns stated that three Certificates of Deposit are maturing for \$200,000, for \$245,000 and for \$245,000 and asked if the Council would like her to find the best interest rate for reinvestment. She stated that there is currently \$1,325,587 in the General Fund checking account at Middletown Valley Bank and asked if the Council would like her to obtain two additional Certificates of Deposit for \$250,000 each. **Motion** by Council Member Nally, second by Council Member Weaver to reinvesting the funds at the best rate available as well as two addition CDs for \$250,000 each. **Motion carried.**
 - Member Kerns stated that there is \$173,533 in the Water Fund User Fee Account that could be used towards the unbudgeted BMUC Shafer Park Well Replacement Project. Council will revisit after bids are received on October 5, 2020.

MAYOR AND COUNCIL MEMBER CORRESPONDENCE

- **Mayor Long** stated he attended an Eagle Scouts Court of Honor at the American Legion Post 10 for Scout Kai Fairhall.
- **Mayor Long** stated that there was a good turnout for the September 11th Annual Remembrance Parade.
- **Mayor Long** stated that the Town received a thank you note from Dan Ward from West Wing Way regarding the sidewalk work throughout Town making it easier for him to maneuver in his wheelchair.
- **Mayor Long** stated that he received a resignation letter from George Messner stating that he is resigning from the Economic Development Commission. He stated that there is now currently one member on that Commission, Terri Packard.
- **Council Member Hollingshead** stated that she received a complaint from Tracey Elizalde about the vulgar word on the Trump flag on the opposite side of the street from South Mountain Community Health on St. Paul Street. Mayor Long stated that there is not much that the Town can do about it other than possibly talking to the homeowner.

Police Department Report – *D. Rizer*. The Police Department received 85 calls for service, which included 221 motor vehicle violator contacts and 0 Parking Citations for the month of August 2020. There were 0 adult criminal arrests, 1 adult paper service arrest, 0 adult traffic arrest, and 0 juvenile arrests. Stated that the Police Department worked during the Black Lives Matter protest on August 8, 2020.

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 Council Member Hollingshead, second by Assistant Mayor Byrd 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 and Council Member Hanson opposing. **Motion carried 4-2.**

Public Works Agreement; Easterday – United State Postal Service Boonsboro Office: Town Manager Mantello stated that Planning Commission Chairman Robert Maricle, Planning Commission Vice Chairman David Parmelee and he met with Town Attorney Jennifer Keefer to discuss revisions to the Easterday’s Public Works Agreement for the USPS Boonsboro Office

and Phase II of the South End Pumping Station. He presented the latest revision updates for the Mayor and Councils review and input, noting that Section 1 Article 3 was updated, Section 2 Article 4 was removed, Section 4 was verbiage was increased from 30 days to 60 days. He further stated that the BMUC and Planning Commissions will review the Agreements at their meetings this month and he will provide an update on their discussions at the October Regular Meeting.

Recommendation to Reduce Fees for Domestic Chicken Permit: Office Manager Miller stated that in 2014 the Council approved Ordinance 2014-03; *Amendment to the Zoning Ordinance for Domestic Chickens* to allow residents to raise three (3) hens for eggs on their property. She stated at that time Council also approved *Engineering Fees* of an \$80 permit fee + \$0.10 per square foot of chicken coop, with an annual permit renewal fee of \$50. She further stated that staff is recommending that the permit fee be reduced from \$80 to \$50, that the 'per square foot' fee be removed, and that the Town remove the annual renewal fee. Council discussed that residents keeping chickens on their properties within Town limits would still be required to apply for a Chicken Permit at Town Hall, to help keep track of how many chicken there are in Town, and be required to renew the permit yearly on April 1st of each year, with no fee for renewal of an existing permit, as long as the permit is renewed within 30 days of April 1 (Last day to pay by is May 1 of each year). Council stated that if the permit is not renewed by that date, a \$50 permit renewal violation fee will be charged. **Motion** by Council Member Hollingshead, second by Council Member Weaver to approve reducing the Chicken Permit fee to \$50 and removing the 'per square foot' fee, with residents being required to renew the permit yearly on April 1st of each year, with no fee for renewal of an existing permit, as long as the permit is renewed within 30 days, at which time a \$50 permit renewal violation fee will be charged. **Motion carried.**

RFP: Shafer Park Fence Removal and Floodplain Restoration: Town Manager Mantello stated that the Town received notice that we are recipients of the Fiscal Year 2021 Program Open Space (POS) Grant for the removal of the 500+ feet of old barbed wire fencing and the floodplain restoration project which includes the planting of trees in Shafer Park. He stated that this is a 'matching fund' POS Grant in the amount of \$21,600. He stated that he is requesting to place this Project out for bids. **Motion** by Assistant Mayor Byrd, second by Council Member Weaver to place the Shafer Park Fence Removal and Floodplain Restoration Project out for bids. **Motion carried.**

Trick-or-Treat Mayor Long stated that he is recommending that Trick-or-Treating in Boonsboro be held on Saturday, October 31, 2020 6PM to 8PM as scheduled, with no rain date. He stated that he spoke to the Police Department and that all of the Officers will be on duty during that time period. He further stated that the City of Hagerstown has cancelled their annual Alsatia Mummer's Parade **but** will be holding Trick-or-Treat on Friday, October 30 from 6PM to 8PM. Mayor Long asked that all residents participating please turn on their porch lights and that everyone follow CDC guidelines for COVID-19 social distancing. **Motion** by Council Member Hollingshead, second by Council Member Nally to hold Trick-or-Treating on Saturday, October 31, 2020 6PM to 8PM as scheduled, with no rain date. **Motion carried.**

COMMISSION REPORTS

Public Safety Commission – *Council Member Hanson*. Meeting held on August 17, 2020. Discussions included Commission Membership, the recommendation to cancel National Night Out 2020, and plans for Washington Goes Purple in 2021.

Park Board - *Council Member Weaver*. Meeting held on August 26, 2020. Discussions included updates on Park events including Concerts and Movies, the removal of dead wood from Park trees, the replacement of a tree that was hit by a vehicle and requested Park repairs from earlier in the year.

- Mayor Long stated requested that Olde Tyme Christmas discussions be added to the Park Board's September Agenda. He stated that the Town will still hold the annual lighting of the Town Christmas Tree on Friday, December 4, 2020 but stated it is up to the Park Board to discuss if they want to have any other activities that evening.

Boonsboro Municipal Utilities Commission – *Council Member Nally*. Meeting held on August 19, 2020. Discussions included updates on the Meter Replacement Program, the Water Loss Task Force, the approval to move forward with the testing of the Reservoir for leaks, updates on the Waste Water Model, updates on the South End Pumping Station Upgrade, the approval to move forwards with the Crestview Pump Station Streambank Restoration Project, updates on the Strategic Plan, updates on the Collection System Rehabilitation Project Phase II, the approval to invite Peter Bickford to attend the next BMUC Meeting in regards to the Boonsboro High School Irrigation Well, updates on the Shafer Park Well Replacement, the approval to move forward with the Easterday's Public Works Agreement for the USPS Boonsboro Office and Phase II of the South End Pumping Station, the Alternate 40 Waterline Flushing review and fees, the process of applying for the ARC Grant for the dewatering

press, the approval to move forward with the Leak Detection Survey bid of \$6,000 from Nathan Stauffer, and the need to fill one vacancy on the BMUC.

Planning Commission – *Assistant Mayor Byrd*. Meeting held on August 11, 2020. Discussions included the approval of the Final Subdivision Plat Review of the Preserve at Fox Gap Lots 1-6 and Parcel C (BNFP20-10), the request to review the Public Works Agreement; *Easterday* – *United State Postal Service Boonsboro Office* with the Town staff and Town Attorney, a review of the empty lots in Sycamore Run, and the approval of the Site Plan for the AC&T Employee Parking Lot contingent upon obtaining State Highway approval and revising the Plan to provide a screen fence and separate pole mounted lighting.

Economic Development Commission – *Council Member Kerns*. (*Did not meet in August 2020*) The bi-monthly Networking Breakfast has been suspended until further notice.

Environmental Commission – *Council Member Hollingshead*. (*Did not meet in August 2020*)

Interim Town Planner's Report - *T. Lung*

- Stated that new permit applications were issues in August for decks, swimming pools and a carport
- Stated that there is a Board of Zoning Appeals case set for October 20, 2020 for a setback variance
- Stated that a revised Site Plan has been submitted for the AC&T Parking lot
- Stated that the roof repairs have been made at the PetValu Store and that they are now in compliance
- Stated that several Property Maintenance Code Violations have been issued

Town Manager Report – *P. Mantello*

- Stated that the Town's 5-year contract with Cintas ended on April 9, 2020. Stated that he is meeting with a representative from the company on September 16, 2020
- Stated that the base electric equipment has been installed for the Electric Vehicle Charging Station in the Town Hall parking lot. Stated that the charging stations will be installed soon
- Stated that the Ordinance [Chapter 5 – Article 1] from 1972, that Bob Sweeney presented at the August 10, 2020 Mayor and Council Meeting, providing for establishing one-way and weight restrictions on public streets, alleys and roadways by Resolution will need to be reviewed by an Engineer and updated for current use
- Stated that the Town was invited to submit a grant application to the Appalachian Regional Commission (ARC) for the dewatering volute press at the Waste Water Treatment Plant and that a presentation of the preliminary report from MES will be given at the BMUC Meeting on September 16, 2020 at 6:00PM

Motion by Council Member Hollingshead, second by Council Member Weaver to adjourn the Regular Meeting at 8:42PM.
Motion carried.

Respectfully submitted,

Kimberly Miller, Office Manager

**BOONSBORO MAYOR AND COUNCIL
WORKSHOP MEETING MINUTES
Tuesday, September 29, 2020**

The Mayor and Council of Boonsboro held their Workshop Meeting on Tuesday, September 29, 2020 in the Meeting Chambers to set the Regular Session Agenda for Monday, October 12, 2020. 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. Office Manager Kim Miller, Town Planner Reiley Stanley, Police Chief Kevin Morgan and BMUC Chairman Bob Sweeney were also present. Town Manager Paul Mantello was not in attendance. The meeting convened at 7:00PM.

Introduction of New Town Planner: Mayor Long introduced Town Planner Reiley Stanley to the Council. Town Planner Stanley's first day with the Town was September 21, 2020.

Police Department Update: Chief Morgan stated that everything is going well at the Police Department and in Town.

Washington County Water and Wastewater Chemical Bid: BMUC Chairman Sweeney, on behalf of Town Manager Mantello and the BMUC, present the Washington County Water and Wastewater Chemical Invitation to Bid (PUR-1475) for a *Memorandum of Understanding* for the contract period of December 1, 2020 through November 30, 2021 for Chlorine Gas, Sulfur Dioxide Gas, Sodium Fluoride Powder, Diatomaceous Earth and Delpac 2000. He stated that Town Manager Mantello and he will update the Mayor and Council after the County's bid opening on October 14, 2020.

Appalachian Regional Commission (ARC) Grant Application Invitation and Maryland Environmental Services Proposal for ARC Dewatering Grant: BMUC Chairman Sweeney, on behalf of Town Manager Mantello and the BMUC, present 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. 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 \$20,000. Council Member Kerns stated that there is \$15,000 budgeted in the Sewer Fund *Engineering Fees* for FY21, but that funds could possibly be moved from *Chemicals* to *Engineering Fees* to assist with the cost. BMUC Chairman Sweeney stated that the ARC Grant application must be submitted by November 20, 2020 for Federal level review and that, if awarded, the Town could receive \$325,000 in funds. He stated that the Dewatering Facility Volute Press will save the Town a lot of money on sludge hauling and disposal. **(NEW BUSINESS)**

2020 – 2021 Snow Removal Quotes: Mayor Long presented the 2020-2019 Snow Removal quotes for the Councils review and input. Office Manager Miller stated, after consulting with Public Works Superintendent Greg Huntsberry, that they are recommending accepting both bids from Botanica Enterprise, Inc. and Custom Landscape Management again this year, in preparation of a possible major snow season. **(NEW BUSINESS)**

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 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. **(NEW BUSINESS)**

LGIT Employee Health Insurance Surplus for 2019 – 2020 and Cooperative Aggregate Report: Office Manger Miller stated that she is pleased to announce that the Town received notification from LGIT Employee Health that the Town ended the Plan year with a 86.04% performance ratio resulting \$36,710 in surplus to be returned to the Town. She stated that the surplus is the unused premium at the end of the Plan year that wasn't needed to pay for health insurance claims, noting that this is the biggest benefit of self-funding the Town's health benefits and that this amount would have been the profit of an insurance company if the Town had a fully insured health plan. She further stated that this total surplus could change slightly as stop-loss and run-out claims are finalized, but LGIT does not see this number changing by much at all.

BMUC Chairman Sweeney stated that the Town has been working with WRA for the Leak Detection Project to determine how long the reservoir can be shut down to look for tears in the liner. He stated that it has been estimated that 15,000 gallons, or more per day, is being lost there. He further stated that depending on how long the reservoir can be shut down for, the plan is

to drain the reservoir and replace the liner. BMUC Chairman Sweeney stated that there are concerns about possible blow-outs on lines and that Keedysville may need to close their pumps to assist in the process.

Interim Town Planner Report – *Reiley Stanley*

- Stated that there is a Board of Zoning Appeals case scheduled for October 20, 2020 for a variance request 102 Potomac Street.
- Stated that a Bond Reeducation Request has been received for the Sycamore Run As-Built
- Stated that the Town has submitted the updated Public Works Agreement for the United State Postal Service Boonsboro Office and Phase II of the South End Pumping Station to the Easterday's for their review. Stated that the Town is waiting to hear back from the Easterday's Attorney and then on the Planning Commission comments.

Motion by Council Member Hollingshead, second by Assistant Mayor Byrd to adjourn the Workshop Meeting at 7:33PM and move into **Executive Session**; as provided under General Provisions Article, §3-305(b)(7) to consult with counsel to obtain legal advice. **Motion carried.**

Respectfully submitted,

Kimberly A. Miller, Office Manager