

BOONSBORO MAYOR AND COUNCIL
REGULAR MEETING MINUTES
Monday, September 19, 2022

The Mayor and Council of Boonsboro held their Regular Meeting on Monday, September 19, 2022 in the Meeting Chambers. The Meeting was streamed via GoToMeeting. In attendance were Mayor Howard Long, Assistant Mayor Tony Nally, Council Members Terri Hollingshead, Marilee Kerns, Eric Kitchen and Ricky Weaver. Also present were Town Manager Paul Mantello, Town Planner Reiley Stanley, Office Manager Kimberly Miller and Police Chief Kevin Morgan. Council Member Ray Hanson 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 Council Member Hollingshead to approve the **August 8, 2022 Regular Meeting and August 29, 2022 Workshop Meeting Minutes. Motion carried.**
- **Motion** by Council Member Hollingshead, second by Council Member Kitchen to approve the **August 2022 Treasurer’s Report**, with Council Member Kerns abstaining. **Motion carried 4-1.**

PUBLIC COMMENTS

- **Tracy Carr, 4 Knode Circle.** Stated that she is very disappointed with the Town Council. Stated that in December 2016 the Council voted and approved putting two flower beds in honor of her family in the common ground area in Knode Circle. Stated that 6-years later it is still not done, and that trees that were planted there that were not part of what they approved.
 - **Bob Sweeney, 14 Knode Circle.** Stated that Mayor Long and Council Member Kerns were the only two current members that were part of the Mayor and Council in December 2016. Provided the Council with the December 5, 2016 Meeting Minutes as well as the Carr Family’s approved garden plans.
 - Assistant Mayor Nally stated that he will make sure that everything is taken care of within the next 30-days.
- **Neal Glessner, 8707 Mapleville Road.** Raised concerns over the Shafer Park stream contamination caused by Dan’s Taphouse employee’s pouring cooking grease in to the stormwater runoff and possible harmful effects it may have.
 - Town Manager Mantello stated that it was discovered that this illicit discharge had been happening for quite some time, that the cooking grease went directly into the stormwater lines and did not affect the Town’s drinking water, noting that the Maryland Department of the Environment was notified immediately and that they will be following up with the owners to make sure that this does not happen again.
- **Eric Kitchen, 115 Orchard Drive.** Stated that he wanted to address the Mayor and Council before the Boonsboro Municipal Utilities Commission Amended Water and Sewer Billing Policy Agenda item this evening. Stated that he feels that this has created unintended consequences while all we’ve been trying to do is correct an issue that has been created over the years.
 - Stated that the process to change the policy could have gone smoother and was overcomplicated. Stated that it was passed via an email vote by the BMUC and in his opinion should have been discussed publicly.
 - Stated that so many more sub-topics need to be addressed. Stated that 60-70 customers will be affected by the new tiered structure. Stated that in his opinion the whole thing should be scrapped and sent back to the BMUC to simplify and get right for the customers.

MAYOR AND COUNCIL CORRESPONDENCE

- Mayor Long stated that the September 11th Remembrance Parade and Boonesborough Days both went well
- Mayor Long stated that he will be attending an Eagle Scout Court of Honor for Owen Murphy on September 24, 2022

Police Department Report – Police Chief Morgan. The Police Department received 78 calls for service, which included 21 motor vehicle violator contacts and 0 Parking Citations for the month of August 2022. There were 0 adult criminal arrests, 0 adult paper service arrests, 0 adult traffic arrests, and 0 juvenile arrests.

- **Recommendation to Purchase New Police Vehicle:** Chief Morgan stated that he is requesting to purchase a new Ford Explorer Police Interceptor from Keystone Ford on the State Contract for the cost of \$58,000 completely outfitted with the lightbar. **Motion** by Council Member Kitchen, second by Council Member Hollingshead to approve the

purchase of a Ford Explorer Police Interceptor from Keystone Ford for the cost of \$58,000, with Assistant Mayor Nally abstaining. **Motion carried 4-1.**

NEW BUSINESS

Boonsboro Municipal Utilities Commission Amended Water and Sewer Billing Policy: Assistant Mayor Nally, on behalf of the Boonsboro Municipal Utilities Commission, presented the BMUC Amended Water and Sewer Billing Policy for the Councils review and input, noting that the original updated Water and Sewer Billing Policy was approved at the June 6, 2022 Regular Meeting. He stated that the new Policy went into effect with the billing period beginning in July 2022 to pick up the accounts with 1 water meter and multiple dwellings at the same property and that letters were mailed to all of the property owners. He further stated that after the letters were mailed an affected property owner came forward with concerns over the increase and the Water and Sewer Billing Policy went back to the BMUC for further review. Assistant Mayor Nally stated that consideration was given and the BMUC did an email vote on September 14, 2022 to recommend the revised Water and Sewer Billing Policy, which is being presented to the Council for their review and input. Council Member Kerns stated that she is concerned that only one resident came forward about the increase, which to her means that all of the other affected property-owners probably did not read the letter. Town Manager Mantello stated that during a previous water meter reading, Public Works staff did a survey and determined that a large portion of residences in Town have multiple dwellings in one home that they are not paying for. Council Member Kerns stated that in her opinion the Town is jumping the gun and are creating more issues, noting that she is concerned with residents not understanding Fixed Fees. Town Manager Mantello stated that one of the BMUC's reasons for doing this is because during the Rate Study we realized that we are not collecting enough Revenue based on the water usage.

- **Lorne Ridenour**, *Owner of the apartment building at 410 St. Paul Street*. Stated that this is hard to swallow, that it is a huge increase and was not slowly phased in. Stated that the increase was sent in a letter in July with no prior warning. Town Manager Mantello stated that the Town is in the process of auditing all of the Water and Sewer utility billing accounts in the Town's system.

- **Bob Sweeney**, *14 Knode Circle*. Asked if when the Town does an EDU Study for houses that were converted into apartments, will the Town then collect Tap Fees for each unit?

Motion by Assistant Mayor Nally, second by Council Member Hollingshead to approve the Boonsboro Municipal Utilities Commission Amended Water and Sewer Billing Policy as presented, with Council Member Kerns, Council Member Kitchen and Council Member Weaver opposing. **Motion failed 3-2.** Town Manager Mantello stated that this means that the BMUC Water and Sewer Billing Policy that was previously approved now still in effect.

- **Motion** by Council Member Kerns, second by Council Member Kitchen to repeal the Boonsboro Municipal Utilities Commission Water and Sewer Billing Policy, with Assistant Mayor Nally and Council Member Hollingshead opposing. **Motion carried 3-2.**

Request for Proposals Bid Results – GIS Survey and Modeling Services: Town Manager Mantello presented the bid results for the GIS Survey and Modeling Services for the Council review and input. He stated that with being by far the best price, Barton and Loguidice is also the best firm for the job, followed by EA Engineering, noting that Barton and Loguidice come highly recommended by the Towns of Emmitsburg and Middletown. He further stated that the Environmental Commission has dedicated \$5,000 of their FY2023 budget to the Project. **Motion** by Assistant Mayor Nally, second by Council Member Hollingshead to award the GIS Survey and Modeling Services contract to Barton and Loguidice. **Motion carried.**

Request for Proposals - HVAC Maintenance for Town Buildings: Office Manager Miller stated that she is requesting approval to place the Request for Proposals for the HVAC Maintenance Contract out for bids for the units at Town Hall, the Community Center, the Police Department, the Town Maintenance Shop and the Waste Water Treatment Plant with bids due on October 12, 2022. **Motion** by Assistant Mayor Nally, second by Council Member Hollingshead to place the Request for Proposals for the HVAC Maintenance for Town Buildings out for bids. **Motion carried.**

Request for Proposals - Snow Plowing & Sidewalks Winter 2022 – 2023: Office Manager Miller stated that Public Works Superintendent Huntsberry is requesting approval to advertise the Request for Proposals for additional help with snow plowing and sidewalk clearing for the 2022-2023 winter season, on an as needed basis, with bids due on October 13, 2022. She stated that this is the same RFP that the Town advertises every year. **Motion** by Assistant Mayor Nally, second by Council Member Hollingshead to advertise the Request for Proposals - Snow Plowing and Sidewalks Winter 2022 – 2023. **Motion carried.**

60th Annual John F. Kennedy 50 Mile Ultra Marathon: Office Manager Miller stated that the Economic Development

Commission is working to come up with a few ideas to commemorate the 60th anniversary of the annual JFK 50 Mile race that starts on Main Street each year. She stated that this year's race is on Saturday, November 19, 2022 and begins at 6:30AM. She further stated that the EDC is planning a plaque for the front of Town Hall and adding a few commemorative 'bricks' to show the starting line. Office Manager Miller stated that she will be creating a Proclamation for Mayor Long to present the day of the race.

Alternate 40 Waterline Looping – ARC Application Invitation and WRA Preliminary Engineering Proposal: Town Manager Mantello stated that in the early 2000s, the Maryland Department of the Environment (MDE) and the Washington County Health Department (WCHD) identified that several drinking water wells along Alternate Route 40, just north of Town limits, were contaminated by local livestock. He stated that in 2009 the Town worked with MDE and WCHD to extend water service beyond the Town limits to those Washington County residents along Alternate Route 40 and installed 7,600 linear feet of new water main with new connections to over 100 out-of-town customers, noting that that water main dead ends and there is no return line back into the Town's distribution system. He further stated with 100 customers on a long, non-looping water line, treated water in the main becomes stagnant and free chlorine eventually dissipates to zero or levels too low to provide proper disinfection, and to ensure perpetually safe drinking water the Town "flushes" the water main each day to remove the "old water" and replace it with fresh treated water. Town Manger Mantello stated that the Town flushes over 1-million gallons of treated water to maintain acceptable chlorine levels annually, and together with the Town's longstanding water loss, flushing treated water is inefficient and unsustainable. He stated that the Town loses 40-million gallons of treated water annually which is the equivalent annual usage of about 450 households, and to correct non-revenue water caused by flushing, he is recommending the plan to loop the Alternate Route 40 water line back into the distribution system and create the circulation needed to prevent stagnancy and loss of free chlorine. Town Manager Mantello presented the proposal from Whitman, Requardt and Associates, LLP (WRA) for a Preliminary Engineering Report (PER) for looping of the water supply main for the Councils review and input, noting that the PER will be in standard MDE format to assist the Town with pursuing funding. He stated that the estimated fee for this work is \$21,471 and that the Appalachian Regional Commission (ARC) Application is due on November 18, 2022. Council Member Kerns asked if this is part of the FY2023 Budget. Assistant Mayor Nally stated no, but that the Town can use funds from Reserves. **Motion** by Assistant Mayor Nally, second by Council Member Kitchen to approve the Whitman, Requardt and Associates proposal for the Preliminary Engineering Report (PER) for looping of the Alternate Route 40 water supply main at the estimated cost of \$21,471. **Motion carried.**

COMMISSION REPORTS

Park Board - Council Member Weaver. Meeting held on August 24, 2022. Discussions included updates from the Tree Board, updates on the Summer Concerts and Outdoor Movies, the upcoming EDC Food Truck Festival and garden tractor pull event and the motion to not approve the construction of the track for this year's event due to the short notice, lack of written details including drawings and the potential concern of the proposed location, and the request for a member of the Park Board to join the Appalachian Trail Commission.

Boonsboro Municipal Utilities Commission – Council Member Nally. Meeting held on August 24, 2022. Public Comments from **Lorne Ridenour, owner of the apartment buildings at 410 St. Paul Street.** Discussions included updates on the Drinking Water Reservoir Replacement Project, the Keedysville Booster Station Water Pressure Reduction, the Sludge Dewatering Project, the FY2024 Funding Priority Packet, the WWTP Stream Restoration Project, the Crestview Well Decommission Project, the Illicit Discharge incident at Dan's Taphouse, the slow Keedysville Flow Meter and BKWAB Meeting recap, the Shafer Park Well Replacement Project bid review, the BMUC vacancy,

Planning Commission – Council Member Kitchen. No Meeting was held in August 2022.

Public Safety Commission – Council Member Kerns. Meeting held on August 18, 2022. Discussions include updates on the National Night Out event, recommendations to appoint Harry Nogle to the PSC for a 2-year term, an update on the Chase Six Boulevard and Campus Drive Intersection Public Safety Meeting, update on the Washington Goes Purple event, plans for future training for CPR and Narcan, the ongoing crosswalk issues at Shafer Park Drive and North Main Street and Orchard Drive, and reports from the Boonsboro Police Department, Fire Department and Ambulance and Rescue Company.

Economic Development Commission – Mayor Long. Meeting Held on August 24, 2022. Discussions included an update on grant opportunities, an update on the Downtown Beautification Project, the upcoming Networking Meeting at Pathfinder's Farm Distillery, upcoming business ribbon cutting ceremonies and recognitions, updates on the Food Truck Event, update on the Boonsboro Town Alliance, updates on the EDC Meet and Greet, updates on the Appalachian Trail Committee Task Force,

plans to send out the Quarterly Rack Cards, the 60th Anniversary of the JFK 50 Mile, the EDC Marketing Plans and new business activity in Town.

- Assistant Mayor Nally stated that the September 15, 2022 Networking Meeting at Pathfinder's Farm Distillery was well attended and that the ECD is considering creating subcommittee for their various projects.

Environmental Commission – *Council Member Hollingshead*. Meeting Held on August 9, 2022. Discussions included the results from the Community Garden interest survey and plans to hold a Subcommittee meeting in September, updates on the clean up of the Butterfly Weigh Station, updates on the Appalachian Trail Task Force, ideas for the October Town Newsletter and Subcommittee Reports.

Town Planner Report – *R. Stanley*

- Stated that she received the Site Plans for the ACE Hardware Store and Storage Facilities
- Stated that Public Works Superintendent Huntsberry and she will be doing a walk-through of Sycamore Run for the Bond Release
- Stated that she attended the Washington County Hazard Mitigation Plan Update Meeting

Town Manager Report – *P. Mantello*

- Stated that the Town was awarded \$2,264 from the Chesapeake Bay Trust for the Fall Tree Planting
- Stated that the Water Resource Act has passed both the House and Senate for the Reservoir Project Funding
- Stated that he will be setting up a meeting with the owners of the property on Potomac Street to discuss the Crestview Well Decommissioning Project
- Stated that the Downtown Beautification Project kick off meeting is tomorrow, and they will be meeting with Mike Van Fleet. Stated that he contacted the State Highway Administration about adding the new circle into the Project and that they are in favor of it
- Stated that he will be meeting with the representatives from the Washington County School Board and the landowner on Maple Avenue to discuss the logistics of the land transfer
- Stated that the Shafer Park Path Phase IV Project kick off meeting will be held this week

Motion by Council Member Hollingshead, second by Assistant Mayor Nally to 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* at 9:05PM. **Motion carried.**

Motion by Assistant Mayor Nally, second by Council Member Kerns to adjourn the Executive Session at 9:15PM. **Motion carried.**

Motion by Council Member Hollingshead, second by Assistant Mayor Nally to adjourn the Regular Meeting at 9:16PM. **Motion carried.**

Respectfully submitted,

Kimberly Miller, Office Manager