

BOONSBORO MAYOR & COUNCIL
TUESDAY, JANUARY 21, 2020
WORKSHOP MEETING

The Mayor and Council held their Workshop Meeting on Tuesday, January 21, 2020 in the Meeting Chambers to set the Regular Session Agenda for Monday, February 10, 2020. Present were Mayor Howard Long, Assistant Mayor Rick Byrd, Council Members Marilee Kerns, Ray Hanson, Terri Hollingshead, Tony Nally and Rick Weaver. Also present were Town Manager Paul Mantello, Office Manager Kimberly Miller, Town Planner Ethan Strickler, Police Chief Kevin Morgan and BMUC Chairman Robert Sweeney. The meeting convened at 7:05PM.

Keedysville Springhouse Weir Wall Repair and Renovation Project: Town Manger Mantello provided an update on the Keedysville Springhouse Weir Wall Repair and Renovation Project, noting that the permit for the Project was submitted on January 17, 2020. He stated that the Town has secured a Bridge Loan from CHIEF for \$150,000 with help from Greg Snook and are waiting for MDE to award grant funding with help from Senator Andrew Serafini and Delegate Bill Wivell. He further stated that a Request for Proposals for the Weir Wall Repair and Renovation Project was published with bids due on Friday, January 31, 2020 at 2:00PM, noting that a pre-bid meeting will be held on January 24 at 9:00Am on site. Greg Snook, *President and CEO of the Hagerstown-Washington County Industrial Foundation, Inc.*, explained the terms of the CHIEF Bridge Loan. He stated that it is a no-interest loan and that he is happy that they can help the Town during this emergency situation. Council thanked Mr. Snook for his generosity. **Motion** by Council Member Kerns, second by Assistant Mayor Byrd to approve the Commercial Promissory Note with the Hagerstown-Washington County Industrial Foundation, Inc. for \$150,000 secured by the Certificate of Deposit for \$220,000 held at Middletown Valley Bank. **Motion carried.**

Police Department Update: Chief Morgan provided an update that Police Officer Jonathan Witmer will begin working for the Town part-time on February 1, 2020 and that Police Officer Ryan Christman will begin his certification program on February 3, 2020.

Police Department Used Vehicle Purchase Request: Chief Morgan presented his request to the Council to purchase three (3) pre-owned government vehicles from Asia Motors for the cost of one (1) new 2020 vehicle. He stated that \$55,000 was budgeted in Capital Outlay for the purchase of a new Police vehicle, that he placed an order with Criswell Chevrolet under the State Contract in mid-2019, and that order was cancelled in November 2019 without any notice or correspondence. He further stated that after doing some research, he found Asia Motors near Chicago, Illinois, a pre-owned government vehicle resale company specializing in Police vehicles, and that he can purchase three low mileage pre-owned vehicles for under the cost of \$55,000. Chief Morgan stated that his plan is to sell or auction three of the Town's current Police vehicle and replace them with three from Asia Motors. Consensus is to move forward with the purchase of pre-owned vehicles from Asia Motors. **(NEW BUSINESS)**

BMUC Wastewater System Master Plan and Hydraulic Model Bid Results and Recommendation: Town Planner Strickler and BMUC Chairman Sweeney, on behalf of the recommendation from the BMUC, presented the Wastewater System Master Plan and Hydraulic Model Bid Results for the Mayor and Councils review and input. Town Planner Strickler stated that five (5) proposals were received on December 4, 2019. BMUC Chairman Sweeney stated that the five Proposals were distributed to the BMUC Members, with the cost proposals withheld, and that the Members met on December 5, 2019 to review the quality of the documents, definition of the technical approach and the understanding of the end product. He stated that the cost proposals were then opened, and it was determined that two (2) of the proposals should be eliminated; one based on the overall cost and the other based on the vague definition of the team and logistical concerns. He further stated that the three (3) remaining firms, *Barton and Longuidice, EA Engineering, Science and Technology and Whitman, Requardt and Associates (WRA)*, were invited to give individual presentations at a Work Session on December 18, 2019, noting that Town Manager Mantello was excluded from the presentations due to a possible conflict of interest but that Town Planner Strickler did sit in. BMUC Chairman Sweeney stated that a list of changes and clarifications were sent to the three firms and were reviewed by the BMUC at the January 16, 2020 meeting. He stated that after the review the BMUC eliminated Barton and Longuidice based on a week presentation, reference checks and concerns regarding staffing. He further stated, on behalf of the BMUC, that they are recommending that the Wastewater System Master Plan and Hydraulic Model be awarded to Whitman, Requardt and Associates (WRA) for the estimated cost of \$92,577 for the project and \$33,700 for surveying, based on the multiple years of experience with the Town, the excellent service with the Water System Model, as well as a very strong presentation. Town Planner Strickler that the Town will recapture funds from Developers to reimburse the cost of the Water

System and Wastewater System Master Plan and Hydraulic Model, and that it will also assist with Long-term Capital Improvements. **(NEW BUSINESS)**

Introduction of Ordinance 2020-01: Illicit Discharge Detection & Elimination (MS4): Town Planner Stricker stated that he is recommending the Introduction of Ordinance 2020-01; *Illicit Discharge Detection and Elimination Ordinance (IDDE) for MS4*, and the scheduling of a Public Hearing for February 10, 2020 at 6:30PM. He stated that the Ordinance was presented to the Council in October 2019 and reviewed that it will make sump pump sewer connections illegal and will give residents a way to report illicit discharges, dumping and spills. He further stated that the Ordinance will show MDE that the Town is moving forward with the MS4 (Municipal Separate Storm Sewer System) permitting process. Town Planner Stricker stated that the Ordinance received a few minor edits from Attorney Wants. He stated that after the Ordinance is approved, the Council will need to appoint an Enforcement Officer. **(NEW BUSINESS)**

***Note December 22, 2020:** *After realizing that Council did not make a Motion to Introduce Ordinance 2002-01; Illicit Discharge Detection & Elimination (MS4) during the Workshop Meeting, Office Manager Miller and Town Planner Stricker conducted an email poll vote, which was unanimous. Motion by Council Member Kerns, second by Council Member Nally to approve the introduction of Ordinance 2020-01; IDDE and the scheduling of a Public Hearing on February 19, 2020 at 6:30PM. Motion carried.*

King Road Associates Bond Reduction Requests: Town Planner Strickler, on behalf of a recommendation from the Planning Commission, presented the King Road Associates Bond Reduction Request. He stated that it for the part of the development along the east side of Old National Pike (US Alternate 40) abutting the Boonsboro Cemetery. Town Planner Strickler stated that the request is to reduce the Bond for Public Improvements and Construction for Phase 1 of Sycamore Run by 95% of the original surety (*original Surety Bond was in the amount of \$1,586,640.39*) and enter into a one-year maintenance agreement for the improvements and to begin the one-year maintenance period for the Bond for Public Improvements and Construction of the Sycamore Run Pump Station (*original Surety Bond was in the amount of \$35,000.00*). Consensus is to move forward with the King Road Associates Bond Reduction Request for the Sycamore Run Phase 1 and the Pump Station. **(NEW BUSINESS)**

MS4 Stormwater Update – MDE Status Letter: Town Planner Strickler provided a letter from the Maryland Department of the Environment regarding the Town's progress from October 31, 2018 through June 30, 2019 with the National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges from Small Municipal Separate Storm Sewer Systems (MS4) for the Councils review and input. He stated that the Town is currently in a good place and that a lot of the Municipalities are not in this position yet.

Review of Proposals - Legal Services: Town Manager Mantello presented the single result from the Request for Proposals for Legal Services for the Councils review and input, noting that the last time an RFP was put out for Legal Services was in 2015. He stated that the single bid was received from Salvatore and Morton, LLC of Hagerstown, who also currently represents the City of Hagerstown and Town of Smithsburg. He stated that their legal team is comprised of two lawyers, Jason Morton and Jennifer Keefer, with 11 years of Municipal experience and two paralegals. He further stated that their soft cost cap for assignments under 1,000 total billable hours would be \$250 per hour and assignments exceeding 1,000 total billable hours would be \$200, excluding litigation, noting that paralegal costs would be \$75 and \$65 respectfully. **(NEW BUSINESS)**

Recommendation to Adopt Washington County Holiday Schedule: Office Manager Miller stated that after reviewing the 2020 Washington County holiday schedule and receiving approval from the Personnel Committee, she is recommending that the Town fully adopts the County's schedule. She stated that the Town currently follows the County for days off due to snow and weather, and that she is making the recommendation to add Presidents Day and New Year's Eve to the Town's Holiday schedule, noting that currently the employees do not have those 2 days off. **(NEW BUSINESS)**

Town Planners Update:

- Stated that the Easterday brothers entered the South End Pump Station last week and took it upon themselves to dig the area where the tie-in for the force main is supposed to be installed. Stated that they dug illegally near the 100-year flood plain and that they are in violation of the Maryland Department of the Environment's laws. Stated that construction has been completely shut down at the location by MDE, Washington County and the Town pending approval of the proper building and electrical permits.

Town Managers Update:

- Stated that a representative from Seba Water, of Germany, installed 2 ultra-sonic water meters for demonstration at the Shafer Park Water Plant and at the Town Reservoir to try to determine if there is an unknown issue or leak at either location. Stated that the meters will gather flow information for one-quarter, noting that they have already provided 5-days' worth of information that there is approximately 20,000 gallons of water flowing back into the plant during that time period.

Mayor Long stated that the Town has reschedule the Public Hearing for the Antietam Cable Franchise Agreement for Monday, February 24, 2020 at 6:00PM after speaking with Antietam Broadband President Brian Lynch and based on his availability. The Public Hearing has been advertised on the Town website, social media sites and in the Herald-Mail Newspaper.

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

Motion carried.

Respectfully submitted,
Kimberly A. Miller, Office Manager