

**Mayor and Council of Smithsburg, MD**  
**Regular Meeting Minutes**  
**Tuesday, December 3, 2019**

The regular meeting of the Smithsburg Mayor and Council was held on Tuesday, December 3, 2019 at 7:00 PM with Mayor Jack Kesselring, Council Members Nathaniel Smith, Dennis Wenthe, Donald Souders and Richard Hetherington present. Council Member Weaver was absent. Also in attendance was Clerk/Treasurer Justine Keadle, Town Manager Debra Smith and Chief DeGrange. The meeting was opened with the Pledge of Allegiance Council Member Smith.

**Agenda Approval: On a motion** by Council Member Wenthe, Council unanimously approved the agenda.

**Consent Approval of Minutes: On a motion** by Council Member Souders, to approve the minutes of the November 5, 2019 Mayor and Council meeting and the November 26, 2019 Work Session as submitted. Motion carried by a unanimous vote of Council.

**Approval of Executive Minutes: On a motion** by Council Member Souders to approve the minutes of the November 26, 2019 Executive Minutes and leave them closed. Motion carried by a unanimous vote of Council.

**Approval of Treasurers Report: On a motion** by Council Member Wenthe to approve the Treasurer's report as presented. Motion passed by a unanimous vote of Council.

**MAYOR'S REPORT:** Mayor Kesselring reported the following: (1) Begun moving forward with the second floor preparation for community usage. Scott Horning donated his time to install lights. A used refrigerator has been purchased and being picked up tomorrow. Donated a coffee pot and will be purchasing a microwave. (2) Tabitha's Table was at the Cider Press and was a success and raised \$10,000. Cold weather is here and encouraged residents to help each other out.

Tabitha's Tables schedule is from December 1<sup>st</sup> to January 1<sup>st</sup> is:

Tuesday, Dec 3: 1:00 PM - 5:00 PM (Smithsburg School District)

Tuesday, Dec 10: 1:00 PM - 5:00 PM (POTG- open to Washington County residents)

Tuesday, Dec 17: 1:00 PM- 5:00 PM (Smithsburg school district)

Closed Tuesday Dec 24

Monday, Dec 30: 1:00 PM- 5:00 PM (Smithsburg School District)

January is back to regular Tuesday schedule

(3) Met with the general manager of Martin's and he said he liked out community. Martin's had previously donated money to the Police Department and SEMS.

**TOWN MANAGER'S REPORT:** Debra Smith reported the following: (1) Submitted the FY21 State Aid for Police Protection Grant. (2) Submitted the Annual SHA Road Report. (3) Submitted the 2020 MD Anticipated Debt Survey to the MD State Treasurers Office. (4) Prepared and advertised several bid documents which will be addressed under New Business. (5) The MD State Board of Public Works has formally approved the \$15,102 grant for the \$16,780 multi-purpose field project. (6) Attended the pre-legislative forum with local Delegates and Senators to formally request the return of Water Street to SHA. (7) MS4 MOU'S: Per John Swauger, W.C. Storm water Management Coordinator, the approval of the MOUs will be delayed until after the 1<sup>st</sup> of the year. Williamsport had some unforeseen circumstances come up that prevented their MOU from being ready for this week's agenda along with Smithsburg's and Boonsboro's. Coincidentally, the county will be renewing their Resolution to Administer and Enforce the Storm water Management Ordinance for Washington County, Maryland in the Towns, so all of the updates and MOUs can be done at the same time. (8) Water Transmission Line Replacement Project Update: the contractual project is at substantial completion pending a final walk through and generation of a final punch list to close out the project. Substantial completion walkthrough is scheduled for Wednesday, December 11<sup>th</sup> at 10AM. The only pending portion of the project that is not part of the contract is the cleaning of water tank #1, which is still awaiting inspection. (9) Veteran's Park Gazebo: the construction of the Gazebo is at substantial completion. The POS grant for the project has been closed out with reimbursement received in the amount of \$54,623.00.

## **DEPARTMENTAL REPORTS**

**Police Chief Report:** Chief DeGrange submitted the following report: (1) There were 96 calls for service during the month of November with 0 arrests. (2) Assisted Washington County Sheriff's Office 4 times, Maryland State Police 3 times and SEMS 1 time. (3) Chief DeGrange attended EVOC Instructor Training. (4) Held Shop With A Cop last night. Had nine children and spent just under \$2,000. Had a lot of volunteers from the Police Department, the Dixie and SEMS. (4) Have a new part time office Caleb Wade. (5) Have been handing a lot of warnings and due to this not having helped resolved the issue will now be handing out tickets. (6) Gearing up for the Christmas events this weekend.

**Public Works Report:** Town Manager Smith is Acting Public Works Director and submitted the following report:

### **Water/Distribution:**

- Water usage for the month from the City of Hagerstown was 7,223,770 gallons.
- Water residual received from Hagerstown at Point of Entry (POE) ranged from 1.39 to 2.06.
- 11/5/2019; two water main breaks occurred. One on W. Water Street and one on S. Main Street both near the square. Cause was due to excess pressure in the system while making connection tie-ins to the system during the water transmission line project. Mid Atlantic Utilities assisted in making the repairs at no cost.
- Continued with several customer meter re-read requests.
- 11/20/2019: Performed 25 water disconnections for non-payment.
- Assisted Brian Semler with curb stop repair at 27 W. Water Street.

### **Sewer/Collections:**

- Sewer flows for the month from Washington County was 5,142,000 gallons.
- 11/19/2019: Worked with the City of Hagerstown on Sewer Main Back-up at shopping center on RT#64.

### **Streets/Sidewalks:**

- Annual line painting performed by Jeter Paving throughout town. The area in front of the Fire Department is still pending completion.
- Filled in abandoned cistern that collapsed and opened up on Heritage Walkway beside Town Hall and repaired sidewalk.
- Filled pot holes on E. School Lane with stone.
- Asphalt repairs made to W. Water and S. Main Street from water main repairs.

### **Parks:**

- Veterans Park restrooms were winterized and port-a-pot brought in for the season.
- Lions Park has been winterized and the park is officially closed for the season.
- Final mowing has been completed until spring.
- Cleared and prepared Memorial Gardens and town square for Veterans Day Ceremony/replaced all flags with new.
- Began the process of decorating Veteran's Park for Christmas.

### **Stormwater/MS4:**

- Cleaned storm drains several times throughout the month.

### **Equipment/Vehicles, Etc.:**

- Repaired sewer pump #1 at Chips Meadows pumping station.
- Pulled clogged sewer pump #2 at High School pumping station.
- Follow up needed on Chips Meadows pumping station generator battery.

### **Routine Maintenance:**

- 12 new tables and 100 chairs added to the 2<sup>nd</sup> floor of town hall.
- Completed Miss Utility Tickets as received.
- Water Sampling taken for MDE.
- Ordered stone to re-fill town stock pile.

### **Meetings/trainings, etc.:**

- Jeff Long attended MRWA Water Sampler Certification Course.
- 11/26/2019; last day for Austen McCarter.

**Zoning Administrators Report:** Niel Smith stated the next Planning Commission meeting will be held on December 10, 2019 at 7PM. At the last meeting regular ordinances were reviewed along with the stadium project for the High School.

**On a Motion** by Council Member Souders to approve all departmental reports. Motion carried by a unanimous vote of Council.

### **COMMISSION REPORTS**

**Smithsburg Community Activities Committee**-Laura Hendrix and Bonnie Renard reported the following: (1) Tree Lighting is this Friday night and the Christmas party will be this Saturday night on the 2<sup>nd</sup> floor of town hall. Thanked everyone for their work on the 2<sup>nd</sup> floor. There will be a parade this year that will begin at 7PM. There will be a live tree placed in the new gazebo and asked for Mayor, Council and residents to bring ornaments to be placed on the tree.

**Parks Commission**-no report.

**Planning Commission** –no additional report.

**On a Motion** by Council Member Souders to approve all commission reports. Motion carried by a unanimous vote of Council.

### **COMMUNITY ORGANIZATION REPORTS:**

**Smithsburg Fire Department**-The following report was presented by Danny Gibson (1) 37 calls for November 2019. (2) 293 volunteer responses, 177.1 volunteer hours on scene and 8 average number of responders per call. (3) 7 structure fires, 8 motor vehicle accidents, 1 flooding emergency, 8 medical assist, 5 heavy equipment fire, 2 public services and 10 miscellaneous. (4) Mutual aid: 5 in Franklin County.

**SEMS:** No Report.

**On a Motion** by Council Member Souders to approve all community organization reports. Motion carried by a unanimous vote of Council.

John Renard gave an update on the construction of the gazebo in Veterans Park. The project is hoped to be about 95% by the Christmas Tree Lighting.

Mayor Kesselring thanked John Renard for helping out with meter reads this week.

### **CITIZENS COMMENTS/CONCERNS:**

David Dan, 23 W. Water Street-Inquired about the vacant Public Works position.

**CONSENT AGENDA:** None

**OLD BUSINESS:** None

### **NEW BUSINESS:**

**Smithsburg Fire Department Financial Request** –Chief Gibson presented four requests for funds to provide for his department needs for a total of \$3,372 as follows:

1. Radio batteries-\$544
2. Heavy duty hand lights-\$1,398
3. SCBA Block-\$650
4. Steel hooks-\$780

**On a motion** by Council Member Souders to approve the financial request from the Fire Department. Motion carried by a unanimous vote of Council.

**FY2021 Annual Program Open Space Grant**-Town Manager Debra Smith stated the POS FY21 grant is due the beginning of January. The proposed grant would include the ADA parking access near the gazebo and would also include the permeable paving of the roadway up to the gazebo as well. **On a motion** by Council Member Souders to approve the POS grant as recommended. Motion carried by a unanimous vote of Council.

**Review of Bids for Sale of 2011 Police Cruiser**-Bids were due on November 15<sup>th</sup>. The town received four bids in the amount of \$1,268, \$1,351, \$1,550 and \$3,507. Recommendation to accept the bid from Harrif Gharriwala in IL in the amount of \$3,507. **On a motion** by Council Member Souders to approve the high bid. Motion carried by a unanimous vote of Council.

**Review of Emily Way Swale Repair Bids**-Bids were due on November 21<sup>st</sup>. The town received three bids in the amount of \$41,450-JR Services, \$46,995-Huntzberry and \$97,587-Congressional Constructional. Recommendation to reject all bids and wait for a recommendation from Engineer Mike Hicks per his consult with an Erosion Control Specialist. **On a motion** by Council Member Souders to approve the rejection of all bids and wait on the recommendation from Mike Hicks. Motion carried by a unanimous vote of Council.

**Veterans Park Multi-Purpose Field Grading Bids**-Bids were due on November 21<sup>st</sup>. The town received two bids in the amount of \$10,000-Jernigan Environmental and \$9,200-Brian Semler. Mayor Kesselring stated the grading project has not cost the town any funds. All of the funds have come from POS or by donation. Mid-Atlantic Utilities, for no charge, are rough grading and laying the pipe. Once the grading is complete the open area is for everyone to utilize. Once the grading is complete the walking path will be completed and repaired. **On a motion** by Council Member Wenthe to approve Brian Semler for the grading project. Motion carried by a unanimous vote of Council.

#### **Council Members Remarks/Comments:**

**Council Member Souders**-Wished everyone a Happy Holiday and New Year. Thanked Chief DeGrange and his department. Face Book is not 911. The police cannot fix what they are not aware of. Asked Chief to reach out to the schools to promote the use of the crosswalks. Thanked staff for all their work and help on the last meter readings.

**Council Member Smith**-The staff helps make the town a better place. Reminded everyone to slow down and look out for others during the holiday season. Thanked everyone for coming and having their voice heard in a respectful manner.

**Council Member Wenthe**-Happy Holiday and New Year. Thanked staff. Thanked everyone for the participation in the Veterans Day ceremony. Thanked the Herald Mail for the nice article on the ceremony.

**Council Member Hetherington**-Thanked the town employees. We got a lot accomplished this year. Thanked everyone for coming out. Good to see residents on a regular basis and to encourage your neighbors to attend. Have a safe holiday season. Thanked Chief DeGrange for working the holidays.

Mayor Kesselring thanked everyone for attending and for participating and providing their ideas.

#### **No December Work Session**

The meeting was adjourned at 7:34 PM

Respectfully submitted,

Justine Keadle Clerk/Treasurer