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### **March 3, 2021**

**Present:** The March 3, 2021 Town Council meeting was a virtual meeting through ZOOM. Mayor Roop, Council Members, Sharon Gribbin-Lindemon, David Hoffman, Ed Palsgrove, Ed Smith and Kimberlee Schultz were in attendance. Also, Town Manager Gary P. Dye, Jr, Town Clerk Alban, Town Attorney Ostrander, Town Sec/WS Billing Clerk Bartoszak, PW Director Myers and Deputy Colussy took part in the meeting via ZOOM. There were 7 others in the ZOOM meeting.

**Call to Order:** The Town Council meeting was called to order by Mayor Roop at 7:00 p.m.

**Pledge of Allegiance:** Mayor Roop led the Pledge of Allegiance.

**Recording and Agenda Policies:** Mayor Roop stated that the Town Meeting is recorded by electronical means and that the meeting will follow an Agenda. Anyone who wished to have a matter placed on the Agenda needed to submit the topic to the Mayor in writing by the last Wednesday of the month, by the close of the business day, which is 3:00 p.m. These items will be reviewed for approval.

**Previous Meeting Minutes:** A Motion by Councilmember Palsgrove to approve the February 3, 2021 minutes. It was 2<sup>nd</sup> by Councilmember Hoffman and was approved 5-0.

#### **Mayor's Report:**

- February 8 Emailed County Commissioner Bouchat' our top three Capital Projects, the waterline replacement, waste-water treatment plant upgrade, and the new sewer pump station along with the estimated costs. Estimated \$23M surplus.
- February 10 Received several links from Jim Peck at MML for Municipal Candidate questions
- February 11 In-person meeting with Tyler Tate, President, and Martha Elliott, Business Development with Lewis Contractors to create a Scope of Work for the Dielman Inn Foundation Stabilization Project. It should be completed this week and then submitted to the Maryland Department of Housing and Community Development. Upon DHCD's approval, work can begin.
- February 11 Zoom meeting with Matthew D. McKnight, Ph.D. Chief Archaeologist, Maryland Historical Trust, Maryland Department of Planning, Claude Bowen President of the Archeological Society of Maryland, and Esther Read, Charles County Archaeologist Planning and Growth Management. This meeting was to discuss an archaeological dig at Dielman Inn. They are very interested in this project.  
An in-person meeting at Dielman Inn with Town Manager Dye, Christopher Heyn P.E., Bureau Chief Bureau of Resource Management, and **Myron Frock** Stormwater Review Assistant, Carroll County Department of Land and Resource Management. This meeting was to discuss options to turn the open area at the Inn into a parking lot.
- February 13 Created questions for the council to rate for the council candidates.
- February 17 Zoom Webinar

Received complete support from the Board members of Westminster Road Runners Club for providing technical and organizational support for Frank Schaeffer's memorial run. Steve Moore (RunMoore) and Dave Griffin (Flying Feet Running Club) will most likely want to lend strong support to this event as well.

- February 18 Conference call with Town Manager Dye and Gary Honeman, Westminster Road Runners Club concerning the Franklin Schaeffer Memorial 5K Walk/Run.
- February 22 Request to SHA to erect two Snow Emergency Plan Route signs on Main Street and High Street. One will be placed near Blue Ridge Avenue and one near Lambert Avenue.
- February 24 Contacted Sandee Custen about serving as an election judge. "I would love to! Thanks"
- February 25 Zoom meeting with Town Manager Dye, Mathew Gluck, Ph.D. Towson University Applied Mathematics Laboratory to discuss a spreadsheet he created with our Enterprise Projects and Loans.
- February 27 In-person meeting with Claude Bowen and Esther Read at Dielman Inn to look over and measure the open space area. They are going to submit a proposal for a dig and are looking to begin around Memorial Day. They are open to having residents assist depending on COVID-19 requirements.
- Ongoing Updates from Julie Tagen, Chief of Staff, Congressman Raskin on the stimulus package. The House Bill passed with funding for States, Counties, and Municipalities. Needs to pass in the Senate.

#### **Council Reports –**

##### **Public Works: Councilmember Dave Hoffman –**

- A thank you to the Public Works for doing an outstanding job on snow removal. Director Myers informed Councilmember Hoffman they used 80 tons of salt.
- The Public Works Dept is busy compiling a list on spring projects.
- The Planning Commission did meet in February. Newest member, Kevin Shaughness was introduced. The Commission is due to begin working on the New Windsor Comprehensive Plan update.
- Mayor Roop added that at the request of Deputy Colussy, 2 new Snow Emergency Plan signs were ordered and will be posted, 1 near Blue Ridge Avenue and 1 near Lambert Avenue. It is the citizens of New Windsor's responsibility, not the Town's to monitor snow events. If they are calling for snow, move your vehicles off the street to avoid getting a citation.

##### **Water & Sewer: Councilmember Ed Palsgrove –**

- Public Works assisted in the repair of a water leak on Coe Drive.
- Public Works have been installing MXU's in the Atlee Ridge and Blue Ridge developments.
- There was a sewer back up on College Avenue, more on that in Town Manager Dye's report.
- Annual maintenance on the generators is being scheduled.
- Councilman Palsgrove knows that the Public Works department is taking great care of the new snow equipment.
- Mayor Roop reminded Councilman Palsgrove and Public Works that it has been many years since the hydrants were flushed and this needs to be scheduled.

##### **Public Safety: Councilmember Ed Smith –**

- Defer to Deputy Colussy for his report.
- A reminder that Carroll County schools will be returning to the classroom so please observe bus safety. The fines are hefty for not stopping for a school bus with flashing lights on.

##### **Economic Development: Councilmember Kimberlee Schultz –**

- Carroll County Economic Development has small business workshops coming up and Councilwoman Schultz will post the information on the Town's facebook page.
- There is a new business in New Windsor – Luvpup.com. Information will also be put on Facebook. As always, continue to support all local businesses.

**Community Enhancement: Councilmember Sharon Gribbin-Lindemon –**

- Is looking forward to working on the project to replace pole Christmas decorations.
- Will be giving input on the 201 Main Street park project.
- Mayor Roop wants Sharon to receive all the information discussed prior on the new Town banners.

**Community Deputy Colussy –**

The Carroll County Sheriff's Office between the dates of February 1, 2021 to February 28, 2021 responded to 60 calls for service within the town limits. Out of those 60 calls for service only 7 required reports, which were the following:

On February 1, 2021, Deputies were asked to contact a complaint out of state about a property they owned within the 100 block of Church Street. It was reported that the property was purchased without the seller's / owner's consent. Investigation revealed that the home was purchased correctly. No criminal offense had occurred causing the case to be closed.

On February 8, 2021, Deputies responded to the 300 block of High Street in reference to a domestic assault. Investigation revealed that known parties got into a verbal argument which turned physical over finances. No signs of injury were observed and both parties were referred to the Carroll County District Court Commissioner to file their own charges. Following up with the case, both parties wished not to pursue charges causing the case to be closed by lack of prosecution.

On February 9, 2021, Deputies responded to the 200 block of Main Street in reference to an overdose. Investigation revealed that the victim had accidentally overdosed on prescribed medication due to being ill. Victim was transported to Carroll Hospital Center for additional treatment. Case was closed.

On February 16, 2021, Deputies responded to the 200 block of Maple Avenue, in reference to a suspicious condition / police information. Information was received that unknown subject(s) from out of state continue to attempt to purchase money orders at the location for various amounts of money. Investigation continues.

On February 19, 2021, Deputies responded to the 3200 block of Atlee Ridge Road, in reference to assisting medics with a possible combative patient. Investigation revealed that the patient had attempted to harm themselves by taking additional doses of prescription medication. Patient was transported to Carroll Hospital Center without incident for a mental health evaluation. Case was closed.

On February 20, 2021, Deputies while on routine patrol around the 2800 block of New Windsor Road observed a single vehicle traffic accident. Upon contacting the driver / sole occupant of the vehicle, the driver stated that they were drunk. The driver refused the standardized field sobriety task at which time the driver was taken into custody for suspicion of driving under the influence of alcohol. The driver was transported to the Carroll County Detention Center where they agreed to submit a breath sample. The breath sample resulted in .14 grams of alcohol per 210 liters of breath. The driver was released on citations. Case was closed by arrest.

On February 21, 2021, Deputies while on routine patrol around New Windsor Road and Tibbetts Lane conducted a traffic stop on a vehicle after observing a traffic infraction. Upon contacting the driver, an odor of alcohol was detected along with the observation of an open container of alcohol being in plain view. The driver submitted to the standardized field sobriety tasks resulting in the

confirmation that the driver was driving while impaired. The driver was taken into custody for the suspicion of driving under the influence of alcohol. The driver was transported to the Carroll County Detention Center and provided a breath sample. The breath sample resulted in .22 grams of alcohol per 210 liters of breath. The driver was released on citations. Case was closed by arrest.

*All participants mentioned above are innocent until proven guilty in the court of law.*

**West Carroll Recreation: Representative not in attendance**

**Fire Chief Report: Chief Byron Welker - working – Mayor Roop gave report.**

Calls for the month of February:

21 Fire                    **YTD: 45**                    71 EMS                    **YTD: 136**

Kudos to our own Dave Coe. He has been working tirelessly during the whole pandemic taking care of coordinating the County emergency response. He has now transitioned into providing EMS coverage at all the County vaccination sites many times providing the coverage himself. We commend Dave for his tireless efforts and thank him.

Also starting 3/31 from 4:30-8:30 we will be starting food truck Wednesdays every other week at the carnival grounds. A minimum of 3 savory trucks and one sweet truck will be there each time. A portion of each truck's profits will go to the fire department, as well as all drink sales. Come out for some great food and help support the department.

**Town Manager Dye's Report:**

**Water Main Break Coe Drive** -Town Hall was notified of a potential water main break due to water bubbling at the surface in the front yard of 1210 Coe Dr. on Monday February 22<sup>nd</sup>. Director Myers did a site inspection and determined it was likely a water main break. With all the snow melt, rain & high-water table it was difficult to know precisely where the leak was located so Fluid Pinpointing Services (FPS), was called in to pinpoint the location of the leak. FPS was spot on with the location and Mid-Atlantic Utilities was able to make the repair on Thursday Feb. 25<sup>th</sup>. Water was shut off to two houses from 10-2. We did receive some calls about cloudy water after the valve was opened and water service was restored.

Mid-Atlantic Utilities charge was \$7,755. We have not received the invoice from FPS, but that charge should be approximately \$1,300.

**Sewer Backup at 305 College Ave.** -Resident contacted Town Hall & Director Myers on Monday March 1<sup>st</sup>. Homeowner was experiencing slow drainage and possible sewer back up the previous week. He called in a plumber over the weekend. The resident's plumber determined the leak was on the public or Town side of the sewer lateral. Director Myers called in Fogle's Septic to camera and inspect the lateral. Roots were found to be the cause of the backup and roots were removed. Fogle's has not billed the Town yet.

**Public Works Staff** - Public Works Supervisor, Alan Tobery is out for a few weeks recovering from knee surgery. Alan's surgery was this past Friday, and he is doing well.

**Clerk-Treasurer's Report:**

**FY21 Budget Profit and Loss Highlights:**

**General Fund** – Pg. 1 – Tax income -

Pg. 2 – Service fees

Pg. 5 – Snow Removal expense – over budget due to number of snow events

**Enterprise Fund** -Pg. 1 – Water and Sewer Hookup fees – income up because of higher number of new dwelling permits

Pg. 1 – Emergency repair expense and Renew Repair Replace - continued  
pg. 2 – higher than budgeted amount due to number of emergency repairs.

**Real Property Report** – 12 Properties listed for sale or to be built.

Town Clerk continues to work on organization of and electronic documentation of Town records.

**Water-Sewer Billing Clerk Report:**

Public Works will be reading meters last week of March. W/S bills will be mailed the first week of April. If you would like your bill e-mailed as well, please contact Kalena at 410-635-6575 or e-mail to [kbartoszak@newwindsormd.org](mailto:kbartoszak@newwindsormd.org)

**Lehigh Update:** No report

**Old Business:**

**Procurement Policy – Draft Review & Discussion**

Attorney Ostrander prepared and sent a draft ordinance for review by the Mayor and Town Council at the February 16<sup>th</sup> Work Session. Mayor Roop began the discussion by stating the increase in authority from \$10,000.00 to \$25,000.00 is too high. Town Council in agreement and after a discussion amount of \$20,000.00 was decided. Mayor Roop further stated changes to items on page 4B– Emergency purchase section, page 5D separation of duties between Mayor and Town Manager, 3-5 add section stating it can be amended by budget and 3-6A – add the Mayor. Town Council added to the discussion and Town Attorney Ostrander will incorporate the changes and send revised Ordinance to the Mayor and Town Council prior to the March 2021 Work Session.

**201 Main St. Park – Phasing, Priority Plan & Costs Background:**

Bid opening was held on Friday, February 5, 2021. One bid was received for \$144,916.30 from Douglass Lawn & Landscaping. The Project budget is \$89,240 (the bid is \$55,676.30 over budget). A decision was made at the February 16, 2021 Town Work Session meeting to divide the project into a two-phased approach to break out costs and reduce the current proposed costs to fit within budget. Town Manager Dye and Mike Reynolds met with Clyde Hirt from Douglass Lawn & Landscaping to discuss the approach and amend the cost estimate on February 17, 2021.

The following is a summary of the discussed changes:

- The pergola, storage shed and sitting wall were moved to Phase 2 of the project.
- Clyde Hirt reduced the costs for the following: Design & Engineering, Stakeout, Mobilization (split between Phases 1 & 2) and Grading.
- The pergola patio was changed to a stone base (from concrete) using Techno-Bloc instead of brick.
- Moved the fountain/light into the center of grass circle in the middle of the park to utilize the post light and cut down on the number of post lights needed. Also, visually appealing.
- Reduced the number of post lights to one (back corner of park).
- Reduced size of the New Windsor sign (3'x5') and placed lower to the ground next to Main St. entrance.
- Eliminate both 2-seat game tables.
- Eliminate expensive Victor Stanley picnic table. May replace with less expensive model that the Town will procure.

- Eliminate expensive Victor Stanley trash bin and replace with one of the existing “Lions Club” provided trash bins.

Note that these changes do not include the restroom option at this time. The updated costs do not include a recent quote received from Mid-Atlantic Utilities for the Water/Sewer connection lines, which totaled \$31,035.00. For reference, the initial estimate for the restroom/storage building option totaled \$49,500.00, which is in addition to the water/sewer connection costs. (Update with details from Gary’s meeting with Mid Atlantic on Tuesday, 3/2/21). Town Manager Dye will e mail Council new drawing and tonight’s briefing paper.

**Project Next Steps**

- Decision on restrooms
- Decision to proceed with revised scope and costs from Douglass Lawn & Landscaping
- Execute contract and determine project schedule.

**Desired Actions:** Review and discuss Phase 1. Make additional changes or decision to move forward with Phase 1.

**Blue Ridge Pump Station Upgrade – How to Pay for Construction & Inspection.**

At the February 16<sup>th</sup> Work Session, the Council approved the award of Final Design, Bid Phase Services and Construction Management Services to GMB for \$91,132. We need to continue the discussion of how to pay for the Blue Ridge Pump Station Upgrade. Options are to use Enterprise Funds, take a short-term loan or combination of the two.

**FY-22 Budget – Discussion and Direction**

We have a version of the FY-22 budget to a point that is complete, balanced and without a tax increase. Donna, Wayne and I have had several meetings. Donna will be providing FY-21 YTD numbers early in March and April for updating but do not plan to update after the April numbers. Wayne & I will be meeting a couple more times to mainly discuss and plan capital projects for both Enterprise Fund and General Fund. Since the February Work Session meeting the Water and Sewer Expenditures have been completed. Following are a few highlights since the last meeting:

**General Fund Expenditures**

**Public Works – Capital Project Budget** = \$125,623, decrease of \$9,713.

**Parks – Equipment Repair/Seasonal** – Reduced the increase some from last month but still increasing \$17,500 to \$20,000 for new Christmas decorations, lights and brackets for street poles. This budget number is based on 37 decorations at approximately \$500 each plus mounting brackets. Councilwoman Lindemon is our new Community Enhancement representative and she could look into costs and give us a hand with that.

**Enterprise Fund Expenditures**

**Water- Capital Project Budget** = \$91,488, increase of \$4,882.

**3 R’s** = \$50,000, same as FY-21.

**Sewer – Sludge Disposal** = \$62,000, increase of \$10,000. Projected for remainder of FY-21 to be \$8 - \$10,000 over budget. Due to extra hauling to repair tanks and regular monthly maintenance hauling for Atlee Ridge PS and as needed maintenance hauling for the other pump stations. The increase for FY-22 is to account for additional problems that may occur with the tanks that would require additional hauling by Fogel’s, continued maintenance hauling for Atlee and other PS’s and Fogel’s hauling rate increase of \$10/hour. The septage rate charged by Carroll County is not increasing.

**Capital Project Budget** = \$91,488, increase of \$4,882.

**3 R’s** = \$50,000, same as FY-21.

TM Dye sent the Council a copy of the budget on Monday to have a few extra days to review. Does anyone have questions or want further discussion on any line items? Based on the FY-22

budget review schedule, the next meeting is the March 15<sup>th</sup> Work Session which will be the introduction of draft budget.

**New Business:**

**Town/County Memorandum of Agreement – General Overview and Update:**

Carroll County and the 7 municipalities in the County entered into a Memorandum of Agreement (MOA) on October 23<sup>rd</sup>, 2014. The MOA was for cost sharing of stormwater mitigation projects and co-permittee responsibilities in complying with National Pollutant Discharge Elimination System (NPDES), Municipal Separate Storm Sewer System (MS4) requirements of NPDES MS4 Permit No. 11-DP. The MOA runs concurrent with the MDE issued 11-DP permit which is intended to run for 5 years. The current permit is the fourth generation permit and has been administratively extended until the new Permit is issued. The County and each Municipality is subject to the State-issued NPDES MS4 Permit pursuant to COMAR in accordance with Section 402 of the Clean Water Act. The purpose of the MOA prescribes how the County and Municipalities will share the cost and responsibilities of compliance with the Permit as co-permittees including splitting the cost between the County and Municipalities of Stormwater Mitigation Projects. The cost split is 80% County and 20% Municipality. The Permit determines the number of acres of impervious area required to be restored/mitigated for each Municipality and is based on \$25,000/impervious acre. The Carroll County Water Resource Coordination Council (WRCC) was formed by resolution in March 2007 and is comprised of County and Municipal staff that meet monthly. The WRCC has begun the process to revise and prepare the next Town/County MOA once MDE issues the next, fifth generation NPDES MS4 Permit. The fifth generation Permit is expected in 2022. The County staff of the WRCC lead the way reviewing the proposed changes in the next generation MDE Permit. Beginning with the February WRCC meeting and continuing with the next several meetings, we will be preparing for the new MOA and Permit. TM will provide updates in future meetings as things progress but wanted to take this time to make you aware of the current MOA and provide an update.

**Election Board – Appointment of New Member -** Mayor Roop stated that Larry Wood, moving to Manchester and stepped down from Election Board, he recommends the appointment of Sandee Custen as the 3<sup>rd</sup> Election Judge on the Board. **A Motion by Councilmember Smith to approve Sandee Custen as the 3<sup>rd</sup> Election Judge, 2<sup>nd</sup> by Councilmember Palsgrove and approved 5-0.**

**Residents' Concerns: None**

**Announcements:** Mayor Roop announce that March 11, 2021 is the Carroll County Chapter of the Maryland Municipal League virtual meeting. It begins at 7:00 p.m.

- October 2, 2021 – Music on the Main
- October 16, 2021 – Heritage Committee holding the Spirited Tales Tour

**The regular Town Council was motioned for adjournment by Councilmember Smith at 9:25 p.m., 2<sup>nd</sup> by Councilmember Palsgrove and approved 5-0.**

Respectfully submitted,  
Donna Alban, Clerk/Treasurer