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June 2, 2021 Town Council Minutes

Present: The June 2, 2021, Town Council meeting was attended by Mayor Green, Council Members, David Hoffman, Sharon Gribbin-Lindemon and William Holl in person at 209 High Street. Councilmembers Kimberlee Schultz and Kevin Cornick attended via ZOOM. Also, in attendance at 209 High Street were: Town Manager Dye, Town Clerk Alban, Town Attorney Ostrander, PW Director Myers. Admin/W-S Clerk Bartoszak attended via ZOOM. There were 10 others in the ZOOM meeting and 13 others in attendance in person.

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

Pledge of Allegiance: Mayor Green led the Pledge of Allegiance.

Recording and Agenda Policies: Mayor Green 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 Holl to approve the May 5, 2021, minutes. It was 2nd by Councilmember Hoffman and was approved 5-0.

Mayor's Report:

Council Reports –

Public Works: Councilmember Dave Hoffman –

- Public works have been busy with normal mowing, landscaping, and yard waste pickup.
- They cleaned up the Memorial Park to ready it for the Memorial Day ceremony
- Planning Commission did not meet in May.

Water & Sewer: Councilmember William Holl –

- There was a sewer back up at a College Avenue residence that was responded to in a timely manner and the issue has been resolved.
- Public Works have been working on the Rowe Road pedestal tank repair project. There are still more repairs to come.

Public Safety: Councilmember Kevin Cornick – No report this month, he just found out he was assigned this committee.

Economic Development: Councilmember Kimberlee Schultz –

- Carroll County Downtown did not meet in May – They are looking for a chairwoman since the current one resigned. They have partnered with Carroll County Bureau of Tourism to highlight shop local.
- Business restrictions during the COVID-19 pandemic have been lifted by Gov. Hogan.

Community Enhancement: Councilmember Sharon Gribbin-Lindemon –

- Working on new Christmas banners
- Upon completion of the 201 Main Street Park project, The Heritage Committee is donating a banner.

Community Deputy Colussy –

The Carroll County Sheriff's Office between the dates of April 1, 2021, to May 31, 2021, responded to 95 calls for service within the town limits. Out of those 95 calls for service only 11 required reports, which were the following:

On April 3, 2021, Deputy's while conducting traffic enforcement within the 1000 block of Green Valley Road conducted a traffic stop on a vehicle for a motor vehicle violation. Upon contacting the driver, the Deputy observed signs of impairment from the operator. The driver submitted to the standardized field sobriety task which the driver failed. The driver was taken into custody and was later issued with the appropriate citations. Case closed by arrest.

On April 13, 2021, Deputy's responded to the 400 block of Church Street regarding the distribution of sexual images. Investigation revealed that a known party distributed sexual material of the victim over social media. Charges were filed and case remains open.

On April 17, 2021, Deputies responded to the 100 block of Main Street regarding a missing juvenile from the location. The juvenile was later located, and investigation revealed that the juvenile had run away from home due the toxic environment at the residence. Resources were provided to the family. Case was closed.

On April 17, 2021, Deputies responded to the 100 block of Main Street regarding a domestic in progress. Investigation revealed that the one party claimed to be struck in the head by another known subject, however changed the story later stating that they had fallen. Parties wished not to pursue any charges and case was closed lack of prosecution.

On April 18, 2021, Deputies responded to the 100 block of Main Street regarding a domestic in progress. Investigation revealed that known subject had held a knife to the other party's throat. Subject was taken into custody and transported to the Carroll County Detention Center without incident for processing. Case was closed by arrest.

On May 9, 2021, Deputy's responded to the 100 block of Church Street regarding a fourth-degree burglary. Investigation revealed that unknown subject(s) forced entry into a locked basement door. Nothing was observed missing. Case remains open.

On May 22, 2021, Deputy's responded to the 3200 block of Atlee Ridge Road regarding an intoxicated driver. Deputies were able to locate the vehicle and driver and upon contact observed signs of impairment. Driver refused to take the standardized field sobriety task at which time the driver was then taken into custody and transported to the Carroll County Detention Center for processing. Case was closed by arrest.

On May 28, 2021, at approximately 12:19 AM (0019 hours), Deputies responded to the 100 block of Main Street regarding a fight in progress. Investigation revealed that a known party physically assaulted the victim before witnesses were able to intervene. While on scene another subject continued to be disorderly and was advised several times to stop, which they failed to comply. Two subjects were taken into custody and transported to the Carroll County Detention Center without incident. Case was closed by arrest.

On May 28, 2021, at approximately 1:55 PM (1355 hours), Deputy's responded to the 100 block of Main Street regarding an unregistered / uninsured trailer parked on the street. Upon arrival, it was learned that the trailer was in fact unregistered and uninsured and was later impounded. At approximately 4:39 PM (1649 hours), Deputy's responded back out to the location for a neighbor dispute. At that time, the owner was located and advised that their trailer was towed. Case was closed.

On May 28, 2021, at approximately 9:37 PM (2137 hours), Deputy's while conducting traffic enforcement around the 2800 block of New Windsor Road (Maryland 31) observed a traffic violation and conducted a traffic stop. During the traffic stop it was believed that criminal activity was afoot however could not be confirmed. Information was documented and the case was later closed.

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

West Carroll Recreation: No Report

Fire Chief Report: Chief Byron Welker – via ZOOM

May 2021 - 24 Fire
67 EMS
Year to Date: 136 Fire
335 EMS

With summer season starting, observe pool safety. The Fire Department will have Food truck night on the 9th. Food will also be served at the carnival grounds on June 10th from 5 -8, June 11th from 5 -9 and June 12th from 5-9.

Town Manager Dye's Report:

New Windsor SWM/Wetlands Project (From New Business)

This ties into the Town/County MOA discussion at the May Work Session meeting and our continued discussion tonight under Old Business. We have two guests here tonight from Carroll County Bureau of Resource Management. Chris Heyn is acting Director and Janet O'Meara is Bureau Chief of Resource Management. They are here to provide some information about the work they do with municipalities with regards to SWM projects and answer questions the Mayor & Council may have.

The proposed SWM mitigation project for New Windsor is located on Town property at the Public Works Geer Lane area. A map sketch of the proposed SWM/wetlands project has been provided to Mayor and Council.

The first step is Council approval for Bureau of Resource Management to prepare a Request for Proposals for design of the facility. We will need Council approval to move forward with this first step. **A Motion by Councilmember Gribbin-Lindemon to proceed, 2nd by Councilmember Hoffman and approved 4 – 1 with Councilmember Cornick voting nay.(in meeting via zoom, has sound problems; was unable to hear the discussion on the topic and did not feel comfortable voting)**

Potomac Edison Right of Way Request (From New Business)

On May 26th Director Myers and TM Dye met Brandon Warrenfeltz with Potomac Edison about their request for right of way on a small portion of Atlee Ridge Open Space owned by the Mayor & Common Council of New Windsor. Mr. Warrenfeltz provided documentation which has been forwarded to Mayor, Council and Town Attorney. If approved by the Council, page 1 & 2 of the Right-Of-Way Agreement will need signed and notarized. Attorney Ostrander has reviewed the Right-Of Way Agreement and reported this is standard practice and a standard Agreement for utility access. Mr. Warrenfeltz can answer questions and provide additional information as needed. **A Motion by Councilmember Hoffman to approve the Right-of-Way agreement with Potomac Edison, 2nd by Councilmember Holl and approved 5-0.**

Solid Waste & Recycling Collection Services and Roll-Off Container & Disposal Services – Update

At the May 17th Work Session, Council unanimously approved the award of the Waste & Recycling Collection & Disposal Services to Hughes Trash Removal and to go with the 65-gallon totes. Councilman Hoffman was approached after the Work Session meeting and provided the comment that the 65-gallon toter may be difficult for some senior residents to handle. TM contacted Hughes and expressed this concern. Hughes will deliver all 65-gallon totes and is amenable to switching to 35-gallon totes on a case-by-case basis if residents find the large totes too hard to handle. The Town will absorb the .04 cents per toter cost for the convenience of some elderly residents. Hughes did caution they typically provide the larger totes on their other contracts and do not stock as many smaller totes. It may take some time to get delivery of the smaller 35-gallon totes.

TM has notified Hughes Trash Services of the award of the Waste & Recycling Collection & Disposal Services and sent regret letter to Republic Services. Republic Services was notified of

the award of the Roll-Off Container & Disposal Services and sent regret letters to Hughes & Eagle Transfer Service.

TM will prepare vendor contracts for Hughes and Republic for signature and have in place for start of services beginning in FY-22 after July 1st.

Code Enforcement Officer Position

This position was approved in the FY-22 budget. TM developed a job description and ad. Advertisement was submitted to Carroll County Times and ran two Sunday's May 2nd and May 9th. The position was posted on MML website, Indeed, Town website, Facebook and bulletin board. Applications, resumes and cover letters were due Friday May 28th. However, we did not receive any applications. TM Dye will reach out to a few candidates who showed interest on Indeed and appear to be qualified. Hopefully, we can get a few to submit applications and hold interviews second week of June with a start date of July 14th.

Rebid On-Call Engineering Services

This item was discussed at the May 17th Work Session meeting. To meet MDE procurement requirements for re-imburement of engineering design costs for the Preliminary Engineering Report (PER) portion of the WWTP Enhanced Nutrient Removal Upgrade, TM prepared a Request for Qualifications (RFQ). The RFQ is for the specific task of Engineering Services for NW WWTP Enhanced Nutrient Removal Upgrade and Preliminary Engineering Report. The RFQ was sent to MDE for review & comment on May 20th before advertising. Received comments from MDE on May 27th. and TM has a Google meeting set up with MDE on June 3rd. TM will provide an update at the June 21st Work Session.

After Hours Water/Sewer Problems

Reminder: If residents have a water or sewer emergency after Town Hall normal business hours of Monday thru Friday 9:00am to 3:00pm, they should call Town Hall at 410-635-6575. When doing so, there is a call down list beginning with Director of Public Works, Wayne Myers. Public Works strives to respond within 1-2 hours and their record of doing so is very good. Town staff will not respond to resident problems, concerns, complaints, etc. on social media. Social media is not the proper platform to facilitate municipal Town business.

TM Notes:

Mayor & Council tour of Town water & sewer facilities. Former Councilman Palsgrove has offered to lead another tour and highly recommend taking advantage of this. A Saturday may be best with work schedules. If Mayor & Council can mutually agree on a date, TM will reach out to Ed Palsgrove.

At the May Work Session, I believe Councilman Holl asked the date each year that the County disperses funds in accordance with the Town/County MOA. The funds are dispersed between August and October each year.

The list of current County SWM projects as of May 26th was provided to Mayor & Council on May 26th via email along with the sketch map of the proposed Geer Lane SWM/Wetland's project.

Pedestal Tank Maintenance

Maintenance work was approved at the April 7th Council meeting. Mid-Atlantic Storage Systems finished the interior maintenance ahead of schedule on May 20th.

During the shutdown, refill and disinfection process, Public Works discovered several valves were not opening/closing properly. To take advantage of the tank being off-line, doing maintenance and repairs and having MDE approval, Public Works Director Myers recommends replacing 6 interior valves and 1 isolation valve. The interior valves are above ground and located in the base of the pedestal tank. The isolation valve will be an underground valve within the fenced area of our property. All anticipated costs include:

Valves & misc. parts = \$10,508.65 (3-4-week lead time)

Stainless steel pipe & welding = \$1,892.50

Crew, equipment & labor – 3 days worst case = \$15,000

Lift rental & delivery – days = \$1,800

Total = \$29,201.15 A Motion by Councilmember Cornick to proceed using funds from the Enterprise Capital Reserve line item, 2nd by Councilmember Schultz and approved 5-0.

Clerk-Treasurer's Alban's Report:

MML – Mayor Green and Councilmember Holl will be attending the MML Conference in Ocean City on June 27 – 29. The Town's former Councilmember Edwin Palsgrove will be inducted into the MML Hall of Fame for achieving 20 years of service. His name will be displayed on a MML plaque in Annapolis.

Real Property Report – 5 Properties listed for sale or to be built.

Water-Sewer Billing Clerk Bartoszak's Report: Public works will be reading meters the last week of June. Water/sewer bills will be mailed out the first week of July. If you do not receive it by the week of July 12th, please call the Town office and I can send you a copy. Deadline to submit items for the Town newsletter is June 15, 2021.

Lehigh Update: No report

Old Business:

● **Town/County Memorandum of Agreement**

This was discussed at the May 17, 2021, Work Session Meeting and TM provided a detailed summary, information and the draft MOA for Council review. The MOA between the County and 7 municipalities is being reviewed and updated by the Water Resource Coordination Council (WRCC) over the last several monthly meetings and upcoming meetings. The request of the WRCC was to present the draft MOA to Mayor and Council of each County municipality and come to a mutual consensus of approval for the July 28th. WRCC meeting.

Does the Council have any questions or concerns?

TM will provide approval of the draft MOA on behalf of the Town at the July 28th. WRCC meeting. Once approved, the MOA will be signed by 5 Carroll County Commissioners, County Attorney and 8 municipal Mayors.

New Business:

- **Planning Commission Vacancy – Dave Grayson** – At the May Work Session Councilmember Hoffman recommended Mr. Grayson be appointed to the Planning Commission to replace Member Cornick who is now a Councilmember. Mr. Grayson was not in attendance tonight. There was some discussion and confusion on who was to invite Mr. Grayson to attend tonight. Mayor Green had asked Town staff to place the opening notification on the Town's website and Facebook page, and in attendance tonight is a candidate that has submitted a resume'. This candidate does not reside in New Windsor, so Town Attorney was asked to provide opinion on Planning Commission requirement for residency. Town Attorney Ostrander stated the Code does not specifically require a member to reside within the Town limits. A Motion by Councilmember Holl to postpone a decision to the June Work Session meeting to allow Mr. Grayson to be contacted. It was 2nd by Councilmember Cornick and approved 4-1 with Councilmember Hoffman voting nay.

Residents' Concerns: Cathy Whelton – 2888 Union Square. She is concerned with the speeding on Rt. 31 and Rt. 75. Master Deputy Colussy stated that the Sheriff's Department is short staffed and stretched for coverage, but he will do his best to increase patrol of those areas mentioned.

Announcements:

- **Music on the Main meeting on Thursday.** Since there are several new elected officials, this meeting is postponed allowing more planning time. Next scheduled meeting to be announce.
- **Tour of w/s facilities:** Former Councilmember Ed Palsgrove has offered to conduct this. Date to be determined upon everyone's availability.

The regular Town Council was motioned for adjournment by Councilmember Gribbin=Lindemon at 8:35 p.m., 2nd by Councilmember Cornick and approved by a vote of 5-0.

Respectfully submitted,
Donna Alban, Clerk/Treasurer