**Mayor and Council Workshop Minutes**

**Monday, September 6, 2021, 4:00pm**

In attendance:

Mayor Bill Green

Assistant Mayor Dennis Grove

Councilman Charles Brown

Councilman Michael Nokes

Councilman James Braswell

Councilman James Kalbfleisch

Clerk Treasurer Emily Rider

Town Manager Donnie Stotelmyer

Town Attorney Ed Kuczynski

**Mayor Green** I'm going to call this meeting to order to discuss all this new business. It's just a discussion.

Tree Removal at 12 North Vermont Street.

**Town Manager Donnie Stotelmyer** There's a gigantic tree in the backyard. I've talked to Jr. Brown (Councilman Charles Brown) and Denny, and I have talked about it. It takes two days to take the tree down. The trees grown up in the electrical lines in the back but ultimately, it's the tri-plex line that runs from the poll to the house. The Edelen Tree company, Joe, had been down there to meet with the property owner. it's $4,000 to take the tree down. She was asking the town if the town will do a contract to loan her the funds to remove, she has some money, but she doesn't have it all. She just recently purchased the house a couple months ago and the tree really needs to come down so she was asking the town if they would front it and contract and let her make monthly payments to reimburse the town.

**Mayor Green** Next, Discussion of amendments to the employees 401k plan.

**Town Manager Donnie Stotelmyer** Mass, Mutual's making some plans. They have made some recommendations, they thought it would be a good idea to amend our plan to include these. In years past, any changes we've done to the 401-k program has been run through the mayor and council to get their approval. If you guys want to look it over, and it'll be on the agenda for Monday night. We were thinking about switching over to John Hose at Life Financial.

**Town Attorney Ed Kuczynski** if you’re thinking about switching over then maybe I'll just go ahead and have whoever you're talking about come in and make sure that they're included in whatever the role is going to be.

**Mayor Green** The next thing was the approval of a USDA resolution to finance a mini excavator/ dump truck and trailer.

**Town Manager Donnie Stotelmyer** the mayor and I had spoken about using some of the ARPA money.t here's a little bit of money that we have to apply to this grant. But USDA would be willing to pay for majority of the cost of a mini excavator, a dump truck and a trailer to haul the excavator which would be 70/30.

**Mayor Green** This is just to get the authorization to put in the grant paperwork in for the dump truck mini excavator. Next up is the approval for the CBG. Resolution block grant funds. Well, this is 2023. To continue, it's part of the CIP plan to improve the rest of the sewer outlines this one will deal with Vermont and Conococheague Street sewer lines. That goes from town hall up and just about and all these manholes down here and another section to put on an it's kind of what we did with the last one we just filled out for you 800,000 that we just we got the approval from last year

* Approval of CDBG, citizen participation residential, Anti Displacement Relocation Assistance plan. This apparently is part of the sewer. it's part of what it's to get these grants. I guess it's to let the public know when we're doing it and all that is that this is how it affects everybody and to make sure we communicate properly. It's just saying that you know how to notify them and that we did it properly. It's 7pm. Next week.
* The next one’s Main Street volunteer manual. Christine MacPherson. Apparently Main Street when they get the volunteers, they're on the verge of forming their committees. And this is part of the volunteer handbook that they had recommended from Sykesville. Because Sykesville has a very in-depth handbook that they would like to use for Williamsport's committees where everybody could go over it, apparently.
* approval for an ordinance for pole attachment licensing agreement with the Town of Williamsport and Point Broadband.

**Assistant Mayor Dennies Grove** the other issue to me with that, we got a lot of poles in this town that need replaced and just a thought my head but is that going to have any bearing on what happens when we start replacing these poles

**Town Attorney Ed Kuczynski** Oh, it does, because we have noticed that we're going to replace the poles that allow them time to allow them to be involved in the removal and replacement. Now, of course to the extent that we're replacing the pole, you know we're going to go send their personnel out to do it. But it's not supposed to be getting charged to us you know that'll be the next five years from now. First time it happens we're going to send us a bill from source attaching and reattaching their lines. When you talk to Clint so you also want to make sure that if there's a pole replacement that the agreement clearly states that that Hagerstown fiber will not charge us charge the town for reattaching their wire rise and fall upon that we're required to give them some notice that we're sure they want to be involved in the process but I can't I do have it good to sit here and say it's like a 25 page document. I'm not going to find that just sitting here right now. But that would be a question to ask him even more than the guy the guy is getting it's got to get his money straight at this point he's probably going to do anything because he's panting to get it done the emails are what we're doing is we're in the middle of this you know we're moving into Williamsport. Okay good. Now maybe what he what he was only willing to pay $1 last week he might pay $3 this week where you might pay that $20 in the city yeah because well no you're going to have to pay for this then Okay, well that our that our whole rental is $50 that way we get that every year for five years maybe that will almost cover what it's going to cost to attach and reattach that why not just find out my little route you could have the city determined $20 and they came up with Sunday had some basis for that right? If nothing else, it was just they figured it was a way to generate some money where they just figured they're looking at it is going down the line. This is just going to end up being a huge headache. I mean, I could call him and talk about, but I'll call you need the money part of it. All right.

**Mayor Green** Moving on here is the review for an RFP for general engineering to contract the boat ramp project. I don't know if some of you might remember, some probably never heard. But about 12 years ago, a grant was filled out with was a park service. it was the DNR, grant and we do the entire boat ramp and in some salt ramps, as Donnie like to call it back end with the Taj Mahal of boat ramps what was shot down on getting rebuilt because we didn't own the property the boat ramps add on, and we couldn't get a 30 year or lifetime lease from the power company. So, the state had said Well that money will be here when you finally get it found out and figured out. Of course, it's not there we have to reapply.

**Town Attorney Ed Kuczynski** This is more of a general service, right? RFP? Correct. But it also put it says architectural services. So, I mean, how many engineering firms in this community can do architectural work? So, you need to do an RFP for engineering services? Or architectural services? Or are you doing combined and then figuring the architectural firms going to bid and they're going to, then they'll subcontract the engineering? Or you're going to bid the engineering and they're going to subcontract the architectural work? Because I don't think any of them, I don't think any of the local engineering firms that might bid on this do any architect work.

**Mayor Green** I was under the impression that Thrasher prepared this, and it came as an example from them. I made the comment that we just did this for water/sewer, and we could probably just take that one and change it the general.

**Town Attorney Ed Kuczynski** Yeah. But probably not but we'd have to look at it and see. I mean, in that what I stole off the county. But I still put a lot of work into customizing. I mean, it may very well be that this works. But I just look right. And I'm curious as to where it came from because if it's something that Thrasher pulled out of their hat, because it's one that they have dealt with, fine, we can look at it, but when we were doing the RFP for water/sewer, we did look to Thrasher. They provided us with some samples or ideas. Really none of them quite fit the bill, which is why then I started looking to see what maybe the county, the city did, and the counties worked really well. For the water/ sewer. I have to look at that to see whether we could adapt, maybe we could just adapt for general engineering services. And even that probably got a little more complex than we needed.

**Mayor Green** I guess we need to put together an RFP for general engineering, so we won't look at it or if you just want to change errors you can I guess I'm assuming that's what she's saying. But you know what they say when you assume, and I'll look what it's an RFP for general engineering to start work on the boat ramp project

**Town Attorney Ed Kuczynski** we have the one that we did, and I can go on a county, or you can, but I wanted to see if they have one. that was kind of their general procurement site so in other words that that's what they have you got it you got it I mean you got it you got a word for version from PDF apparently she there at that point you call them we were talking and he said well let me check with the county and next thing I knew I got to word version because right I worked you know I had probably some of the time on it was reformatted stuff which is which is a night person type of work but then we had to wait there were certain things we had to customize withdrew it may very well be that we can look at that. And if this is an RFP for water/ sewer engineering services, it might just be that we might be able to use that and just plug in general engineering and our professional services or do you know something like that so that now we're putting it out for a water based

**Mayor Green** Thrasher can't work on the boat ramp project that we've decided well, when I called Donnie that day was just like, why didn't we just move that and that money's supposed to still be there. See what's there? So, we did Kathryn called the lady that you gave her the number for she called her and now that money is gone, but you could reapply because now it's been so long, it's obsolete. So, everything he has now done, but you're going to have to put out for rice for proposal for general contract. The lady down there to DNR, so it's gone. And then I was like, well, are we even able to move the boat ramp? And then the lady was like, yes, absolutely. It's now obsoleted because of the age of the boat ramp. There's no fixing this one at all.

**Town Manager Donnie Stotelmyer** Chad Riley is who I worked with the president of the company. But I could see if they could pull, you know, pull those plans up Yeah, I think they're here somewhere. But everything was designed. Like I said, we took 29,000 out of the grant money to pay for that. And then that's when the Attorney General came back and said that he needed a 30-year term the life of the project. at that time, we had 200,000 through DNR Waterway Grant. And we had we were in the process of getting 200,000 through U.S. Wildlife Fisheries and all that. And then they said you had to get that 30-year term. We couldn't get it they said they give it year to year like they have for the last 100 years. But they wouldn't give us a 30-year term and that basically killed the project.

**Mayor Green** Ok Hetzer, did you hear back from them

**Town Manager Donnie Stotelmyer** I haven't heard anything

**Town Attorney Ed Kuczynski** I guess nobody on this council, maybe Jim, no, no, he's, nobody's going through an annexation because it's been a long time since Williamsport has annexed any property. I think the last one that was adopted was a company called Arrow Realty, they wanted that to come into town limits. annexation, that's when land is added to the town. There's two ways to do it, the town could initiate it. I recommend normally against the town initiating, although there are some towns that do that, but I don't think that it's advisable for you to towns necessary to do. or then you get a petition for annexation. So Hetzer owns property behind Milestone, and they are interested in coming into town limits. the process is mostly about jumping through the hoops. But one of those hoops does involve having county cooperation. And it is a pretty technical process. But what they would like to do eventually, if they're able to annex is part of it, some portion of it would be some version of residential probably, suburban residential, and then the balance of that they want to be general commercial, which their concept would, probably be not manufacturing, but probably like, large warehousing facility or something, which, of course that occurs. That's great tax money, and it's relatively low. I say it's relatively low impact and creates traffic issues and things, but it will be coming off of Greencastle Pike. that's something that will probably come down the pike. If they're serious about it, Hetzer's has approached when Mr. Hetzer was still alive. He approached the town several times, was interested. I Milestone was an annexed and that was back in the early 70s. Mr. Hetzer that just died, he wanted that to come into town, he could have built those apartments in the county. At that time. There was no zoning or anything at that point. He could have done it regardless, but he wanted, I think it was because he wanted to make sure he had water and sewer. So that property was annexed in. there's a parcel that they bought as part of that transaction. It was actually in the county, that they weren't that they talked to the town about annexing in but that probably we captured in Hetzer's annexation, because you can't create an island with County Land within town. So that would be this parcel literally is right behind the apartments. And then the property that Hetzer still owns encompasses it. So, by annexing Hetzer's property and leaving that property in, we would create an article so they would almost have to come in. And they'll participate because they wanted to do it anyways, quite frankly, being smart developers, they'll recognize it's not going to cost them a dime to be annexed and they'll get the benefit from it. And then the only other property that was affected is I just referred to Mrs. Henry's old house. but she and her husband stood firm on not letting Hetzer annex that in. He never did. I guess this all started originally because they wanted t to give a piece of property to the library, which really, at the end of the day is irrelevant to annexing. Because the county is going to want to own the property that the libraries on. we don't really have a dog in that fight except to know that when a new library is built, the old one will be turned into something else. So anyways, that's the update on that. There will be some expenses on the town, but they indicated they have an attorney, corporate attorney handling the petition for annexation and doing the legwork

**Councilman Michael Nokes** Can we get some clarity on the American Rescue Act Fund

**Mayor Green** we're not allowed to spend it unless it's on water, sewer, or stormwater. And we're still waiting on questions back on how they said you're supposed to be able to use it for economic development, but we're not allowed to. I think there's like six or seven questions we're waiting on answers back. We are unentitled so we don't have the same rules that Hagerstown has, or the county has. We have a different set of classification. So as the questions come in, and we got more, we know we can use it for lead base water lines, anything related to sewer, and anything related to stormwater.

**Councilman Michael Nokes** is there not something documented somewhere?

**Mayor Green** so they're making things up as they go along.

Yeah, and I just got one the other and it was an entire page of no. it was paying ourselves back for what we spent on COVID? And basically no, we can't. it was an entire sheet. And it was like Hagerstown is paying employees bonuses, you know so we got the few employees we do have our mumbling how we're not paying but it's like we got the question in there. We didn't get a yes on our end we got we’ll look into that. Because our set of rules is different from the county and Hagerstown, which to me is not right and I'm hoping eventually they realized they call on us on unentitled like they did Clear Spring and Boonsboro, that's not right and just let everybody spend it the way it was meant to spent. I told Emily since he said water/ sewer we got a few things we can do on Conococheague Street really quick we can use that that we have the sewer line back here we can fix, and we can use it for that so at least we can start spending it on that end. I mean they gave us 1,030,000 so we have three years to spend in order to take it back. The only reason I was asking was for the EMS transport. Has that not been asked?

**Mayor Green** No. basically on COVID the only thing we can even recover on our finances on COVID were things directly if an employee was off because they were diagnosed with COVID. And it was an expenditure. And any trainees.

**Councilman Michael Nokes** When we previously told you said that was an option. I’ve brought it up 2 or 3 times. With the influx of calls in that period of time would be justified.

**Mayor Green** do you know how much they are seeking?

**Councilman Michael Nokes** They're seeking anything, but I’m not involved in any of the purchasing. I'm willing to bet an ambulance is around $260K equipped and by equipped, I mean a stretcher.

**Mayor Green** I haven't heard anything back from one yet. I just got the other day with the no; you can't use it for that. About two weeks ago, I got back on the water sewer because of the street sweeper.

**Councilman Michael Nokes** How much were we going to use out of that?

**Mayor Green** the whole chunk that we need it’s allowed for that because of MS4, and it directly affects our water drainage. as far as the dump, truck and trailer, that’s why it says to stretch. I mean, we're giving her permission to fill out the paperwork for it. But getting the approval was like well, we need a mini excavator to do our sewer lines and water lines because it was just too big, and we always have to farm it out. So, you should be able to use ARPA money to cover that tying it in is a stretch. That dump truck will be needed because we do our salting and brining, and plowing would help us from farming it out. We're trying that route, the chances we don't know. That can come back in three months and be they say no to that because we stretched it. I thought for the streetsweeper it was a stretch. I figured we'd end up financing at last 50,000. it was just Stretch and when we tied it in the Alex out there and MDE said yeas as long as it directly affected it, we can get a proof that it does We're fine. Water lines, we can get up through Conococheague Street with it because of their lead based, but then they're the only ones I know of that are still lead. Besides Salisbury Street. I think, don't quote me. so, we can use for that anything sewer given. So, we're going to use it to put in the drainage here and fix some sewage. employees we can give a bonus as long as it was done with this, we calculate the hours, we can pay ourselves back for money lost on any event, due to COVID because you need the year prior to COVID total and add 12% to the year, the COVID head and then the next two years following through. To make an example there's a whole sheet that says for that. So that's pretty much going to be that ends the three years’ time where he's getting back to money. Soon as I hear Mike, I get it to you.

**Councilman Michael Nokes** it is a huge financial impact to your workplace, generally I think it’s like and eight-year replacement plan which is actually a little above standard. it has reached that point where it is costing a significant amount.

**Mayor Green** I think you can use it for those related things. But I'm just assuming because it's unentitled.

**Councilman Michael Nokes** where does everybody out with that? With the ARPA money financing an ambulance. I don't want to I don't personally want to be involved with it, because of my position

**Assistant Mayor Dennis Grove** let’s give it some thought.

**Mayor Green** I guess I'll get some clarification tomorrow, Mike. The council can talk about I want to do that.

We'll start discussing at the next workshop what we're wanting to have a game plan you know where the money is going. As we use it, and we're all in agreement, because we've got a sewer line down through this alley. And then we'll use any the other monies covering that. Salisbury Street we'll get another money to cover that. And then we'll use some ARPA money for that storm water drain there to go down to their why they got the word up for the other sewer and water lines so that way we all know where it's going. And I guess I don't know how to use it for employees to be honestly they keep asking and I've been waiting for more clarification on how much you can do.

Meeting adjourned. You guys have an evening.

 Prepared by Crystal Danfelt

10/07/21