

TOWN MEETING

615 East Main Street
Thurmont, Maryland

7:00 P.M

OCTOBER 18, 2016

- 1. PLEDGE OF ALLEGIANCE**
- 2. APPROVAL OF 10/11/16 TOWN MEETING MINUTES**
- 3. DISCUSSION / DECISION – BID APPROVALS FOR PUBLIC WORKS DEPT. TRUCKS**
- 4. DISCUSSION /DECISION – BID APPROVAL FOR F4 CIRCUIT SWITCHGEAR**
- 5. CONTINUATION OF DISCUSSION OF NAMING RIGHTS POLICY – NO ACTION REQUIRED**
- 6. COMMISSIONERS' COMMENTS**
 - a. Commissioner Buehrer**
 - b. Commissioner Hooper**
 - c. Commissioner Hamrick**
 - d. Commissioner Burns**
 - e. Mayor Kinnaird**
 - f. Jim Humerick**
- 7. PUBLIC COMMENTS**
- 8. CLOSED SESSION TO DISCUSS PERSONNEL**

UPCOMING MEETINGS/EVENTS:

10/22/16 – THURMONT THINK PINK 5K – EYLER ROAD PARK

10/27 & 28TH – SPECIAL ACTIVITIES HALLOWEEN DECORATING CONTEST JUDGING

10/27/16 – PLANNING & ZONING COMMISSION MEETING

10/29/16 – HALLOWEEN IN THE PARK EVENT (DECORATING CONTEST WINNERS ANNOUNCED)

11/12/16 – YARD WASTE DROP OFF

11/12/16 – MUNICIPAL GOVERNMENT WORKS MONTH OPEN HOUSE

11/--/16 – PLANNING & ZONING COMMISSION MEETING (TBD)

11/29/16 – TOWN MEETING – THURMONT THINK PINK PRESENTATION

Minutes from October 18, 2016 Town Meeting

A Town Meeting of the Thurmont Board of Commissioners was held on Tuesday, October 18, 2016 at 7:00 p.m. The following were present: Mayor Kinnaird; Commissioners Buehrer, Hooper, Hamrick and Burns; CAO, Jim Humerick; Sr. Administrative Assistant, Becky Long; Frederick Co. Executives Office Director of Government Affairs and Public Policy, Roger Wilson; Samantha Hogan (FNP), Tim Vaught, Ken Caudill, Viktor Kraenbring, Jim Wilkins, Dick Lee, Ken Simmers and Dwight Palmer.

Commissioner Burns led the Pledge of Allegiance.

Approval of 10/11/16 Town Meeting Minutes

Motion – Mayor Kinnaird said “I’ll entertain a motion.” Commissioner Hooper said “motion to approve”. Commissioner Buehrer seconded the motion. Vote – 5-0-0, motion carried.

Discussion/Decision – Bid Approvals for Public Works Dept. Trucks

Mr. Humerick stated that the first bid is for replacing Water Dept. Truck #17, which is a 2000 Chevrolet utility body with over 99,000 miles on it. We have received three bids from different vendors to replace this truck (see attached). We have \$40,000 set aside this year in the Capital Budget for this truck. We are recommending and kind of going against some of our usual practices here and we are recommending against the low bidder, Crouse Ford. The bid from Criswell Chevrolet is \$487 higher than the Crouse Ford bid and we are recommending Criswell Chevrolet. It’s a local vendor and they have always provided good work for us in the past, they also have the truck on the lot and we always have the ability to have the truck serviced locally rather than have it taken out of town since we always do all of our warranty work on the new trucks at the dealer we purchase the trucks at. It is also one of our decision making components of our Sustainable Purchasing Policy. With that in mind we are recommending Criswell Chevrolet for a bid of \$36,939 for this truck.

Mayor Kinnaird said I would like to begin by saying that we’re not going against the second bid, we’re just discussion not the lowest bid on this one. I agree with you 100%, we’ve had great experience with Criswell, they service all of our vehicles and the thing I like about it is it adds another of the same brand to our fleet. Our guys are used to working with those vehicles. Commissioner Burns asked if it was like other trucks that we have. Mr. Humerick said we do. The Commissioner then said my thing has been historically low bidder and a trucks a truck, however that is a compelling argument for me to support Staffs recommendation and the fact that it is a Chevy and a lot of times the engine parts are the same and if we can run right down here and get it serviced and warranty work verses taking it out of town, that’s going to eat up the \$400 like that. Commissioner Hooper agreed with that. Commissioner Buehrer said Criswell is also a local business and they have been very philanthropic to this community since they came here.

Motion – Commissioner Hamrick said “I make a motion to purchase the Water Dept. truck to replace Truck #17 from Criswell Chevrolet here in Thurmont for the bid amount of \$36,939.” Commissioner Buehrer seconded the motion. Vote – 5-0-0, motion carried.

Mr. Humerick said that bid #2 is for the Streets & Parks Dept. replacing Truck #12, a 2000 Chevrolet 4WD pick-up with snow plow and has over 95,000 miles on it and as you know a snow plow will really impact the life expectancy of a truck and we 95,000 miles out of a snow plow we’ve done pretty well

with this truck. We have three bids on this truck as well and this truck is also funded at \$40,000 in this year's Capital Budget. In this particular case Criswell Chevrolet is the low bidder and is the vendor we're recommending for obviously the low bid reason, but also the reasons I mentioned before in the other truck. Commissioner Burns asked why they didn't get multiple bids from Chevy, Ford and Dodge, obviously the price differential isn't apples to apples in comparing whether or not this is the best value and whether we could have gotten a couple thousand dollars off of this. Mr. Humerick wasn't sure. The Commissioner went on to say I would argue that we can't tell whether we got the best deal, the best value without comparing two Chevy dealers or three Chevy dealers if that's the preference. Mr. Humerick said we've done that on some of our other equipment, it's just didn't get done on this. We certainly can look at that in future procurements.

Motion – Commissioner Burns said “I make a motion that we disapprove the bid on this truck until we check multiple Chevy dealers to determine the real value it to the tax payers.” Commissioner Hamrick seconded the motion. Vote – 2-3-0, motion fails.

Motion – Commissioner Hooper said “I make a motion that we accept the bid for Criswell Chevrolet \$37,392 for the truck to replace Truck #12.” Commissioner Buehrer seconded the motion. Vote – 3-2-0, the motion passes.

Mayor Kinnaird said that's a very good idea and I would recommend whole heartedly that our department heads from now on get bids from multiple whatever dealership they're looking at just as a comparison.

Discussion/Decision – Bid Approval for F4 Circuit Switchgear

Mr. Humerick said this is the device or component that was discussed last week during the F4 Circuit presentation. The pad mounted switchgear will be installed in the Catoctin Heights subdivision right by the alley that goes back to the townhouses, the back of the townhouses that face onto Catoctin Avenue. I wish I could tell you everything that the switchgear does, but that is certainly not my expertise, this is a recommendation from Downes Associates and I'm taking them at their word that this is what we need. He then went over the three bids we received (see attached). Funding for this item comes from the Electric Department loan that we received back in 2012. So we are recommending based upon the recommendations from Downes Associates we go with the Capital Tri-State bid for \$27,528 and we'll just note that all of these devices were an 8 – 10 week delivery, we did look at delivery duration as well. Commissioner Hamrick asked what priority was this, was it in the top part of the.... Mr. Humerick replied this is the project that's out for bid right now, this is phase one, that's why we need to get it in obviously. Commissioner Burns said just for our edification can we just show what order, because I was going to ask the same question, so we know when we're making a decision whether or not it's on the priority list. There may be a time, I don't think there will be, but that we can execute a later lower number rather than an upper number for whatever reason and it'll help us. Mr. Humerick said this is item one, it's the current project and I agree with Commissioner Burns, because it think that the Pryor Road connection was scheduled for item #5, that's what our Staff is going to do and that is probably going to be item #1A. We will be juggling some things around. Commissioner Hamrick said some stuff will be concurrent too, stuff that our Staff does with an outside vendor. Commissioner Buehrer said along with that too, I talked to Tim afterwards last week and he said they are going to prioritize the work that our guys can do to see how they mesh to move the projects around. Commissioner Burns said

lastly, Downes ranked them, how much do we have left in the loan and how many of those are fully funded with the loan proceeds. Mr. Humerick said right now phase one and possibly part of phase two will be funded by our current loan and that's it, everything else will have to be from another bond probably. The Mayor said phase one is getting it under 550 and phase two is the connection across 15 and phase three will be the interior portion of it that is going to be redone. Commissioner Burns said although we got the brief last week, we didn't talk amongst ourselves about whether or not we accept that and should take on their recommendations. For instance I have a comment that although you all love redundancy, if you give me redundancy or you give me fixing more lines in town, I'm going to choose fix the lines in town. We haven't had redundancy 100 years and we have been blessed, now that doesn't mean I'm ignorant that redundancy can't be a good thing, but I don't think redundancy is the end all be all and if you could shift away on some of the redundancy that is maybe "more critical" or "less critical", then we may be able to get more bang for the buck on our own infrastructure without adding something new. Mayor Kinnaird said absolutely, I think it's important to point out though that this is one of the projects that the funding for the last loan was earmarked for. Most of the projects on that list are not funded through the original Electric Co. loan, this is the last project that was decided for this loan five years ago.

Motion – Commissioner Hamrick said "I make the motion to use Capital Tri-State Electric Supply of Frederick Maryland for the total cost of \$27,528 for the installation of Pad Mounted Switchgear to be installed in the Catoctin Heights subdivision as part of the F4 Circuit Upgrade Project." Commissioner Buehrer seconded the motion. Vote – 5-0-0, motion carried.

Emergency Ordinance

Mayor Kinnaird said I had a resident come to me this morning with what I thought was a very simple question. The question being are you allowed to hunt in the Town of Thurmont? And I said no, you're not and he said well someone is. So, after some investigation we discovered that yes indeed there is someone hunting legally within the Town of Thurmont, not using a firearm, they are using a crossbow I believe. I had a discussion with Jim about it first and then I talked to the Chief. The Chief is already working on legislation to prohibit all hunting within the Town of Thurmont, whether it's by crossbow or by rifle or shotgun. Also in the last two months I've seen personally a couple of instances where people were actually target shooting with compound bows, specifically within the Town of Thurmont, but more distressingly in a heavy residential area downtown and during that time I spoke to the Chief about it and we had talked about that issue. But, after today's question and answer session and after some in depth discussion with the town attorney, the Chief and Mr. Humerick, the town attorney has made a recommendation that we enact an Emergency Ordinance to amend Chapter 72 of the Code of Thurmont. He then read the Emergency Ordinance (see attached). I bring this to you this evening and propose this as an emergency measure, having brought it to my attention this morning by a resident and I've confirmed it with the Chief and others that this is if fact happening, currently it's legal and there's no reflection on the gentlemen that are doing it or the property owner that has allowed it to be done, but it is my personal belief that we would be remiss if we did not enact this and put a stop to this dangerous situation, because I'd hate for someone to get injured, then it would be I believe a liability on the Town Corporate. Commissioner Hamrick asked under the definitions 1b., which is Class 'B' Firearms, bow and arrow makes sense, but what's a bow without the arrow? The Mayor said that is a good question, because definitely arrows are fired from bows, but you could conceivably shoot another object from a bow. The Commissioner then questioned the slingshot. Mayor Kinnaird said this is emergency

legislation and with all of our legislation we can go back and revisit it. I would entertain having a discussion with the attorney and getting their advice then revisiting it and adjusting it after the fact. The Commissioner agreed. The Mayor said when someone said to me can you hunt in Thurmont and I said well of course you can't, well it turns out you can. And through no one's fault, this is just an oversight that wasn't considered, but we've seen the situation and I think we need to considerate. Commissioner Burns asked that they consider allowing target practice for bows within the corporate limits, with the approval of the Chief of Police. The Mayor said if you have a location that is safe and you could do it, I would certainly entertain addressing that and revising it to allow that. I would just reiterate my thoughts on this, I brought this forward as an emergency legislation, I think it's appropriate as with all of our regulations and codes, they're addressable and we can go back and tweak this with some discussion and some more legal advice, but I wanted to bring this up this evening to save us from having an issue with it and I would be more than willing to have a discussion about it at a future date to tweak it for practice. I wouldn't even mind if the Town had a suitable piece of property somewhere that we would allow target practice for bows and arrows on it, I would not be adverse to that at all, but I think this is emergency legislation and it speaks to me as being something that's a no brainer that we need to enact.

Public Comment

Timothy Vaught, 4 Mountain Ore Ct., my concern with the way the legislations sounds currently going back to what Commissioner Hamrick said slingshots and it's also outlawing air rifles, so kids can't shoot a BB gun in the backyard. The Mayor said you are not supposed to, they're not allowed to be discharged in the Town right now. Mr. Vaught said but again its little kids, are you going to slap them with a \$50 fine? Mayor Kinnaird replied that's why the legislation specifically says the parent would be the one to be fined if he knowingly allowed the child to do that. And the question was asked of me today by our town attorney, is this a civil or is this a criminal fine, because shooting a gun within the town limits is a misdemeanor, so that is something you would have a record for and possible jail time, but at this time this is just a civil violation, which is only a fine. Mr. Vaught said I would just suggest like you said, some kind of Town area that could be used for target practice with bow and arrow and shooting other things, possibly used as a self-funding program, if people want to use it they have to pay for it, so that way the Town isn't out any money.

Jim Wilkins, 1 Ironmaster Ct., like Mr. Burns said I would really want the citizens to know that the Commission is not trying to take weapons from people, we're trying to control the use of weapons under proper circumstances. I have no problem with a bow and arrow if it's in the confines that are safe. Now I do have a problem if the Town says we're going to set up a place for people to come, I think you're going to have a liability there if somebody gets hurt with a stray arrow or something you will end up with a liability. It will be like skate parks, everybody wanted them and who maintains them, nobody and then they got abandoned. I think it's a serious thing that you guys need to have a workshop to really explore all the avenues about these weapons. I do agree they're dangerous, a BB gun or a pellet gun can put an eye out, you hit a person in the brain at a certain place at the temple you could probably kill them, so I agree to control of these weapons, but at no means we shouldn't take the weapons from people. Now, if they entertain a crime with those weapons in the confines of the corporate limit, then the police act and make the appropriate charge or arrest or whatever it might be. The Mayor said I would just like to point out for Mr. Wilkins and others that this is no way a confiscation of any weapons, BB guns or bows and arrows, it just prohibits the firing or discharge of them within the Town.

Ken Caudill, 12 Clarke Ave., a lot of the hunting is taking place up near our house, right now tonight there is a deer running around up there that I have to call DNR about. It's stumbling, it's not walking correctly, it's probably been shot by a bow and somebody is going to need to do something with it. We've found deer up in that area before that have been show with bow and arrows just laying behind somebodies yard, right there in our neighborhood. A lot of the hunting that is happening right now is happening within 50 yards of the Trolley Trail. There's a Trolley Trail going across there and with a crossbow, if you hit a twig the size of your finger, that arrow you don't know where it's going to go. I shoot crossbows and it's just not safe and it's about time that you guys do enact this and I'm glad to see you all are taking action on it. The Mayor said I would just like to say it was just brought to my attention this morning, so I thought it was serious enough to take action on immediately. And that was another thing I didn't mention, this particular property was brought to my attention runs parallel to the Trolley Trail. There's a little bit of wooded area then there's about 30' of stream and then there's the Trolley Trail and it is sided on three sides by residential property.

Motion – Commissioner Burns said "I make a motion that we approve the Emergency Ordinance to amend Chapter 72 of the Code of the Town of Thurmont, with the specific provision that we address practice hunting at least by the end of hunting season this year, which is months and months away. That gives us time to research and see if we can come up with something to handle that portion of the population." Mayor Kinnaird said "for clarification, you're motioning to approve the legislation with the understanding that we'll address practice bows or facilities at some time before the end of this hunting season." The Commissioner responded "correct." Commissioner Buehrer seconded the motion. Commissioner Hamrick added that we are to seek our attorney's perusal of this and also the definition of slingshot. The Mayor stated the motion didn't mention slingshots, the motion was just clearly to a future discussion of practicing with bows within a sanctioned area within the Town. If you are interested in doing a slingshot again we would entertain that discussion at any time in the future, I don't think it necessarily has to be in, but if you want to ask the commissioner to amend his motion he may be inclined to do so. Commissioner Burns said "I'll amend the motion just to ask the attorney the legal definition of the slingshot and the discussion of its legal use by the end of hunting season this year." Commissioner Buehrer confirmed his second to the amended motion. Vote – 5-0-0, motion carried. Mayor Kinnaird said this takes effect immediately.

Continuation of Discussion of Naming Rights Policy – No Action Required

Mayor Kinnaird said I just wanted to bring this up again. Has anyone had anymore thoughts about it, has anyone been able to contact.... I spoke to a couple municipalities at the MML fall conference and two of them said I wouldn't even entertain that and the other one said they have a small park that's named after a resident, but the municipality decided to name the park after the resident themselves without any exterior or outside questioning it. Commissioner Hamrick said I have not heard from any citizens pro or con except for the couple I did receive prior that were against it. Commissioner Hooper said that's what I heard, they are against doing anything. For the most part people want to recognize someone for doing over and above anything for the Town, but I don't think they would do it with the intention of getting something named and we're opening a can of worms I think. Commissioner Buehrer said I haven't heard anything positive. Commissioner Burns said I'm torn on it, you have people around here that have done some amazing things and haven't asked for anything. Somebody wants to do something nice and have a field named after them, the problem when it comes to government though is, once you say yes, then what. Well I've done something nice and you want to name something after

me, but they say no to that one and yes to the other one, so I absolutely think it has a place, but more so we should come up with our own policy, naming convention without the influence of a request, but then address the request with certain limitations and exclusions from the Town. To address those concerns, I've heard nothing, neither for nor against and if we haven't had 500 people stand up here and say no, it doesn't mean they're all in support of it, but they're like hey use your best judgement. Mayor Kinnaird said the limited conversations I've had, most of the people had expressed a concern that it might be a good idea, but they were more worried that it would eventually be an issue that would be unresolvable, for any number of reasons. I would add that there is a possibility to do other things other than name a particular facility, there are areas in Town where there's benches and picnic tables and they are dedicated to individuals or organizations and I know that we would be open to any offer like that. Some kind of accessory item that we could put in and dedicate to someone. Commissioner Buehrer said Community Park may be ideal, because of our ash tree problem, a dedicated tree. Commissioner Burns said we also have the Little League property, that's Leisner Field, well guess what it's in the corporate limits, you would say how did you name that, but we annexed the property into the Town of Thurmont.

The Mayor asked their feeling was on this, we just drop the discussion for now? I don't think we need to have a motion not to carry forward. I think we just need to come to an agreement, as I think we have, that we've talked about it enough and at this time we don't see the need to move forward on that proposal. Commissioner Burns said I don't agree, I think we have added enough provisions in our ordinance to give someone an option to benefit the Town, to benefit the person, but still have limitations where we could cease its existence over a certain number of years. I think if I recall we had 25 years' worth of known service would be eligible. Mayor Kinnaird stated that that was in the proposal he had drafted, but we didn't adopt those recommendations. The Commissioner said my issue is I don't have a problem re-discussing it at a future date.

Commissioner Comments

Commissioner Buehrer:

- We're all wearing pink and we still have a couple weeks to go. We have some really good fundraising projects. Jim and Vickie worked the football game Friday night and the Business Showcase Saturday and did awesome and every little bit helps.
- The Business Showcase was Saturday and we had a good number of vendors and a nice turnout of people.

Commissioner Hooper:

- Reminder about the Turkey and Oyster Dinner coming up at the Graceham Moravian Church on October 28th & 29th.
- There have been some "Wanted" posters around Town (see attached). We brought this up with Commissioner Burns after he made a certain statement at a meeting and we would like to see if anyone would like to make a donation to see that Commissioner Burns actually does wear what we've got here for him Saturday. We've already got over \$200 worth of pledges and an anonymous donor has made sure that we have something nice for Commissioner Burns to wear. (He was presented with a pink tutu that has pink breast cancer ribbons on it.) There were some people that said they would actually give an extra \$50 if he would do fishnet stockings. Commissioner Burns said let's be clear, I'm the only one up here that could pull this off and if

you found a pair of fishnet stockings, I would wear them. This is all for the benefit of the "Think Pink", so any money we can raise will go to the cancer research fund and it's all in fun. The Commissioner said I not only plan on wearing it, I plan on wearing it in the race, now I might need to get a little compensation from wind drag, but other than that..... The Mayor said everyone will be behind you looking at you, there'll be no one in front you. (lol) I certainly applaud Commissioner Burns for his willingness to do this and help raise funds. Remember it's raising funds for the Breast Cancer Awareness Month for the Patty Hurwitz Fund. Commissioner Hooper said hopefully the weather will be good Saturday for the 5K and that starts at 8 a.m., preregistration is \$25 and if you register that day it's an extra \$10.

- Halloween in the Park is Saturday, October 29th. There have been some issues in the news lately in regards to clowns, so we have made sure that all of the participants that are helping to do Halloween in the Park this year will be without clowns. Anyone who comes in a clown costume we will ask them to remove their mask, but because of the issues we want to make sure everybody is safe. It starts at 6 p.m. and is \$2 per person, children 5 and under are free and a canned food item for the Food Bank, because this is to benefit the Food Bank.

Commissioner Hamrick:

- Sunday, November 6th at 11 a.m. at Trinity UMC will be the annual Veterans Day Celebration. Pastor Dale Williams, retired US Navy will be providing the sermon. The AMVETS, Legion and some of us Commissioners as well as the Solid Ground Band from Fort Detrick will be there. There will be a luncheon afterwards and the public is invited, however if you do wish to attend the luncheon please R.S.V.P. the church at 301-271-2305.

Commissioner Burns:

- The Commissioner modeled his pink tutu (see attached).

Jim Humerick:

- At the MML Fall Conference last week, we received our Sustainable Maryland Certification. That was a great thing for the Town of Thurmont and our Green Team.
- Eyler Road Field and Moser Road Bridge are both hopefully coming to fruition soon.
- Our traffic signals project is scheduled to begin Monday.
- The replacement of our gazebo at Mechanicstown Square Park is supposed to start tomorrow or Thursday.
- We had interruption in our electric power this past weekend, another lightning arrestor went bad at our Moser Road substation. The guys did a great job and were able to switch everything over to the Main Street substation and convert all power in Thurmont to the Main Street sub, which is right by the carnival grounds and as of tonight a good portion of the Town is still on that substation. This afternoon we transferred the F3 circuit over and tomorrow morning between 4 & 5 the rest of the Town is going to have a brief power interruption when we switch the rest of the system over. I felt kind of bad we had an outage one week after our engineers said we have a very sound system here in Town, but I want to assure everyone that this has nothing to do with our system, it was one small component of our system that failed and that certainly did impact it.

Mayor Kinnaird:

- Commented on the power outage and the calls he received. Our system is good, because the first thing our Crew does is to see how they can restore power quickly and they determined it could not be repaired easily or quickly and they did that, because we have some redundancy in the system and they were able to switch back over to our E. Main Street substation and provide power to the rest of Town. I applaud our Electric Crew for their quick response on Sunday morning.
- We got our Sustainable Maryland Certification Award at the fall conference of the MML. This is the culmination of a lot of effort. First, I want to thank Jim for his guidance on this as he's done with so many other projects has lead us through, but also this is a reflection of the hard work and dedication of our Green Team, who have been working behind the scenes and have instituted a lot of different programs and the garden this year, the wildflower planting, so they really are the backbone of our Sustainable Maryland Award. He then read a statement and said it was a very proud moment to stand up there with the likes of Frederick City, Aberdeen, Annapolis and other great cities, 36 out of 157 cities, so it's actually a small percentage of the communities have achieved this award. I thank specifically our Green Team members and the community for participating and getting us this award. It is something that we will put in a place of honor in the room. Three years from now we have to reapply for it, but I think with the effort and the programs and the facilities that they have started this year, it will be an easy task to keep up with this and move forward.
- "Think Pink" 5K is this weekend, it starts at 8 a.m. at the Eyler Road Park, come out and participate even if you're not going to run. Come out and get the satisfaction of knowing that you've helped with cancer research in Frederick County, it's a great cause. Pink light bulbs should be available at Ace Hardware, when they come in and Hobbs' may still have some. There's also pink t-shirts available here, pink magnetic stickers, pink pinwheels, we've got plenty of pink items to sell. All of the proceeds go to support the Breast Cancer Awareness Month.
- Trick-or-Treat is on October 31st from 6 p.m. to 7:30 p.m., be careful that night when you are riding around Town.
- Halloween in the Park is always a great event, come out and support the Town, the proceeds go to the Thurmont Food Bank.

Commissioner Hooper said he had one he forgot, the Halloween Decorating Contest judging will be on October 27th & 28th, 1st prize will be \$75, 2nd will be \$50 and 3rd will be \$25, the announcement of the winners will be at the Halloween in the Park event and also at the Town Meeting on November 1st.

Public Comments

Roger Wilson, Government Affairs for Frederick County, my address is 1816 River Mist Ct. Frederick Maryland, it's good to be in Thurmont tonight and I just want to take the opportunity to thank you Thurmont for all of what you are doing. This is a busy month for Thurmont, a lot of activities going on, Colorfest for example. Last weekend the County Executive and myself were up at the Business Showcase here and just a wonderful time fellowshiping with the fine citizens here in Thurmont. So, thank you, thank you for raising the bar for Frederick County in Breast Cancer Awareness.

Closed Session to Discuss Personnel

Mayor Kinnaird read the closed session statement into the meeting.

Motion – Mayor Kinnaird asked for a motion to go into closed session. Commissioner Burns said “so moved.” Commissioner Hooper seconded the motion. Vote – 5-0-0, motion carried.

Without further discussion the public meeting was adjourned at 8:15 p.m. to go into closed session.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Robin Clem', with a stylized, elongated 'C'.

Robin Clem
Recording Secretary

BID COMPARISONS

BID #1

Water Dept. Truck – Replacing Truck #17, a 2000 Chevrolet utility body truck with 99,000+ miles. Truck will be traded in.

Vendor	Bid Amount	Comments
Criswell Chevrolet Thurmont, MD.	\$36,939.00	Preferred bidder but not the low bidder, truck is already on the lot, high quality performance in previous transactions, ability to have the vehicle serviced locally rather than transporting out of town Recommended Vendor
Crouse Ford Taneytown, MD.	\$36,452.00	
Hagerstown Ford Hagerstown, MD.	\$38,350.00	

Note: FY17 Capital Budget for this item is \$40,000.

BID #2

Streets & Parks Dept. Truck – Replacing Truck #12, a 2000 Chevrolet 4WD pick-up truck with snow plow and 95,000+ miles. Truck will be traded in.

Vendor	Bid Amount	Comments
Criswell Chevrolet Thurmont, MD.	\$37,392.00	Low bidder, truck is already on the lot Recommended Vendor
Crouse Ford Taneytown, MD.	\$40,967.00	
Tate Dodge Frederick, MD.	\$40,368.00	

Note: FY17 Capital Budget for this item is \$40,000.

BID COMPARISONS

Pad Mounted Switchgear to be installed in the Catoctin Heights Subdivision as part of the F4 Circuit Upgrade Project. Delivery: 8 – 10 weeks

Vendor	Switch Gear	Freight	Total Cost	Comments
Capital Tri-State Electric Supply Frederick, MD.	\$27,255	\$273	\$27,528	Low Bidder Recommended Bidder
Shepherd Electric Supply Frederick, MD.	\$27,253	\$292	\$27,545	
Bradley Electro Sales Annapolis, MD.	\$27,579	\$276	\$27,855	

Note – Funding for this item comes from the 2012 Electric Dept. Loan

TOWN OF THURMONT, MARYLAND

ORDINANCE NO. 2016- 04

**AN EMERGENCY ORDINANCE TO AMEND CHAPTER 72
OF THE CODE OF THE TOWN**

WHEREAS, the Board of Commissioners has determined that the addition of the provisions herein provided would benefit the Town; and

WHEREAS, the Town of Thurmont has encountered problems with the discharge of weapons, other than firearms, inside the Town limits; and

WHEREAS, the Town of Thurmont has encountered dangerous circumstances surrounding the hunting of game and fowl inside the Town limits; and

WHEREAS, the Town of Thurmont has the authority to regulate and prevent the use of firearms and other similar things which may endanger persons or property; and

WHEREAS, the Town of Thurmont finds that crossbows, bows and arrows, and bows are things which may endanger persons and property within the Town; and

WHEREAS, the Town of Thurmont finds that it is in the best interest of the public health, safety, tranquility and welfare of the Town and its citizens to prohibit the discharge of crossbows, bows and arrows, and bows, in addition to the firearms and weapons already prohibited, and to prohibit the hunting of game and fowl within the Town of Thurmont; and

WHEREAS, the Town of Thurmont finds that it is necessary to enact this Ordinance on an emergency basis because the continued discharge of weapons and the continued hunting of game and fowl within the Town limits constitutes an imminent risk of injury and imminent threat to the public peace, health, safety, and welfare of the Town and its citizens, and therefore the passage of this Ordinance is necessary for the immediate preservation of the public peace, health, safety and welfare of the Town; and

WHEREAS, this Ordinance is introduced for passage at the same meeting pursuant to the authority granted in Town of Thurmont Charter § 412(g); it is

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF
COMMISSIONERS OF THE TOWN OF THURMONT:**

Chapter 72

Firearms, Weapons and Hunting

INDEX

Article I – Definitions

§ 72-10 – Definitions

Article II – Discharge of Firearm

§ 72-20 – Discharge of Firearm within Town Limits

§ 72-21 – Hunting within Town Limits Prohibited

§ 72-22 – Exceptions

Article I Definitions

§ 72-10. Definitions

As used in this Chapter, the following terms shall have the meaning indicated.

1. **FIREARM** –

- a. **Class ‘A’ Firearm** is a weapon that expels, is designed to expel, or may readily be converted to expel a projectile by the action of an explosive; or the frame or receiver of such a weapon.
- b. **Class ‘B’ Firearm** shall include, but is not limited to, air rifle, air gun, slingshot, pistol, BB gun, spring gun, gas-operated gun, pellet gun or rifle, paint gun or rifle, BOW, BOW AND ARROW. CROSS BOW.

2. **TOWN** – Town of Thurmont

Article II Discharge of Firearm, Hunting Prohibited

§ 72-20. Discharge of Firearm within the Town Limits

1. No person shall discharge a Class ‘A’ Firearm within the corporate limits of the Town. A person convicted of discharging a Class ‘A’ Firearm shall be guilty of a misdemeanor and is subject to imprisonment not to exceed six months, or a fine not to exceed \$1,000.00, or both.
2. It shall be unlawful for any parent, guardian, custodian, or care giver to knowingly permit a minor to violate § 72-20.1 and shall, upon conviction, be guilty of a misdemeanor, and be subject to imprisonment not exceeding six months, or a fine not exceeding \$1,000.00, or both.

3. No person shall discharge a Class 'B' Firearm within the corporate limits of the Town. A violation of this section is declared to be a municipal infraction. The penalty for violation shall be a sum of fifty (\$50.00) dollars.
4. It shall be unlawful for any parent, guardian, custodian, or care giver to knowingly permit a minor to violate § 72-20.3 and will be subject to a penalty if he knew or should have known that the minor would violate that section or give a minor the firearm with which to do so. A violation of this section is declared to be a municipal infraction. The penalty for violation shall be a sum of fifty (\$50.00) dollars.

§ 72-21. Hunting within Town Limits Prohibited

1. No person shall hunt wild game or fowl within the corporate limits of the Town at any time. A violation of this section is declared to be a municipal infraction. The penalty for violation shall be a sum of Fifty (\$50.00) dollars
2. It shall be unlawful for any parent, guardian, custodian, or care giver to knowingly permit a minor to violate §72-21.1 and will be subject to a penalty if he knew or should have known that the minor would violate the section. The penalty for violation shall be a sum of fifty (\$50.00) dollars.

§ 72-22. Exceptions

1. The above section does not apply to:
 - a. The discharge of a firearm by any duly authorized law enforcement official acting in proper performance of their official duty.
 - b. In the lawful defense of person or property.
 - c. To destroy a dangerous animal or to relieve an injured animal from suffering.
 - d. During theatrical performances or sporting events with prior written notification to and approval by the Chief of Police.
 - e. Firing during ceremonial salutes or events with prior written notification to and approval by the Chief of Police.
 - f. Discharge of a Class 'A' Firearm at a duly organized rifle, gun or pistol club while such member is engaged in practice or competition on an established range approved by the Chief of Police or officer in charge of the Police Department.
 - g. The discharge of noise making devices for the purpose of disbursing nesting or roosting wild birds. This shall only be conducted by an employee of the Town of Thurmont with the written permission by the Board of Commissioners, and with prior notification to the Chief of Police.

INTRODUCED: October 18, 2016;

PASSED AND APPROVED by the Board of Commissioners of the Town of Thurmont this
18th day of OCTOBER, 2016.

THIS ACT SHALL TAKE EFFECT ON ITS DATE OF PASSAGE.

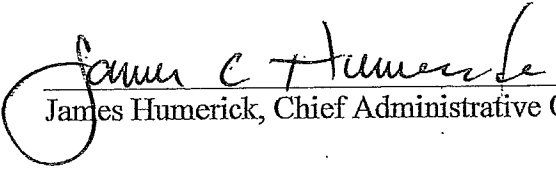
TOWN OF THURMONT

[SEAL]

By: 

John A. Kinnaird, Mayor

Attest:


James Humerick, Chief Administrative Officer

WANTED: THOSE WHO WANT TO SEE THURMONT COMMISSIONER MARTIN BURNS IN A PINK TUTU!



Commissioner Martin A. Burns made the following statement on Tuesday, September 17, at the town meeting when the Thurmont Think Pink was kicked off, "If someone gives me a Pink Tutu, I will wear it to the Thurmont Think Pink 5K."

Sooo...An anonymous donor has stepped forward, and donated a Special Pink Tutu accented with breast cancer ribbons that anyone would be proud to wear! It is perfect for Commissioner Martin Burns and has his name written all over it!

How much would you pay to see Commissioner Martin Burns wear this specially designed Pink Tutu at the Thurmont Think Pink 5K this Saturday, October 22 at 8 AM, Eyler Park? All money collected will be donated to The Patty Hurwitz Fund at Frederick Memorial Hospital! Just mail a check to the Town of Thurmont, P.O. Box 17, 21788, or stop by the Thurmont Town Office to make your contribution at 615 East Main Street. Make your check payable to the Commissioners of Thurmont by Friday, October 21, 4 PM.





10/18/2016 20:08



10/18/2016 20:08