



REGULAR TOWN COUNCIL MEETING

Monday, November 28, 2022, at 7:00pm in Warren County Government Center Board Room

View LIVE on Government Access Channel 16 or <https://www.frontroyalva.com/673/Town-Hall-Live>

1. MOMENT OF SILENCE
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF MINUTES – *I move that Council approve the minutes of the following meetings of Town Council as presented: Joint Work Session with FREDA of October 17th, Regular Meeting of October 24th, Special Meeting of November 9, 2022 and Work Session of November 14, 2022.*
5. ADDITION/DELETION OF ITEMS FROM THE AGENDA
[Items added will be placed as the last item under Business Items. Unanimous vote is required to add/delete]
6. RECOGNITIONS/AWARDS/REPORTS/PRESENTATIONS
 - Project Updates by Public Works Director Robbie Boyer
7. PUBLIC HEARINGS –
 - A. Special Use Permit for Short-Term Rental at 200 E Main Street – Doug Ichiuji - *Lauren Kopishke*
 - B. special Use Permit for Short-Term Rental at 206 Lee Street – Minnick Group – *Lauren Kopishke*
 - C. Special Use Permit for Daycare at 1111 N. Shenandoah Avenue – LifePoint Church – *Lauren Kopishke*
 - D. FY23 Budget Amendment for Outstanding Purchase Orders – *BJ Wilson*
8. PUBLIC COMMENTS NOT RELATED TO PUBLIC HEARINGS
9. REPORTS
 - A. Report of Town Manager
 - B. Report of Councilmembers
 - C. Report of the Mayor
10. CONSENT AGENDA ITEMS - *I move that Council approve the Consent Agenda as presented.*
 - A. HEPTAD Request for One-Year Extension to Submit Development Plan – *Lauren Kopishke*
 - B. FY23 Budget Amendment to Accept Community Flood Preparedness Grant Funds from DCR - *BJ Wilson*
 - C. FY23 Budget Amendment for the Purchase of a Three-Phase Pad Mounted Transformer – *BJ Wilson*
 - D. Nutrient Reduction Performance Monetary Assessment Payment to DEQ- *BJ Wilson*
 - E. Purchase of Commercial Mower for Horticulture Department - *BJ Wilson*
 - F. Award Bid for Sewer Rehabilitation Project– *BJ Wilson*
 - G. Asset Transfer to Warren County Public Works Department of a Retired Town Bucket Truck – *BJ Wilson*
 - H. Resolution to Update Employee Handbook to add Juneteenth Holiday – *Laura McIntosh*
 - I. Purchase of Wastewater Treatment Plant Influent Pumps – *BJ Wilson*
11. BUSINESS ITEMS –
 - A. Reappointment to Environmental Sustainability Advisory Committee (ESAC)
12. CLOSED MEETING
13. Adjourn



TOWN COUNCIL JOINT MEETING WITH FRONT ROYAL EDA MINUTES

Monday, October 17 2022

Town Hall Conference Room

The following minutes are a summary of items on the agenda.

This meeting may be viewed in its entirety by accessing the video of the same date online via the Town's website at www.frontroyalva.com.

ROLL CALL COUNCIL PRESENT: Mayor Chris W. Holloway
Vice Mayor Lori A. Cockrell
Councilman Gary L. Gillispie
Councilman Zachary Jackson
Councilwoman Amber F. Morris
Councilman Duane R. "Skip" Rogers
Councilman Letasha T. Thompson

ROLL CALL FRED A PRESENT: Chairman Rick Novak
Vice Chairman Mark Tapsak
Director Nick Bass
Director James Crowell, Jr.
Director David Gedney

ABSENT: Director Isaac Rushing
Director C. Frank Stankiewicz

STAFF PRESENT: Clerk of Council Tina L. Presley, Interim Town Manager Kathleen Leidich, Deputy Town Attorney George Sonnett, Finance Director BJ Wilson, and member of the press.

DISCUSSION PERTAINING TO THE DIRECTION AND SUPPORT OF THE FRONT ROYAL ECONOMIC DEVELOPMENT AUTHORITY (FREDA)

Interim Town Manager Kathy Leidich gave Council and FREDA an overview of why this meeting was called and to clarify what direction Council wanted moving forward. Council confirmed that the boards and commissions that Town staff support currently were Planning Commission, Board of Zoning Appeals (BZA), Board of Architectural Review (BAR), Environmental Sustainability Advisory Committee (ESAC), Tourism Committee, Front Royal Economic Development Authority (FREDA) and Town Council. They confirmed that staff members prepared and distributed agendas and minutes for each board.

There was much discussion on what was needed for FREDA to complete their setup. Chairman Novak asked for consensus on whether Council wanted to continue with FREDA. Council advised that they did want to continue with FREDA, but preliminary processes needed to be worked out first.

Councilman Rogers asked why FREDA was under discussion tonight. Council gave him an overview of the Warren County EDA (WCEDA) scandal/crisis and the current situation Warren County was in which gave Council reasons to move forward with their own EDA. Councilman Gillispie voiced frustration that the

taxpayers were paying an EDA [WCEDA] that is bankrupt, and that Council needed to look forward with the current FREDa. Councilwoman Thompson explained that after the former Town Manager left it was discovered that specific legal issues were not completed. Vice Mayor Cockrell noted that Council could not wait until the County “got their act together”. Council agreed that what currently needed answers were setup of FREDa, the Executive Director position, legal counsel, support staff and budget.

Deputy Town Attorney noted that the legal format of FREDa was approved by the General Assembly through special legislation due to the crisis with WCEDA. He explained that he was brought into the FREDa situation in July [2022] and some things “jumped out at him” such as conflicts between the approved by-laws of FREDa and the Town Code.

Director Gedney pointed out that the Chairman of the WCEDA attend a FREDa meeting and advised them that there were legal issues with selling properties. It was noted that if any properties were sold the monies were required to go towards a judgement. Mr. Sonnett explained that the judgement placed a lien on all property owned by the County and those properties jointly owned by the Town and County.

The discussion turned to support staff and Chairman Novak noted that he hoped to rely on someone to assist FREDa. Clerk of Council Tina Presley advised that she attended every meeting, prepared and distributed agendas, prepared minutes, formatted by-laws and formatted Town Code amendments. She noted that supporting FREDa was extra work and would like to be compensated as such. There were numerous concerns with having the Town’s Town Attorney as legal counsel for FREDa, noting possible lawsuit concerns. Finance Director BJ Wilson advised that he attended about half the meetings.

The meeting concluded and both entities agreed to have Ms. Leidich research the various concerns mentioned and to come back with a report in another joint meeting.

FREDa adjourned at 8:10pm

The Mayor adjourned at 8:14pm

Approved by Town Council

Date: -----



TOWN COUNCIL REGULAR MEETING MINUTES

October 24, 2022 @ 7:00PM in the Warren County Government Center

The following minutes are a summary of items on the agenda. This meeting may be viewed in its entirety by accessing the video of the same date online via the Town's website at www.frontroyalva.com.

Moment of Silence

Pledge of Allegiance led by Councilman Rogers

ROLL CALL PRESENT: Mayor Chris W. Holloway
Vice Mayor Lori A. Cockrell
Councilman Gary L. Gillispie
Councilman Zackary Jackson
Councilwoman Amber F. Morris
Councilman Duane R. "Skip" Rogers
Councilwoman Letasha T. Thompson

APPOINTED STAFF PRESENT: Interim Town Manager Kathleen R. Leidich
Deputy Town Attorney George Sonnett
Clerk of Council Tina L. Presley

APPROVAL OF MINUTES – Vice Mayor Cockrell moved, seconded by Councilman Jackson that Council approve the minutes of the following meetings of Town Council: Joint Meeting/Special Work Session of August 16th; Regular Meeting of September 26th, Special Meeting of October 1st, 2022 and with an amendment to Special Meeting/Work Session of October 11, 2022 to state "Tuesday" instead of "Monday".

Vote: Yes – Vice Mayor Cockrell, Councilmembers Gillispie, Jackson, Morris, Rogers and Thompson

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

ADDITION/DELETION OF ITEMS FROM THE AGENDA –

Vice Mayor Cockrell moved seconded by Councilwoman Morris to add the following to the closed meeting the discussion, consideration, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of any public body, specifically Town Manager and Town Attorney, pursuant to §2.2-3711(A)(1) of the Code of Virginia.

Vote: Yes – Vice Mayor Cockrell, Councilmembers Gillispie, Jackson, Morris, Rogers and Thompson

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

RECOGNITIONS/AWARDS/REPORTS—

The Mayor and Council recognized the retirement of Samuel L. Grimsley who had over 32 years of service with the Town. He was awarded a plaque and gift card.

Don Hindman, Project Director of the Shenandoah Rail Trail Exploratory Partnership gave an update to Council on the Shenandoah Rail Trail. He noted that the 100-page Feasibility Study was complete and numerous Resolutions of Support from neighboring localities and non-profits had been received for the project. He briefed them on the Economic Impact Analysis and real estate appraisals which had topped \$15 – \$ 25 million. He explained that the railroad would not donate or lease their property but agreed to sell it. He continued that the Virginia Department of Transportation (VDOT) would be dealing with acquisitions in the next two years. Mr. Hindman advised that he had nine (9) Town Hall style meetings scheduled in the next 6-8 weeks followed by nine more in the spring.

Councilman Gillispie questioned the pushback that Shenandoah County had with the project. Mr. Hindman advised that the area was looking at something different and he was in talks with them. Councilwoman Morris questioned the total cost to construct the project. Mr. Hindman quoted \$70-\$80-million-dollar range. Councilman Rogers questioned the phases. Mr. Hindman advised that there were six phases and was not sure what would come first. He noted that Shenandoah County had more bridges and large trees to contend with. It was noted that Front Royal was added to the project in 2020.

Director of Public Works Robbie Boyer gave his monthly Projects Report:

Public Works Infrastructure Update October 24, 2022

Curb & Gutter Installation Project – Installation of 9,000 of CG6 curb and gutter and CG9 driveway aprons on 10 streets, this project is 100% complete.

S. Commerce Ave Sidewalk Project – This project will be 100% complete by the first part of next week.

610B & 612 W. 11th St Storm Drain Upgrade Project – This project is 100% complete, the new structure has been set and the last 50' of pipe installed and everything cleaned up.

Braxton Rd & Manassas Ave Waterline Upgrade Projects – This bid was approved by Town Council on August 29 and the contracts have been signed by Bushong Contracting Inc and the material on order. The project should start in early January of 2023 and should take about three months to complete.

John Marshall Hwy Waterline Upgrade Project – Town received a total of 5 bids with Bowman-Griffin General Contractors LLC out Hillsville, VA being the low bidder at \$229,550.00. This project has been approved by town council on September 26, 2022, and currently waiting on the signed contract. The contractor is working on getting all the material needed for this project.

Robinhood Lane PRV Vault Replacement Project – Still another two weeks out on the hatch due to the traffic bearing weight requirement. These will push the vault delivery out to mid-December Vault weighs 24,000 LBS so a crane will be needed to set the vault.

Richmond Rd PRV Vault Replacement Project – This item is on tonight's consent agenda for approval to award the purchase to Fortiline Waterworks and approval to allow Bushong Contracting to install the vault once delivered.

Redundant Waterline Project – The bid opening was held on August 31, 2022, we received two bids for this project. Snyder Environmental was the low bidder, the first public hearing will be held tonight and is on the consent agenda for approval tonight.

W. 12th St waterline Upgrade – We're currently working on bids specs and drawing to upgrade the existing water main on W. 12th St between N. Royal Ave and Virginia Ave. We hope to have this out to bid by mid November 2022.

Primary and Secondary Street Paving – The town’s paving contractor has currently completed 20% of the paving and is currently working to finish up the rest by December.

Water Treatment Plant SCADA Upgrade – D&R Controls has finished completing the SCADA systems upgrades at the water plant, we’re currently waiting on the radios for 4 storage tanks and 3 pump stations for back up operations. The system is currently 100 percent optional currently.

Front Royal-Warren County Anti-Liter Council Funding – The Town has received the two 96-gallon bear proof trash cans for the Luray Ave boat landing. These was purchased with \$5,150.00 that was donated by the anti-liter council. This should be installed by late November once the concrete pad is completed.

Happy Creek Stream Bank – Cleaning up weeds and brush along the creek bed to prepare for the November 19th Community Planting Day from 10am to 2pm. This work will be completed within the next two weeks.

Sanitary Sewer Repairs Project – The mandatory pre-bid meeting was held on October 13 virtual; the bid opening will be on Wednesday October 26 at 2pm. This project consists of 25,000 linear feet of CIPP lining and 192 sewer laterals will be lined replaced. Once the bids have been reviewed this will be brought back to town council for approval in the November/ December time frame.

VDOT Funded Projects -

N. Shenandoah Ave Lighting Project –

E. 8th St Bridge Replacement –

Happy Creek Rd Improvements Phase 2 -

Town Council voiced their praise on the projects completed or currently working on and thanked Robbie and his crew.

PUBLIC HEARINGS

Special Use Permit for Short-Term Rental at 30 Fairview Avenue – VESTA Property Management
Mayor Holloway opened the public hearing. Since there were no speakers, the public hearing was closed and was opened to Council.

Councilwoman Thompson moved seconded by Councilwoman Morris that Council approve a Special Use Permit submitted by VESTA Management for a short-term rental located at 30 Fairview Avenue (tax map 20A3, Section 5, Lots 49 & 50).

Vote: Yes – Vice Mayor Cockrell, Councilmembers Gillispie, Jackson, Morris, Rogers and Thompson

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Specia Exception for Parking at 12 Chester Street – Leandra Justice

Mayor Holloway opened the public hearing.

Leandra Justice, 12 Chester Street, advised Council that she was available for any questions.

Mayor Holloway closed the public hearing and opened to Council.

Councilwoman Thompson moved, seconded by Councilman Jackson that Council approve the request from Leandra Justice for special exception to the parking requirements of Town Code Sections 175-151€ , 148-150(B)(6) and 148-870 for the short-term rental located at 12 Chester Street (tax map 20A9-4-43) and further moved that Council waive the fee and reimburse what has been paid for the special permit for parking because Council has determined that there was plenty of parking around the applicants short-term rental.

Councilwoman Thompson noted that Council cannot legally deny short-term rentals if the applicant has followed all the requirements. Councilwoman Morris reiterated and voiced apologies to Ms Justice that the short-term rental could not be used during the Festival of Leaves.

Councilman Rogers noted the amount of work the Justice's had put into the property and commended them for that – noting a real asset to the community.

Vote: Yes – Vice Mayor Cockrell, Councilmembers Gillispie, Jackson, Morris, Rogers and Thompson

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Proposed Ordinance Amendments to Town Code Chapter 142-4.1 – Snow and Ice on Sidewalks

Mayor Holloway opened the public hearing.

Bruce Rapport, 300 W. Main Street, voiced concern that snowplow drivers pushed snow onto sidewalks that had already been plowed in the middle of the night which leads to re-freezing. He also voiced concern for the older residents who don't have access due to the Town only having 30% sidewalks. He questioned whether the ordinance was needed.

The Mayor closed the public hearing and opened to Council.

Councilman Gillispie moved seconded by Councilwoman Morris that council approve ordinance amendments to Town Code Section 142-4.1A to add the word "residential" and remove sentence "if the ice or snow forms or falls during the night or on a Sunday, it shall be removed by noon the following day", as presented.

Councilman Rogers noted that the Town was sympathetic to the elderly and therefore believed that action would not be taken against them.

Councilwoman Morris advised that the ordinance was to inform residents that the sidewalk adjacent to them needed to be cleaned but noted that currently there was no manpower to enforce the ordinance. She continued that the ordinance was not to harass anyone and voiced concern for the children who had to walk to school in the road for lack of sidewalks. She asked that residents be mindful and do their part. She noted that the ordinance was not a new one just an amendment to the existing one.

Councilwoman Thompson advised that the ordinance was a guideline and complaint based. She expressed sympathy to those who used the sidewalks and finding them not cleared.

Councilman Gillispie noted that Council did not want to see senior citizens punished. He voiced concern over those in wheelchairs that used the sidewalks to get around.

Vice Mayor Cockrell reiterated that it would be complaint based and encouraged everyone to help each other. There was discussion regarding the violation and how it would be handled. Planning Director Lauren Kopishke advised that door hangers would be used to notify the residents in violation that would inform them of a timeframe to remove the snow. Interim Town Manager Kathy Leidich read from the Town Code what her role would be:

If at any time the Town Manager or his designee shall find that any such property owner has not removed snow or ice pursuant to this Section, the Town Manager or his designee shall give notice, in writing, to such owner or occupant to remove such snow and/or ice within a reasonable time not to exceed six (6) hours after the giving of such notice.

Upon failure of any person to whom notice has been given pursuant to this Section to comply with the terms of such notice, the Town Manager may cause such snow and/or ice to be removed, and the expense thereof shall be charged to such owner or occupant to be collected in the same manner as County taxes or in any other manner authorized by law.

Councilman Jackson noted that it was imperative for residents to get where they needed to go, and the Town was not a “snow task force” for the elderly. He reiterated that it was complaint based.

Vote: Yes – Vice Mayor Cockrell, Councilmembers Gillispie, Jackson, Morris, Rogers and Thompson

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

FY23 Budget Amendment for Route 522 North Corridor Redundant Waterline and Inflow/Infiltration Storm Water Abatement

Mayor Holloway opened the public hearing. Since there were no speakers, the public hearing was closed and was opened to Council.

Councilwoman Morris moved seconded by Councilwoman Thompson that Council approve a FY23 Budget Amendment totaling \$28,174,904.00 for the construction of the Town’s redundant waterline for the 522 corridor and for Inflow and Infiltration (I & I) Abatement of Storm Water Projects.

Vote: Yes – Vice Mayor Cockrell, Councilmembers Gillispie, Jackson, Morris, Rogers and Thompson

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

PUBLIC COMMENTS (COMMENTS NOT RELATED TO PUBLIC HEARINGS) - NONE

REPORTS

A. Town Manager Report – Ms Leidich introduced Interim Energy Services Director Mary Ellen Lynn to update the Mayor and Town Council on the large-scale power outages in early October. Mrs. Lynn explained what happened on October 1st with the Rappahannock transmission drop and having to shift residents to

other substations. She explained that while there were two major power outages on the same day there was another major outage nine days later on October 10th. She noted that all three outages affected the same residents making it an unfortunate situation. She gave Council an overview of what was learned during these outages advising them that an automated message was formed for residents to call during an outage and the Town's website has a convenient reminder in the form of a "pop-up" message for residents to sign up for public notices and alerts. She noted that a better job was needed to alert residents of outages.

Vice Mayor Cockrell noted that she has signed up for the notices and voiced the importance of pushing the message to get notified. Councilwoman Thompson thanked Mrs. Lynn for a thorough report. Councilman Gillispie asked about the wildlife guards on the lines. Mrs. Lynn advised that they were there, but the squirrels are still getting through. Councilwoman Morris thanked Mrs. Lynn for a very thorough update noting that transparency was key.

Due to the Finance Director unable to attend tonight's meeting, Ms Leidich gave a brief statement of what the Governmental Finance Officers Association (GFOA) award was and that she would be recognizing Finance Director BJ Wilson and his staff at the next meeting.

B. Town Council Reports –

Vice Mayor Cockrell noted that it was Red Ribbon Week at her school and expressed her enjoyment of the most recently held Festival of Leaves event noting a great turnout.

Councilwoman Thompson reiterated the comments about the Festival of Leaves. She advised that she attended the Virginia Municipal League (VML) Conference recently and learned that the Opioid Funds would be received by the County and distributed accordingly to the Town with specific items the funds could be used for. She suggested that short-term rental owners investigate noise decibels that could be monitored by their phones. She welcomed Councilman Rogers to Council. Mrs. Thompson realized that there was a lot of traffic in Town during this time of year but noted that the revenue from the visitors helped the community businesses.

Councilwoman Morris echoed Mrs. Thompson's sentiments about the short-term rentals. She noted that she attended the "Revitalize and Die" workshop held recently noting that there is an appetite for change. She noted that the Festival of Leaves was great and encouraged the community to attend Hometown Halloween this weekend. She gave a shout out to the Town's Special Events Coordinator Lizi Lewis.

Councilman Rogers thanked Council for their confidence in him and for providing him the opportunity to serve. He noted that he had been meeting with key leaders of the community to learn all he could. He looked forward to working with Council.

C. Mayor Report – Mayor Holloway voiced appreciation for all the hard work that went into planning the Festival of Leaves and expressed hope it would continue to grow in the future. He thanked Director of Public Works Robbie Boyer and his staff for all their hard work in making the Town streets and sidewalks look good. Mr. Holloway recognized the Chief of Police and his officers for all their hard work during the Festival of Leaves and handling the large amount of traffic in Town. He welcomed Councilman Rogers. He noted that due to the Special Election on November 8th this may be Councilman Jackson's last meeting until and if he wins in the general election on November 8th. He thanked him for his service.

Councilman Jackson stated that it was an honor to serve, and that the small hometown feel is amazing. He hoped to see us next year.

CONSENT AGENDA ITEMS

A. Optional Contract Administration and Permitting Support for Oversight of the Construction of the Route 522 North Corridor Redundant Waterline

Council approved the award of the optional contract administration portion of the original contract with CHA Engineering and include the permitting support for oversight of the construction of the 522 North Corridor Redundant Waterline in the amount of \$380,000.00, contingent upon approval the FY23 budget amendment earlier in this meeting.

B. Award Bid for Construction of Redundant Waterline in the Route 522 North Corridor

Council awarded a bid to Snyder Environmental Services in the amount of \$18,294,904.00 for the construction of the Route 522 North Corridor Redundant Waterline contingent upon the approval of the FY23 Budget Amendment earlier in this meeting.

C. Pressure Reducing Valve (PRV) Vault Purchase for Richmond Road

Council approved the purchase of a pre-cast pressure reducing valve vault in the amount of \$30,246.00 from Fortline Inc, Atlanta, GA.

D. Pressure Reducing Valve (PRV) Vault Installation for Richmond Road

Council approved a bid from Bushong Contracting Corporation to perform the installation of pressure reducing valve (PRV) vault on Richmond Road in the amount of \$33,950.00.

E. Revisions to Vacation of Town Rights-of-Way Policy

Council approved revisions to the Town Right-of-Way Vacation Policy as presented.

Councilwoman Morris moved seconded by Councilwoman Thompson that Council approve the consent agenda as presented.

Vote: Yes – Vice Mayor Cockrell, Councilmembers Gillispie, Jackson, Morris, Rogers and Thompson

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

BUSINESS ITEMS - NONE

CLOSED MEETING

Vice Mayor Cockrell moved seconded by Councilwoman Morris that Town Council convene and go into Closed Meeting for

1) the consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel specifically, the Front Royal-Warren County Agreement with Discover Front Royal, as required by Virginia Code §24.2-226, pursuant to §2.2-3711(A)(8) of the Code of Virginia. Following the Closed Meeting. Council may take further action in open session. and,

the discussion, consideration, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of any public body, specifically Town Manager and Town Attorney, pursuant to §2.2-3711(A)(1) of the Code of Virginia.

Vote: Yes – Vice Mayor Cockrell, Councilmembers Gillispie, Jackson, Morris, Rogers and Thompson

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Vice Mayor Cockrell moved seconded by Councilman Rogers that Council certify that to the best of each member's knowledge, as recognized by each Council member's affirmative vote, that only such public business matters lawfully exempted from Open Meeting requirements under the Virginia Freedom of Information Act as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the Closed Meeting by Council, and that the vote of each individual member of Council be taken by roll call and recorded and included in the minutes of the meeting of Town Council.

Vote: Yes – Vice Mayor Cockrell, Councilmembers Gillispie, Jackson, Morris, Rogers and Thompson

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Meeting adjourned.

Approved by Town Council

Date: _____



TOWN COUNCIL SPECIAL MEETING MINUTES

November 9, 2022 @ 6:00PM in the Town Hall Conference Room

The following minutes are a summary of items on the agenda. This meeting may be viewed in its entirety by accessing the video of the same date online via the Town's website at www.frontroyalva.com.

ROLL CALL PRESENT: Mayor Chris W. Holloway
Vice Mayor Lori A. Cockrell
Councilman Gary L. Gillispie
Councilman Zackary Jackson
Councilwoman Amber F. Morris
Councilman Skip Rogers
ABSENT: Councilwoman Letasha T. Thompson

APPOINTED STAFF PRESENT: Deputy Town Attorney George Sonnett
Deputy Clerk of Council Mary Ellen Lynn

APPOINTMENT OF TOWN ATTORNEY – Councilman Gillispie moved, seconded by Councilman Jackson, that Council appoint George M. Sonnett, Jr. as Town Attorney for the Town of Front Royal and ratify and approve his Employment Agreement dated November 9, 2022.

Vote: Yes – Vice Mayor Cockrell, Councilmembers Gillispie, Jackson, Morris, and Rogers
No – N/A
Absent – Councilwoman Thompson
Abstain – N/A

ROLL CALL

Mr. Sonnett thanked the Mayor and Council for their 'vote of confidence' and expressed his excitement to serve and assist Council for the benefit of the citizens of the Town. He acknowledged his predecessors, Tom Robinett and Doug Napier, for their mentorship in local government law.

CLOSED MEETING – Councilman Gillispie moved, seconded by Councilman Jackson, that Town Council convene and go into Closed Meeting for the discussion, consideration, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of any public body, specifically the Town Manager, pursuant to §2.2-3711(A)(1) of the Code of Virginia. I further move that Council may take further action in open session.

Vote: Yes – Vice Mayor Cockrell, Councilmembers Gillispie, Jackson, Morris, and Rogers
No – N/A
Absent – Councilwoman Thompson
Abstain – N/A

ROLL CALL

Vice Mayor Cockrell moved, seconded by Councilwoman Morris, that Council certify that to the best of each member's knowledge, as recognized by each Council member's affirmative vote, that only such public business matters lawfully exempted from Open Meeting requirements under the Virginia Freedom of Information Act as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the Closed Meeting by Council, and that the vote of each individual member of Council be taken by roll call and recorded and included in the minutes of the meeting of Town Council.

Vote: Yes – Vice Mayor Cockrell, Councilmembers Gillispie, Jackson, Morris, and Rogers

No – N/A

Absent – Councilwoman Thompson

Abstain – N/A

ROLL CALL

APPOINTMENT OF TOWN MANAGER – *Councilman Gillispie moved, seconded by Councilwoman Morris, that Council appoint Joseph Waltz as the Town Manager for the Town of Front Royal pending ratification of contract agreement dated the 21st day of November 2022.*

Vote: Yes – Vice Mayor Cockrell, Councilmembers Gillispie, Jackson, Morris, and Rogers

No – N/A

Absent – Councilwoman Thompson

Abstain – N/A

ROLL CALL

Meeting adjourned.

Approved by Town Council

Date: _____



TOWN COUNCIL WORK SESSION MINUTES

Monday, November 14, 2022

Town Hall Conference Room

The following minutes are a summary of items on the agenda.

This meeting may be viewed in its entirety by accessing the video of the same date online via the Town's website at www.frontroyalva.com.

ROLL CALL PRESENT: Vice Mayor Lori A. Cockrell
Councilman Gary L. Gillispie
Councilwoman Amber F. Morris
Councilman Duane R. "Skip" Rogers
Councilman Letasha T. Thompson

ABSENT: Mayor Chris W. Holloway
Councilman Zachary Jackson

ITEMS SLATED FOR PUBLIC HEARINGS ON NOVEMBER 28TH

Special Use Permit for Short-Term Rental at 200 E. Main Street – Doug Ichiuji – Planning Director Lauren Kopishke advised that the application was for renting the entire upper floor with two apartments. The Planning Commission had no additional conditions and the parking was exempt in the historic district. Item to be moved to public hearing.

Special Use Permit for Short-Term Rental at 206 E. Lee Street – Ms. Kopishke advised that the application was for a whole house rental. The Planning Commission had no issues and there was sufficient parking. Item to be moved to public hearing.

Special Use Permit for Daycare at 1111 N. Shenandoah Avenue – LifePoint Church – Ms. Kopishke advised that the daycare would be on the lower floor of the church with conditions. Council commented that there was a daycare at this church in the past. Item to be moved to public hearing.

FY23 Budget Amendment for Outstanding Purchase Orders – Finance Director BJ Wilson advised that this was a housekeeping item and went over a few items including the Transportation Plan, 8th Street bridge replacement and the purchase of influent pumps. Councilman Gillispie questioned the Fleet Maintenance Building. Mr. Wilson advised that he was working with the engineer on a viable bid document but voiced concern on the interest rate and that enough money may not be set aside. He hoped to have this information in the next few weeks. There was much discussion regarding monies for the Transportation Plan and the Blighted Buildings Plan. It was agreed to leave monies for the Transportation Plan as presented. Item to be moved to public hearing.

ITEMS SLATED FOR CONSENT AGENDA FOR NOVEMBER 28TH REGULAR COUNCIL MEETING

HEPTAD Request for One-Year Extension to Submit Development Plan – Ms. Kopishke advised that staff had no issues with the extension and noted that proffer amendments on this property were coming forward

at a later time. There was discussion about the proffers. This item will be moved to the consent agenda of November 28th.

FY23 Budget amendment for Community Flood Preparedness Fund Grant – Mr. Wilson briefed Council on the monies received from the Grant. No discussion from Council and will be moved to the consent agenda of November 28th.

Nutrient Reduction Performance Monetary Assessment – Mr. Wilson and Director of Public Works Robbie Boyer explained that this was a payback for noncompliance with phosphorous performance standards at the wastewater treatment plant to the Department of Environmental Quality (DEQ) for a portion of a grant previously received. This item will be moved to the consent agenda of November 28th.

Purchase of Commercial Mower for Horticulture Department – Mr. Wilson advised that this was rolling stock and therefore needed Council approval. No discussion from Council and will be moved to the consent agenda of November 28th.

FY23-24 Budget Calendar Revised – Mr. Wilson explained that the recommended budget and the Capital Improvement Project (CIP) would be given to Town Council on March 1st instead of February 13th allowing more time for the impact the health insurance increase may have on the budget. This item does not need approval by Council and will not be placed on the consent agenda.

Bid for Sewer Rehabilitation Project – Mr. Wilson noted that this was due to the DEQ consent order. No discussion from Council and will be moved to the consent agenda of November 28th.

Councilman Gillispie questioned when the thermoplastic would be placed on the roads that was milled up months ago. Interim Town Manager Kathy Leidich explained that it was slated to be completed by mid-December.

Three Phase Pad Mounted Transformer and FY23 Budget Amendment – Mr. Wilson advised that the transformer was for the car wash on 14th Street and the applicant would be paying the Town back. This item will be moved to the consent agenda of November 28th.

2022 I & I Abatement Rehabilitation Project Contract Administration – Mr. Wilson advised that the amount of the contract would be \$172,000 and that they would be the Town's liaison. This item will be moved to the consent agenda of November 28th.

Purchase of Wastewater Treatment Plant Influent Pumps – Mr. Wilson advised that the pumps were installed in the 1970's and were much in need of being replaced. He noted that the installation of the pumps would be approved at a later time. This item will be moved to the consent agenda of November 28th.

Resolution to Update Employee Handbook to add Juneteenth Holiday – Human Resources Director Laura McIntosh confirmed that the request before them was to add an additional holiday [Juneteenth] to the employee handbook. There was no discussion and it will be moved to the consent agenda of November 28th.

Request to Donate Retired Bucket Truck to Warren County Public Works Department – Ms. Leidich advised that the truck was too expensive to maintain and had no issues with donating it to the County. Mr. Wilson reminded Council that the Police Department has received vehicles from the Fire Department in years' past. This item will be placed on the consent agenda of November 28th.

Update on Capital Improvement Projects (CIP) – Ms. Leidich briefed Council on the various projects that were completed and the ones that were currently underway. She also briefly mentioned the lists "Project Discussion" and "Paving Mobilization Schedule" that were provided in their packets. She noted that the current paving project should be completed mid-December. Councilman Gillispie questioned the status of the Prospect Bridge replacement. Mr. Wilson reminded Council that the bids that came in for the replacement were extremely high and therefore the funds were used for other projects. He noted that it was being reviewed for the upcoming budget.

OPEN DISCUSSION

Councilwoman Thompson voiced concern over speeding and lack of sidewalks on Jamestown Road. Councilwoman Morris concurred and added that Criser Road also was in need of sidewalks due to many children walking to school. Police Chief Kahle Magalis advised that speed signs could be moved to that location once they are completed at their current location. He confirmed that the signs collected data which is the best way to determine a remedy.

Councilman Morris suggested that the criteria for individuals who would like to serve on the Local Board of Building Code Appeals (LBBCA) be expanded to include County residents. Clerk of Council Tina Presley advised that it was already in the Town Code that County residents could serve, but three of the five must be Town residents.

Councilman Rogers noted that he had three items he would like to see reviewed in the next eleven months: 1) opened lines of communication with the Front Royal Economic Development Authority; 2) moving forward with blighted buildings specifically touching on those areas where drugs were being used and abused; 3) addressing the Town Charter as it related to non-partisan Town elections and the Hatch Act. Vice Mayor Cockrell advised that Council discussed blighted buildings just recently and asked that Mrs. Presley send Mr. Rogers the date of the meeting so he could watch the video. She also noted that stakeholders are needed to have a roundtable discussion on drugs in our community. Mrs. Thompson cautioned that families with children use the hotels for shelter. She also asked Ms. Kopishke for a list of non-profit organizations that she thought she may have. Mr. Gillispie asked if Town Attorney George Sonnett could research whether hotel owners could be fined for excessive cause. He also noted that on November 16th there would be training for stakeholders on the drug court. The Chief of Police confirmed that he had a representative from the Police Department attending.

This portion of the meeting ended at 8:14pm.

CLOSED MEETING

Motion to Go into Closed Meeting

Vice Mayor Cockrell moved seconded by Councilman Gillispie that Town Council convene and go into Closed Meeting for the following and Council may take further action in open session.

- 1) *the discussion, consideration, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of any public body, specifically Town Manager, Planning Commission, Local Board of Building Code Appeals, and Environmental Sustainability Advisory Committee, pursuant to §2.2-3711(A)(1) of the Code of Virginia, and,*
- 2) *the discussion or consideration of the acquisition of real property for a public purpose, or the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, specifically an offer to lease Town Property, pursuant to §2.2-3711(A)(3) of the Code of Virginia, and,*
- 3) *the consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel specifically, an Agreement with Discover Front Royal, as required by Virginia Code §24.2-226, pursuant to §2.2-3711(A)(8) of the Code of Virginia. Following the Closed Meeting. I further move that Council may take further action in open session.*

Vote: Yes – Vice Mayor Cockrell, Councilmembers, Gillispie, Morris, and Thompson

No – N/A

Absent – Councilman Jackson

Abstain – N/A

ROLL CALL

Motion to Certify Closed Meeting at its Conclusion

Vice Mayor Cockrell moved seconded by Councilwoman Morris that Council certify that to the best of each member's knowledge, as recognized by each Council member's affirmative vote, that only such public business matters lawfully exempted from Open Meeting requirements under the Virginia Freedom of Information Act as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the Closed Meeting by Council, and that the vote of each individual member of Council be taken by roll call and recorded and included in the minutes of the meeting of Town Council.

Vote: Yes – Vice Mayor Cockrell, Councilmembers, Gillispie, Morris, and Thompson

No – N/A

Absent – Councilman Jackson

Abstain – N/A

ROLL CALL

Councilwoman Morris moved seconded by Vice Mayor Cockrell that Council ratify and approve the Town Manager Agreement as presented before Council this 14th day of November 2022, with the Mayor authorized to execute the agreement on behalf of the Town.

Councilman Gillispie was excited for the ratification, noting that Mr. Waltz was a proven leader and would be an asset to the Town.

Councilmembers Morris, Thompson and Rogers welcomed Mr. Waltz back and looked forward to stability.

Vice Mayor Cockrell advised that many people had approached her thanking her.

Vote: Yes – Vice Mayor Cockrell, Councilmembers, Gillispie, Morris, and Thompson

No – N/A

Absent – Councilman Jackson

Abstain – N/A

ROLL CALL

PRESENT: Besides Council listed earlier, there were the following in attendance: Clerk of Council Tina Presley, Interim Town Manager Kathleen Leidich, Town Attorney George Sonnett, Finance Direction BJ Wilson, Public Works Direction Robbie Boyer, Purchasing Manager Michelle Campbell, Police Chief Kahle Magalis, Director of Planning Lauren Kopishke, IT Manager Grant Autry, Councilmen-elect Rappaport, Ingram and Sealock and members of the public.

Adjourned

Approved by Town Council

Date: -----

DRAFT



Council Agenda Statement

Item #7A

Meeting Date: November 28, 2022

Agenda Item: PUBLIC HEARING – Special Use Permit for Short-Term Rental at 200 E. Main Street – Doug Ichiuji

Summary: Council is requested to approve a request from Doug Ichiuji for a Special Use Permit to allow a short-term rental at 200 E. Main Street (tax map 20A8-4-33). The property is zoned C-2 and located in the Historic Overlay District. The Planning Commission held a public hearing on this request on October 19th and recommended approval with no conditions.

Budget/Funding: None

Meetings: Work Session held November 14, 2022

Proposed Motion: I move that Council approve a request from Doug Ichiuji for a Special Use Permit for a short-term rental at 200 E. Main Street (tax map 20A8-4-33).

Moved _____ *Seconded* _____

Cockrell _____ *Gillispie* _____ *Morris* _____ *Rogers* _____ *Sealock* _____ *Thompson* _____



**TOWN OF FRONT ROYAL
DEPARTMENT OF PLANNING & ZONING**

**Planning Commission Regular Meeting
October 19, 2022**

APPLICATION #:

2200348

APPLICANT:

Douglas Ichiuji

APPLICATION SUMMARY:

A Special Use Permit Application has been submitted for a Short-Term Rental located 200 E. Main Street. The applicant intends to rent two (2) dwelling units located on the upper floor of the structure. The Inspection was completed on October 6, 2022. The applicant passed the inspection.

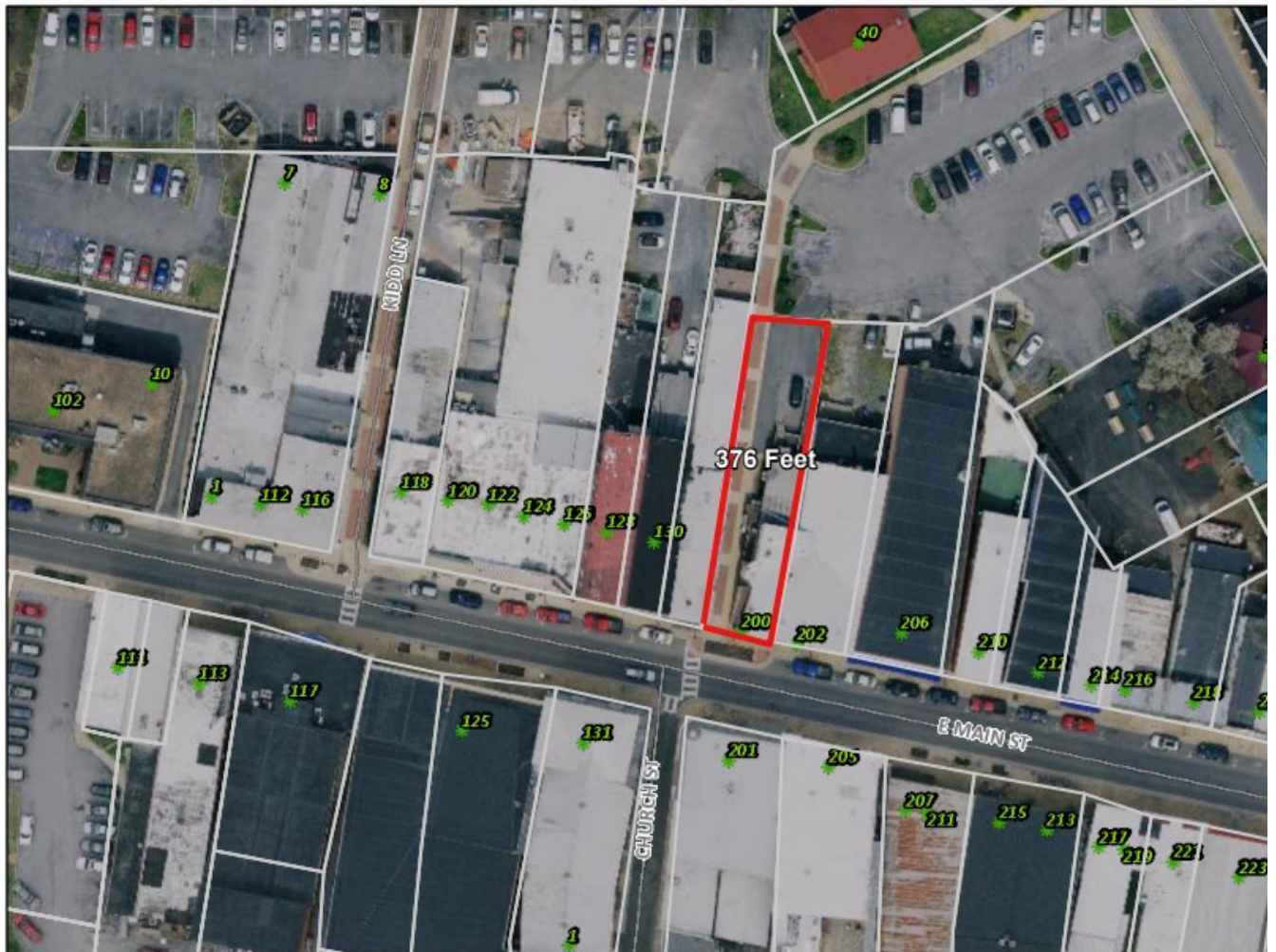
GENERAL INFORMATION:

Site Addresses	200 E. Main Street
Owner(s)	Rockledge Development Co LLC
Zoning District	C-2, Downtown Business District
Historic District	Yes
Tax Identification	Tax Map #20A8-4-33
Request/ Recommendation	The Applicant is requesting to rent the two (2) units totaling three (3) rooms to no more than six (6) occupants as a STR. Staff recommends approval and does not have any recommended conditions.

View of Front Elevation – 200 E. Main Street



Aerial Zoning Map



Attachment: Application



Council Agenda Statement

Item # 7B

Meeting Date: November 28, 2022

Agenda Item: PUBLIC HEARING – Special Use Permit for Short-Term Rental at 206 Lee Street – Minnick Group

Summary: Council is requested to approve a request from The Minnick Group for a Special Use Permit to allow a short-term rental at 206 Lee Street (*tax map 20A7-4-91A*). The property is zoned R-3 and located in the Historic Overlay District. The Planning Commission held a public hearing on October 19th and recommended approval with no conditions.

Budget/Funding: None

Meetings: Work Session held November 14, 2022

Proposed Motion: I move that Council approve a request from The Minnick Group for a Special Use Permit to allow a short-term rental at 206 Lee Street (*tax map 20A7-4-91A*).

Moved _____ *Seconded* _____

Cockrell _____ *Gillispie* _____ *Morris* _____ *Rogers* _____ *Sealock* _____ *Thompson* _____



**TOWN OF FRONT ROYAL
DEPARTMENT OF PLANNING & ZONING**

**Planning Commission Regular Meeting
October 19, 2022**

APPLICATION #:

2200367

APPLICANT:

The Minick Group LLC

APPLICATION SUMMARY:

A Special Use Permit Application has been submitted for a Short-Term Rental located at 206 Lee Street (Currently listed as 24 Stonewall Drive. The applicant intends to rent the entire home. The Inspection was completed on October 4, 2022. The applicant passed the inspection.

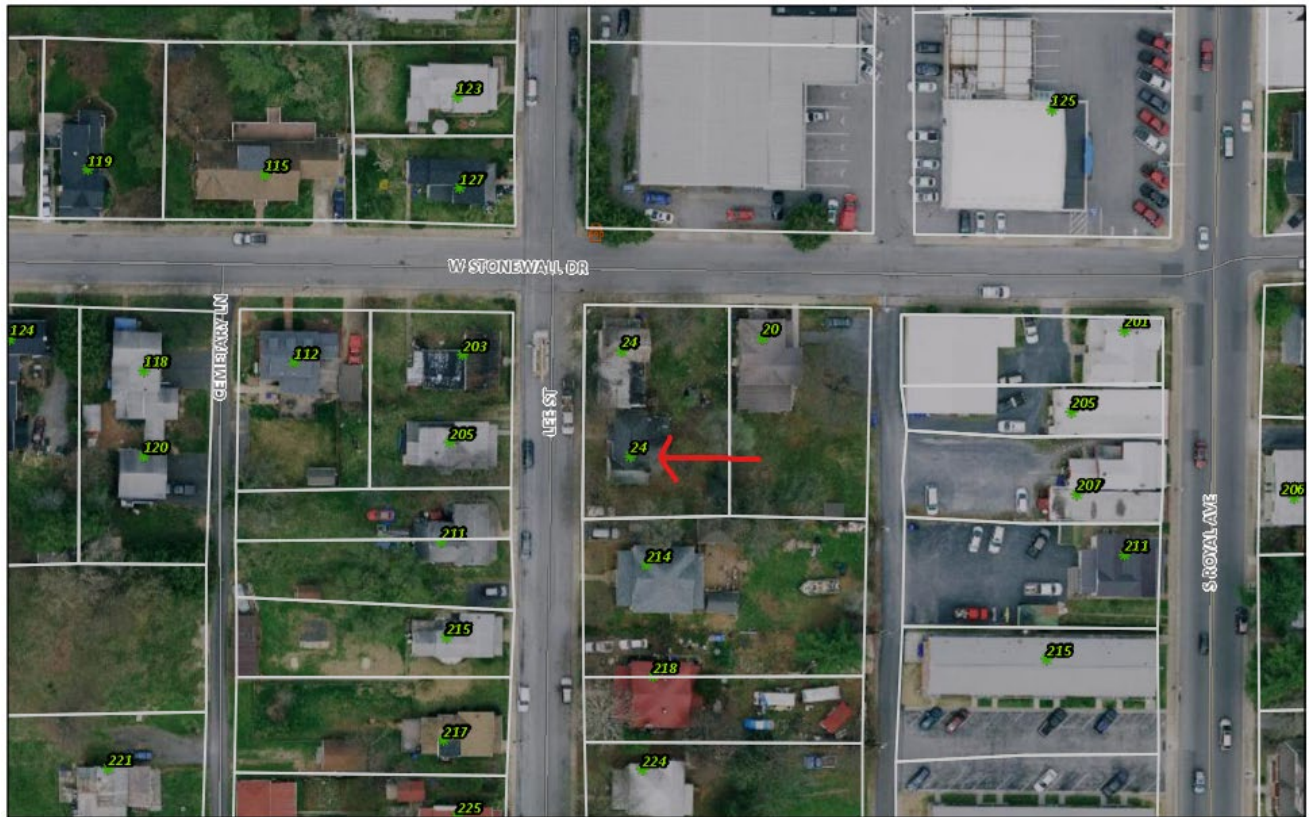
GENERAL INFORMATION:

Site Addresses	206 Lee Street
Owner(s)	The Minick Group LLC
Zoning District	R-3, Residential District
Historic District	Yes
Tax Identification	Tax Map #20A7-4-91A
Request/ Recommendation	The Applicant is requesting to rent the entire house as a short-term rental. Staff recommends approval and does not have any recommended conditions.

View of Front Elevation – 206 Lee Street



Aerial Zoning Map



Attachment: Application



Council Agenda Statement

Item # 7C

Meeting Date: November 28, 2022

Agenda Item: PUBLIC HEARING – Special Use Permit for Daycare at 1111 Shenandoah Ave – LifePoint Church

Summary: Council is requested to approve a request from LifePoint Church for a Special Use Permit for a daycare to be located on the first floor of the church at 1111 N. Shenandoah Avenue (*tax map 201A1-444-12A,13,14,15,16,17*). The property is zoned C-1. The Planning Commission recommended approval of the request on October 19th with the following conditions:

- This Special Use Permit is authorized for a daycare to be located at 1111 N. Shenandoah Ave
- The applicant will adhere to all licensing requirements stipulated by the Department of Professional and Occupational Regulation (DPOR)
- The applicant shall obtain any necessary permits from Warren County prior to commencing the use.
- The applicant will provide staff with hours of operation and a traffic flow diagram prior to commencement of the use.

Budget/Funding: None

Meetings: Work Session held November 14, 2022

Proposed Motion: I move that Council approve a request from LifePoint Church for a Special Use Permit for a daycare to be located on the first floor of the church at 1111 N. Shenandoah Avenue (*tax map 201A1-444-12A,13,14,15,16,17*) contingent upon the following conditions:

- This Special Use Permit is authorized for a daycare to be located at 1111 N. Shenandoah Ave
- The applicant will adhere to all licensing requirements stipulated by Department of Professional and Occupational Regulation (DPOR)
- The applicant shall obtain any necessary permits from Warren County prior to commencing the use.
- The applicant will provide staff with hours of operation and a traffic flow diagram prior to commencement of the use.

Moved _____ Seconded _____

Cockrell _____ Gillispie _____ Morris _____ Rogers _____ Sealock _____ Thompson _____

TOWN OF FRONT ROYAL
DEPARTMENT OF PLANNING & ZONING



STAFF REPORT FOR THE OCTOBER 19, 2022, PLANNING COMMISSION MEETING

APPLICATION #:

2200352

APPLICANT:

Life Point Church

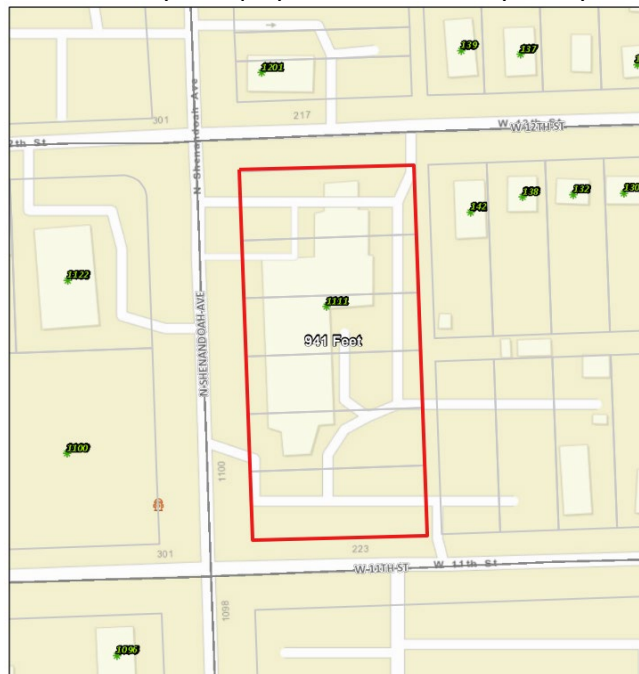
SUMMARY OF REQUEST:

A request for a Special Use Permit to allow for a daycare to be located within the church located at 1111 N. Shenandoah Avenue.

GENERAL INFORMATION:

Site Addresses	1111 N. Shenandoah Avenue
Property Owner(s)	First Assembly of God (Life Point Church)
Existing Zoning	C-1 (Community Business) District
Proposed Use	Daycare
Tax Identification	20A2-444-12A, 13, 14, 15, 16 & 17
Location	The proposed use is located on the 1 st floor of the building

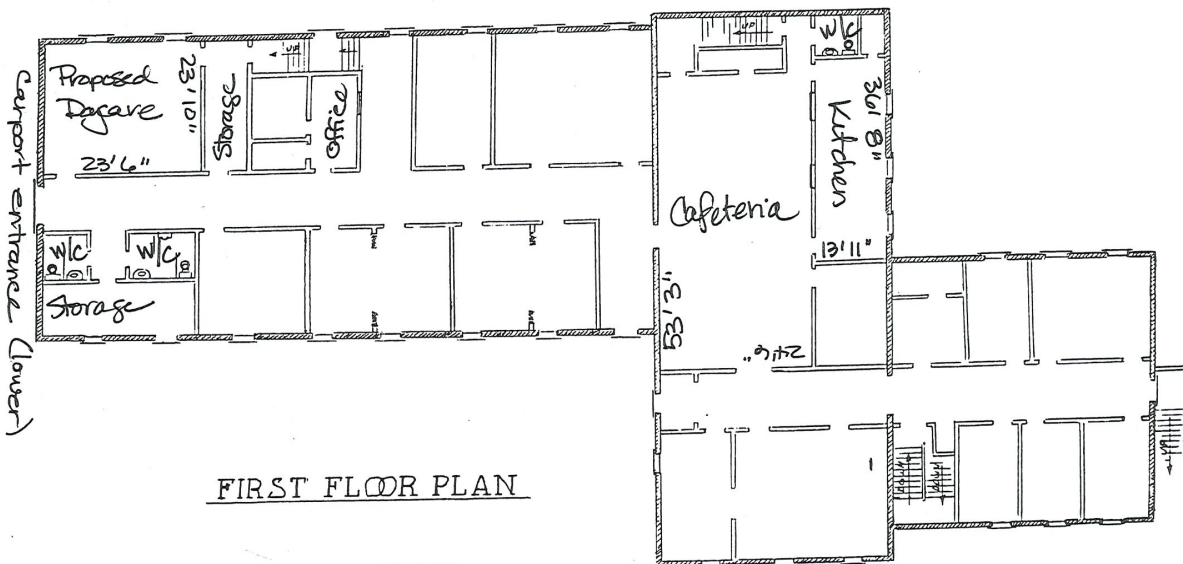
Vicinity Map (Warren County GIS)



Aerial (Warren County GIS)



First Floor Floor Plan



FIRST ASSEMBLY OF GOD
1111 SHENANDOAH AVE.
FRONT ROYAL, VA 22630
(703), 635-7153

INFORMATION ON THE APPLICATION:

Project Summary & Staff Recommendation

The application is to allow the applicant to operate a daycare. The daycare is considered an accessory use but requires a special use permit pursuant to 175-39.b. The standards of 175-107.1 do not apply in this instance because the property is zoned C-1, not residential.

Town Staff recommends that the Planning Commission issue a recommendation of approval of the Special Use Permit Application with the following conditions. Additional consideration may need to be given if new information is provided at the scheduled public hearing.

CONDITIONS:

- 1) This Special Use Permit is authorized for a daycare to be located at 1111 N Shenandoah Ave.
- 2) The applicant will adhere to all licensing requirements stipulated by DPOR.
- 3) The applicant shall obtain any necessary permits from Warren County prior to commencing the use.
- 4) The applicant will provide staff with hours of operation and a traffic flow diagram prior to commencement of the use.

ATTACHMENTS: Application and associated documents from the Applicant.



Council Agenda Statement

Item # 7D

Meeting Date: November 28, 2022

Agenda Item: PUBLIC HEARING – FY23 Budget Amendment for Outstanding Purchase Orders

Summary: Council is requested to approve a budget amendment in the amount of \$14,641,631.39 to carry forward unpaid balances on purchase orders not completed as of June 30, 2022 and to carry funds forward to fiscal year 2023.

Budget/Funding: Funding will be offset from the appropriate fund balance reserves for each fund indicated, the revenue for these projects have been connected in previous budget cycle.

General Fund	\$ 1,952,504.93
Special Projects	1,147,151.00
Electric Fund	1,549,382.32
Sewer Fund	2,951,963.52
Water Fund	2,867,239.28
Solid Waste Fund	73,305.52
Street Fund	4,100,084.82
<u>TOTAL</u>	<u>\$ 14,641,631.39</u>

Meetings: Work Session held November 14, 2022

Proposed Motion: I move that Council approve a budget amendment in the amount of \$14,641,631.39 to carry forward unpaid balances on purchase orders not completed as of June 30, 2022 and to carry funds forward to fiscal year 2023.

Moved _____ Seconded _____

Cockrell _____ Gillispie _____ Morris _____ Rogers _____ Sealock _____ Thompson _____

FY22 Purchase Orders to Be Carried to FY23
as of 10/26/22

<u>Dept</u>	<u>PO #</u>	<u>Account#</u>	<u>Description</u>	<u>Carryover Amount</u>	<u>FY23 Amount Paid</u>	<u>Remaining Balance 10/26/22</u>
<u>Town Council</u>						
	30492	1101 - R43002	OPEB ACTUARIAL REPORTS FOR AUDIT	\$ 4,000.00	\$ 2,000.00	\$ 2,000.00
				<u>\$ 4,000.00</u>		
<u>Fleet Maintenance</u>						
	29055	1203 - R47009	FLEET MAINTENANCE BUILDING RENOVATION	\$ 344,933.90		\$ 344,933.90
	30534	1203 - R45420	TSL-50 25 TON TRUCK SERVICE JACK	\$ 2,051.50	\$ 2,051.50	\$ -
				<u>\$ 346,985.40</u>		
<u>Benefits & Insurance</u>						
	30482	9203 - R45309	VIRGINIA LOCAL CHOICE HEATH INSURANCE	\$ 176,547.00		\$ 176,547.00
	30581	9790 - R45811	LEGAL FEES RELATED TO LITIGATION	\$ 150,000.00	\$ 150,000.00	\$ -
				<u>\$ 326,547.00</u>		
<u>Information Technology</u>						
	29679	1204 - R47051	E-SUMMONS	\$ 34,035.17		\$ 34,035.17
	29738	1204 - R47007	VMWARE SERVER UPGRADE	\$ 10,000.00		\$ 10,000.00
	30364	1204 - R43002	CABLING AND FIBER OPTIC S	\$ 10,000.00		\$ 10,000.00
	30367	1204 - R43005	CENTRAL SQUARE SOFTWARE MAINTENANCE	\$ 173,766.90		\$ 173,766.90
	30538	1204 - R43002	SERVICE CONTRACT-PHONE SYSTEM	\$ 14,000.00		\$ 14,000.00
	30539	1204 - R43002	SOFTWARE CONSULTANT FOR ENTERPRISE SYSTEM	\$ 30,000.00		\$ 30,000.00
				<u>\$ 271,802.07</u>		
<u>Tourism</u>						
	29854	1205 - R45801	CIVIL WAR TRAIL MARKER	\$ 250.00		\$ 250.00
	30311	1205 - R43002	TOURISM FUNDS	\$ 264,061.17		\$ 264,061.17
	30370	1205 - R45447	SPECIAL EVENTS	\$ 2,000.00		\$ 2,000.00
				<u>\$ 266,311.17</u>		
<u>General Engineering</u>						
	30444	1225 - R43002	STANDARDS & SPECIFICATION BOOK UPDATE	\$ 7,284.91		\$ 7,284.91
				<u>\$ 7,284.91</u>		
<u>Legal Dept</u>						
	29748	2201 - R43002	LEGAL FEES EDA COURT CASE	\$ 158,139.00		\$ 158,139.00
	29880	2201 - R43002	AUDITING SERVICES TO SUPPPORT EDA CASE	\$ 26,155.00		\$ 26,155.00
	30460	2201 - R43002	VANDERPOOL, FROSTICK, & NISHANIAN LEGAL COUNCIL	\$ 10,120.00		\$ 10,120.00
	30481	2201 - R43002	EXECUTIVE SEARCH SERVICES	\$ 9,800.00		\$ 9,800.00
				<u>\$ 204,214.00</u>		
<u>Police Dept</u>						
	30459	3101 - R45425	PISTOL/RIFLE CARTRIDG	\$14,869.30		\$ 14,869.30
	30578	3101 - R45428	RETIREMENT BADGES FOR CPL	\$ 278.75	\$ -	\$ 278.75
	30579	3101 - R45425	RANGE SUPPLIES OUTSTANDING	\$ 2,363.01		\$ 2,363.01
	30580	3101 - R45413	NATIONAL NIGHT OUT SUPPLI	\$ 214.54	\$ 214.54	\$ -
	30035	3103 - R47005	USED VEHICLE	\$ 12,103.96		\$ 12,103.96
	30587	3103 - R45504	FORENSIC ACADEMY	\$ 10,295.00		\$ 10,295.00
	30360	3104 - R45504	TRAINING FOR EMD	\$ 6,200.00		\$ 6,200.00
	30577	3104 - R45412	NEW DISPATCH CHAIR	\$ 2,000.00		\$ 2,000.00
	30521	3108 - R45409	TSSI BALLISTIC SHIELD	\$2,735.00		\$ 2,735.00
				<u>\$51,059.56</u>		

FY22 Purchase Orders to Be Carried to FY23
as of 10/26/22

Refuse

29655	4203 - R47005	PAYMENT ON REFUSE TRUCK (SEED MONEY)	\$	60,305.52		\$	60,305.52
30568	4203 - R45407	ADDITIONAL TRASH CANS AND LIDS	\$	9,500.00		\$	9,500.00
30569	4203 - R45407	ADDITIONAL 36-GAL VICTORIAN TRASH CAN	\$	3,500.00		\$	3,500.00
			\$	73,305.52			

Horticulture

30286	4305 - R43002	MOWING LEACH RUN PARKWAY	\$	11,350.50	\$ 11,350.50	\$	-
30570	4305 - R47001	FLAIL MOWER	\$	8,000.00		\$	8,000.00
30571	4305 - R47001	SICKLE BAR MOWER	\$	8,000.00		\$	8,000.00
			\$	27,350.50			

Streets

29711	4102 - R47518	HAPPY CREEK PRELIMINARY ENGINEERING	\$	6,107.42		\$	6,107.42
30558	4500 - R43002	SHENANDOAH AVE STREET LIGHT ENGINEERING	\$	32,519.11	\$ 23,836.77	\$	8,682.34
30526	4500 - R45407	BLACK POWDER COATED U-CHANNEL POSTS	\$	3,162.00		\$	3,162.00
30336	4500 - R45471	STORM DRAINAGE TO CHERRY	\$	73,171.00		\$	73,171.00
30337	4500 - R45477	ONGOING CURB/GUTTER PROJECT	\$	31,000.00		\$	31,000.00
29713	4500 - R47001	ASPHALT ROLLER (SEED MONEY)	\$	90,000.00		\$	90,000.00
30368	4500 - R47001	RUBBER TIRE LOADER (SEED MONEY)	\$	58,500.00		\$	58,500.00
29680	4500 - R47005	PURCHASE OF DUMP TRUCK (SEED MONEY)	\$	71,000.00		\$	71,000.00
29952	4500 - R47927	SHEN AVE STREET LIGHTS	\$	265,000.00		\$	265,000.00
30515	4500 - R47927	CURB & GUTTER INSTALLATION	\$	242,910.57	\$ 222,854.96	\$	20,055.61
30518	4500 - R47927	DUCK STREET STORMWATER IMPROVEMENTS	\$	53,500.00	\$ 53,500.00	\$	-
30573	4500 - R47927	PAVING	\$	3,173,214.72	\$ 746,812.96	\$ 2,426,401.76	Transfer \$1 Million to 4500-R47926 For 8th Street Bridge
			\$	4,100,084.82			

Planning & Zoning

29620	8101 - R43002	PROPERTY MAINTENANCE PROGRAM	\$	116,048.59		\$	116,048.59
30038	8101 - R43002	BLIGHTED BUILDING PROGRAM	\$	92,000.00		\$	92,000.00
30313	8101 - R43002	BUILDING INSPECTION	\$	49,347.30		\$	49,347.30
30405	8101 - R43002	COMP PLANNING/SUBDIVISION RE-WRITE SERVICE	\$	59,200.00	\$ 14,327.00	\$	44,873.00
30445	8101 - R43002	VCFP FUND GRANT APPLICATION	\$	3,900.00	\$ 3,900.00	\$	-
30446	8101 - R43002	VSMP DELEGATED SUPPORTY FLOOD STUDY	\$	13,189.20	\$ -	\$	13,189.20
30470	8101 - R47014	3 INCH ORTHOIMAGERY 263 T	\$	6,919.53		\$	6,919.53
30561	8101 - R43005	I-WORQ MAINTENANCE SERVICE CONTRACT	\$	12,000.00		\$	12,000.00
30562	8101 - R43002	SUMMIT DESIGN PROFESSIONAL SERVICES	\$	4,585.70		\$	4,585.70
			\$	357,190.32			

Economic Dev Dept

30537	8105 - R45608	FUNDS TO BE USED BY FRED A	\$	89,760.00	\$ 600.00	\$	89,160.00
			\$	89,760.00			

Special Projects

29936	1800 - R47518	FUNDS TO BE USED FOR LAND PURCHASE HAPPY CREEK RD	\$	40,000.00		\$	40,000.00
28341	9130 - R47013	POLICE DEPT CONSTRUCTION DEBT SERVICE	\$	686,080.47		\$	686,080.47
29379	9130 - R47982	W MAIN EXTENSION	\$	96,220.53		\$	96,220.53
30278	9130 - R47016	WAYFINDING SIGNS	\$	26,950.00		\$	26,950.00
30305	9130 - R47957	LEACH RUN PARKWAY VRA BOND DUE TO WARREN COUNTY	\$	297,900.00		\$	297,900.00
			\$	1,147,151.00			

FY22 Purchase Orders to Be Carried to FY23
as of 10/26/22

Energy Services

30304	9401 - R43003	MOWING SERVICE	\$	300.00	\$	300.00	\$	-
30546	9401 - R43004	TREE TRIMMING SERVICES	\$	52,531.29	\$	20,400.00	\$	32,131.29
30582	9401 - R43021	ENGINEERING SERVICES KENDRICK LANE SUBSTATION	\$	463.40	\$	463.40	\$	-
30524	9401 - R45407	OTC SERVICES KENDRICK LANE TRANSFORMER GASKET/BUSHING	\$	18,385.00	\$	18,385.00	\$	-
30541	9401 - R47001	LINE TRUCK DIGGER SEED MONEY	\$	36,000.00			\$	36,000.00
30542	9401 - R47005	REPLACEMENT OF BUCKET TRUCK	\$	180,000.00			\$	180,000.00
30040	9401 - R47009	BIORETENTION POND	\$	25,000.00			\$	25,000.00
30554	9401 - R47502	6000'FT 1/0 TRIPLEX (NERI	\$	2,112.50			\$	2,112.50
30583	9401 - R47502	SINGLE-PHASE & THREE-PHASE TRANSFORMERS	\$	87,309.60	\$	-	\$	87,309.60
30042	9401 - R47522	FIBER EXTENSION	\$	11,183.90			\$	11,183.90
30486	9401 - R47522	SHENTEL PROJECT	\$	130,000.00			\$	130,000.00
30553	9401 - R47910	TRAFFIC LIGHT CABINET		\$12,523.70	\$12,523.70		\$	-
30365	9401 - R47937	MANASSAS SUBSTATION TRANSFORMER (SEED MONEY)	\$	270,000.00			\$	270,000.00
30469	9401 - R47938	KENDRICK TRANSFORMER#2	\$	431,665.00			\$	431,665.00
			\$	1,257,474.39				

Electric Meter Reading

30420	9417 - R43005	N_SIGHT MOBILE SOFTWARE/TRIMBLE RANGER		\$1,444.99	\$	1,444.99	\$	-
27543	9417 - R47001	AMI SOFTWARE UPGRADE	\$	83,462.94			\$	83,462.94
29428	9499 - R40001	AMI DEBT SERVICE	\$	207,000.00			\$	207,000.00
			\$	291,907.93				

Water Treatment Plant

29654	9601 - R43002	WITHDRAW PERMIT & RAW WATER	\$	113,125.08			\$	113,125.08
30000	9601 - R43002	REDUNDANT WATER WATERLINE DESIGN/ENGINEERING	\$	217,438.14	\$	60,417.33	\$	157,020.81
30051	9601 - R43002	CLEARWELL INSPECTIONS	\$	30,000.00			\$	30,000.00
30626	9601 - R43002	BACKFLOW PROGRAM	\$	49,000.00			\$	49,000.00
30350	9601 - R43002	DEVELOPMENT OF A RISK & RESPONSE PLAN	\$	10,000.00			\$	10,000.00
30437	9601 - R43002	OPERATIONS PLAN & DROUGHT MANAGEMENT PLAN	\$	8,048.35			\$	8,048.35
30480	9601 - R43002	SCADA UPGRADE	\$	96,525.50			\$	96,525.50
30556	9601 - R43002	PROFESSIONAL SERVICES FOR ANTENNA MODIFICATION	\$	5,850.00	\$	5,850.00	\$	-
30254	9601 - R43077	LAB TESTING	\$	413.72	\$	413.72	\$	-
30566	9601 - R43077	WATER SAMPLING SITE EQUIP	\$	16,000.00			\$	16,000.00
30442	9601 - R47001	INSTALL RAW WATER PUMPS		\$316,860.00			\$	316,860.00
27546	9601 - R47009	WATER PLANT RESERVOIR	\$	18,634.00			\$	18,634.00
28327	9601 - R47009	JAMESTOWN PUMP STATION	\$	20,000.00			\$	20,000.00
			\$	901,894.79				

Waterline Crew

30527	9602 - R47530	FIRE HYDRANTS		\$31,152.89	\$31,152.89		\$	-
30528	9602 - R47009	PRECAST CONCRETE PRESSURE REDUCING VAULT	\$	32,460.08			\$	32,460.08
30529	9602 - R47009	INSTALLATION OF PRV VAULT	\$	28,556.00			\$	28,556.00
30544	9602 - R47513	FUNDS FOR WATERLINE UPGRADE MANASSAS AVE & BRAXTON	\$	854,864.65			\$	854,864.65
30545	9602 - R47530	8 HYMAX 2 REP COUP ITEM #	\$	3,514.40	\$	3,514.40	\$	-
			\$	950,548.02				

Water Meter Reading

30420	9617 - R43005	N_SIGHT MOBILE SOFTWARE/TRIMBLE RANGER		\$1,445.01	\$	1,445.01	\$	-
			\$	1,445.01				

Water Contingency/Debt Service

29343	9672 - R40001	CONTINGENCY REDUNDANT WATERLINE	\$	1,013,351.46			\$	1,013,351.46
			\$	1,013,351.46				

FY22 Purchase Orders to Be Carried to FY23
as of 10/26/22

WWTP

30373	9801 - R43004	SCADA SYSTEM ADDITION OF EQUALIZATION BLOWERS	\$	4,000.00		\$	4,000.00
30448	9801 - R43004	ROLL UP STEEL DOOR	\$	5,220.00	\$	-	\$ 5,220.00
30509	9801 - R45406	SOLENI PRAESTOL 855 BS	\$	7,220.00			\$ 7,220.00
30563	9801 - R45406	3 LOADS OF 4 POLYMER TOTE	\$	44,556.60	\$	44,556.60	\$ -
30564	9801 - R45406	GLYCERIN	\$	15,729.00	\$	15,729.00	\$ -
30565	9801 - R45406	PAC	\$	16,330.50	\$	16,330.50	\$ -
30572	9801 - R45406	MAGNETITE MAG		\$17,113.56		\$17,113.56	\$ -
30487	9801 - R45407	INSP-BLOWER-LG MACHINE/STANDARD OVER	\$	7,354.26			\$ 7,354.26
30585	9801 - R45407	SONIC START PROBE ITEM #4	\$	1,650.00			\$ 1,650.00
30349	9801 - R47001	GRAVITY THICKENER REPAIR	\$	26,980.18			\$ 26,980.18
30555	9801 - R47001	PULSAIR BUBBLING MIXING S	\$	58,650.00			\$ 58,650.00
30575	9801 - R47001	ROTARY FAN PRESS CONTROL	\$	10,000.00			\$ 10,000.00
28885	9801 - R47009	RIVERTON PUMP STATION	\$	570,000.00			\$ 570,000.00
29339	9801 - R47009	ROYAL PHOENIX PUMP STATION	\$	43,309.95			\$ 43,309.95
			\$	828,114.05			

Sewer Line Crew

30343	9802 - R47001	STREET BROOM FOR BACKHOE	\$	6,025.00		\$	6,025.00
29964	9802 - R47998	I&I ABATEMENT ENGINEERINGS	\$	573,290.46			\$ 573,290.46
29989	9802 - R47998	MANHOLE FRAME & COVER REPLACEMENT	\$	300,000.00			\$ 300,000.00
29999	9802 - R47998	I&I ABATEMENT CCTV	\$	481,138.50			\$ 481,138.50
30186	9802 - R47998	I&I ENGINEERING URGENT POINT REPAIRS	\$	32,988.67	\$	-	\$ 32,988.67
30250	9802 - R47998	CCTV INSPECTION OF SANITARY SEWER	\$	71,458.90			\$ 71,458.90
30355	9802 - R47998	VISU-SEWER I & I WORK	\$	76,998.72	\$	-	\$ 76,998.72
30441	9802 - R47998	URGENT SANITARY SEWER POINT REPAIRS	\$	32,222.63	\$	-	\$ 32,222.63
30457	9802 - R47998	ADDITIONAL CCTV INSPECTION	\$	130,000.00			\$ 130,000.00
30584	9802 - R47998	I & I FUNDS	\$	17,951.59			\$ 17,951.59
29999	9872 - R40001	I&I ABATEMENT PROJECT CONTINGENCY	\$	401,775.00			\$ 401,775.00
			\$	2,123,849.47			

General Fund	\$	1,952,504.93
Special Projects	\$	1,147,151.00
Street Fund	\$	4,100,084.82
TOTAL GOVERNMENTAL FUNDS	\$	7,199,740.75

Electric Fund	\$	1,549,382.32
Sewer Fund	\$	2,951,963.52
Water Fund	\$	2,867,239.28
Solid Waste Fund	\$	73,305.52

TOTAL OF ALL FUNDS	\$	14,641,631.39
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Council Consent Agenda Statement

Item # 10A

Meeting Date: November 28, 2022

Agenda Item: HEPTAD Request for One-Year Extension to Submit Development Plan

Summary: Council has received a letter from Joseph F. Silek Jr., dated October 6, 2022 requesting an extension of the requirement to file a Development Plan for HEPTAD, pursuant to Town Code 175-37.18. The Town Code requires that a development plan be submitted within one (1) year of approval of the Master Land Use Plan and allows the deadline to be extended by Council. Council has approved the extension every year since 2016. Council is requested to approve the extension as requested.

Budget/Funding: None

Meetings: Work Session held November 14, 2022

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

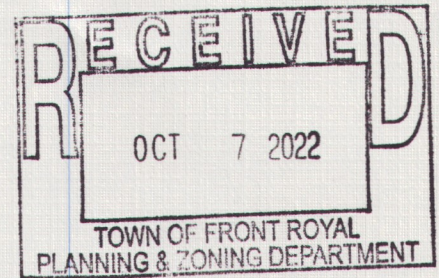
Proposed Motion: I move that Council approve a one-year extension to HEPTAD to file a Development Plan, pursuant to Town Code 175-37.18.

Moved _____ *Seconded* _____

Cockrell _____ *Gillispie* _____ *Morris* _____ *Rogers* _____ *Sealock* _____ *Thompson* _____

JOSEPH F. SILEK, JR., P.C.

43 CHESTER STREET
POST OFFICE BOX 602
FRONT ROYAL, VIRGINIA 22630
TELEPHONE: (540) 635-9415
FACSIMILE: (540) 635-9421
E-MAIL: JSILEK@SILEKPC.COM



October 6, 2022

Lauren Kopishke, Planning Director
Department of Community Development & Planning
Town of Front Royal
102 East Main Street
Front Royal, Virginia 22630

Re: Heptad, LLC – Renewed Request for Extension

DELIVERED BY HAND DELIVERY

Dear Lauren:

Last year, the Town Council granted Heptad's request for an extension of the requirement to file a Development Plan pursuant to Town Code §175-37.18. Please treat this letter as a request for an additional one-year extension.

As justification for the request, the Town and Heptad are currently in negotiations to amend the previously approved rezoning proffers which will impact the final scope of the project. Based on the schedule you previously provided me, it is unlikely that the Town Council will have considered and vote don the proposed proffer amendments by December. Obviously, it is in the best interests of both the Town and my client that the Town Council grant (consistent with past practice) an annual extension of the deadline for filing a Development Plan so as to permit itself time to consider the proffer amendments.

I respectfully request that this matter be placed on the earliest regular meeting of the Town Council. I also ask that you copy me with any Town communications, notices, or meeting agendas referencing this request. Thank you in advance for your assistance, and please contact me with any additional questions.

Very Truly Yours,

A handwritten signature in blue ink, appearing to be "JS", written over a horizontal line.

Joseph F. Silek, Jr

Cc: Heptad, LLC



Council Consent Agenda Statement

Item # 10B

Meeting Date: November 28, 2022

Agenda Item: FY23 Budget Amendment to Accept Community Flood Preparedness Grant Funds from DCR

Summary: Council is requested to approve a FY23 Budget Amendment in the amount of \$90,000 to receive funds from the Department of Conservation & Recreation (DCR) to fund a H&H Studies to Update FEMA Maps Application.

Budget/Funding: 1000-3310010 General Fund Revenue Grant Proceeds	\$90,000.00
8101-43002 Planning & Zoning – Professional Services	\$90,000.00

Meetings: Work Session held November 14, 2022

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council approve a FY23 Budget Amendment in the amount of \$90,000 to receive funds from the Department of Conservation & Recreation (DCR) to fund a H&H Studies to Update FEMA Maps Application.

Moved _____ *Seconded* _____

Cockrell _____ *Gillispie* _____ *Morris* _____ *Rogers* _____ *Sealock* _____ *Thompson* _____



COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

September 30, 2022

Steven Hicks, Town Manager
102 East Main Street
Front Royal, VA 22630
shicks@frontroyalva.com

Re: **Community Flood Preparedness Fund (CFPF)**

CY2022 Round 3 Grant Application: Grant Number: CFPF-22-03-29-S
Application Category: LI -Flood Prevention and Protection Studies - Low Income Geographic
Community Name: FRONT ROYAL, TOWN OF, CID: 510167
Primary Contact: Lauren Kopishke
Primary Contact Email Address: lkopishke@frontroyalva.com
Total Project Cost: \$100,000.00
Grant Amount Requested: \$90,000.00
Match Required: \$10,000.00

Dear Steven Hicks:

This letter is to advise you that the Department of Conservation and Recreation (DCR) received your request to fund a H&H Studies to Update FEMA Maps application. If the application category listed above is different from the initial application, a change was necessary based on DCR's assessment of the project or activity. A change in application category may have resulted in the recalculation in the CFPF and match percentages represented above.

DCR, in consultation with the Secretary of Natural and Historic Resources, has reviewed your application and your request for funding is approved. The total approved funding is as follows:

- CFPF Amount: \$90,000.00
- Match Amount: \$10,000.00
- Total Project Cost: \$100,000.00

Special terms, condition(s) or adjustments that apply to your award or that must be satisfied prior to reimbursement are as follows:

- Grantee must submit new technical data, including Letter of Map Revision (LOMR) within six months of study completion (per 44 CFR 65.3). Applicant must copy DCR on LOMR submittal.

In the coming weeks, you will receive an award package from Virginia Resources Authority (VRA) that will include an Award Letter detailing changes in award amounts, if any, and conditions related to the award. You will receive a Grant Agreement outlining all requirements related to this award including information on how to receive reimbursement, submit reports, and final deliverables for completed projects or activities. This package must be signed and returned to VRA within 90 days of receipt or funds will be rescinded.

Should you have any questions, please feel free to contact me at (804) 786-5099 or Wendy.Howard-Cooper@dcr.virginia.gov.

Sincerely,

A handwritten signature in blue ink that reads "Wendy Howard Cooper". The signature is fluid and cursive, with the first name "Wendy" being the most prominent.

Wendy Howard Cooper
Director, Dam Safety and Floodplain Management

cc: Darryl M. Glover, Deputy Director, DCR
Kimberly S. Adams, Senior Program Manager, VRA
Angela Davis, Flood Program Planner, DCR



Council Consent Agenda Statement

Item # 10C

Meeting Date: November 28, 2022

Agenda Item: FY23 Budget Amendment for the Purchase of a Three-Phase Pad Mounted Transformer

Summary: Council is requested to approve a budget amendment in the amount of \$45,230.00 for the purchase of a three-phase pad mounted transformer for the Department of Energy Services from WEG Transformers USA. The Town will receive funds from the property owner for the purchase of one transformer, therefore Council is requested to approve a FY23 Budget Amendment to allocate funds received from the property owner to cover the expense incurred from the purchase of the transformer.

Budget/Funding:	9401-3410209	Dept of Energy Services Reimbursements	\$45,230.00
	9401-47502	Dept of Energy Services Line Extensions	\$45,230.00

Meetings: Work Session held November 14, 2022

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council approve a Budget Amendment in the amount of \$45,230.00 for the purchase of a three-phase pad mounted transformer for the Department of Energy Services from WEG Transformers USA.

Moved _____ Seconded _____

Cockrell _____ Gillispie _____ Morris _____ Rogers _____ Sealock _____ Thompson _____

Town of Front Royal
Department of Energy Services
P.O. Box 1560
Front Royal, Virginia 22630-1560
(540) 635-3027 Fax: (540) 631-3620
"Powering the community since 1894"



Memo

To: The Purchasing Department
From: Mary Ellen Lynn, Interim Director of Energy Services
Date: October 27th, 2022
Re: Three-Phase Pad-Mounted Transformer purchase recommendation

The Department of Energy Services received one bid for the purchase of a – 750kVA, Three-Phase, Pad-Mounted Transformer. We recommend awarding the bid, totaling \$45,230.00, to WEG Transformers USA. Funds for this purchase are available in 9401-47502 Line Extensions.

Thank you,

Mary Ellen Lynn
Interim Director
Department of Energy Services
Town of Front Royal

**BID FORM****Town of Front Royal Purchasing Department****Title: IFB# 36-2022 Three Phase Pad Mounted Transformer****Due prior to 1:00 P.M., local prevailing time, October 27th, 2022**

Quantity	Description	Manufacturer/ Catalog#	Unit Price	Extended Price
1	750 kVA 277/480 Three-Phase Wye Pad-Mounted Transformer	WEG Transformers USA	\$45,230.00	\$45,230.00

The undersigned bidder acknowledges receipt of the following Addenda, which have been considered in the preparation of this bid:

No. _____ Dated _____ No. _____ Dated _____

No. _____ Dated _____ No. _____ Dated _____

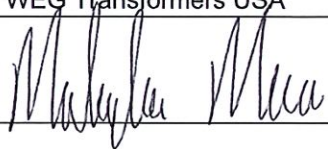
The Town of Front Royal reserves the right to reject any or all quotations submitted; to waive informalities; to purchase any part of the whole of the items listed unless otherwise stated on this form by the Vendor; to award the bid as deemed to be in the best interest of the Town; and to negotiate with the lowest responsive and responsible bidder in order to stay within available funding.

Bids shall be signed by someone having the authority to bind the individual or company.

VENDOR

WEG Transformers USA

SIGNATURE



PRINT NAME

Makayla Moran

TITLE

Account Specialist

DATE

10/25/2022

TELEPHONE

636-239-9380



Council Consent Agenda Statement

Item # 10D

Meeting Date: November 28, 2022

Agenda Item: Nutrient Reduction Performance Monetary Assessment Payment to DEQ

Summary: Council is requested to approve payment to the Commonwealth of Virginia Department of Environmental Quality (DEQ) in the amount of \$82,000 for noncompliance with the Total Phosphorus Performance Standards for the Water Quality Improvement Fund Grant the Town of Front Royal received related to upgrade the Town's Wastewater Treatment Plant.

Budget/Funding: 9801-43002 Wastewater Treatment Plant – Professional Services \$82,000.00

Meetings: Work Session held November 14, 2022

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council approve payment to the Commonwealth of Virginia Department of Environmental Quality (DEQ) in the amount of \$82,000 for noncompliance with the Total Phosphorus Performance Standards for the Water Quality Improvement Fund Grant the Town of Front Royal received related to upgrade the Town's Wastewater Treatment Plant.

Moved _____ *Seconded* _____

Cockrell _____ *Gillispie* _____ *Morris* _____ *Rogers* _____ *Sealock* _____ *Thompson* _____



Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

1111 E. Main Street, Suite 1400, Richmond, Virginia 23219

P.O. Box 1105, Richmond, Virginia 23218

(800) 592-5482 FAX (804) 698-4178

www.deq.virginia.gov

Travis A. Voyles
Acting Secretary of Natural and Historic Resources

Michael S. Rolband, PE, PWD, PWS Emeritus
Director
(804) 698-4020

**Certified Mail
Return Receipt Requested**

September 20, 2022

Mr. Steven Hicks, Town Manager
Town of Front Royal
PO Box 1560
Front Royal, VA 22630

RE: WQIF Grant Agreement #440-S-14-08; Town of Front Royal WWTP – Nutrient Reduction Project, Revision to the Monetary Assessment for 2019 Nutrient Reduction Performance

Dear Mr. Hicks,

The design and installation of a nutrient reduction system at the Town of Front Royal wastewater treatment plant was cost-shared under the referenced Water Quality Improvement Fund (WQIF) grant agreement, in the amount of \$11,869,387. The referenced agreement specifies nutrient performance requirements and corresponding monetary assessments for exceeding those requirements. WQIF staff has revised Table 1 below based on the submission of revised lab sampling data for the 2019 discharge monitoring year. The following table summarizes the findings for Total Phosphorus.

**Table 1: Town of Front Royal WWTP –
VPDES #VA0062812, 2019 Total Phosphorus (TP)**

Month	TP Original (mo. avg; mg/l)	TP Revised (mo. avg; mg/l)
Jan	0.32	0.32
Feb	0.28	0.28
Mar	0.27	0.27
Apr	0.92	0.92
May	0.14	0.14
Jun	0.32	0.32
Jul	0.25	0.25
Aug	0.09	0.09
Sep	0.20	0.20
Oct	0.38	0.38
Nov	4.20	1.30
Dec	0.13	0.13
Annual Avg.	0.63	0.38



The performance requirements (Agreement Article V) are annual averages for TN = 3.0 mg/l; Total Phosphorous (TP) = 0.22 mg/l. Therefore, in accordance with Agreement Article VIII (Material Breach), Section 8.2 (Monetary Assessments for Breach), **the Town of Front Royal is required to pay a monetary assessment in the amount of \$82,000.00 for noncompliance with the TP performance standards in Agreement Article V.**

Following is the monetary assessment calculation using the assessment factors (amount for each tenth of one mg/l exceedance) are per Agreement:

Table 4. 2019 Performance (Agreement #440-S-14-08)	PHOSPHORUS (mg/l)
Annual Average Discharged	0.38
Annual Performance Limit	0.22
Exceedance	0.16

Table 3. Calculation of Monetary Assessment	PHOSPHORUS
Assessment Factor	\$51,250 for each 0.1 mg/l exceedance
Concentration Exceedance	1.6 tenths of a mg/l
Assessment Amount	\$82,000

Payment of the revised monetary assessment must be made within 90 days of receipt of this written notification, identified for credit to the Water Quality Improvement Fund, Cooperative Point Source Program. If payment is not received by the deadline, then the State will initiate collection actions. The payment should be addressed as follows:

Department of Environmental Quality
Attn: Office of Financial Management
P.O. Box 1105
Richmond, VA 23218

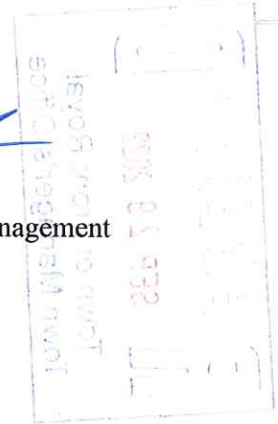
Please copy the DEQ Clean Water Financing and Assistance Program with the transmittal letter accompanying your payment. If you need additional information or clarification, contact Michael Crocker at 804-929-5635 or by email michael.crocker@deq.virginia.gov.

Sincerely,



Cliff Goldsborough
DEQ Director of Financial Management

- C. Tiffany Severs – DEQ/VRO Regional Director
Brandon Kiracofe – DEQ/VRO Water Permits
Michael Crocker – DEQ/CWFAP
Nancy Perry – DEQ/Financial Management





Council Consent Agenda Statement

Item # 10E

Meeting Date: November 28, 2022

Agenda Item: Purchase of Commercial Mower for Horticulture Department

Summary: Council is requested to approve the purchase of a new Kubota ZD 1211 zero turn commercial mower in the amount of \$15,175.72 from Winchester Equipment Company to replace a 2003 ZD28 model mower for the Horticulture Department to be used for mowing Town property and rights of way. Funds are included in the current FY2022-2023 Town of Front Royal Adopted Budget.

Budget/Funding: 4305-47005 Horticulture – Motor Vehicles \$15,175.72

Meetings: Work Session held November 14, 2022

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council approve the purchase of a new Kubota ZD 1211 zero turn commercial mower in the amount of \$15,175.72 from Winchester Equipment Company to replace a 2003 ZD28 model mower for the Horticulture Department to be used for mowing Town property and rights of way.

Moved _____ *Seconded* _____

Cockrell _____ *Gillispie* _____ *Morris* _____ *Rogers* _____ *Sealock* _____ *Thompson* _____

MEMORANDUM

TO: B.J. Wilson, Director Finance.

FROM: Donald B McPaters, Director of Fleet Maintenance

SUBJECT: Purchase a Zero Turn mower for Public Works Manager Plus upgrade.

DATE: October 13, 2022

Public Works has a zero-turn mower #742 in this year budget to be replaced. This mower is a 2003 ZD28 model with a 60" mower deck with a diesel engine. The mower is 19 years old. The new mower we requested is a ZD 1211 model which the same size mower as the ZD28. We are looking to go through a source well contract at a price of \$15,175.72 with Winchester Equipment in Winchester Virginia.

ZD1211-3-60 WEB QUOTE #2515600
 Date: 11/18/2022 7:20:13 AM
 -- Customer Information --
 MCPATERS, DON
 TOWN OF FRONT ROYAL
 BOB.HUFF@WINCHESTEREQUIPMENT.COM
 5406924788

Quote Provided By
 WINCHESTER EQUIPMENT CO.
 Clint Dalton
 121 INDIAN HOLLOW RD.
 WINCHESTER, VA 22603
 email:
 clint.dalton@winchesterequipment.com
 phone: 5406672244

-- Standard Features --

-- Custom Options --



ZD1200 Series ZD1211-3-60
 *** EQUIPMENT IN STANDARD MACHINE ***

DIESEL ENGINE

3 Cylinder, Kubota Model #
 D1105
 24.8 Gross HP @ 3000 rpm
 68.5 cu. in. Displacement
 12v 430 Amp Hr. Battery
 14 Amps Charging Output

SAFETY EQUIPMENT

Electric Key Shut Off
 Control Lever Safety Switch
 Parking Brake Safety Switch
 Foldable ROPS
 Seat Safty Switch

TRANSMISSION

Hydrostatic Drive
 (2) HST w/Gear Reduction
 Brake - Wet Multi Disks
 Forward Speeds 0 - 10.6 mph
 Reverse Speeds 0 - 5.3 mph

DIMENSIONS

Height 78.7"
 Length 89.0"
 Width Overall 73.8"
 Wheelbase 56.7"

STEERING / MOTION CONTROL

(2) Hand Levers, Adjustable
 Hydraulically Damped,
 Adjustable

OPERATING FEATURES

Zero Turn Radius
 Adj. Front Axle: Rigid/Oscillating
 Dual Element Air Filter
 Deluxe Suspension Seat w/
 Kubota Exclusive Seat Design
 Hands-free Hydraulic Deck Lift
 Hands-free Parking Brake
 Cup Holder

POWER TAKE OFF

Hydraulic Independent PTO
 Shaft Drive Mower Deck
 Wet Disk Clutch

SIDE DISCHARGE MOWER

60" and 72" Kubota PRO Deck
 w/ACS
 8 Gauge, 6" Deep Deck
 1-5" Cut Height, Adjustable
 1/4" Increments
 Flexible Discharge Cover
 3 Blades

FLUID CAPACITY

Fuel Tank 13.1 gal
 Engine Coolant w/ Recovery
 tank 3.96 qts
 Crankcase w/ Filter 4.1 qts
 Transmission Case and Axle
 Gear 12.8 qts

+ Manufacturer Estimate

TIRES AND WHEELS

Front 15 x 6.0 - 6 Flat-free
 Rear 26 x 12.0 - 16 Turf, Low Profile

ZD1211-3-60 Base Price: \$18,799.00
Configured Price: **\$18,799.00**
 Sourcewell Discount: (\$4,135.78)
SUBTOTAL: **\$14,663.22**
 Dealer Assembly: \$0.00
 Freight Cost: \$262.50
 PDI: \$400.00

Total Unit Price: \$15,325.72
 Quantity Ordered: 1
 Final Sales Price: \$15,325.72

**Purchase Order Must Reflect
 the Final Sales Price**

**To order, place your Purchase Order directly with the quoting
 dealer**

***Some series of products are sold out for 2022. All equipment specifications are as complete as possible as of the date on the quote. Additional attachments, options, or accessories may be added (or deleted) at the discounted price.** All specifications and prices are subject to change. Taxes are not included. The PDI fees and freight for attachments and accessories quoted may have additional charges added by the delivering dealer. These charges will be billed separately. Prices for product quoted are good for 60 days from the date shown on the quote. All equipment as quoted is subject to availability.

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198.143.37.51



Council Consent Agenda Statement

Item # 10F

Meeting Date: November 28, 2022

Agenda Item: Award of Bid for Sewer Rehabilitation Project

Summary: Council is requested to approve awarding a bid for the 2022 sewer rehabilitation project to Synder Environmental Services in the amount of \$4,947,300.00.

Budget/Funding: 9802-R47998 Sewer Line Maintenance I&I Abatement \$4,947,300.00

Meetings: Work Session held November 14, 2022

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council approve awarding a bid for the 2022 sewer rehabilitation project to Synder Environmental Services in the amount of \$4,947,300.00.

Moved _____ *Seconded* _____

Cockrell _____ *Gillispie* _____ *Morris* _____ *Rogers* _____ *Sealock* _____ *Thompson* _____



Town of Front Royal, Virginia

Purchasing, Department of Finance

MEMORANDUM

Date: October 26, 2022
To: Tina Presley, Senior Executive Assistant
From: BJ Wilson, Director of Finance
CC: Michelle Campbell, Purchasing Manager, Robert Boyer, Director of Public Works
RE: Request to Add Agenda Action Item for Town Council Approval

Purchasing received a request from the Sewer Maintenance Department of Public Works to send out IFB #33-2022 for the 2022 sewer rehabilitation project for inflow and infiltration of storm water abatement of the Town's sanitary sewer system. On October 26, 2022, we held a public bid opening and received one (1) bid in accordance with the Virginia Public Procurement Act.

Town staff has reviewed the submitted quotes and recommends awarding the purchase to Snyder Environmental Services out of Kearneysville, WV for \$4,947,300.00. The lowest responsive and responsible bidder. The Town's engineering services for the project, C.H.A. Engineering, is currently reviewing the response and is expected to provide a recommendation of award prior to Council's approval.

Please find attached base bid schedule received from Snyder Environmental. Please add this consent item to Council's November 14th, 2022 work session.

Funding has been budgeted and is available in the following line item: 9802-47998, Sewer Line I&I Abatement.

Department of Purchasing
102 E Main Street
Front Royal, VA 22630
Website: www.frontroyalva.com
Phone 540-636-6889

Base Bid Schedule					
Item No.	Description	Unit	Estimated Quantity	Unit Price	Extended Total Price
1	Bonds, Insurance, Mobilization	LS	1	450,000.00	450,000.00
2	Pre-Lining CCTV Inspection and Cleaning, 8-inch Sewer	LF	14,032	10.00	140,320.00
3	Pre-Lining CCTV Inspection and Cleaning, 10-inch Sewer	LF	1,728	15.00	25,920.00
4	Pre-Lining CCTV Inspection and Cleaning, 12-inch Sewer	LF	4,008	20.00	80,160.00
5	Pre-Lining CCTV Inspection and Cleaning, 24-inch Sewer	LF	2,124	20.00	42,480.00
6	CIPP Sewer Lining, 8-inch	LF	14,032	65.00	912,080.00
7	CIPP Sewer Lining, 10-inch	LF	1,728	75.00	129,600.00
8	CIPP Sewer Lining, 12-inch	LF	4,008	80.00	320,640.00
9	CIPP Sewer Lining, 24-inch	LF	2,124	250.00	531,000.00
10	Add for CIPP Sewer Lining in Secondary Road	LF	1,120	20.00	22,400.00
11	Add for CIPP Sewer Lining in John Marshall Hwy	LF	1,985	20.00	39,700.00
12	Trim Protruding Lateral	EA	25	500.00	12,500.00
13	Lateral Renewal (less than or equal to 5-feet deep) (less than or equal to 25-feet in length)	EA	3	9,000.00	27,000.00
14	Lateral Renewal (greater than 5-feet deep; less than or equal to 10-feet deep) (less than or equal to 25-feet in length)	EA	71	9,000.00	639,000.00
15	Lateral Renewal (greater than 10-feet deep) (less than or equal to 25-feet in length)	EA	16	11,000.00	176,000.00
16	Lateral Renewal (less than or equal to 5-feet deep) (greater than 25-feet in length)	EA	1	11,000.00	11,000.00
17	Lateral Renewal (greater than 5-feet deep; less than or equal to 10-feet deep) (greater than 25-feet in length)	EA	56	11,500.00	644,000.00
18	Lateral Renewal (greater than 10-feet deep) (greater than 25-feet in length)	EA	17	17,500.00	297,500.00
19	Reconnect Lateral to Sewer Liner (less than or equal to 5-feet deep)	EA	2	7,000.00	14,000.00
20	Reconnect Lateral to Sewer Liner (greater than 5-feet deep; less than or equal to 10-feet deep)	EA	22	7,000.00	154,000.00
21	Reconnect Lateral to Sewer Liner (greater than 10-feet deep)	EA	4	7,000.00	28,000.00

Base Bid Schedule					
Item No.	Description	Unit	Estimated Quantity	Unit Price	Extended Total Price
22	Add for Lateral Renewal in Secondary Roads (4, 5, 8, Jamestown Road; 1000 N Shenandoah; 604, 610, 611, 614, 618 E 6th Street)	EA	9	3,000.00	27,000.00
23	CCTV Footage of non-PVC Laterals within John Marshall Hwy	EA	8	3,000.00	24,000.00
24	Add for Lateral Renewal in John Marshall Hwy	EA	8	3,000.00	24,000.00
25	Add for Reconnect PVC Laterals to Sewer Liner in John Marshall Hwy	EA	2	3,000.00	6,000.00
26	External Point Repair (less than or equal to 5-feet deep) (less than or equal to 10-feet in length)	EA	1	6,000.00	6,000.00
27	External Point Repair (greater than 5-feet deep; less than or equal to 10-feet deep) (less than or equal to 10-feet in length)	EA	4	7,000.00	28,000.00
28	External Point Repair (greater than 10-feet deep) (less than or equal to 10-feet in length)	EA	3	10,000.00	30,000.00
29	External Point Repair (greater than 5-feet deep; less than or equal to 10-feet deep) (greater than 10-feet in length)	EA	2	10,000.00	20,000.00
30	External Point Repair (greater than 10-feet deep) (greater than 10-feet in length)	EA	4	11,000.00	44,000.00
31	Install Internal Drop	EA	3	10,000.00	30,000.00
32	Reinstall Existing Internal Drop	EA	1	5,000.00	5,000.00
33	Abandon Existing Incoming Lateral in Manhole	EA	3	2,000.00	6,000.00
Total Base Bid:				\$4,947,300.00	
Total Base Bid (in words): FOUR MILLION, NINE HUNDRED FOURTY SEVEN THOUSAND, THREE HUNDRED DOLLARS AND ZERO CENTS.					

- C. Bidder acknowledges that final payment will be based on the Total Base Bid Price as adjusted for any alternate or combination of alternates selected by the Owner and any approved additions or deductions to the Contract.

2.2 COMPLETION

- A. Bidder agrees that all Work will be completed as specified in the Agreement.
- B. Bidder accepts the provisions of the Agreement as to liquidated damages in the event of failure to complete the Work within the times specified.

2.3 MAJOR EQUIPMENT AND SYSTEMS SUPPLIERS – NOT USED

2.4 SUBSTITUTIONS FOR MAJOR EQUIPMENT AND SYSTEMS – NOT USED

2.5 SCHEDULE OF PROPOSED MAJOR EQUIPMENT AND SYSTEMS SUPPLIERS – NOT USED

2.6 ESCROW ACCOUNT OPTION

A. Bidder may elect to use an escrow account procedure for utilization of the following options: retainage funds and must acknowledge his intention by checking one of the following:

1. ☒ Yes, an escrow account will be used for retainage funds.
2. ☐ No, an escrow account will not be used for retainage funds.

B. If no item is checked above, then Item 2.6-A.2 will be assumed.

2.7 ATTACHED DOCUMENTS

A. The following documents are submitted with and made a condition of this Bid:

- ✓ 1. Required Bid security.
- ✓ 2. Evidence of authority to do business in the Commonwealth of Virginia (State Corporation Commission Number).
- ✓ 3. Virginia Contractor's License Number.
- ✓ 4. Contractor's Policy of Non-Discrimination.
- ✓ 5. Contractor's Policy of a Drug-Free Work Place.
- ✓ 6. Supporting Documentation as indicated.

B. The following documents shall be submitted by the apparent low bidder within five business days of the bid opening to the Engineer.

1. List of Project References.
2. List of Proposed Subcontractors.
3. List of Proposed Suppliers.

2.8 ADDRESS FOR COMMUNICATIONS

A. Communications concerning this Bid shall be addressed to:

Snyder Environmental Services, Inc.

Brandon Duriez

270 Industrial Blvd.

Kearneysville, WV 25430

2.9 DEFINED TERMS

A. Terms used in this Bid which are defined in the General Conditions or Instructions will have the meanings indicated in the General Conditions or Instructions.



October 26, 2022

Mr. Robert B. Boyer
Director of Public Works
Town of Front Royal
P.O. Box 1560
Front Royal, VA 22630

**Re: Award Recommendation
Town of Front Royal – 2022 Sanitary Sewer Rehabilitation
(IFB #33-2022); CHA Project No. 060948**

Dear Mr. Boyer:

On Wednesday, October 26, 2022, the Town received bids for the 2022 Sanitary Sewer Rehabilitation contract. This contract includes approximately 14,300 linear feet of 8-inch sanitary sewer lining, 1,900 linear feet of 10-inch sanitary sewer lining, 4,100 linear feet of 12-inch sanitary sewer lining, 2,100 linear feet of 24-inch sanitary sewer lining, renewal of approximately 165 sanitary sewer laterals, and associated work.

The Town received one bid as summarized below. A detailed bid tabulation is also enclosed.

Bidder Name	Total Base Bid
Snyder Environmental Services, Inc.	\$4,947,300.00

Snyder Environmental Services, Inc. was the lowest responsive and responsible Bidder for the contract.

Snyder Environmental Services, Inc. specializes in water and sewer pipeline construction, including sanitary sewer pipe rehabilitation, along with water and wastewater treatment plant construction/operation and ancillary support services. They have successfully completed numerous similar sanitary sewer projects. Additionally, the Town and CHA has had favorable experiences with Snyder Environmental Services on the Town's Happy Creek Sanitary Sewer Replacement project with challenging conditions and the recently-completed Targeted Sanitary Sewer Point Repairs project. Based upon our knowledge of the Bid and Snyder Environmental Services's credentials, CHA recommends award of the 2022 Sanitary Sewer Rehabilitation contract to Snyder Environmental Services, Inc. in the amount of \$4,947,300.00.

We appreciate the opportunity to work with the Town on this project. If you should have any question with respect to this recommendation, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads 'Earl Smith'.

Earl Smith, P.E.
Project Manager

EES\ees
Enclosure

BID TABULATION
Owner: Town of Front Royal
Project: 2022 SANITARY SEWER REHABILITATION (IFB #33-2022)
Bid Date: Wednesday, October 26, 2022 2:00 PM
CHA Project Number: 060948

BIDDER				SNYDER ENVIRONMENTAL SERVICES, INC.	
Item	Description	Unit	Est Qty	Unit Price	Extended Total Price
1	Bonds, Insurance, Mobilization	LS	1	\$450,000.00	\$450,000.00
2	Pre-Lining CCTV Inspection and Cleaning, 8-inch Sewer	LF	14,032	\$10.00	\$140,320.00
3	Pre-Lining CCTV Inspection and Cleaning, 10-inch Sewer	LF	1,728	\$15.00	\$25,920.00
4	Pre-Lining CCTV Inspection and Cleaning, 12-inch Sewer	LF	4,008	\$20.00	\$80,160.00
5	Pre-Lining CCTV Inspection and Cleaning, 24-inch Sewer	LF	2,124	\$20.00	\$42,480.00
6	CIPP Sewer Lining, 8-inch	LF	14,032	\$65.00	\$912,080.00
7	CIPP Sewer Lining, 10-inch	LF	1,728	\$75.00	\$129,600.00
8	CIPP Sewer Lining, 12-inch	LF	4,008	\$80.00	\$320,640.00
9	CIPP Sewer Lining, 24-inch	LF	2,124	\$250.00	\$531,000.00
10	Add for CIPP Sewer Lining in Secondary Road	LF	1,120	\$20.00	\$22,400.00
11	Add for CIPP Sewer Lining in John Marshall Hwy	LF	1,985	\$20.00	\$39,700.00
12	Trim Protruding Lateral	EA	25	\$500.00	\$12,500.00
13	Lateral Renewal (less than or equal to 5-feet deep) (less than or equal to 25-feet in length)	EA	3	\$9,000.00	\$27,000.00
14	Lateral Renewal (greater than 5-feet deep; less than or equal to 10-feet deep) (less than or equal to 25-feet in length)	EA	71	\$9,000.00	\$639,000.00
15	Lateral Renewal (greater than 10-feet deep) (less than or equal to 25-feet in length)	EA	16	\$11,000.00	\$176,000.00
16	Lateral Renewal (less than or equal to 5-feet deep) (greater than 25-feet in length)	EA	1	\$11,000.00	\$11,000.00
17	Lateral Renewal (greater than 5-feet deep; less than or equal to 10-feet deep) (greater than 25-feet in length)	EA	56	\$11,500.00	\$644,000.00
18	Lateral Renewal (greater than 10-feet deep) (greater than 25-feet in length)	EA	17	\$17,500.00	\$297,500.00
19	Reconnect Lateral to Sewer Liner (less than or equal to 5-feet deep)	EA	2	\$7,000.00	\$14,000.00
20	Reconnect Lateral to Sewer Liner (greater than 5-feet deep; less than or equal to 10-feet deep)	EA	22.00	\$7,000.00	\$154,000.00*
21	Reconnect Lateral to Sewer Liner (greater than 10-feet deep)	EA	4	\$7,000.00	\$28,000.00
22	Add for Lateral Renewal in Secondary Roads (4, 5, 8, Jamestown Road; 1000 N Shenandoah; 604, 610, 611, 614, 618 E 6th Street)	EA	9	\$3,000.00	\$27,000.00
23	CCTV Footage of non-PVC Laterals within John Marshall Hwy	EA	8	\$3,000.00	\$24,000.00
24	Add for Lateral Renewal in John Marshall Hwy	EA	8	\$3,000.00	\$24,000.00
25	Add for Reconnect PVC Laterals to Sewer Liner in John Marshall Hwy	EA	2	\$3,000.00	\$6,000.00
26	External Point Repair (less than or equal to 5-feet deep) (less than or equal to 10-feet in length)	EA	1	\$6,000.00	\$6,000.00
27	External Point Repair (greater than 5-feet deep; less than or equal to 10-feet deep) (less than or equal to 10-feet in length)	EA	4	\$7,000.00	\$28,000.00
28	External Point Repair (greater than 10-feet deep) (less than or equal to 10-feet in length)	EA	3	\$10,000.00	\$30,000.00
29	External Point Repair (greater than 5-feet deep; less than or equal to 10-feet deep) (greater than 10-feet in length)	EA	2	\$10,000.00	\$20,000.00
30	External Point Repair (greater than 10-feet deep) (greater than 10-feet in length)	EA	4	\$11,000.00	\$44,000.00
31	Install Internal Drop	EA	3	\$10,000.00	\$30,000.00
32	Reinstall Existing Internal Drop	EA	1	\$5,000.00	\$5,000.00
33	Abandon Existing Incoming Lateral in Manhole	EA	3	\$2,000.00	\$6,000.00
Total Base Bid				\$4,947,300.00	

* Denotes a correction of an arithmetic error present in the Bid Form; the correct sum shall govern per Article 1.15-A.3 of the Instructions to Bidders.

** Denotes non-responsive bid

Apparent Low Bidder: SNYDER ENVIRONMENTAL SERVICES, INC.

Prepared By: Earl Smith, P.E. - CHA Consulting, Inc.

**ATTACHMENT E – 2022/2023
PROFESSIONAL ENGINEERING SERVICES
BETWEEN
OWNER AND ENGINEER
FOR SERVICES RELATED TO
2022 SANITARY SEWER REHABILITATION
CCA AND RPR SERVICES**

This Attachment E – 2022/2023 is made part of the Contract between the Town of Front Royal (Town), and CHA CONSULTING, INC. (CHA), dated February 3, 2020, (“the Agreement”). CHA shall perform services on the project described below as provided herein and in the Contract.

PART 1.0 – PROJECT DESCRIPTION

The Town of Front Royal signed an updated Special Order by Consent (SOC) with the Virginia Department of Environmental Quality (VDEQ) in June 2020 to reduce the frequency of bypasses and sanitary sewer overflows in its sanitary sewer collection system and wastewater treatment plant. The SOC outlines several rehabilitation studies, designs, and construction projects with completion dates in Appendix A, Schedule of Compliance that must be completed to partially satisfy the requirements of the SOC. The Town has decided to aggressively rehabilitate its system and has budgeted approximately \$10 million for the project. CHA recently designed the 2022 Sanitary Sewer Rehabilitation Project with the scope of services generally outlined in Attachment B – 2021/2022. This is the first of three construction contracts. The Town has requested that CHA provide Construction Contract Administration and Resident Project Representation Services for this first project that has a construction value of \$4.9 million.

PART 2.0 – SCOPE OF SERVICES TO BE PERFORMED BY CHA ON THE PROJECT

CHA shall furnish all labor, materials, and resources necessary to serve as the Engineer as defined herein in assisting the Town of Front Royal (Town) with the administration of the Construction Contract for the expected 6-month duration beginning in early 2023.

CHA shall consult with the Town and act as the Town’s representative as provided in the Construction Contract. The extent and limitations of the duties, responsibilities, and authority of Engineer shall be as assigned in EJCDC® C-700, Standard General Conditions of the Construction Contract (2013 Edition), prepared by the Engineers Joint Contract Documents Committee, or other construction general conditions specified in this Agreement. If the Town, or the Town and the Contractor, modify the duties, responsibilities, and authority of CHA in the Construction Contract, or modify other terms of the Construction Contract having a direct bearing on CHA, then the Town shall compensate CHA for any related increases in the cost to provide Construction Phase services. CHA shall not be required to furnish or perform services contrary to CHA’s responsibilities as a licensed professional. All of the Town’s instructions to the Contractor will be issued through CHA, which shall have authority to act on behalf of the Town in dealings with the Contractor to the extent provided in this Agreement and the Construction Contract except as otherwise provided in writing.

CHA shall furnish the services of a Resident Project Representative at the Site to assist the Town and CHA in providing observation of the Contractor’s work. Duties, responsibilities, and authority of the Resident Project Representative are as set forth herein. The furnishing of such RPR’s services will not limit, extend, or modify CHA’s responsibilities or authority except as expressly set forth in herein.

Task 1: Construction Contract Administration

Upon written authorization from the Town, CHA shall:

- o *Pre-Construction Conference:* Participate in a pre-construction conference prior to commencement of Work at the Site.
- o *Electronic Transmittal Protocols:* If the Construction Contract Documents do not specify protocols for the transmittal of Project-related correspondence, documents, text, data, drawings, information, and graphics, in electronic media or digital format, either directly, or through access to a secure Project website, then together with the Town and the Contractor jointly develop such protocols for transmittals between and among the Town, the Contractor, and CHA during the Construction Phase.
- o *Schedules:* Receive, review, and determine the acceptability of any and all schedules that the Contractor is required to submit to CHA, including the Progress Schedule, Schedule of Submittals, and Schedule of Values.
- o *Baselines and Benchmarks:* As appropriate, establish baselines and benchmarks for locating the Work which in CHA's judgment are necessary to enable the Contractor to proceed. The Town shall compensate CHA for any costs associated with establishing or re-establishing benchmarks or baselines that require the services of a licensed surveyor.
- o *Visits to Site and Observation of Construction:* In connection with observations of the Contractor's Work while it is in progress:
 - Make visits to the Site at intervals appropriate to the various stages of construction, as CHA deems necessary, to observe as an experienced and qualified design professional the progress of the Contractor's executed Work. Such visits and observations by CHA, and the Resident Project Representative, if any, are not intended to be exhaustive or to extend to every aspect of the Work or to involve detailed inspections of the Work beyond the responsibilities specifically assigned to CHA in this Agreement and the Construction Contract Documents, but rather are to be limited to spot checking, selective sampling, and similar methods of general observation of the Work based on CHA's exercise of professional judgment, as assisted by the Resident Project Representative, if any. Based on information obtained during such visits and observations, CHA will determine in general if the Work is proceeding in accordance with the Construction Contract Documents, and CHA shall keep the Town informed of the progress of the Work.
 - The purpose of CHA's visits to the Site, and representation by the Resident Project Representative, if any, at the Site, will be to enable CHA to better carry out the duties and responsibilities assigned to and undertaken by CHA during the Construction Phase, and, in addition, by the exercise of CHA's efforts as an experienced and qualified design professional, to provide for the Town a greater degree of confidence that the completed Work will conform in general to the Construction Contract Documents and that the Contractor has implemented and maintained the integrity of the design concept of the completed Project as a functioning whole as indicated in the Construction Contract Documents. CHA shall not, during such visits or as a result of such observations of the Work, supervise, direct, or have control over the Work, nor shall CHA have authority over or responsibility for the means, methods, techniques, sequences, or procedures of construction selected or used by any Constructor, for security or safety at the Site, for safety precautions and programs incident to any Constructor's work in progress, for the coordination of the Constructors' work or schedules, nor for any failure of any Constructor to comply with Laws and Regulations applicable to furnishing and performing of its work. Accordingly, CHA neither guarantees the performance of any Constructor nor assumes responsibility for any Constructor's failure to furnish or perform the Work, or any portion of the Work, in accordance with the Construction Contract Documents.
- o *Defective Work:* Reject Work if, on the basis of CHA's observations, CHA believes that such Work is defective under the terms and standards set forth in the Construction Contract Documents.

Provide recommendations to the Town regarding whether the Contractor should correct such Work or remove and replace such Work, or whether the Town should consider accepting such Work as provided in the Construction Contract Documents.

- o *Compatibility with Design Concept:* If CHA has express knowledge that a specific part of the Work that is not defective under the terms and standards set forth in the Construction Contract Documents is nonetheless not compatible with the design concept of the completed Project as a functioning whole, then inform the Town of such incompatibility, and provide recommendations for addressing such Work.
- o *Clarifications and Interpretations:* Accept from the Contractor and the Town submittal of all matters in question concerning the requirements of the Construction Contract Documents (sometimes referred to as requests for information or interpretation—RFIs) or relating to the acceptability of the Work under the Construction Contract Documents. With reasonable promptness, render a written clarification, interpretation, or decision on the issue submitted, or initiate an amendment or supplement to the Construction Contract Documents.
- o *Non-reviewable Matters:* If a submitted matter in question concerns, CHA’s performance of its duties and obligations, or terms and conditions of the Construction Contract Documents that do not involve (1) the performance or acceptability of the Work under the Construction Contract Documents, (2) the design (as set forth in the Drawings, Specifications, or otherwise), or (3) other engineering or technical matters, then CHA will promptly give written notice to the Town and the Contractor that CHA will not provide a decision or interpretation.
- o *Field Orders:* Subject to any limitations in the Construction Contract Documents, CHA may prepare and issue Field Orders requiring minor changes in the Work.
- o *Change Orders and Work Change Directives:* Recommend Change Orders and Work Change Directives to the Town, as appropriate, and prepare Change Orders and Work Change Directives as required.
- o *Differing Site Conditions:* Respond to any notice from the Contractor of differing site conditions, including conditions relating to underground facilities such as utilities, and hazardous environmental conditions. Promptly conduct reviews and prepare findings, conclusions, and recommendations for the Town’s use.
- o *Shop Drawings, Samples, and Other Submittals:* Review and approve or take other appropriate action with respect to Shop Drawings, Samples and other required the Contractor submittals, but only for conformance with the information given in the Construction Contract Documents and compatibility with the design concept of the completed Project as a functioning whole as indicated by the Construction Contract Documents. Such reviews and approvals or other action will not extend to means, methods, techniques, sequences, or procedures of construction or to safety precautions and programs incident thereto. CHA shall meet any the Contractor’s submittal schedule that CHA has accepted.
- o *Substitutes and “Or-equal”:* Evaluate and determine the acceptability of substitute or “or-equal” materials and equipment proposed by the Contractor.
- o *Inspections and Tests:*
 - Receive and review all certificates of inspections, tests, and approvals required by Laws and Regulations or the Construction Contract Documents. CHA’s review of such certificates will be for the purpose of determining that the results certified indicate compliance with the Construction Contract Documents and will not constitute an independent evaluation that the content or procedures of such inspections, tests, or approvals comply with the requirements of the Construction Contract Documents. CHA shall be entitled to rely on the results of such inspections and tests.
 - As deemed reasonably necessary, request that the Contractor uncover Work that is to be inspected, tested, or approved.
 - Pursuant to the terms of the Construction Contract, require special inspections or testing of the Work, whether or not the Work is fabricated, installed, or completed.

- o *Change Proposals and Claims:* (a) Review and respond to Change Proposals. Review each duly submitted Change Proposal from the Contractor and, within 30 days after receipt of the Contractor's supporting data, either deny the Change Proposal in whole, approve it in whole, or deny it in part and approve it in part. Such actions shall be in writing, with a copy provided to the Town and the Contractor. If the Change Proposal does not involve the design (as set forth in the Drawings, Specifications, or otherwise), the acceptability of the Work, or other engineering or technical matters, then CHA will notify the parties that CHA will not resolve the Change Proposal. (b) Provide information or data to the Town regarding engineering or technical matters pertaining to Claims.
- o *Applications for Payment:* Based on CHA's observations as an experienced and qualified design professional and on review of Applications for Payment and accompanying supporting documentation:
 - Determine the amounts that CHA recommends the Contractor be paid. Recommend reductions in payment (set-offs) based on the provisions for set-offs stated in the Construction Contract. Such recommendations of payment will be in writing and will constitute CHA's representation to the Town, based on such observations and review, that, to the best of CHA's knowledge, information and belief, the Contractor's Work has progressed to the point indicated, the Work is generally in accordance with the Construction Contract Documents (subject to an evaluation of the Work as a functioning whole prior to or upon Substantial Completion, to the results of any subsequent tests called for in the Construction Contract Documents, and to any other qualifications stated in the recommendation), and the conditions precedent to the Contractor's being entitled to such payment appear to have been fulfilled in so far as it is CHA's responsibility to observe the Work. In the case of unit price Work, CHA's recommendations of payment will include final determinations of quantities and classifications of the Work (subject to any subsequent adjustments allowed by the Construction Contract Documents).
 - By recommending payment, CHA shall not thereby be deemed to have represented that observations made by CHA to check the quality or quantity of the Contractor's Work as it is performed and furnished have been exhaustive, extended to every aspect of the Contractor's Work in progress, or involved detailed inspections of the Work beyond the responsibilities specifically assigned to CHA in this Agreement. Neither CHA's review of the Contractor's Work for the purposes of recommending payments nor CHA's recommendation of any payment including final payment will impose on CHA responsibility to supervise, direct, or control the Work, or for the means, methods, techniques, sequences, or procedures of construction or safety precautions or programs incident thereto, or the Contractor's compliance with Laws and Regulations applicable to the Contractor's furnishing and performing the Work. It will also not impose responsibility on CHA to make any examination to ascertain how or for what purposes the Contractor has used the money paid to the Contractor by the Town; to determine that title to any portion of the Work, including materials or equipment, has passed to the Town free and clear of any liens, claims, security interests, or encumbrances; or that there may not be other matters at issue between the Town and the Contractor that might affect the amount that should be paid.
- o *Contractor's Completion Documents:* Receive from the Contractor, review, and transmit to the Town maintenance and operating instructions, schedules, guarantees, bonds, certificates or other evidence of insurance required by the Construction Contract Documents, certificates of inspection, tests and approvals, and Shop Drawings, Samples, and other data approved. Receive from the Contractor, review, and transmit to the Town the annotated record documents which are to be assembled by the Contractor in accordance with the Construction Contract Documents to obtain final payment. The extent of CHA's review of record documents shall be to check that the Contractor has submitted all pages.
- o *Substantial Completion:* Promptly after notice from the Contractor that the Contractor considers the entire Work ready for its intended use, in company with the Town and the Contractor, visit the

Site to review the Work and determine the status of completion. Follow the procedures in the Construction Contract regarding the preliminary certificate of Substantial Completion, punch list of items to be completed, the Town's objections, notice to the Contractor, and issuance of a final certificate of Substantial Completion. Assist the Town regarding any remaining engineering or technical matters affecting the Town's use or occupancy of the Work following Substantial Completion.

- o *Final Notice of Acceptability of the Work:* Conduct a final visit to the Project to determine if the Work is complete and acceptable so that CHA may recommend, in writing, final payment to the Contractor. Accompanying the recommendation for final payment, CHA shall also provide a notice to the Town and the Contractor that the work is acceptable.
- o *Standards for Certain Construction-Phase Decisions:* CHA will render decisions regarding the requirements of the Construction Contract Documents, and judge the acceptability of the Work, pursuant to the specific procedures set forth in the Construction Contract for initial interpretations, Change Proposals, and acceptance of the Work. In rendering such decisions and judgments, CHA will not show partiality to the Town or the Contractor, and will not be liable to the Town, the Contractor, or others in connection with any proceedings, interpretations, decisions, or judgments conducted or rendered in good faith.
 - The Construction Phase will commence with the execution of the first Construction Contract for the Project or any part thereof and will terminate upon written recommendation by CHA for final payment to the Contractors. If the Project involves more than one prime contract, then Construction Phase services may be rendered at different times in respect to the separate contracts. CHA shall be entitled to an equitable increase in compensation if Construction Phase services (including Resident Project Representative services, if any) are required after the original date for completion and readiness for final payment of the Contractor as set forth in the Construction Contract.

Task 2: Resident Project Representation

CHA shall furnish a Resident Project Representative (RPR) to assist CHA in observing progress and quality of the Work. The RPR may provide full time representation or may provide representation to a lesser degree, as directed by the Town. RPR is CHA's representative at the Site, will act as directed by and under the supervision of CHA, and will confer with CHA regarding RPR's actions.

Through RPR's observations of the Work, including field checks of materials and installed equipment, CHA shall endeavor to provide further protection for the Town against defects and deficiencies in the Work. However, CHA shall not, as a result of such RPR observations of the Work, supervise, direct, or have control over the Work, nor shall CHA (including the RPR) have authority over or responsibility for the means, methods, techniques, sequences, or procedures of construction selected or used by any Constructor, for security or safety at the Site, for safety precautions and programs incident to the Work or any Constructor's work in progress, for the coordination of the Constructors' work or schedules, or for any failure of any Constructor to comply with Laws and Regulations applicable to the performing and furnishing of its work. The CHA (including RPR) neither guarantees the performances of any Constructor nor assumes responsibility for any Constructor's failure to furnish and perform the Work, or any portion of the Work, in accordance with the Construction Contract Documents.

The duties and responsibilities of the RPR are as follows:

- o *General:* RPR's dealings in matters pertaining to the Work in general shall be with CHA and the Contractor. RPR's dealings with Subcontractors shall only be through or with the full knowledge and approval of the Contractor. RPR shall generally communicate with the Town only with the knowledge of and under the direction of CHA.

- o *Schedules:* Review the progress schedule, schedule of Shop Drawing and Sample submittals, schedule of values, and other schedules prepared by the Contractor and consult with CHA concerning acceptability of such schedules.
- o *Conferences and Meetings:* Attend meetings with the Contractor, such as preconstruction conferences, progress meetings, job conferences, and other Project-related meetings (but not including the Contractor's safety meetings).
- o *Safety Compliance:* Comply with Site safety programs, as they apply to RPR, and if required to do so by such safety programs, receive safety training specifically related to RPR's own personal safety while at the Site.
- o *Liaison:*
 - Serve as CHA's liaison with the Contractor. Working principally through the Contractor's authorized representative or designee, assist in providing information regarding the provisions and intent of the Construction Contract Documents.
 - Assist CHA in serving as the Town's liaison with the Contractor when the Contractor's operations affect the Town's on-Site operations.
 - Assist in obtaining from the Town additional details or information, when required for proper execution of the Work.
- o *Clarifications and Interpretations:* Receive from the Contractor submittal of any matters in question concerning the requirements of the Construction Contract Documents (sometimes referred to as requests for information or interpretation - RFIs) or relating to the acceptability of the Work under the Construction Contract Documents. Report to CHA regarding such RFIs. Report to CHA when clarifications and interpretations of the Construction Contract Documents are needed, whether as the result of a Contractor RFI or otherwise. Transmit CHA's clarifications, interpretations, and decisions to the Contractor.
- o *Shop Drawings and Samples:*
 - Receive Samples that are furnished at the Site by the Contractor and notify CHA of availability of Samples for examination.
 - Advise CHA and the Contractor of the commencement of any portion of the Work requiring a Shop Drawing or Sample submittal, if RPR believes that the submittal has not been received from the Contractor or has not been approved by the Contractor or CHA.
- o *Proposed Modifications:* Consider and evaluate the Contractor's suggestions for modifications to the Drawings or Specifications, and report such suggestions, together with RPR's recommendations, if any, to CHA. Transmit CHA's response (if any) to such suggestions to the Contractor.
- o *Review of Work; Defective Work:*
 - Report to CHA whenever RPR believes that any part of the Work is defective under the terms and standards set forth in the Construction Contract Documents and provide recommendations as to whether such Work should be corrected, removed and replaced, or accepted as provided in the Construction Contract Documents.
 - Inform CHA of any Work that RPR believes is not defective under the terms and standards set forth in the Construction Contract Documents but is nonetheless not compatible with the design concept of the completed Project as a functioning whole and provide recommendations to CHA for addressing such Work.
 - Advise CHA of that part of the Work that RPR believes should be uncovered for observation, or requires special testing, inspection, or approval.
- o *Records:*
 - Maintain at the Site orderly files for correspondence, reports of job conferences, copies of Construction Contract Documents including all Change Orders, Field Orders, Work Change Directives, Addenda, additional Drawings issued subsequent to the execution of the Construction Contract, RFIs, CHA's clarifications and interpretations of the Construction

- Contract Documents, progress reports, approved Shop Drawing and Sample submittals, and other Project-related documents.
- Prepare a daily report or keep a diary or log book, recording the Contractor's hours on the Site, Subcontractors present at the Site, weather conditions, data relative to questions of Change Orders, Field Orders, Work Change Directives, or changed conditions, Site visitors, deliveries of equipment or materials, daily activities, decisions, observations in general, and specific observations in more detail as in the case of observing test procedures; and send copies to CHA.
 - Upon request from the Town to CHA, photograph or video Work in progress or Site conditions.
 - Record and maintain accurate, up-to-date lists of the names, addresses, fax numbers, e-mail addresses, websites, and telephone numbers (including mobile numbers) of all the Contractors, Subcontractors, and major Suppliers of materials and equipment.
 - Maintain records for use in preparing Project documentation.
 - Upon completion of the Work, furnish original set of all RPR Project documentation to CHA.
- o *Reports:*
- Draft and recommend to CHA proposed Change Orders, Work Change Directives, and Field Orders. Obtain backup material from the Contractor.
 - Furnish to CHA and the Town copies of all inspection, test, and system start-up reports.
 - Immediately inform CHA of the occurrence of any Site accidents, emergencies, acts of God endangering the Work, possible force majeure or delay events, damage to property by fire or other causes, or the discovery of any potential differing site condition or Constituent of Concern.
- o *Payment Requests:* Review applications for payment with the Contractor for compliance with the established procedure for their submission and forward with recommendations to CHA, noting particularly the relationship of the payment requested to the schedule of values, Work completed, and materials and equipment delivered at the Site but not incorporated in the Work.
- o *Completion:*
- Participate in CHA's visits to the Site regarding Substantial Completion, assist in the determination of Substantial Completion, and prior to the issuance of a Certificate of Substantial Completion submit a punch list of observed items requiring completion or correction.
 - Participate in CHA's visit to the Site in the company of the Town and the Contractor, to determine completion of the Work, and prepare a final punch list of items to be completed or corrected by the Contractor.
 - Observe whether all items on the final punch list have been completed or corrected and make recommendations to CHA concerning acceptance and issuance of the Notice of Acceptability of the Work.
- o *Resident Project Representative shall not:*
- Authorize any deviation from the Construction Contract Documents or substitution of materials or equipment (including "or-equal" items).
 - Exceed limitations of CHA's authority as set forth in this Agreement.
 - Undertake any of the responsibilities of the Contractor, Subcontractors, or Suppliers, or any Constructor.
 - Advise on, issue directions relative to, or assume control over any aspect of the means, methods, techniques, sequences or procedures of the Work, by the Contractor or any other Constructor.
 - Advise on, issue directions regarding, or assume control over security or safety practices, precautions, and programs in connection with the activities or operations of the Town or the Contractor.

- Participate in specialized field or laboratory tests or inspections conducted off-site by others except as specifically authorized by CHA.
- Accept Shop Drawing or Sample submittals from anyone other than the Contractor.
- Authorize the Town to occupy the Project in whole or in part.

PART 3.0 – PERIODS OF SERVICE

CHA will provide these services in accordance with Construction Contract between the General Contractor and the Town. The current Construction Contract is for six (6) months with an additional one (1)-month period for completion of the punch list.

PART 4.0 – PAYMENTS TO CHA

For Task 1, CHA shall be paid \$72,000 on a lump sum basis.

For Task 2, CHA shall be paid on a time and materials basis up to \$100,000. We have budgeted for 6 months of RPR for this project.

PART 5.0 – OTHER

This Attachment E – 2022/2023 is executed this _____ day of _____, 2022.

TOWN OF FRONT ROYAL, VIRGINIA

CHA CONSULTING, INC.

By:

By:

Name: _____

Name: Douglas B. Hudgins, PE

Title: _____

Title: Vice President

Address: 102 East Main Street
Front Royal, VA 22630

Address: 1341 Research Center Drive
Suite 2100
Blacksburg, VA 24060



Council Consent Agenda Statement

Item # 10G

Meeting Date: November 28, 2022

Agenda Item: Asset Transfer to Warren County Public Works Department of a Retired Town Bucket Truck

Summary: The Warren County Public Works Maintenance Division is requesting an asset transfer of a 1999 C8500 Bucket Truck that was retired by the Town's Energy Services Department in 2021. If transferred, the Bucket Truck, would assist the Warren County Public Works Department in their regular maintenance of parks, athletic fields & schools. Fleet Maintenance Director Don McPaters estimated the worth at \$15,000. Council is requested to consider the approval of the transfer.

Budget/Funding: None

Meetings: Work Session held November 14, 2022

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council approve the asset transfer of a 1999 C8500 Bucket Truck that was retired by the Town's Energy Services Department in 2021 to the the Warren County Public Works Department for their regular maintenance of parks, athletic fields & schools.

Moved _____ *Seconded* _____

Cockrell _____ *Gillispie* _____ *Morris* _____ *Rogers* _____ *Sealock* _____ *Thompson* _____

COUNTY OF WARREN



County Administrator's Office
Warren County Government Center
220 North Commerce Avenue, Suite 100
Front Royal, Virginia 22630

Phone: (540) 935-7649
FAX: (540) 636-6066
Email: mcoffelt@warrencountyva.net

Michael D. Coffelt
Deputy Director of Public Works

October 18, 2022

BOARD OF SUPERVISORS

CHAIR
Cheryl L. Cullers
*South River
District*

VICE CHAIR
Delores R. Oates
*North River
District*

Jerome K. Butler
*Happy Creek
District*

Vicky L. Cook
*Fork
District*

Walter J. Mabe
*Shenandoah
District*

Dr. Edwin C. Daley
County Administrator

Front Royal Town Council
102 E Main Street
Front Royal, VA 22630
Attn: Tina Presley
Clerk of Council

RE: Aged Asset

Ms. Presley,

I am reaching out to you regarding the 1999 C8500 bucket truck that was retired in your fleet. I respectfully request the Town of Front Royal consider the transfer this aged asset to the County of Warren for use in our community.

As you know the Warren County Public Works, Maintenance division maintains public property in Warren County and within Town limits, like many of the parks, athletic fields and the schools landscaping. These areas are utilized by our own residents, neighboring counties and schools, as well as an influx of guests to the Valley at various times of the year. The addition of a bucket truck to our fleet would allow the County to perform our regular maintenance of athletic field lights and scoreboards, as well aid in the safety and beautification of our park systems.

Currently, the Maintenance division must rent a bucket truck when one is required to complete a project. As I'm sure you have experienced in today's environment, the open availability of all equipment has generally decreases while the costs have significantly increased. The transfer of this asset would offer the County Maintenance division a valuable resource to serve our shared community.

Please let me know any additional information is required for review or if this request should be submitted in another format. Thank you in advance for your consideration,

Sincerely,

Michael Coffelt
Deputy Director of Public Works





Council Consent Agenda Statement

Item # 10H

Meeting Date: November 28, 2022

Agenda Item: Resolution to Update Employee Handbook to add Juneteenth Holiday

Summary: Juneteenth is a federal holiday in the United States commemorating the emancipation of enslaved African Americans. June 19th was first recognized as a federal holiday on June 17, 2021, when President Joe Biden signed the Juneteenth National Independence Day Act into law. Council is requested to approve an update to the Town of Front Royal Employee Handbook to add Juneteenth, June 19th, to the list of current holidays listed in Chapter 5.IV Holiday Leave.

Budget/Funding: Salary/benefits additional expense of approximately \$5,000 for expense associated with employees that are required for essential services.

Meetings: Work Session held November 14, 2022

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council approve an update to the Town of Front Royal Employee Handbook to add Juneteenth, June 19th, to the list of current holidays listed in Chapter 5.IV Holiday Leave.

Moved _____ *Seconded* _____

Cockrell _____ *Gillispie* _____ *Morris* _____ *Rogers* _____ *Sealock* _____ *Thompson* _____

RESOLUTION

JUNETEENTH AS A HOLIDAY FOR TOWN EMPLOYEES

WHEREAS, Juneteenth is a federal holiday in the United States commemorating the emancipation of enslaved African Americans. June 19th was first recognized as a federal holiday on June 17, 2021, when President Joe Biden signed the Juneteenth National Independence Day Act into law; and,

WHEREAS, Juneteenth shall be added to the list of current holidays listed in the Front Royal Employee Handbook Chapter 5.IV Holiday Leave, and,

NOW THEREFORE BE IT RESOLVED, that the Mayor and the Town Council approve Juneteenth, June 19th, as an additional holiday for Town Employees and to include the holiday in the Front Royal Employee Handbook.

APPROVED:

Chris W. Holloway, Mayor

ATTEST:

Tina L. Presley, Clerk of Council

This Resolution was approved at the Regular Meeting of the Town of Front Royal, Virginia Town Council conducted on _____, 2022 upon the following recorded vote:

Lori A. Cockrell __Yes __No

Gary L. Gillispie __Yes __No

Letasha T. Thompson __Yes __No

Amber F. Morris __Yes __No

R. Wayne Sealock __Yes __No

Duane R. "Skip" Rogers __Yes __No

Approved as to Form and Legality:

George M. Sonnett, Jr. Town Attorney

Dated: _____



Council Consent Agenda Statement

Item # 10I

Meeting Date: November 28, 2022

Agenda Item: Purchase of Wastewater Treatment Plant Influent Pumps

Summary: Council is requested to approve a sole source purchase of four (4) influent pumps in the amount of \$387,815 from Sherwood Logan Associates to replace four aged and failing influent pumps in the Wastewater Treatment Plant (WWTP) pumping station. The pumps were installed in the 1970's and replacement parts are hard to find. These pumps are essential to operation of the WWTP. Replacing the pumps will allow the Town the ability to keep a supply of extra parts as well as the ability to interchange with other pumps in the Town's system if necessary. This purchase is deemed as a sole source as the only known vendor is Sherwood Logan Associates that provides the pumps; a specific pump used by the Town that would be interchangeable with other pumps currently in use by the Town.

Budget/Funding: 9801-47009 WWTP Building & Structures \$387,815.00

Meetings: Work Session held November 14, 2022

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council approve the sole source purchase of four (4) influent pumps in the amount of \$387,815 from Sherwood Logan Associates to replace four aged and failing influent pumps in the Wastewater Treatment Plant (WWTP) pumping station.

Moved _____ *Seconded* _____

Cockrell _____ *Gillispie* _____ *Morris* _____ *Rogers* _____ *Sealock* _____ *Thompson* _____



Town of Front Royal Public Works

MEMORANDUM

TO: B.J. Wilson, Finance Director

CC: Kathy Leidich, Intern Town Manager

FROM: Robert B Boyer, Public Works Director

DATE: November 9, 2022

SUBJECT: Recommendation to Purchase Wastewater Influent Pumps

We have reviewed the proposal from Potesta Engineering for the purchase of four influent pumps to replace the existing pumps that were installed in the late 70's when the wastewater treatment plant was originally built. These four influent pumps have pumped all the wastewater that's went through the plant from the late 70's till today and are way past their life expectancy an extremely hard to get parts for since the manufacture is no longer in business. The Xylem Flygt pumps were installed in the Crooked Run pump station when it was upgraded and have been reliable pumps. We recommend moving forward with Purchasing the four Xylem Flygt influent pumps at \$387,815.00, with the condition of our existing pumps and the lead time of new pumps we feel the sooner the better for this purchase.

If you have any questions or need any further information, please contact me at 540-692-4789.

Thank You.



Council Agenda Statement

Item # 11A

Meeting Date: November 28, 2022

Agenda Item: Reappointment to Environmental Sustainability Advisory Committee (ESAC)

Summary: Council is requested to reappoint a member to the Environmental Sustainability Advisory committee to a four-year term ending December 13, 2026.

Budget/Funding: None

Meetings: Work Session held November 14, 2022

Proposed Motion: I move that Council reappoint Hershel L. Finch to the Environmental Sustainability Advisory Committee to a four-year term ending December 13, 2026.

Moved _____ *Seconded* _____

Cockrell _____ *Gillispie* _____ *Morris* _____ *Rogers* _____ *Sealock* _____ *Thompson* _____



Council Agenda Statement

Item # 12

Meeting Date: November 28, 2022

CLOSED MEETING

Motion to Go into Closed Meeting

I move that Town Council convene and go into Closed Meeting for

- 1) the discussion, consideration, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of any public body, specifically the Town Manager pursuant to §2.2-3711(A)(1) of the Code of Virginia, and,
- 2) the discussion or consideration of the acquisition of real property for a public purpose, or the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, specifically an offer to lease Town Property, pursuant to §2.2-3711(A)(3) of the Code of Virginia, and,
- 3) the consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel specifically, an Agreement with *Discover Front Royal*, as required by Virginia Code §24.2-226, pursuant to §2.2-3711(A)(8) of the Code of Virginia. Following the Closed Meeting. I further move that Council may take further action in open session.

I further move that Council may take further action in open session.

Motion to Certify Closed Meeting at its Conclusion

[At the conclusion of the Closed Meeting, immediately re-convene in open meeting and take a roll call vote on the following:]

I move that Council certify that to the best of each member's knowledge, as recognized by each Council member's affirmative vote, that only such public business matters lawfully exempted from Open Meeting requirements under the Virginia Freedom of Information Act as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the Closed Meeting by Council, and that the vote of each individual member of Council be taken by roll call and recorded and included in the minutes of the meeting of Town Council.

Moved _____ Seconded _____

Cockrell _____ Gillispie _____ Morris _____ Rogers _____ Sealock _____ Thompson _____