

**MINUTES**  
**TOWN MEETING**  
**March 6, 2017**  
**Emmitsburg Town Office**

**Present:** Mayor Donald Briggs; Commissioners: Glenn Blanchard, Elizabeth Buckman, Joseph Ritz III, Clifford Sweeney, and Tim O'Donnell, President.

**Staff Present:** Cathy Willets, Town Manager; Madeline Shaw, Town Clerk; Amy Naill, Code Enforcement Officer; and Sue Cipperly, Town Planner.

---

**I. Call to Order**

Commissioner Timothy O'Donnell, President of the Board of Commissioners, called the March 6, 2017 Town Meeting to order at 7:30 p.m. EST. The Pledge of Allegiance was recited.

**Approval of Minutes**

The Minutes of the 02/06/2017 Town Meeting were approved as corrected. Motion by Commissioner Ritz III, second by Commissioner Sweeney. Passed 5-0.

The Minutes of the 02/13/2017 Town Meeting were approved as presented. Motion by Commissioner Sweeney, second by Commissioner Buckman. Passed 4-0. Commissioner Ritz III abstained due to meeting absence.

**Police Report:**

Deputy Whitehouse presented the police report from February 2017 (exhibit attached). The PNC Bank robbery is still under investigation. Deputy Whitehouse reminded people of Maryland State Law requiring vehicles to be parked at least 20 feet from a crosswalk. There have been several people parking too close to the crosswalk near St. John's Church on North Seton Avenue. He suggested painting the curb or putting a sign up. Deputy Whitehouse has also seen several ATVs up near Rainbow Lake and near the Scott Road Farm. He plans to investigate the damage the ATVs might be causing.

**Town Managers Report:**

Cathy Willets presented the town manager's report from January 2017 (exhibit attached). Ms. Willets mentioned the community pool will not be opening this summer 2017 due to construction. Rainbow Lake is 0.8 feet below spillway level, but the wells are still 36 feet below the desired level. Staff conducted an overnight leak detection test, which resulted in the finding of several small leaks. The new LG Sonic Algae Control System will be installed April 11th. The town still has a water deficit of 5.59 inches. Ms. Willets recommends the continuance of a voluntary water construction as the National Weather Service has recently reported a drought for the east coast. The plant capacity was exceeded 4 days in January due to heavy rains. Ms. Willets also referenced an MML e-bulletin that discusses a State Highway Revenue Bill and Water Service Shutoff Bill. The Water Service Shutoff Bill would exempt broad groups of individuals from water shutoffs, establish an inflexible process for delinquent account notifications, and implement burdensome reporting requirements. She recommends the Board and Mayor write a letter in response.

**Town Planners Report;**

Sue Cipperly presented the town planners report from January 2017 (exhibit attached). The Flat Run Bridge project is underway. Several meetings were attended with the SHA. Ms. Cipperly stated the town is going to be re-applying for the Community Legacy Grants and residents will be notified of the deadline. There are still some funds leftover from Fiscal Year 2016 for reimbursements and the town has more money for Fiscal Year 2017.

**Commissioner Comments:** Commissioner(s) cited attendances, recognitions, and announcements.

- Commissioner Ritz III: Expressed concern for pet waste near dentist office and car wash. Ms. Willets mentioned a new pet waste station is going to be put in along the E. Lincoln walkway. The Parks and Recreation Committee is looking for bands to play in the summer park series.
- Commissioner Blanchard: Complemented town staff on park conditions/upkeep. Saturday April 8th is the 100th Centennial of WWI. A ceremony will be held at the Doughboy Statue at noon.
- Commissioner O'Donnell: Attended Citizens Advisory Committee where the pros/cons of the Main Street Maryland program were reviewed and he learned sustainable communities have more access to funds than Main Street Maryland. The Potomac Heritage National Scenic Trail is considering linking the C&O Canal to Gettysburg. The town has been awarded a \$40,000 trail grant. He would like to work with town staff on the hunting season and trail use overlapping and clearly communicating expectations to the public.
- Commissioner Buckman: Mentioned Mount St. Mary's University and Catocin High School have a free service group for any elderly, disabled, or single mothers that need help with home projects. Contact Commissioner Buckman if interested in receiving the service.

### **Mayor's Comments:**

Mayor Briggs attended numerous meetings in February 2017. Mayor Briggs is looking into getting an Emmitsburg Boys and Girls Club. He met with representative of Vigilant Hose. Expressed desire to give the Vigilant Emergency Response team ease of access during the current State High Administration project. The town has an agreement with the Frederick County Department of Solid Waste. The renewal period is approaching. The town can either adopt its own multi-million dollar solid waste plan or stay with Frederick County. Since the pool is closed, there will be 3 pool parties in the park over the summer.

*Note:* Agenda shifted due to the number of residents/ business owners in attendance for the SHA presentation.

### **II. Agenda Items**

Agenda #1-Update from SHA About the Proposed Urban Reconstruction Project: Joseph Gentile, Design Engineer with the State Highway Administration (SHA), presented the update on the Proposed Urban Reconstruction Project (PowerPoint attached). The project will upgrade the Town Square on MD 140 (Main Street) from Creamery Road to Timbermill Run and on Seton Avenue from Lincoln Avenue to North Avenue. The project features construction of sidewalks, curbs, gutters, decorative crosswalks, landscaping, and intersection resurfacing. Construction is expected to finish by early summer 2018. There will be temporary sidewalk closures, on-street parking restrictions, impacts to driveways, and a two weekend road closures on Main Street. SHA will coordinate with residents and property owners. If there are any questions, contact Joseph Gentile or Sherry Waselchalk, SHA Project Engineer. The SHA website, [www.roads.Maryland.gov](http://www.roads.Maryland.gov), also has project details. Closures will occur when schools are on summer break and will most likely start Friday evenings and last over the weekend. The detours will be clearly marked. Commissioner Sweeney expressed desire for closures to occur after July 4th so community heritage day will not be impacted.

### **Public Comments:**

*John Working, 804 W. Main St.* - would like to know if there will be parking in front of his house and if the large tree in front of 810 W. Main St. will be cut down. Joseph Gentile (SHA) stated there will not be parking on the westbound side (in front of 804 W. Main St.), but there will be parking across the street on the eastbound side. *Rich Wilkie, Landscape Architect Team Leader for districts 4, 6, 7,* said he recommended the removal of that tree. *Tyler Oyler & Lauren Beacham, 700 W. Main St.* - expressed concern for new town sidewalks in relation to a historical fence they just restored. The fence foundation is attached to the brick sidewalks that will be ripped out. They would like to know who will bear responsibility for damage to fence foundation if it occurs. John Gover (SHA) stated there is a preconstruction survey for home foundations and fence foundations. The damaging of any foundation is the responsibility of the contractors. The contractors will contact residents and take pictures. *Donald Sonn, 2 W. Main St.* - would like to have contractor's schedules for client parking and overflow parking. Ed Poffenberger (SHA) reported SHA is still waiting for contractor schedules, but as soon as it's received residents will be notified. In addition, Sherry Waselchalk will have a field office on Creamery Road for questions. Commissioner O'Donnell inquired about getting a visual graphic to show the location/date of work. Commissioner Sweeney recommended putting the graphic in the old town office window and using the pool parking lot for overflow parking. *Bob Ott, 5 W. Main St.* - would like to know if the businesses will have handicap ramps installed. John Gover (SHA) said if it's an existing handicap entrance it will be maintained; SHA will not install new non-existing ramps. If the business puts a handicap ramp in now, it will be maintained. *Jim Hoover, 706 W. Main St.* - wants to maintain accessibility on property. Joseph Gentile (SHA) stated the curb will be 3 inches high, the sidewalk will be 5 feet wide, there will be no parking in front of property, but the slope will be tied into the accessibility. *June Hardman, 807 W. Main St.* - does not understand map/letter she got. Joseph Gentile (SHA) clarified the letter is proposing to build a new sidewalk/curb in front of her property and it should not impact parking. *Dr. Mike Hargadon 7-9 E. Main St.* - concerned about PVC pipes concreted into his basement. If the pipes get damaged during construction, his basement could be flooded. He would also like to know the extent pedestrian traffic will be impacted. John Gover (SHA) mentioned Sherry Waselchalk and the contractor will meet with Dr. Hargadon about the PVC pipes. Ed Poffenberger (SHA) said it should only take about 2-3 days and a schedule will be given. *Donald Sonn, 2 W. Main St.* - wants to know if there will be new parking meters. Ms. Willets stated the town is researching new meters, but the town will probably keep what it has for now. A new meter is about \$15,000. *Harold Craig, 101, 103, 105 W. Main St.* - wants to know what will happen in front of his house. Joseph Gentile (SHA) stated trees will be replaced and a new sidewalk will be put in. Commissioner Buckman expressed desire to have a blue road stripe from the Doughboy Statue to Jubilee to show support for service members (officers, etc.). Sam DeLaurance (SHA) stated SHA is looking into it because there are certain Maryland State Vehicle Laws that establish guidelines for road lines, but he will let the town know if anything changes. Mayor Briggs thanked the SHA and looks forward to having sidewalks connecting the town in spring 2018.

Agenda #2- Human Resource Presentation on Performance Evaluations and Staff Salaries: Presented by Amanda Haddaway, HR Consultant for the Town (PowerPoint attached). Ms. Haddaway stated many organizations are moving away from a numeric performance review system to a goal oriented system because it helps employees grow and understand expectations. Ms. Haddaway is requesting the Boards approval for the new performance evaluation which will replace the form listed in Ordinance 2.50.020. Commissioner O'Donnell expressed concern over the draft performance review question "what were your goals this past year? Did you achieve these goals? If not, why?" Commissioner O'Donnell would like to ensure unobtainable goals that employees have no control over will not cause reprimanding. Ms. Willets stated the proposed form holds both ends accountable. Commissioner O'Donnell would like modification to the "what are your goals?" section.

**Motion: Motion to accept the Town Staff Performance Evaluation with modifications as presented.**

Motion by Commissioner Ritz III, second by Commissioner Blanchard.

**Vote: 4-0 in Favor.** Commissioner Buckman absent.

*Staff Salaries:* Ms. Haddaway stated the compensation matrix is currently 12x12 (144 options), which she believes is too complicated for the current staff size of about 20 employees. Ms. Haddaway would like permission to create a new compensation matrix based on salary benchmarking, determine where employees fall on the new matrix, and develop a new compensation philosophy based on market rates. Commissioner Sweeney stated it would be difficult for the town to compete with other larger municipalities without raising taxes. Ms. Willets stated this process was initiated because the Board had asked for salary chart information during a closed budget meeting. The current problem is once you hit step 12 in the current chart you cannot grow anymore. Commissioner O'Donnell expressed concern with raising salary rates but not increasing responsibilities and the raise of taxes that would coincide. He stated scale switching should only occur if an employee pursues more education or they grow in their responsibilities. The Board would like a modified compensation matrix with larger bands without comparing current salaries to other municipalities.

**Administrative Business**

- Update on the Emmitsburg Dog Park: Sue Cipperly, Town Planner, presented the updates on the Emmitsburg Dog Park. Ms. Cipperly stated the town is looking at an 80 x 200 ft. and an 80 x 150 ft. size with a section for large and small dogs. A request for proposal will be completed for brush clearing and construction (i.e. fencing, gravel, etc.). There are POS funds for \$13,000 that will be used for basic construction. There is a brochure the town would like to use for fundraising to purchase dog park amenities. The Mayor is reaching out to businesses for donations. Commissioner O'Donnell complemented Madeline Shaw, Town Clerk, on the brochure design.

**Motion:** To support the Emmitsburg Dog Park Campaign fundraising and social media promotion.

Motion by Commissioner Blanchard, second by Commissioner Sweeney.

**Vote: 4-0 in Favor.** Commissioner Buckman absent.

- Town Pool Upgrades for Consideration: Cathy Willets, Town Manager, presented the upgrades for consideration. The items she reviewed...
  - New LED in-pool lighting (8 lights): \$13,200
  - New diving board with stand and required safety handrails: \$5,250
  - Closed vortex slide with ladder: \$27,500
  - Closed vortex slide with steps: \$36,500.

Ms. Willets mentioned only 2 slides were approved by the Health Department. If a new diving/sliding board is added, there will be the additional charge of removing/replacing concrete at \$15 a sq/ft. The Board determined to pursue pool lighting and to pursue a diving board at a later time.

- Proclamation: April as National Child Abuse Prevention Month: Cathy Willets mentioned the Frederick County Child Abuse Advocacy Center would like to make April Child Abuse Prevention Month. The center would plant blue pinwheels in front of the Emmitsburg Community Center and speak at the April 3<sup>rd</sup> Town Meeting.

**Motion:** To accept the proclamation making April National Child Abuse Prevention Month.

Motion by Commissioner Blanchard, second by Commissioner Ritz III.

**Vote: 4-0 in Favor,** Commissioner Buckman absent.

**Consent Agenda:**

Appointment of Carolyn Miller and Martin Miller to the Parks and Recreation Committee, 03/15/2017 - 03/15/2019.

**Vote 4-0 in Favor,** Commissioner Buckman absent.

**Treasurer's Report:**

Commissioner Blanchard presented the treasurers report as of February 28, 2017 (exhibit attached). He mentioned Make N' Waves is at the top of the report, but this expense was already known.

**Planning Commission Report:**

Sue Cipperly, Town Planner, stated the Seton Center site plan was reviewed and has a few approvals pending, but the project should be fully approved in about a month. Commissioner Sweeney stated the new center will have new parking, new bike racks, will be within the town limits, and the new SHA sidewalks will lead to the building.

**II. Agenda Items Continued**

Agenda #3- Revisit Park Pavilion Policy: Ms. Willets stated a new park pavilion policy was approved at the December 6th Town Meeting. The new policy charges residents \$75 (\$25 refundable) and non-residents \$125 (\$25 refunded) for park pavilion use. There were several concerns from non-profits about the fee. The town researched possible options and it appears as if most municipalities waive the fee completely for non-profits. Ms. Willets mentioned there are two options: waive the fee or reduce the charge. Ms. Willets recommends non-profits pay a fee if the event is a fundraiser or an event fee is charged by the nonprofit. Ms. Willets stated a deposit would still be required, and the amount would be refunded if the park is left in good condition.

**Motion:** To update the policy as presented related to non-profits.

Motion by Commissioner Blanchard, second by Commissioner Sweeney.

**Vote: 4-0 in Favor,** Commissioner Buckman absent.

Agenda #4- Emmit Garden Playground Site and Equipment Consideration: Ms. Willets stated the town has a Project Open Space (POS) grant for \$10,000. Commissioner Blanchard recommends placing a small tot lot on a raised area in the northeast section of the proposed site. Commissioner Ritz III expressed concern over a manhole in-between the future water treatment plant and playground area. He also inquired about putting a soccer field in the town, perhaps behind the Emmitsburg Community Center. The area needs to be graded. He would like to see a proposed budget. In regards to the Emmit Garden's playground, there are no other locations. Commissioner O'Donnell said the priority is the highest ground while observing the nearby road. There is no space for other amenities.

**Motion:** To proceed with the Emmit Garden's potential play area as presented.

Motion by Commissioner Ritz III, second by Commissioner O'Donnell

**Vote: 4-0 in Favor,** Commissioner Buckman absent.

**Set Agenda Items for April 3, 2017 Town Meeting**

1. Livable Frederick Presentation to Board
2. Child Abuse Awareness Presentation by the Child Advocacy Center
3. MML Public Works Mutual Aid Agreement & Resolution
4. Staff presentation on comprehensive energy plan
5. Emmitsburg Multiuser Trail 2018 Proposal
6. Administrative business: Pool Lighting
7. Administrative business: AMVET "Because We Care" Proclamation

**IV SIGN APPROVED TEXT AMENDMENTS AND/OR RESOLUTIONS**

**V Adjournment**

With no further business, the March 6, 2017 Town Meeting was adjourned at 10:00 p.m. EST.

Respectfully submitted,

Madeline Shaw  
Town Clerk

Approved: April 3, 2017