

MINUTES
TOWN MEETING
June 5, 2017
Emmitsburg Town Office

Board Members 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 Cole Tabler, Town Accountant.

I. Call to Order

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

Approval of Minutes:

The minutes of the May 1, 2017 Town Meeting were approved as presented. Motion by Commissioner Sweeney, second by Commissioner Blanchard. Passed 4-0 in Favor. Commissioner Ritz III abstained due to meeting absence.

The minutes of the May 15, 2017 Town Meeting were approved as presented. Motion by Commissioner Blanchard, second by Commissioner Buckman. Passed 4-0 in Favor. Commissioner Ritz III abstained due to meeting absence.

Police Report:

Deputy Whitehouse presented the police report from May 2017 (exhibit attached). Deputy Whitehouse mentioned the deputies plan to patrol more on bikes. The two destructions of property were the street lights on Main Street. The Mother Seton Carnival was May 22nd to the 27th. The deputies did not have any complaints or issues with the carnival. There was a donated community train ride with almost 60 in attendance. The scavenger hunt is underway with about 20 families participating. There will be a National Night Out (NNO) on Tuesday August 1st that promotes police and community partnerships from 6-8pm behind the Town Offices. There will be moon bounces, face painting, food, and a magician. Deputy Whitehouse mentioned if anyone wants to report suspicious activity, even anonymously, they can email the deputies at emmitsburgdeputies@emmitsburgmd.gov. Commissioner Blanchard thanked the deputies for being present at the Mother Seton Carnival.

Note: Agenda re-arrangement in courtesy of guest speaker.

Administrative Business:

- **Guest Speaker: Michelle Mills, Auditor:** Cathy Willets mentioned the annual Town audit is coming up. Ms. Mills has been the Town's auditor for 20 plus years, and she has recently switched to a new company. Town staff has always been pleased with her work, and would like to continue to utilize Ms. Mill's services, but Town staff needs approval from the Board before proceeding. Michelle Mills, auditor, mentioned her prior firm (Draper & McGinley, P.A.) of 15 years has decided to discontinue auditing services. As a result of that decision, Ms. Mills moved to a larger firm with offices in Gaithersburg, Leesburg, and Frederick. The new firm, DeLeon & Stang, will allow Ms. Mills and her team to continue their specialty in governmental auditing. Ms. Mills mentioned services were rendered the prior fiscal year, but all fees have been paid to Draper & McGinley, P.A. Commissioner Ritz III asked if the fees would remain the same. Ms. Mills stated the fees would remain relatively the same.

Motion: Motion to terminate services with Draper McKinley for auditing Town finances.

Motion by Commissioner Ritz III, second by Commissioner Blanchard.

Vote: 5-0 in Favor.

Motion: Motion to accept the financial auditing services of DeLeon & Stang.

Motion by Commissioner Buckman, second by Commissioner Sweeney.

Vote: 5-0 in Favor.

Town Managers Report:

Cathy Willets presented the Town Manager's Report from April 2017 (exhibit attached). Ms. Willets mentioned staff conducted a street light inventory on East and West Main Street, which led to the fiscal year (FY) 2018 proposed street light budget. Two street lights have been damaged in the past month. Town staff worked on the park, ball fields, and community gardens in April. Ball Field #1 in Community Park was restored to its original condition, and the ball field is now open for reservations. Anyone interested in using the ball fields should contact the Town Office. Rainbow Lake is at the spillway level. The Town wells are now at 31.25 feet below their May 2011 levels,

but 5.5 feet were gained in April. Ms. Willets stated the wells are slowly and steadily coming back. About 5 inches of rain was received in April, but there still is a 2.34 inch deficit. Ms. Willets also explained approximately 52% of the waste water treated was wild water, which is a result of the sewer line conditions and heavy rain. The Community Pool is under construction, and the modified plans are at Frederick County and the State Health Department. There is a deadline date that was specified in the pool contract that the work must be completed by. Ms. Willets also gave an update on the dog park. She mentioned a revised RFP was requested for the dog park because the approved area is not considered a forest. Commissioner Sweeney mentioned there are some dead trees that need to be taken down near the approved dog park location/Community Park Pavilion. He also asked about the tree clearing that is occurring near the originally proposed dog park site. Ms. Willets reported the originally proposed dog park site is being cleared because the trees are diseased, and the Town is determining the best course of action to take in removing the dead trees near the approved dog park location. Commissioner Ritz III asked about removing some diseased pine trees in Emmet Gardens near the tot lot and about removing hazardous power lines above the proposed playground site. Ms. Willets explained the Town is planning to remove some of the pine trees, but she will need to look into the removal of the others in that area. In regards to the proposed playground, Ms. Willets mentioned there have been several problems encountered. Since it's a flood plain, the Maryland Department of the Environment is requiring an extensive application. An update will be shared at the next Town Meeting. Commissioner Blanchard said the Town looks really good and Town staff is doing a great job maintaining facilities. Ms. Willets stated the Town is requesting bids to spray for mosquitoes along the walking path in Community Park. Commissioner Sweeney asked about unlocking the bathrooms at Community Park for day use. Ms. Willets stated there has been restroom vandalism at the park bathrooms in the past, but she will discuss the possibility with staff. Commissioner O'Donnell mentioned the storage lot gate has been left open in Community Park, and he requested contractors/staff be mindful when closing the gate. He also asked why the trees in the prior proposed dog park area are being cleared. Ms. Willets reported many of the trees are dead.

Town Planners Report:

Cathy Willets presented the Town Planner's Report from April 2017 (exhibit attached). The State Highway Administration (SHA) sidewalk project is underway. The contractor started saw cutting the sidewalks in Town. As work progresses, there will be flagging operations where there is no shoulder or the shoulder is not wide enough. The approved time for shoulder closer and flagging operations is 9 a.m. to 3 p.m. Updates are posted to the Town website, channel 99, and Facebook. The pedestrian bridge is up at the Flat Run Bridge. If there is any pedestrian traffic, SHA has been directed to stop working until the pedestrians have walked by. Ms. Willets does not have a date for the square closure because the proposed date (Community Heritage Day- June 24th) is unacceptable. Commissioner Sweeney asked who can apply for a Community Legacy Grant. Ms. Willets explained anyone who falls in the sustainable area, not just historic buildings, is eligible for the grant. Anyone interested in the grant needs to contact the Town Planner, Sue Cipperly, first. Ms. Willets also reported code enforcement is up and Ms. Nail is doing an excellent job. Thank you letters are sent if a resident complies with requests. Commissioner Sweeney mentioned 40 unmetered parking spots along Main Street. Ms. Willets recommended making parking meters an agenda item in the future to give staff enough time to collect information. Commissioner O'Donnell inquired about before and after photos for the sidewalk project. Ms. Willets will have staff take photos.

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

- **Commissioner Buckman:** She encouraged everyone to attend the Hubbard Fun Day that is coming up in Town.
- **Commissioner Ritz III:** He reminded residents there will be a family oriented event in Community Park on Saturday July 15th from 5 to 7 p.m. The event will have a magician, music, caricature artists, and refreshments.
- **Commissioner Sweeney:** He mentioned Community Heritage Day is Saturday June 24th. There was enough money raised for fireworks, and the Lions Club is currently working on fireworks for next year. He thanked everyone for volunteering and donating because the event couldn't be done without the community.
- **Commissioner Blanchard:** He encouraged residents to thank WWII veterans and record their stories this month in honor of the 73rd anniversary of D-Day. He also thanked town staff for the WWI display at the Town square. He thanked Bobby Ott for donating the photos, and encouraged residents to explore the exhibit at the Ott House.
- **Commissioner O'Donnell:** He was contacted by a property owner in regards to storage containers on properties. Town code does not specifically mention whether storage containers are permanent or temporary structures; however, the code is currently interpreted to view the items as permanent and not allowed. He would like to Board to discuss the item and possibly modify the zoning code because more people are using the structures. He also mentioned SHA has started their projects and he encouraged everyone to be patient with the work. There was a trail day in May with the largest local turn out in a year. The giveaways are getting better for volunteers to include food and the shirts. There is another trail day coming up and there will be several bike rides on

Community Heritage Day (June 24th). He encouraged trail donations and sponsorships because they help attract volunteers on trail work days. He also mentioned the possibility of the Board discussing recycling as a future item. He encouraged residents to recycle and compost more to reduce tipping costs. In regards to trail information, Commissioner O'Donnell stated he will put information on the Town website and the Emmitsburg Trails Facebook Page. Ms. Willets added the Town is collecting email addresses for anyone, residents and businesses, who are interested in receiving construction updates in a timely manner. Anyone who would like to get email updates should email the Town at info@emmitsburgmd.gov, and Frederick County has a recycling website for anyone looking for more recycling information.

Mayor's Comments:

Mayor Briggs attended numerous meetings in May 2017. Mayor Briggs mentioned two 4th grade classes from Mother Seton School attended a field trip at the Town office, and he treated the classes to pizza afterwards. There is an upcoming field trip with Emmitsburg Elementary, and he hopes to make the Town Office field trips an annual spring event. He mentioned the Town was recognized as a Banner Town again this year. The Town had the Emmitsburg Business and Professionals Association (EBPA) free breakfast, which approximately 50 local business owners attended, at the Carriage House Inn. He completed an interview with the Frederick County Chamber of Commerce highlighting the Town's accomplishments. Mayor Briggs also attended a meeting with the Frederick County Solid Waste Steering Committee. The Committee has a goal of reducing the landfill waste by 40,000 tons by 2040. He informed the Board that the landfill is filling fast and once it's full, Frederick County will need to purchase another 900 acre farm. There is a Block Party coming up on June 14th with free food, music, and activities. There will be a few more free community events throughout the summer while the pool is under construction.

Consent Agenda:

Michael Hillman is resigning from the Citizen's Advisory Committee. No vote is needed, but the Board mentioned there are three current vacancies now. Ms. Willets stated one of the vacancies can be for an individual outside of the Town limits. Commissioner Buckman mentioned she would like to have the whole Town represented on the Citizen's Advisory Committee. She needs members from Mount St. Mary's, Emmit Gardens, and outside of Town.

Treasurer's Report:

Commissioner Blanchard presented the Treasure's Report for May 2017 (exhibit attached). Commissioner Blanchard mentioned the cash balance is \$4,672,992 as of May 1st 2017. The operating balance going forward is \$4,607,425.

Planning Commission Report:

None

II. Agenda Items

Agenda #1- FY 2018 Budget for Consideration: Commissioner Ritz III thanked Town staff for answering his questions. He asked what composed the Special Events & Programs (6901) line item in Department 60 (Parks Department). Ms. Willets clarified the line item includes the after school program, farmers market, community functions, and community garden which add up to the \$3,900. Commissioner Ritz III requested the line item not be decreased by \$1,800 if the Park's Committee is more proactive in planning summer concerts. He would like to offer better Community Park concert series in summer 2018. Ms. Willets stated the Board will need to determine where to decrease funds to cover the Special Events & Programs line item if the Board decides not to reduce funding. There was discussion over where to pull funds from. The Board agreed there needs to be an increase in Special Events & Programs funding. Commissioner Ritz III asked how easy it is for there to be a budget transfer if money is needed in the future. Ms. Willets explained the process is easy, and the Board would just have to approve the transfer. She added the funds can be pulled from another line item now, or the funds can be pulled from a line item with excess when the reservation is made, but the decision is the Boards. Commissioner Ritz III stated he is really hoping to have some nicer concerts next summer. Ms. Willets recommended notifying staff immediately when there is an event and the cost is known so funding can be found. Commissioner Buckman suggested planning the series ahead of time so the Town can promote the concert series more. Ms. Willets stated if the events are known far enough in advance, they can be added to the Town calendar.

Commissioner O'Donnell requested the Board flip to Department 7 (Misc Revenues) under line item Rents and Concessions (4502) CREP Scott Road Farm. He mentioned there is no expense line items assigned to the \$1,532 revenue. He proposed the funds be used for multiuser trail maintenance and promotion. He explained individuals are cutting down trees that fall across the trail, but they are not certified and they are putting themselves in danger. With

the funding, the Town could contract a sawyer to cut down the trees and limbs. He mentioned many organizations and residents ask what funding the Town contributes to the trails. Aside from land use and volunteer hours, he would like to have a designated line item. Cole Tabler, Town Accountant, recommended any projects that are longer than a year could use capital project funding, and a separate line item can be added for the multiuser trails but it also depends on the type of work. Commissioner O'Donnell asked if 1 year would be sufficient for piloting the program. Mr. Tabler stated a designated item in Fund 2 would be there until it's transferred or diminished. He recommends doing a designation in Fund 2 if work is needed for the trails in the future so a transfer can be made when needed. Ms. Willets reminded the Board they will need to determine where the \$1,532 will come from. She recommended not taking funds from the pool. Commissioner O'Donnell passed the gavel to Commissioner Sweeney, Vice President of the Board of Commissioners. There was discussion over where to take the funds from.

Motion: To transfer from Fund 2 Dog Park to new line item Trail Maintenance and Promotion in the amount of \$1,532.

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

Vote: 5-0 in Favor.

Commissioner Sweeney passed the gavel back to Commissioner O'Donnell. Commissioner Ritz III inquired about the Emmet Garden playground funding. Ms. Willets stated there is a \$10,000 grant and the Board designated \$7,500 several years ago totaling \$17,500. Commissioner Ritz III inquired about the Waste Water Treatment Plant (WWTP) lagoon and if the Town will continue the lagoon contract. Ms. Willets hopes Enviro Organic will comply; otherwise, the Town will be \$150,000 in the hole from FY17-18 reduced utility charges (\$70,000) and the loss of the lagoon contract (\$80,000). Other revenue will be needed if the contract is terminated.

Motion: To accept the fiscal year (FY) 2018 budget as amended.

Motion by Commissioner Sweeney, second by Commissioner Buckman

Vote: 5-0 in Favor.

Ms. Willets asked if the budget PowerPoint was beneficial. The Board commended Town staff for preparation, visual aids, and clarity in answering questions.

Agenda #2- Salary Chart Adoption for Consideration: Ms. Willets mentioned the Board is required to adopt the salary chart ordinance with the budget each year. She explained each employee is eligible for a step increase based off their performance evaluation and review. The total difference between FY 2017 and FY 2018 is \$12,000 (or 1.5% step increase) with a 0% Cost of Living Adjustment (COLA). Commissioner Ritz III inquired about a prior year when a new salary chart was adapted, but there was an error that resulted in the salary chart being modified. Mr. Tabler explained the instance was two years ago and it was because the salary chart was adjusted which resulted in staff moving down in steps on paper; however, staff still got their increase. The structure of the salary chart was changed then. Ms. Willets clarified that the salary chart was not voted upon, but Ms. Willets brought it to the Board to fix any problems during that occurrence a few years ago. Commissioner Buckman asked about the structure of the chart. Ms. Willets explained the salary chart is large in size so it was broken into four pages. Commissioner O'Donnell asked if the new employee evaluation system was approved. Ms. Willets stated the new employee evaluation form was approved and town staff came up with three goals for the coming year based on the new evaluation form earlier in the year. Commissioner Ritz III asked why Grade 2 and Grade 10 did not have a position title. Ms. Willets stated there are no employees in those steps, she also added this was the reason staff wanted to have human resource modify the salary chart to condense the chart and get rid of positions that were not used. There is currently no staff under the title of inspector because there is not a need for that position, and contractors are used now for inspections.

Motion: To accept the salary chart as written.

Motion by Commissioner Blanchard, second by Commissioner Ritz III.

Vote: 5-0 in Favor.

Agenda #3- Revisit the Recreational Trail Program Grant Offer:

Commissioner O'Donnell presented the Recreational Trail Program Grant. He explained the Trail Conservancy was awarded a grant for the multiuser trails in Emmitsburg, and the Town accepted the grant offer; however, the Trail Conservancy was planning to subcontract the contractors, but now the Trail Conservancy cannot oversee the process because they are very busy. He explained to the Board that the Trail Conservancy might step back from the grant and the state might reassign the grant to the Town of Emmitsburg. He hopes to hear something by the end of June. Commissioner Ritz III asked if the Trail Conservancy can reapply for the grant. Commissioner O'Donnell informed the Board that the Town can reapply, but the scenario of passing the grant along to the Town looks favorable. He also mentioned specifically asking the State of Maryland about eligibility, and the State informed him the Town would still be eligible.

Set Agenda Items for July 10, 2017 Town Meeting

1. Presentation on the National League of Cities Service Line Warranty
2. LG Sonic Algae Control System Update
3. Update on the Emmit Garden's Playground
4. Admin Business: Online Traffic Statistics for Facebook and Website

Commissioner Ritz III inquired about this coming year being an election year. Ms. Willets stated the Board of Commissioners will discuss the election judges at the August 2017 Town Meeting. The Town will start advertising for election judges in July. Election Day is September 26th and the last day to file for election and to register to vote with the County is August 28th. All the information related to the elections is on the Town website. As the day gets closer, the Town will publicize announcements on Facebook and the website. Any election questions can be directed to Madeline Shaw, Town Clerk. Commissioner O'Donnell requested a quantified update on those accessing the Town website and Facebook.

Motion: - To accept the agenda as presented for the July 10, 2017 Town Meeting.
Motion by Commissioner Ritz III, second by Commissioner Sweeney.

Vote: 5-0 in Favor.

III. Sign Approved Text Amendments and/or Resolutions

IV. Adjournment

With no further business, the June 6, 2017 Town Meeting was adjourned at 9:10 p.m. EST.

Respectfully submitted,

Madeline Shaw
Town Clerk

Approved: July 10, 2017