



# Town of Emmitsburg

Mayor Donald N. Briggs

**Board of Commissioners**  
Timothy O'Donnell, *President*  
Clifford Sweeney, *Vice President*  
Glenn Blanchard, *Treasurer*  
Joseph Ritz III  
Elizabeth Buckman

**Town Manager**  
Cathy Willets

**Town Clerk**  
Madeline Shaw

## **TOWN MEETING AGENDA** **August 7, 2017 – 7:30 p.m.**

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. FUTURE MEETINGS AND UPCOMING ELECTION DATES**

*Citizen's Advisory Committee Meeting: August 15<sup>th</sup> @ 7:30 p.m.*

*Parks and Recreation Committee: August 15<sup>th</sup> @ 7:30 p.m.*

*Last Day to Register to Vote with Frederick County: August 28<sup>th</sup>*

*Last Day to File For Election (Mayor & 1 Commissioner Seat): August 28<sup>th</sup> @ 4:00 p.m.*

*Town Council Meeting: September 5<sup>th</sup> @ 7:30 p.m.*

- 4. MEETING ITEMS**
  - A. APPROVE MINUTES: JULY 10, 2017**
  - B. POLICE REPORT**
  - C. TOWN MANAGER'S REPORT**
  - D. TOWN PLANNER'S REPORT**
  - E. COMMISSIONER COMMENTS**
  - F. MAYOR COMMENTS**
  - G. PUBLIC COMMENTS**
  - H. ADMINISTRATIVE BUSINESS (DETAILS ATTACHED)**
    - I. Guest Speaker: Maryland State Delegate Kathy Afzali**
  - I. CONSENT AGENDA: 2 REAPPOINTMENTS**
  - J. TREASURER REPORT**
  - K. PLANNING COMMISSION REPORT**
  - L. AGENDA ITEMS (DETAILS ATTACHED)**
    - I. National League of Cities (NLC) Service Line Warranty for Consideration**
    - II. Appointment of Election Judges**
    - III. Ordinances to Amend Title 13 Public Services for Discussion**
  - M. SET AGENDA FOR NEXT MEETING: SEPTEMBER 5, 2017**
- 5. SIGN APPROVED TEXT AMMENDMENTS AND/OR RESOLUTIONS**
- 6. ADJOURN**

**A. APPROVE MINUTES: JULY 10, 2017**

**MINUTES  
TOWN MEETING  
July 10, 2017  
Emmitsburg Town Office**

**Present:** Mayor Donald Briggs; Commissioners: Glenn Blanchard, Joseph Ritz III, Clifford Sweeney, and Tim O'Donnell, President. *Town Staff:* Cathy Willets, Town Manager; Madeline Shaw, Town Clerk; Amy Naill, Code Enforcement Officer; and Susan Cipperly, Town Planner. *Others:* Deputy Ben Whitehouse.

**Absent:** Commissioner Buckman with prior notice.

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**I. Call to Order**

Commissioner Tim O'Donnell, President of the Board of Commissioners, called the July 10, 2017 Town Meeting to order at 7:30 p.m. EST. Pledge of Allegiance was recited.

*Note:* Agenda re-arranged to move public comment first.

**Public Comments:**

*Frank Davis, President of Vigilant Hose Company-* Mr. Davis mentioned about two months ago the Vigilant Hose Company and the Emmitsburg Volunteer Ambulance Company started to discuss plans for a merger. A recent meeting with over 100 representatives from the organizations resulted in a unanimous vote to continue the merger process. He stated both companies hope to have the entire merger completed by January 1, 2018. Currently both the fire and ambulance companies are working out of the West Main Street station. The companies are pleased to announce that since the merger process was initiated, they have answered every emergency call, which was the main goal for the merger. *Mary Lou Little, President of Emmitsburg Volunteer Ambulance Company* – Ms. Little added the merger process has been very smooth because both companies chose to merge and were not forced together. Commissioner Sweeney asked if the both companies could be under the Town's solar energy to help the organizations save energy costs (Vigilant Hose Company already is). Mr. Davis added the companies plan to keep the Board updated every few months. The Board thanked the companies for serving the community and helping at Community Heritage Day.

**Approval of Minutes**

The Minutes of the June 5, 2017 Town Meeting were approved as presented. Motion by Commissioner Sweeney, second by Commissioner Ritz III. Vote: 4-0 in Favor. Commissioner Buckman absent.

**Police Report:**

Deputy Whitehouse presented the police report from June 2017 (exhibit attached). Deputy Whitehouse mentioned more people are calling in and reporting suspicious activity, which he encourages residents to do. The deputies responded to eleven 911 calls in June. For special events, the deputies were present at Community Heritage Day and the Junior Deputy Academy in Middletown on June 29<sup>th</sup>. The deputies congratulated the McKenney Family for winning the Emmitsburg's Scavenger Hunt. He thanked all the businesses and participants that helped make the Scavenger Hunt possible. He added there will be traffic delays in Town with the State Highway Administration (SHA) projects, and he asked the residents to be patient with any detours. The deputies will be patrolling the square to make sure everyone is being safe during the construction. Deputy Whitehouse encouraged residents to continue calling in suspicious activity. Commissioner O'Donnell asked about the five traffic collisions in Town and if any were related to the SHA projects. Deputy Whitehouse clarified the accidents were not related to the SHA projects. Commissioner Sweeney asked why there were 43 traffic stops and 64 violations. Deputy Whitehouse mentioned sometimes vehicles are stopped and given more than one citation. Commissioner O'Donnell mentioned he was recently at the MML Summer Conference where he attended a presentation on community policing. He stated the Emmitsburg Deputies are very much in-tune with the community policing model. The Mayor added that Narcan doses were also brought up in a class at the MML Summer Conference. He asked how many Narcan doses are kept

with the deputies. Deputy Whitehouse stated only one dose is in each vehicle, even though sometimes it may take a few. The Board thanked the deputies for their service and involvement in Community Heritage Day.

**Town Managers Report:**

Cathy Willets presented the Town Manager's Report from May 2017 (exhibit attached). Ms. Willets stated Town staff replaced 3 street poles/fixtures on West Main Street and installed an additional pet waste station along East Lincoln Avenue by the entrance to the walkway off Chesapeake Avenue. For the SHA sidewalk project, staff has been marking utilities. The old farmer's market sign was removed on South Seton Avenue and replaced with a new sign. Ms. Willets encouraged the community to attend the farmers market every Friday from 3:00 p.m. - 6:30 p.m. She added there are more vendors this year than in previous years. Commissioner Sweeney asked why the farmer's market is only for a few hours Friday afternoon and not all day. Ms. Willets replied the Board determined the hours in prior years. Commissioner O'Donnell added the thought was people could stop on their way back into Town from work. Ms. Willets continued that staff cleaned up Community Park Ball Field #1 (Maryland Storm Field) and it is open for public reservations. A new stop sign and speed bump were installed in Community Park near Ball Field #3 (Babe Ruth Field). Rainbow Lake is now at spillway level. The Emmitsburg's wells are rebounding and now at 28.75 feet below the May 2011 levels. In May, 6 inches of rain were received. There is a surplus of .55 inches of rain, which is the first surplus in several months. There were three spills of untreated sewage in the month of May due to heavy rain that resulted in a loss of 7,650 gallons. The spills were reported to the State of Maryland. She mentioned the heavy rain resulted in the Waste Water Treatment Plant exceeding its capacity five times. Commissioner O'Donnell inquired about complaints related to the SHA projects. Ms. Willets informed the Board that the Town will take any complaints about the SHA project and send them to SHA for review. Commissioner Blanchard thanked the Town staff for keeping the parks in nice condition. Commissioner Sweeney commended the Town for the beginning stages of the dog park. Commissioner Ritz III commended Town staff for the American flags along Main Street.

**Town Planners Report:**

Susan Cipperly presented the Town Planner's Report from May 2017 (exhibit attached). Ms. Cipperly mentioned she attended a Planning Commission meeting on June 28<sup>th</sup> where she presented the B2 zoning text amendment in response to requests by the Board of Commissioners at the May 1, 2017 Town Meeting. The B2 text amendment would allow for places of worship in the B2 zone, which is a general commercial zoning district. She stated the text amendment requires more than just a change of wording as the whole ordinance needs to be reviewed for consistency and there are several federal laws about religious uses. Ms. Cipperly will get an ordinance together, have it reviewed by the Town's attorney, and then have the Planning Commission review it. Ms. Cipperly has been the contact person for the SHA projects and has been overseeing the no parking signage for the SHA sidewalk project. The sidewalk project contractors have been approved to complete the west side of Main Street before moving to the east side of Main Street. Commissioner O'Donnell asked if the sidewalks would be done before school starts. Ms. Willets stated staff would look into this. Ms. Cipperly also has been overseeing a few Community Legacy grants that will fix-up buildings along Main Street.

**Commissioner Comments:**

- Commissioner Ritz III: He informed the public there will be a free family fun event at Community Park Saturday July 15<sup>th</sup> 5pm-7pm that will include a magician, music, light refreshments, and a caricature artist.
- Commissioner Sweeney: He thanked everyone who was involved in the Community Heritage Day festivities for their time and efforts. Almost every organization was represented this year during the event. There were several new components that were added, and the attendance was higher than it has been in prior years. This year was also the best year for firework donations. He thanked everyone for their donations. He encouraged anyone interested in hearing more about Community Heritage Day to come to a meeting.
- Commissioner Blanchard: He thanked Commissioner Sweeney for all his work on Community Heritage Day. He informed residents of a food drop on Wednesday June 12<sup>th</sup> from 3-6pm in a parking lot behind the Elias Lutheran Church. He also attended the MML Summer Conference and was able to talk to several delegates, senators, and state senators during the event.
- Commissioner O'Donnell: He thanked Commissioner Sweeney and Ms. Joy for organizing Community Heritage Day. He attended the MML Summer Conference with the Mayor, Commissioner Buckman, Commissioner Blanchard, and Ms. Willets. At the conference he attended several classes: sign regulations, community

policing, healthy waters, rental property regulations, small town discussion (covering fleet management, workman's compensation, payment in lieu of tax), the secretaries' round tables, the governor's subcommittee on smart growth, and an economy's direction class. At the conference he also spoke with Mike Gill, Secretary of the Maryland Department of Commerce, on bringing employment to Emmitsburg. Commissioner O'Donnell hopes to partner with Mr. Gill to have some businesses consider Emmitsburg that might not normally consider Emmitsburg. He has been communicating with the SHA about having a multi-use trail come through Emmitsburg that would connect the C&O Canal to Gettysburg. During the economy's direction class he learned millennials are looking for finished "jewel box" houses because they carry \$70,000+ in debt from college degrees. He has not received any recent complaints about the Waste Water Treatment Plant lagoon smell. He concluded by thanking Commissioner Sweeney and his team for Community Heritage Day.

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

Mayor Briggs attended numerous meetings in June 2017. Mayor Briggs started by commending Commissioner Sweeney and the Lions Club for Community Heritage Day. He also thanked staff for their hard work. He informed the Board the Town recently received the 2017 Maryland Green Registry Leadership Award for sustainability efforts. He also reviewed the estimated time of completion for several projects in Town. The pool is still under construction and is estimated to be completed May 2018. The Emmitsburg dog park should be completed in spring 2018. He explained the Town is still raising money to pay for amenities for the dog park to include benches, doggy drinking fountains, and doggy playground equipment. Larger donors can dedicate a bench or fence sign to a dog or loved one. The square and sidewalk SHA projects are estimated to be completed in June 2018. The Flat Run Bridge project estimated completion is fall 2018. Overall, the Town has completed approximately \$30 million worth of improvements projects the past few years through grant funding. Mayor Briggs mentioned he met with Congressman Jamie Raskin, and he plans to meet with one of the largest developers in Frederick County later in July. The Town was awarded a grant for \$221,907 for the 2018 Energy Water Infrastructure Program (EWIP) grant through Maryland Department of the Environment that will improve energy efficiency at the Creamery Road Pump Station and save an estimated \$6,007 annually in electricity costs. He thanked Town staff for their efforts with the EWIP grant. Mayor Briggs also mentioned the Town is going to be applying for a Community Parks and Playground grant soon for approximately \$75,000 for a multi-use soccer field behind the Town office. There are two more block parties (or pool parties) this summer in Community Park. He suggested possibly implementing a cigarette butt disposal policy once the SHA projects are completed. He concluded by highlighting the 2017 Maryland Green Registry Leadership Award again. He mentioned the Town beat out two large cities that have about 1,500 employees, but Emmitsburg won with only 16 employees. Commissioner Sweeney asked the Mayor if the Town can get signage showing the organizations that exist within Town (Lions Club, etc.). Ms. Willets will discuss the signage with the Town Planner.

#### **Administrative Business:**

- Online Traffic Statistics for Facebook and Website: Madeline Shaw, Town Clerk, presented the online traffic statistics for the Town's Facebook and website. Mrs. Shaw started by informing the residents/businesses the Town has a Facebook ([www.facebook.com/emmitsburgmd](http://www.facebook.com/emmitsburgmd)) and website page ([www.emmitsburgmd.gov](http://www.emmitsburgmd.gov)) that events, alerts, news information, and other information is posted on. Ms. Shaw commended Terri Ray, Office Manager, for keeping the information on the Facebook and website page up-to-date. Mrs. Shaw highlighted several statistics for the Facebook page. As of July 2017, the page currently has 945 page followers (people that subscribe to receive updates in their news feed). This number has been steadily increasing as 225 new followers have been added the past 7 months. On average, a Facebook post reaches about 370 people per day and most people engage with photos, which is why Ms. Ray will typically use photos to grab attention. The average demographic of our Facebook page followers are Emmitsburg women 35-44 years old. For people reached (people that have seen any content associated with the Town's Facebook page) the average demographic is Frederick City women 35-44 years old. For people engaged (people tagging the page or talking about the page in comments) the average demographic is Emmitsburg women 45-54 years old. Next, Mrs. Shaw reviewed the Emmitsburg website page data. Since January 1, 2017, there has been 10,145 sessions (when a user is actively involved in the website through scrolling and clicking), and 6,871 users (people who have initiated a session by clicking on the webpage). Google Analytics estimates 65% of Emmitsburg website users are first time visitors. On average, a person spends 2:05 on a webpage, but this number has decreased recently revealing that information is easier to find on the webpage. For location, Mrs. Shaw noted the top 4 users locations:

Washington D.C. (about 19% of users), Thurmont (about 14% of users), Frederick City (about 9% of users), and Emmitsburg (about 8% of users). The top 3 website pages visited within 28 days of the July 10<sup>th</sup> Town Meeting are the home page, SHA sidewalk project page, and the pool page. Mrs. Shaw concluded by adding most people visit the website Fridays around 1 p.m. and desktops are the devices mostly used when accessing the website. Commissioner O'Donnell asked if there are any recommendations for online improvement. Mrs. Shaw explained staff is doing a great job with website management and keeping the pages up-to-date and there are no current recommendations. Commissioner Blanchard encouraged staff to continue posting photos/updates in a timely manner. Mayor Briggs asked if staff recommends using Snap Chat. Ms. Willets stated staff is not always at every event so it would be difficult to use Snap Chat, but she encourages residents and the Board to send event photos in for posting. Commissioner O'Donnell inquired about an online campaign to help draw Mount St. Mary's (MSM) students to Town. Ms. Willets informed the Board the website currently has a business registry list, and the Citizens Advisory Committee was tasked with creating a new resident kit that could be modified for new students. Commissioner O'Donnell added many events are held at MSM, but not everyone at the events are aware of the Town being nearby and he'd like to change this.

**Consent Agenda:**

Appointment of Tricia Sheppard, Will Sheppard, and Martin Miller to the Citizen's Advisory Committee, 2 year term, 07/10/2017 – 07/10/2019. Motion by Commissioner Blanchard, second by Commissioner Sweeney. The vote was not taken as Commissioner Ritz III inquired if an individual can serve on two committees. The Board and Town staff discussed if an individual is allowed to serve on more than one committee because Martin Miller was appointed to the Parks and Recreation Committee at the March 6, 2017 Town Meeting. The Board determined to investigate the matter further for the next Town Meeting. Commissioner Blanchard withdrew the initial consent motion.

Appointment of Tricia Sheppard and Will Sheppard to the Citizen's Advisory Committee, 2-year term, 07/10/2017 – 07/10/2019. Motion by Commissioner Blanchard, second by Commissioner Ritz III. Vote: 4-0 in Favor. Commissioner Buckman absent.

**Treasurer's Report:**

Commissioner Blanchard presented the Treasure's Report for June 2017. He mentioned the operating balance going forward is \$4,424,569.

**Planning Commission Report:**

Ms. Cipperly re-stated the Planning Commission will review the B2 text amendment later in July. The Board will most likely revisit the text amendment at the September 2017 Town Meeting depending on what occurs at the next Planning Commission meeting. Commissioner Sweeney added the amendment is being requested by two places of worship.

**II. Agenda Items**

Agenda #1: Presentation on the National League of Cities Service Line Warranty: Ashley Shiwarski with Utility Service Partners, Inc. presented the National League of Cities (NLC) Service Line Warranty. Ms. Shiwarski mentioned the Utility Service Partners, Inc. service line warranty is the only one endorsed by the NLC and only strategic partner with the Maryland Municipal League (MML). The service line warranty program is completely voluntary and would help residents maintain their external water line, external sewer lines, and in-home plumbing. The goal of the program is to help residents deal with the financial burdens of unanticipated service line repair and replacement costs while reducing the burdens placed on municipalities and their infrastructure. The NLC Program, administered by Utility Service Partners, Inc., would handle the marketing, billing, claims management and customer service. If the Town chooses to participate, there would be no cost or administrative time, and the Town would receive an incremental revenue stream for participating. Ms. Shiwarski explained public education is the biggest benefit. She mentioned many residents don't know what their responsibility is in regards to service lines and often times the Town has be to the bearer of bad news if there is a problem the home owner is responsible for and Town staff is asked to check the line. For a few dollars a month, residents can choose to participate in the program and know they have 24/7 support to contact NLC about any problems and have a local plumber dispatched to their home. Only local contractors are used, and the Town can be as involved in the contractor selection process as desired. Local contractors are determined through a background check, drug screening, licensing check, and a Better

Business Bureau check. Ms. Shiwarski explained there are 3 optional programs: external water line coverage, external sewer line coverage, and in-home plumbing coverage. The external coverage would cover the service line from the end of the Town's responsibility to where the lines "day light." With their coverage, residents would receive up to \$8,500 towards each and every repair. Residents would not be limited in the number of claims each calendar year, and there are no deductibles/service fees because NLC does not want to deter any residents from calling about problems. The in-home plumbing program would cover any lines in the home after the point-of-entry, any lines under a slab/basement floor, and clogged toilets. Ms. Shiwarski mentioned when a resident enrolls in the program, they are more proactive to get problems fixed.

For revenue stream, the Town would receive .50 cents per month per paid warranty contract. There are no guidelines on how the Town can use the revenue stream. The program would only be solicited to residents during three mailing campaigns a year during the spring, fall, and winter seasons. Each mailing campaign would only focus on one product so residents would not get confused between the three warranties. Ms. Shiwarski explained all mailings would get approved by the Town first, and then the exact mailing date would be given to Town staff once approved. The standard marketing letters includes an educational piece and an introductory letter on the Town's letter head with a signature from an elected official or Town staff member. The NLC contact information would be on the bottom of the letter for residents to contact with questions or to enroll. She mentioned the Town would have access to an online portal that lets the Town know who is enrolled in each product, the claims filed, and the resident satisfaction survey results. If there are any problems, NLC will follow-up with the contractor to ensure the contractor is doing work up-to NLC standards. The two most recent partners are Taneytown and Thurmont. Commissioner O'Donnell asked if Commissioner Sweeney had heard of this program before. He has not. Commissioner Sweeney asked if businesses could enroll. Ms. Shiwarski explained the program is only residential, and apartment buildings would be eligible as long as the property owner gives approval. She also mentioned there are no minimum participation requirements. Even if only one person participates, NLC will still partner with that home owner. Mayor Briggs asked if shared service lines are covered. Ms. Shiwarski responded they are usually not included in the program, but if it's a large issue NLC can up-date their terms to include shared lines. Commissioner O'Donnell asked who Utility Service Partners, Inc. was insured with. Ms. Shiwarski stated NLC is bonded with the State of Maryland, but the organization is switching to an insurance provider in August 2017. Ms. Shiwarski will get the name of the insurance organization for Commissioner O'Donnell. Commissioner O'Donnell asked if there was anything that would deter an individual from participating. Ms. Shiwarski explained the service is available to anyone regardless of length of line, depth of line, or age of line and the pricing would be the same; the only deterrence would be if the resident's line is not working at the time of enrollment; however, NLC does not inspect the service line before enrollment. Commissioner O'Donnell asked what it means to be a strategic partner with MML. Ms. Shiwarski explained MML chooses strategic partners that could really benefit their league and MML pays \$10,000 a year to have access to the mailing lists and endorsements. Commissioner O'Donnell asked if the .50 cents is negotiable. The .50 cents is a standard fee for municipalities with less than 50,000 households; if the Town did not want to receive the revenue, the residents would pay .50 cents less each month. The revenue accrues throughout the year and is paid to the Town in January. Commissioner O'Donnell asked if the Town is paid an administrative fee for answering a large volume of calls related to the program. Ms. Shiwarski mentioned there is not, but NLC would prefer the Town have any callers contact them instead. To reduce calls, she recommends the Town do a press release around the time of a mailing. NLC has sample press releases and a website banner. Commissioner O'Donnell asked how long Utility Service Partners, Inc. has been in business. Ms. Shiwarski stated the organization has been in business for 13 years and has endorsed by the NLC since 2010. She added Utility Service Partners, Inc. only works with municipalities. Commissioner Ritz III asked what a plumber can do to join the local provider list of contractors. Ms. Shiwarski explained the Town can provide a list of contractors in the area; otherwise, a providers information would need to be collected and given to the NLC who will then reach out to the provider and start the vetting process. As long as the provider qualifies, they can become a part of the contractor network. Ms. Shiwarski reviewed the pricing to include the external water line coverage (\$5.75/month), external sewer line coverage (\$7.75/month), and the in-home plumbing (\$9.99/month). Residents are billed monthly through a variety of options (i.e. invoiced, automatic payments, etc.) that NLC handles. If a resident signs-up to pay annually, a \$5 per product discount is applied to their account, and the resident would not be locked into a year contract. Commissioner O'Donnell asked if the company is privately owned or publicly traded. The company is publicly traded on the London Stoke Exchange because the parent company of Utility Service Partners, Inc. (Home Serve) is from London. Mayor Briggs requested the opinion of Town staff. Ms. Willets mentioned Mr. Dan Fissel (the Sewer and Water Superintendent) had a conference call with Ms. Shiwarski and he highly recommends this

program because it will help save time and heartache. Often staff has to go to a resident's property and be the bearer of bad news when the problem is the resident's responsibility. The Board thanked Ms. Shiwarski for her time. Ms. Willets asked the Board what action staff should take. There was discussion over the program and researching the program more. The Board decided to review the information thoroughly and make a motion in the next Town Meeting in regards to the NLC Service Line Warranty.

Agenda #2: LG Sonic Algae Control System Update: Cathy Willets, Town Manager, presented the LG Sonic Algae Control system update. The algae control system has been in place for roughly three months, and Ms. Willets mentioned an accurate analysis will not be available until the worst part of the algae season is over, which is in the late summer and early fall. She explained there are several tests that reveal if the system is making an impact on algae: chlorophyll, phycocyanin, and turbidity. Chlorophyll is the biggest indicator because chlorophyll indicates algae growth. She explained before installation on April 11, 2017, the chlorophyll was averaging around 20 ug/L (or 20 parts per billion), but current levels are just above zero at 5 ug/L. She explained phycocyanins are the toxins produced by blue/green algae that cause taste and odor problems in the drinking water. Prior phycocyanin levels were about 4/5 ug/L, and now levels have decreased near 0 ug/L. She explained turbidity measures water clarity. The prior levels were 4.0 NTUs, and current turbidity levels have decreased to less than 1 NTU. Ms. Willet's added algae' blooming produces a turbidity of 5-7 NTUs. She added the goal of lake flow and well usage is to use 50% lake water and 50% well water. In prior years, during the summer, the wells accounted for up to 58% of water usage, which is 10% more than current algae control system numbers. Coagulant usage has decreased from 19.4 to 16, and Town staff anticipates this number to decrease more significantly during the peak algae season. Ms. Willets reviewed backwash water usage, and reminded the Board that backwash water usage was a main reason the system was installed. Since installation, the water use has reduced from approximately 1.292 million gal/month to 600,000 gal/month. Overall, the lake is clearer for this time of year than in previous years and several fishermen have commented on the better quality of the water. Ms. Willets added there has been no unexpected filter related overtime since installation, which was another main reason staff asked for the system. She noted soda ash and chlorine have not changed, but these numbers are anticipated to decrease during peak algae season. Commissioner Sweeney asked about the satellite and if it has been able to get signal with the system. Ms Willets mentioned Town staff is looking into getting the satellite connected as soon as possible because system cannot be adjusted to incoming numbers without connection. If the problem is not fixed soon, Town staff will draft a letter. Commissioner O'Donnell added the Board had asked specifically about satellite connectivity during the presentation by LG Sonic last year. Commissioner O'Donnell asked if the system is saving the Town money. Ms. Willets said the system is saving the Town money and Town staff is very pleased with the results so far. Ms. Willets concluded by stating staff will bring back an update after the fall when more numbers are collected. Commissioner Ritz III requested the PowerPoint presentation get posted on the Town website and Facebook page. Commissioner Ritz III asked what NTU stand for. There was discussion over what NTU stands for. An audience member stated NTU stands for Nephelometric Turbidity Unit.

Agenda #3: Update on the Emmitt Garden's Playground: Susan Cipperly, Town Planner, presented the update of the Emmitt Garden's Playground. Ms. Cipperly mentioned the approved site is in a 100 year flood plain, which means the site has a 1/100 chance of flooding annually. Ms. Cipperly reviewed a map that shows the flood way along the creek and the 100 year flood plain. The map also shows a 500 year flood plan, which means there is a 1 in 500 chance of a larger flood occurring each year in Emmitt Gardens. Ms. Cipperly explained she spoke with numerous people from the Federal Emergency Management Agency (FEMA) and the State of Maryland. When she spoke with the State of Maryland, she was told there would be a \$750 application fee, but another individual said municipalities are not charged an application fee. Ms. Cipperly needs to thoroughly look at the application she just received, but she believes the Town may need to hire an engineer. The Maryland Department of the Environment (MDE) had informed Ms. Cipperly the Town would need a hydraulic study. The main concerns are if the playground equipment will block water movement during a flood, and if the equipment should have concrete foundation so it won't float away during a flood. Ms. Willets added the State of Maryland took a long time to address any questions, which is prolonging the process, but another main concern is funding because a \$750 application fee, engineer, and hydraulic study will consume much of the grant funding. Commissioner Sweeney said Creagerstown Park was built in a flood plain, and the playground equipment is flooded every time there is a heavy rain. Ms. Cipperly doesn't anticipate the application being denied once it's submitted, and she also reminded the Board the Town has a flood plain ordinance. Commissioner Ritz III inquired about removing some pine trees along the flood way/creek. He stated there are some

power lines that run above the ground there that could be hazardous if a tree falls on them. Ms. Willets explained the Town needs to look into the ownership of the trees and if they're needed for erosion control.

**Set Agenda Items for August 7, 2017 Town Meeting**

1. National League of Cities (NLC) Service Line Warranty for Consideration
2. Consent Agenda: Appointment of Election Judges
3. Ordinances to Amend Title 13 Public Services for Discussion
4. Administrative Business: Guest Speaker, Maryland State Delegate Kathy Afzali

Motion to accept the agenda items for the August 7, 2017 Town Meeting as presented. Motion by Commissioner Sweeney, second by Commissioner Ritz III. Vote: 4-0 in Favor with Commissioner Buckman absent.

**III. Sign Approved Text Amendments and/or Resolutions**

**IV. Adjournment:**

Motion to close the meeting. Motion by Commissioner Blanchard, second by Commissioner Sweeney. Vote: 4-0 in Favor with Commissioner Buckman absent.

With no further business, the July 10, 2017 Town Meeting was adjourned at 9:36 p.m. EST.

Respectfully submitted,

Madeline Shaw  
Town Clerk

Approved:

draft

**B. POLICE REPORT:** Presentation by deputies at the meeting.

## C. TOWN MANAGER'S REPORT

**Town Manager's Report  
June 2017  
Prepared by Cathy Willets**

### Streets:

- Staff took down & repaired #65 street light on West Main Street @ Warthen's Way.
- Staff rewired & put new street light pole(#33) & fixture up in front of 2 Reeney Cir.
- Staff put new stop sign & post back up on West Lincoln Ave. & Patterson Ave.
- Staff put new led light on flag pole at the Doughboy statue.
- Staff put flags on every other street light pole from Federal Ave to Jamison Ave.
- Staff put farmers market banners up on street light poles on the east & west side of square.

### Sidewalk and Bridge Project:

- Staff remarked utilities several times for sidewalk project.
- Staff remarked 10" water line several times for the bridge project.
- Staff reported a backhoe knocked manhole lid off to #50 sewer manhole & about 2' of dirt fell into manhole at the bridge project. Staff remained on site until contractor removed dirt and put new frame plus cover back on.
- Staff dug up, blew out, replaced top piece, & put risers on some valve boxes on Wagerman Lane @ West Main Street for.
- Staff Took new top piece to curb box at 800 West Main St. Contractor hit & busted top piece to curb box.
- Staff conducted curb box inspection and found curb box at 700 & 706 West Main St. had been hit & was full of crush run, blacktop, etc. Staff provided new top piece and contractor made repair. Staff put new curb box in at 706 west main street.
- Staff picked up damaged street light on West Main St. that contractor knocked off doing sidewalk project.
- Staff dug up & straighten curb box up at 524 West Main St. as part of sidewalk project.
- Contractor hit street light conduit & pulled wires out on West Main St @ Warthens Way. Staff contacted our contractor to make necessary repairs.
- Staff cleaned out curb box at 400 West Main St. as part of sidewalk project
- Staff conducted curb box inspection from 814 West Main St. to Warthens Way. Found several that needs raised
- Staff repaired water leak on service line to 400 West Main St.. Contractor hit the water service line while digging to install the new street light conduit.

### Parks:

- Staff mowed, trimmed, weed killed in parks.
- Staff blocked off Community Park for Emmitsburg Elementary play day.
- Contractor new commercial lever locks on men's & women's restroom doors at the Memorial Park restroom building.
- Contractor removed trees, shrubs, seeding & mulching area between ball fields #1 & #3 in Community Park.
- Staff used cub cadet w/post hole digger to put new board fence up in Community Park.
- Contractor took down two trees and grinded stumps in Memorial park.
- Contractor worked on the dog park removing trees, stumps, etc.

Water:

- Rainbow Lake is at the spillway level (normal is 16.6 feet).
- The roughing filters are being backwashed three times a day and the DE filters are being done once per week.
- Our wells are now on average 6.25' below their May 2011 levels. (Staff recently shut down well #4 and started utilizing well #5. Well 5 has a lower alkalinity and PH making chemical usage more predictable).
- Water production and consumption. We produced an average of 305,345 GPD. We consumed an average of 292,894 GPD.
- Leak detection specialist working through Town (two noteworthy leaks on DePaul Street and South Seton Ave.)
- Matthew Desmond took the short course for water license and certification test.
- LG Sonic - new satellite transmitter ordered and being tested prior to installation. Lake is definitely changing!

The difference is "Backwash Water" ... (8.20%).

We purchased 410,550 gallons of water from MSM this month.

- 41.2% of this water came from wells.
- 4.3% of this water came from Mt. St. Mary's.
- 54.5% of this water came from Rainbow Lake.

Wastewater:

- We received about 2.2" of precipitation this month (the average is 5.62").
  - We have a precipitation **DEFICIT** of 2.52" over the last six months. The average precipitation for the period from January 1 through June 30 is 23.82". We have received 21.3" for that period.
- Wastewater Treatment:
  - We treated an average of 498,000 GPD (consumed 292,894 GPD) which means that 42.7% of the wastewater treated this month was "wild water".
  - We had no spills of untreated sewerage in the month of June.
  - We did not exceed the plant's design capacity anytime in the month of June
- DNR tagged the goose population at the WWTP.
- Dan Fissel took the short course for wastewater 5 license and certification test.

**Trash:** Trash pickup will remain Mondays for the remainder of the month of August

**Meetings Attended:**

- 06/02 Met with Mayor to review status of projects
- 06/05 Met with Mayor to review agenda
- 06/05 Attended Town Meeting
- 06/06 Met with Mayor
- 06/07 Conference call with Mayor and Planner with SHA about square and bridge projects
- 06/13 Met with Mayor
- 06/14 Attended meeting with Staff and County officials to review building contract and maintenance responsibilities
- 06/14 Met with staff, contractors and SHA about upcoming waterline work
- 06/15 Met with Mayor
- 06/15 Met with auditors during their preliminary work
- 06/16 Met with Planner and Clerk to go over dog park and sidewalk project
- 06/16 Met with Mayor
- 06/16 Met with Planner and SHA regarding sidewalk project
- 06/19 Met with Mayor
- 06/19 Met with staff, contractors and SHA regarding bridge, sidewalks, and waterline work at square.
- 06/20 Met with deputies regarding weekend work at square, road closures and detours.
- 06/21 Met with staff to review final engineering drawings for the pool project
- 06/22 Attended Bridge progress meeting
- 06/22 Met with Mayor
- 06/22 Met with Town Clerk to go over assignments
- 06/22 Met with Town Planner to go over sidewalk projects
- 06/23 Met with staff, contractor, and representative from County Health department at the pool to go over permit application.
- 06/25-06/28 Attended MML Summer conference.

**PARKING ENFORCEMENT REPORT**  
**June 2017**

Overtime Parking	78
Restricted Parking Zone	7
Parked in Crosswalk	
Parked on Sidewalk	
Parked Blocking Road	
Parked by Fire Hydrant	
Parked on Highway	
Failure to Park between Lines	
Other Violation	
Left Side Parking	1
Meter Money	\$879.63 (Sidewalk project)
Parking Permits	
Meter Bag Rental	
Parking Ticket Money	\$385.00
Funerals	
<b>Total:</b>	<b>\$1,264.63</b>

## D. TOWN PLANNER'S REPORT

**Town Planner's Report**  
**June 2017**  
**Prepared by Susan H. Cipperly, AICP**

1. **Planning Commission:** Attended June 28 meeting. Presented info regarding potential text amendment to include "place of worship" uses in B-2 General Commercial zone, plus other potential changes to the zoning ordinance.
2. **Flat Run Bridge:** Coordinated with State Highway Administration (SHA) re meetings, questions. Met with contractors, town staff, SHA for progress meetings. Provided info for Ch. 99, website, etc. re traffic pattern changes.
3. **Sidewalk Project:** Met with town staff, SHA, and contractors in Emmitsburg as needed. Assisted with follow up for right-of-entry letters sent by SHA and town. Staff developed e-mail list of downtown property/business owners to use in disseminating information about parking, street closures, etc. Fielded questions/complaints from residents along the work route and forwarded them to SHA project manager. Took photographs for website and posterity.
4. **Frederick Co.:** Attended Frederick County Planners' meeting in Myersville on 6/8/2017.
5. **Community Legacy:** Submitted MHT review request for 1 W. Main for painting of building. Conferred with potential applicants re projects. Submitted FY2016 quarterly report to DHCD.
6. **Sustainable Communities Program:** Worked on renewal application, which includes forms, GIS data, financial info, and before/after of projects accomplished during the past five years. [Submitted July 19/2017]
7. Worked with Amy Naill on reminders for submittal of Grease Interceptor reports due July 10. [16 of 24 received as of July 20]
8. Enforcement -- letters regarding several and various activity without permits. Notification and interaction with Frederick County permit office on several issues.
9. Permits: Two requests for chicken coop permits. One completed and occupied. Other permits for fences, sheds, interior renovations.
10. Emmit Gardens playground research with MDE for floodplain permit. Also discussed procedures with Frederick County.
11. Prepared summary of grant programs and funds for Cole Tabler, per request.
12. Provided plat for town-owned areas on Potomac and Chesapeake to SHA District 7 in reference to potential TAC signage locations. (Destinations such as antique stores.)
13. Met with Becky Wilson from Forestry, DNR and Maddy Shaw regarding Tree City USA and other tree-related topics.
14. Provided input for grant applications submitted by Town Clerk.
15. Coordinated with DOC, engineering and architecture firms regarding Seton Center plans and approvals.

**E. COMMISSIONER COMMENTS**

**F. MAYOR COMMENTS**

**G. PUBLIC COMMENTS**

**H. ADMINISTRATIVE BUSINESS**

- I. Guest Speaker: Maryland State Delegate Kathy Afzali.**



**K. PLANNING COMMISSION REPORT:** Presentation at the meeting.

**L. AGENDA ITEMS:**

- I. National League of Cities (NLC) Service Line Warranty for Consideration:**  
Presentation at meeting by Ashley Shiwarski, Utility Service Partners.

**AGENDA ITEMS CONTINUED:**

**II. Appointment of Election Judges**

- i. Sharon Hane
- ii. Charlotte Mazaleski
- iii. Barbara Weedon
- iv. 1 More Needed (Alternate Judge)

**AGENDA ITEMS CONTINUED:**

**III. Ordinances to Amend Title 13 Public Services for Discussion:** Presentation at meeting by Town staff.

Ordinance and Policies for Review:

- i. **17-05:** Responsibility for Installation, Cost and Maintenance of Water Meters.
- ii. **17-06:** Sewer Rates
- iii. **17-07:** Water Rates and Collection of Charges
- iv. **P17-03:** Water and Sewer Main and System Maintenance Policy

ORDINANCE SERIES: 2017  
ORD. NO. 17-05

AN ORDINANCE TO AMEND  
TITLE 13  
OF THE CODE OF EMMITSBURG  
ENTITLED  
PUBLIC SERVICES

\*\*\*\*\*

**BE IT RESOLVED, ENACTED AND ORDAINED** by the Mayor and Board of Commissioners of the Town of Emmitsburg, Maryland, pursuant to the authority granted to them by the laws of Maryland and the Charter of the Town of Emmitsburg, that Title 13, Section 13.04.060 of the Emmitsburg Municipal Code, be amended as follows:

The amended section of this regulation reads as follows with new wording indicated in **BOLD, CAPITAL** letters and deleted words in ~~strike out~~.

Chapter 13.04 Water System

**13.04.060 Responsibility for Installation, Cost and Maintenance of Water Meters.**

- A. Installation of the Initial Water Meter. All sizes of water meters shall be specified by the town and provided by owner and installed at the owner's expense. Following inspection and approval by the town, the property owner will ensure that the meter remains in proper working order.
- B. All meters two inches or larger shall be compound or fire service.
- C. Replacement of Water Meters. All replacement meters shall be provided by and installed at the town's expense, at the town's discretion or when said meter fails. After installation of the aforementioned meter, the property owner will ensure that the meter remains in proper working order. **THE PROPERTY OWNER SHALL TAKE ALL NECESSARY STEPS TO ENSURE METERS DO NOT FREEZE. IF THE METER FAILS DUE TO NEGLIGENCE OR OTHER NEGLIGENCE OR INTENTIONAL FAULT ON THE PART OF THE PROPERTY OWNER OR OCCUPANT OR THEIR GUESTS OR INVITEES, THE METER SHALL BE INSTALLED BY THE TOWN AT THE OWNER'S EXPENSE.**
- D. Violation of this section.
  - 1. It is the responsibility of the property owner to notify the town of a defective meter and schedule an inspection with the town within ten calendar days.
  - 2. Upon neglect or refusal to do so, it shall be the duty of the maintenance superintendent to shut off the water from such premises and any person who shall turn on such water before the necessary repairs have been made shall be deemed guilty of a misdemeanor and shall be subject to the standard disconnect and reconnect charges.
- E. Access of Meters. All meters of any size shall be accessible to the town's agents at all times. The denial of such access shall result in immediate disconnection of the water service without notice and will be subject to the standard disconnect and reconnect charges.

**BE IT FURTHER RESOLVED, ENACTED AND ORDAINED** that this Ordinance shall take effect on the date on which the Mayor approves the Ordinance after passing by the Board of Commissioners or on the date on which the Board of Commissioners pass the Ordinance over the veto of the Mayor.

**PASSED** this \_\_\_ day of \_\_\_\_\_, 2017  
by a vote of \_\_\_\_\_ for, \_\_\_\_\_ against, \_\_\_\_\_ absent, and \_\_\_\_\_ abstain.

ATTEST:

EMMITSBURG BOARD OF COMMISSIONERS:

\_\_\_\_\_  
Madeline Shaw, Town Clerk

\_\_\_\_\_  
Timothy O'Donnell, President

**MAYOR**

\_\_\_\_\_APPROVED \_\_\_\_\_VETOED

this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Donald N. Briggs, Mayor

I hereby certify that the foregoing Ordinance has been posted as required by Chapter 2.04 of the Emmitsburg Municipal Code.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Madeline Shaw, Town Clerk

ORDINANCE SERIES: 2017  
ORD. NO. 17-06

AN ORDINANCE TO AMEND  
TITLE 13  
OF THE CODE OF EMMITSBURG  
ENTITLED  
PUBLIC SERVICES

\*\*\*\*\*

**BE IT RESOLVED, ENACTED AND ORDAINED** by the Mayor and Board of Commissioners of the Town of Emmitsburg, Maryland, pursuant to the authority granted to them by the laws of Maryland and the Charter of the Town of Emmitsburg, that Title 13, Section 13.08.110 of the Emmitsburg Municipal Code, be amended as follows. New language is indicated by being in **BOLD, CAPITAL LETTERS**, and deleted language is designated by being in ~~{brackets and strike out}~~.

Chapter 13.08 Sewer System

13.08.110 Sewer Rates.

A. *{Unchanged}*

B. *{Unchanged}*

C. Collection of Charges.

~~{}~~ **ALL** sewer charges ~~are payable by~~ **SHALL BE CHARGED TO AND COLLECTED FROM** the owner of the property served. **CHARGES ARE PAYABLE** in full upon ~~mailing~~ **RECEIPT** of the quarterly bill. These bills are mailed by the first of January, April, July and October. **THE BILLS ARE DUE ON THE 5TH OF THE FOLLOWING MONTH, RESPECTIVELY, FEBRUARY, MAY, AUGUST AND NOVEMBER. IF THE 5TH FALLS ON A HOLIDAY OR WEEKEND, THE BILLS ARE DUE ON THE NEXT BUSINESS DAY.** If any bill remains unpaid after ~~{thirty (30)}~~ **FORTY-FIVE (45)** days from the date the bill is sent, the town ~~{clerk}~~ shall give the owner of the property served written notice of such delinquency ~~{by mail.}~~ **AND THAT THE TOWN MAY DISCONTINUE WATER SERVICE TO THE PROPERTY AT ANY TIME THEREAFTER. THE NOTICE SHALL BE MAILED TO THE LAST KNOWN ADDRESS OF THE PROPERTY OWNER OR POSTED ON THE PROPERTY SERVED.** ~~The same collection and service disconnection procedures established for water charges will apply.~~ **IF WATER SERVICE HAS BEEN DISCONNECTED FOR FAILURE TO PAY THE SEWER CHARGES, THEN PRIOR TO RECONNECTING THE WATER SERVICE, THE ENTIRE SEWER BILL DUE AND OWING AND A RECONNECTION CHARGE OF ONE HUNDRED DOLLARS (\$100.00) MUST BE PAID IN FULL. A SEWER BILL REMAINING UNPAID AFTER 60 DAYS FROM THE DATE THE BILL WAS ORIGINALLY MAILED MAY BE COLLECTED FROM THE OWNER OF THE PROPERTY IN THE SAME MANNER AND AT THE SAME INTEREST RATE AS TAXES ARE COLLECTED IN FREDERICK COUNTY, AND, {}** The sewer and service charges shall then be a first lien on the property served. **NOTHING CONTAINED IN THIS SECTION SHALL PRECLUDE THE TOWN FROM THE USE OF ANY OTHER PROCEDURE AVAILABLE TO COLLECT UNPAID SEWER CHARGES.**

**BE IT FURTHER RESOLVED, ENACTED AND ORDAINED** that this Ordinance shall take effect on the date on which the Mayor approves the Ordinance after passing by the Board of Commissioners or on the date on which the Board of Commissioners pass the Ordinance over the veto of the Mayor.

**PASSED** this \_\_ day of \_\_\_\_\_, 2017  
by a vote of \_\_\_\_\_ for, \_\_\_\_\_ against, \_\_\_\_\_ absent, and \_\_\_\_\_ abstain.

**ATTEST:**

**EMMITSBURG BOARD OF COMMISSIONERS:**

\_\_\_\_\_  
Madeline Shaw, Town Clerk

\_\_\_\_\_  
Timothy O'Donnell, President

**MAYOR**

\_\_\_\_\_APPROVED \_\_\_\_\_VETOED  
this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Donald N. Briggs, Mayor

I hereby certify that the foregoing Ordinance has been posted as required by Chapter 2.04 of the Emmitsburg Municipal Code.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Madeline Shaw, Town Clerk

ORDINANCE SERIES: 2017  
ORD. NO. 17-07

AN ORDINANCE TO AMEND  
TITLE 13  
OF THE CODE OF EMMITSBURG  
ENTITLED  
PUBLIC SERVICES

\*\*\*\*\*

**SECTION I:**            **BE IT RESOLVED, ENACTED AND ORDAINED** by the Mayor and Board of Commissioners of the Town of Emmitsburg, Maryland, pursuant to the authority granted to them by the laws of Maryland and the Charter of the Town of Emmitsburg, that Title 13, Section 13.04.030 of the Emmitsburg Municipal Code, be amended as follows. New language is designated by being in **BOLD CAPITAL LETTERS**, and deleted language is designated by being in ~~brackets and strike out~~.

Chapter 13.04 – Water System

**13.04.030 - Water rates.**

A.        *{Unchanged}*

B.        *{Unchanged}*

~~{C. Collection of Charges. All water charges shall be charged to and collected from the owner of the property served. Charges are payable in full upon receipt of the quarterly bill. These bills are mailed by the first of January, April, July and October. If any bill remains unpaid after thirty (30) days from the date the bill is sent, a late charge will be assessed, and the town clerk shall give the owner of the property served written notice by mail. The notice shall be mailed to the owner's last known address or a copy shall be left on the owner's property. The notice shall notify the owner of the property served that the bill is in arrears and that water service will be discontinued. If the amount due remains unpaid after the expiration of ten days from the giving of such notice, the town clerk shall forthwith discontinue water service to the property. The services will remain disconnected until the delinquent amount and a reconnection charge is paid in full. If any person shall turn the service on again without proper authority from the mayor and board of commissioners after the same has been disconnected, he/she shall be guilty of a misdemeanor. The fee for the service disconnection and reconnection is one hundred dollars (\$100.00) in advance. If any bill remains unpaid after thirty (30) days from the date the notice is sent, the bill and reconnection charge shall be collectible from the property owner in the same manner and subject to the same interest as taxes are collectible in Frederick County. Such charges and bills shall be a first lien on the property. }~~

~~{D.}~~ C.        Unusually Excessive Water Use. In the event that a meter reading reflects an unusually high water usage, whereas the bill is more than twenty-five (25) percent higher in that quarter for the last three years, which is due to a broken pipe, leak or other malfunction in the plumbing system on the property, then the town may allow for a first and only occurrence during a three-year period beginning with said request, a reduction in the amount of the water and sewer bill. In order to be granted the reduction, the property owner must submit a written request to the town manager for the reduction and state the nature of the cause of the high water usage and the action taken to correct and resolve the problem. The revised bill will be established as based upon the average of the water usage for the property for the same quarter during the three previous years.

**SECTION II:**            **BE IT RESOLVED, ENACTED AND ORDAINED** by the Mayor and Board of Commissioners of the Town of Emmitsburg, Maryland, pursuant to the authority granted to them by the laws of Maryland and the Charter of the Town of Emmitsburg, that Title 13, Chapter 13.04 of the Emmitsburg Municipal Code, be amended by adding thereto the following as Section 13.04.035:

Chapter 13.04 Water System

**13.04.035- COLLECTION CHARGES**

- A. THE BILLING AND COLLECTION PROCEDURES IN THIS SECTION ARE POLICY PROCEDURES ONLY AND CONSTITUTE GUIDELINES WHICH DO NOT CREATE ANY REQUIREMENTS OR STANDARDS WHICH, UPON NON-COMPLIANCE, WILL GIVE RISE TO ANY CLAIM, CAUSE OF ACTION OR BASIS FOR NON-PAYMENT FOR SERVICES RENDERED. THE FAILURE OF THE TOWN TO COMPLY STRICTLY WITH ANY OF THESE POLICY PROCEDURES AND GUIDELINES IS NOT A WAIVER OR RELINQUISHMENT OF ANY OF THE RIGHTS OF THE TOWN TO SEEK PAYMENT FOR WATER SERVICES RENDERED NOR DOES SUCH FAILURE CREATE ANY DEFENSE TO THE OBLIGATION OF THE USER TO PAY FOR WATER SERVICES RENDERED.**
- B. ALL CHARGES FOR WATER SERVICE ARE THE OBLIGATION OF AND SHALL BE CHARGED TO AND COLLECTED FROM THE OWNER OF THE PROPERTY SERVED. ALL WATER SERVICE ACCOUNTS WILL BE ESTABLISHED IN THE NAME OF THE PROPERTY OWNER WHERE SERVICE IS RENDERED. BILLS WILL BE MAILED IN THE NAME OF THE PROPERTY OWNER TO THE PROPERTY ADDRESS. UPON WRITTEN REQUEST MADE ANNUALLY BY THE PROPERTY OWNER, THE TOWN WILL MAIL BILLS, LATE NOTICES, DISCONNECTION NOTICES AND ANY OTHER NOTICES AND COMMUNICATIONS TO THE PROPERTY OWNER TO SUCH OTHER ADDRESS AS HAS BEEN DESIGNATED BY THE PROPERTY OWNER OR TO THE PROPERTY OWNER IN THE CARE OF A DESIGNATED PROPERTY MANAGEMENT COMPANY AT THAT COMPANY'S ADDRESS. NO ACCOUNTS WILL BE ESTABLISHED AND NO BILLS WILL BE MAILED IN THE NAME OF TENANTS.**
- C. CHARGES FOR WATER SERVICE ARE PAYABLE IN FULL UPON RECEIPT OF THE QUARTERLY BILL. BILLS FOR WATER SERVICE CHARGES WILL BE MAILED BY THE FIRST OF JANUARY, APRIL, JULY AND OCTOBER. THE FINAL DUE DATE FOR THE PAYMENT OF BILLS IS THE 5TH DAY OF THE FOLLOWING MONTH, RESPECTIVELY, FEBRUARY, MAY, AUGUST AND NOVEMBER. IF THE 5TH DAY OF THE MONTH IS A HOLIDAY OR WEEKEND, THE FINAL DUE DATE SHALL BE EXTENDED TO THE NEXT BUSINESS DAY. ANY BILL REMAINING UNPAID AFTER ITS DUE DATE SHALL ACCRUE A LATE CHARGE OF 5% OF THE AMOUNT UNPAID, AND THE TOWN SHALL NOTIFY THE OWNER OF THE PROPERTY SERVED THAT THE BILL IS IN ARREARS AND THAT WATER SERVICE WILL BE DISCONTINUED IF PAYMENT IS NOT RECEIVED. THE NOTICE SHALL BE MAILED TO THE OWNER'S LAST KNOWN ADDRESS OR A COPY SHALL BE LEFT ON THE OWNER'S PROPERTY. IF THE AMOUNT DUE REMAINS UNPAID AFTER THE EXPIRATION OF TEN DAYS FROM THE GIVING OF SUCH NOTICE, THE TOWN SHALL FORTHWITH DISCONTINUE WATER SERVICE TO THE PROPERTY. THE SERVICES WILL REMAIN DISCONNECTED UNTIL THE DELINQUENT AMOUNT AND A RECONNECTION CHARGE IS PAID IN FULL. THE CHARGE FOR THE SERVICE DISCONNECTION AND RECONNECTION IS ONE HUNDRED DOLLARS (\$100.00). ANY BILL AND, IF APPLICABLE, RECONNECTION CHARGE REMAINING UNPAID AFTER THIRTY (30) DAYS FROM THE DATE THE LATE NOTICE IS SENT IS COLLECTIBLE FROM THE PROPERTY OWNER IN THE SAME MANNER AND SUBJECT TO THE SAME INTEREST AS TAXES ARE COLLECTIBLE IN FREDERICK COUNTY. SUCH CHARGES AND BILLS SHALL BE A FIRST LIEN ON THE PROPERTY. ANY PERSON WHO, WITHOUT PROPER AUTHORITY FROM THE MAYOR AND BOARD OF COMMISSIONERS, RECONNECTS WATER SERVICE TO PROPERTY AT WHICH SERVICE HAS BEEN DISCONNECTED PURSUANT TO THIS SECTION SHALL BE GUILTY OF A MISDEMEANOR.**

**D. ALL BILLS MAY BE PAID AT ANY OF THE FOLLOWING LOCATIONS OR IN THE FOLLOWING MANNER:**

1. **IN PERSON, BY CASH, CHECK OR CREDIT CARD, AT THE EMMITSBURG TOWN OFFICE,**
2. **BY MAILING THE PAYMENT TO THE EMMITSBURG TOWN OFFICE**
3. **BY ONLINE BANKING, IF SUCH PAYMENT PROCEDURE IS AVAILABLE THROUGH THE CUSTOMER'S BANK OR OTHER FINANCIAL INSTITUTION AND IS COMPATIBLE WITH THE PROCEDURES AND BILLING SYSTEMS OF THE TOWN.**
4. **ONLINE USING THE ONLINE BILL PAY FUNCTION ON THE TOWN'S WEBSITE LOCATED AT WWW.EMMITSBURGMD.GOV.**

**SECTION III: BE IT FURTHER RESOLVED, ENACTED AND ORDAINED** that this Ordinance shall take effect on the date on which the Mayor approves the Ordinance after passing by the Board of Commissioners or on the date on which the Board of Commissioners pass the Ordinance over the veto of the Mayor.

**PASSED** this \_\_ day of \_\_\_\_\_, 2017  
by a vote of \_\_\_\_\_ for, \_\_\_\_\_ against, \_\_\_\_\_ absent, and \_\_\_\_\_ abstain.

**ATTEST:**

**EMMITSBURG BOARD OF COMMISSIONERS:**

\_\_\_\_\_  
Madeline Shaw, Town Clerk

\_\_\_\_\_  
Timothy O'Donnell, President

**MAYOR**

\_\_\_\_\_ APPROVED \_\_\_\_\_ VETOED

this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Donald N. Briggs, Mayor

I hereby certify that the foregoing Ordinance has been posted as required by Chapter 2.04 of the Emmitsburg Municipal Code.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Madeline Shaw, Town Clerk

POLICY SERIES: 2017  
Policy No. P17-03

**TOWN OF EMMITSBURG  
WATER AND SEWER MAIN AND SYSTEM  
MAINTENANCE POLICY**

\*\*\*\*\*

This policy will replace Policy P12-01. It is, has been, and will remain the policy of the Town of Emmitsburg to maintain its water and sewer mains and systems as herein noted and described.

In all areas, the town will maintain, repair and/or construct the main and/or trunk lines. This in no way includes water and/or sewer house (or service) connections.

Water Lines:

The Town will be responsible for maintenance, repair and/or replacements of said water lines from the curb box, where reasonably determined, to the main line. The property owner will be responsible for maintenance, repair and/or replacement of said water lines from the curb box to the structure.

When a curb box has been damaged by a property owner, occupant or their guests or invitees through neglect or misuse as determined by Town staff, it will be the property owner's responsibility to repair and/or replace. After the repair and/or replacement has been made, Town staff will inspect the repair and/or replacement for proper completion.

Sewer Lines:

The Town will be responsible for maintenance, repair and/or replacements of said sewer lines from the property lines, where reasonably determined, to the main line. The property owner will be responsible for maintenance, repair and/or replacement of said sewer lines from the property line to the structure.

When a sewer clean out has been damaged by a property owner, occupant or their guests or invitees through neglect or misuse as determined by Town staff, it will be the property owner's responsibility to repair and/or replace. After the repair and/or replacement has been made, Town staff will inspect the repair and/or replacement for proper completion.

Repairs and replacement does not include a clog. All clogs occurring from the property line to the building will require the homeowner to contact a plumber. If a clog is determined to be caused by the homeowner's misuse or neglect, the homeowner will be fully responsible for the repair. After the repair as been made, Town staff will inspect.

This policy is hereby adopted and shall take effect on \_\_\_\_ day of \_\_\_\_\_, 2017.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:

EMMITSBURG BOARD OF COMMISSIONERS:

\_\_\_\_\_  
Madeline Shaw, Town Clerk

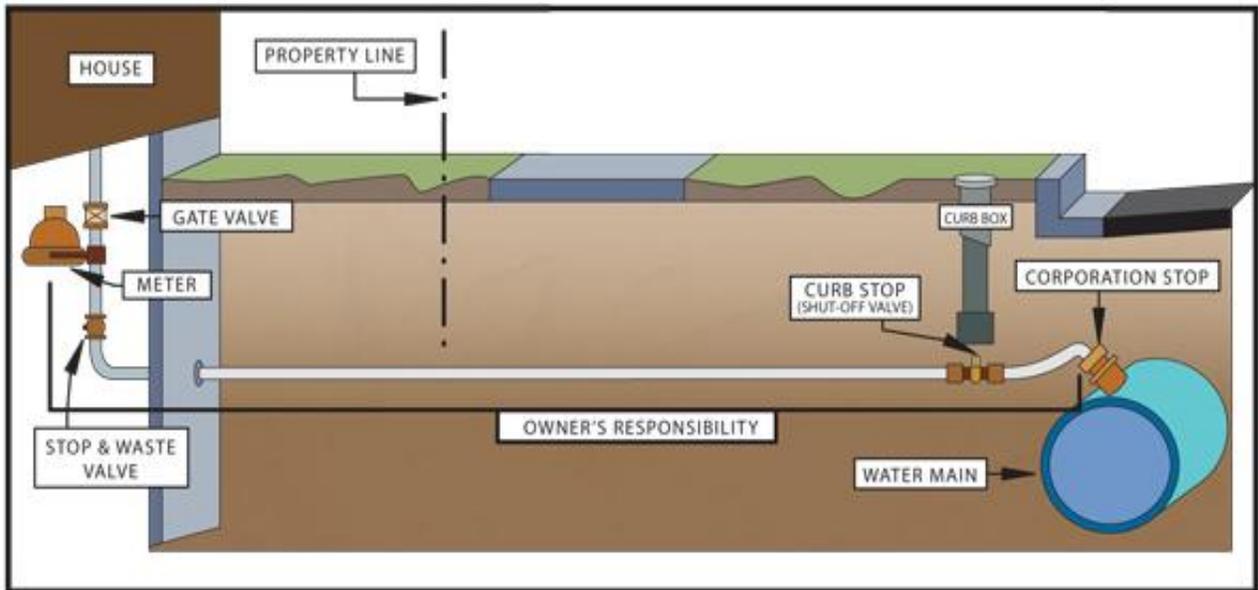
\_\_\_\_\_  
Timothy O'Donnell, President

\_\_\_\_\_ APPROVED \_\_\_\_\_ VETOED

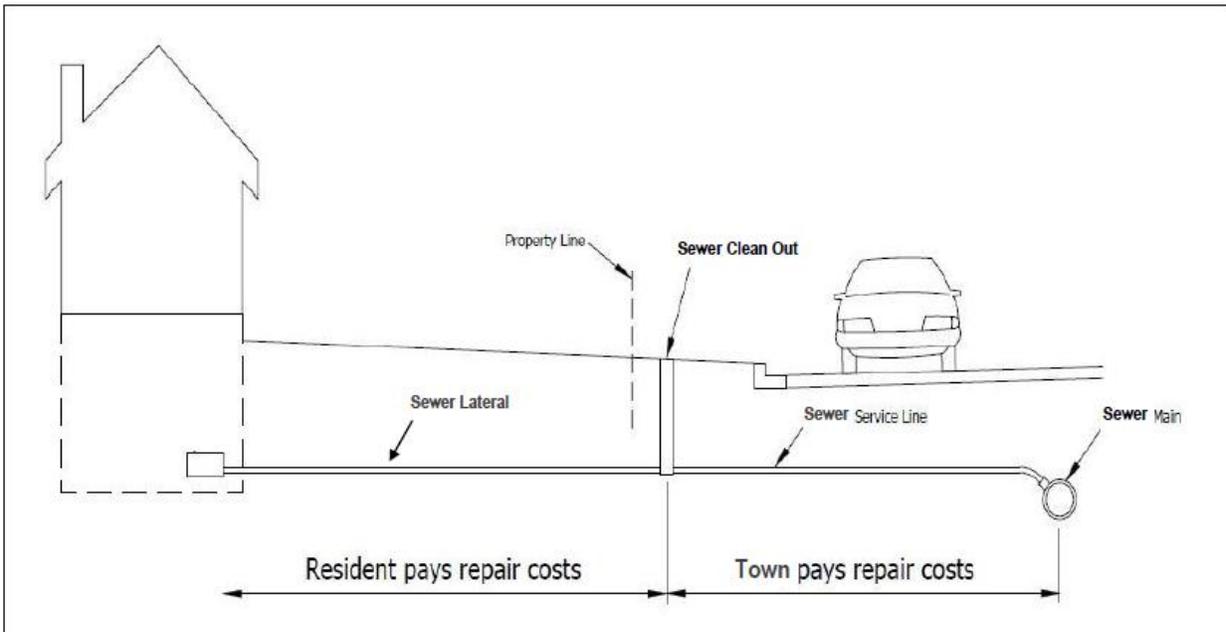
This \_\_\_\_\_ day of \_\_\_\_\_, 2017

\_\_\_\_\_  
Donald N. Briggs, Mayor

### Proposed Water Service Line Responsibility



### Proposed Sewer Service Line Responsibility



**M. SET AGENDA FOR NEXT MEETING: SEPTEMBER 5, 2017**

- 1.
- 2.
- 3.
- 4.