

**MINUTES  
TOWN MEETING  
February 5, 2018  
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; and Amy Naill, Code Enforcement Officer. **Others Present:** Deputy Ben Whitehouse.

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**I. Call to Order**

Commissioner Tim O'Donnell, President of the Board of Commissioners, called the February 5, 2018 Town Meeting to order at 7:30 p.m. EST. Pledge of Allegiance was recited. Upcoming meetings were announced.

**Approval of Minutes**

The minutes of the January 22, 2018 Town Meeting were approved as presented. Motion by Commissioner Ritz III, second by Commissioner Buckman. Vote: Motion carries 5-0 in favor.

**Police Report:**

Deputy Ben Whitehouse presented the police report from January 2018 (exhibit attached). Deputy Whitehouse explained the total stats are high because it is the beginning of the year. Mother Seton School gave a thank you gift to the deputies for their work. There were a few complaints received on Mount St. Mary's students, which were relayed to the school. Commissioner Buckman requested the deputies monitor trucks speeding through Town.

**Town Managers Report:**

Cathy Willets, Town Manager, presented the Town Manager's Report from December 2017 (exhibit attached). Ms. Willets explained the town has a precipitation surplus of 3.19 inches the past six months, the WWTP did not exceed its design capacity, and there were no spills of untreated sewerage. The LG Sonic Algae Control System was removed right before Christmas per the contract. Town staff is waiting for the weather to clear up before pursuing further actions on the 8-inch water line. Estimates for wells to replace the 8-inch mountain water line are still being collected. Ms. Willets reminded the Board that State Highway Administration (SHA) complaints are handled by SHA because it is not a town project. She also asked residents to be mindful of the materials they are flushing down the sewer system because it has caused some problems at the pumping station.

**Town Planners Report:**

Cathy Willets, Town Manager, presented the Town Planner's Report from December 2017 on behalf of Sue Cipperly, Town Planner (exhibit attached). Ms. Willets mentioned Ms. Cipperly has received the permit for the model home in Brookfield; there are plans to build 47 homes. Town staff are still waiting to hear back on the MS-4 permit. There were no questions from the Board.

**Commissioner Comments:**

- Commissioner Buckman: None.
- Commissioner Ritz III: None.
- Commissioner Sweeney: None.
- Commissioner Blanchard: He encouraged residents to be careful with the snowy/icy weather and to be mindful of what products residents are putting on the new sidewalks because of the damage it can cause. No salt byproducts can be used. The guidelines were published in several places by town staff.
- Commissioner O'Donnell: He commended town staff on their snow removal efforts.

**Mayor's Comments:**

Mayor Briggs attended numerous meetings in January 2017 (meetings listed in agenda packet). Mayor Briggs explained he attended the Mayor's conference in Annapolis. The Highway User Revenue (HUR) is keeping municipalities from getting much needed funds for roads; he urged residents to request funding back. He has plans to showcase Emmitsburg to Frederick Magazine in an upcoming interview. Commissioner O'Donnell inquired about when the HUR funds would be reinstated. Ms. Willets explained the goal is to reinstate the funds in 2021.

**Public Comments:**

None.

**Administrative Business:**

- Filing of the 2017 Planning Commission Report: Commissioner Sweeney explained the January 2018 Planning Commission meeting resulted in the completion of the report. Ms. Willets summarized the report and explained the Board needs to accept the filing of the report.

**Motion:** To accept the 2017 Planning Commission Report as presented.

Motion by Commissioner Ritz III, second by Commissioner Sweeney. Vote: Motion carries 5-0 in favor.

- Letter of Appreciation for Patrick Boyle: Commissioner O'Donnell read the letter from the Town of Emmitsburg expressing appreciation to Patrick Boyle for 46 total years of service between the Planning Commission, Board of Commissioners, Parks and Recreation Committee, and Board of Appeals. Mayor Briggs presented a framed certificate too. Photos were taken with the Board and Mr. Boyle.

- Trail Update and Request: Commissioner O'Donnell explained, with town staff approval, he would like to move forward with flagging the yellow trail to add more mileage to the Emmitsburg Multi-User Trails.

**Motion:** To permit the flagging of the yellow trail, which is an addition to the orange trail for consideration.

Motion by Commissioner Buckman, second by Commissioner Blanchard. Vote: Motion carries 5-0 in favor.

**Consent Agenda:**

Reappointment of Wendy Walsh to the Citizen's Advisory Committee, 2-year term, 02/02/2018 to 02/02/2020.

**Motion:** To accept Wendy Walsh's reappointment to the Citizen's Advisory Committee.

Motion by Commissioner Buckman, second by Commissioner Sweeney. Vote: Motion carries 5-0 in favor.

**Treasurer's Report:**

Commissioner Blanchard presented the Treasurer's Report for January 2018 (exhibit in agenda packet). The operating balance forward is \$5,472,235. The top ten check amounts are listed. Commissioner Ritz III inquired about the 2nd UGI check for the solar fields. Ms. Willets explained the 2nd field is down because a transformer blew in fall 2017, but town staff have been told the transformer should be repaired shortly. The town is not being billed for the field currently because of the problem.

**Planning Commission Report:**

Commissioner Sweeney presented the Planning Commission Report from January 29, 2018 (exhibit attached). He mentioned Keith Suerdieck is the new Chair, John Howard is the vice-president, Joyce Rosensteel is the Secretary, and Frank Davis is a new member. The next meeting will be February 26, 2018 and will cover short-term rentals.

**II. Agenda Items**

Agenda #1- Update on Transportation Initiatives by Kendall Tiffany, Transportation Director with Frederick County: Ms. Tiffany explained she is the Community Relations Manager for TransIt in Frederick County. TransIt has added a new mid-day Tuesday route to Emmitsburg, which may expand to other weekdays depending on amount of users. Ms. Tiffany reviewed the services provided by TransIt to include curb-to-curb pick up for seniors and people with disabilities, but the trip must be scheduled at least two business days in advance. Ms. Tiffany has been working with the Emmitsburg Senior Center too. She is willing to give presentations to any interested groups upon request. TransIt has free ride tokens for anyone who wants to try the services first. The TransIt buses do accommodate bikes. Ms. Tiffany will leave literature with town staff.

Agenda #2- Audit presentation by Michele Mills: Postponed tentatively to the March 5, 2018 meeting per the request of Michele Mills, Certified Public Accountant with DeLeon & Stang.

Agenda #3- Ethics Ordinance Updates Per the Maryland State Ethics Commission for Consideration: Ms. Willets presented the ethics ordinance updates per the town attorney. Ms. Willets explained the State of Maryland recently revised the State Ethic Laws and the town is required to adopt similar laws by October 2018. Ms. Willets reviewed the changes in the ordinance and stated which changes are exerts straight from the State Code and which changes are mandated for municipalities per the State of Maryland. Most of the changes are clarifications and additional guidelines for lobbying. Section H of 2.32.080 would help enforce the timely submittal of the annual financial disclosure forms. The annual financial disclosure form has some minor formatting changes, the addition of the lobbying note on page 6 and the form now requires a notary.

**Motion:** To accept Ordinance 18 - 01 as presented.

Motion by Commissioner Sweeney, second by Commissioner Buckman. Vote: Motion carries 5-0 in favor.

Agenda #4- Policy and Ordinance Changes for Consideration Regarding the Use of Baseball Fields: Ms. Willets explained town staff have been researching how other municipalities handle their ballfield rentals. She reviewed the changes in Ordinance 18-02 one at a time, which she explained is mostly clarifying information on park use guidelines. The Board requested “weed-eating” be changed to “weed-trimming” under 12.20.040, H, and “by the next business day” replace “in a timely manner” under 12.20.040, L. Next, Ms. Willets reviewed Policy 18-01, Ball Field Reservation Policy, which proposes the rates ballfield users would pay for a single day use, seasonal use or tournament use. Per hour charges, as opposed to whole day rentals, were chosen to allow for more park use. The town clerk distributed the prior ball field rental policy to the Board and Mayor. Commissioner Ritz III expressed concern over voting on the charges without potential field user input. Ms. Willets explained the agenda items was advertised on Channel 99, website, Facebook, and other areas, and the fees can be changed in the future if the Board desires. Commissioner Sweeney inquired about a liability waiver. Ms. Willets explained the town attorney recommended a liability waiver paragraph on the reservation form and a requirement for leagues to have a million dollar insurance policy.

**Motion:** To accept the ordinance 18 – 02 as modified.

Motion by Commissioner Buckman, second by Commissioner Sweeney. Vote: Motion carries 5-0 in favor.

**Motion:** To accept policy number 18 – 01 as presented.

Motion by Commissioner Sweeney, second by Commissioner Blanchard. Vote: Motion carries 5-0 in favor.

Agenda #5- Requests to Use Baseball Fields in 2018 for Consideration: Ms. Willets read a letter from Emmitsburg Baseball and Softball stating Emmitsburg Baseball and Softball will be merging with Thurmont Little League (TLL) due to dwindling player numbers and volunteers. Softball players will be referred to Catocin Softball and baseball players to TLL. Next, Ms. Willets read a letter from TLL giving notice of the merger, asking to use Emmitsburg fields and explaining the organization will not be able to change to a name that incorporates both towns at this time. Lastly, Ms. Willets read a letter from Mid-Maryland United Baseball requesting to use three fields in exchange for field maintenance and free baseball clinics to help restore Emmitsburg Baseball to its original state. All three letters are in the agenda 02/05/2018 agenda packet. Darren Beachley, (Point of Rocks, Maryland) President of Mid-Maryland United, spoke and recapped the organizations request and an overview of the organization, which has grown 800% in the past three years and features approximately 100-baseball players. The organization does not have softball programs currently, but would like to start a program in the future. Mr. Beachley explained he is willing to support efforts to restart Emmitsburg Baseball by offering free clinics with minor league baseball players. Emmitsburg children can try out for Mid-Maryland United teams if desired; its \$1,000 to play and scholarships are available. Jeremy Johnson (Thurmont, MD), President Thurmont Little League (TLL), explained he was contacted by Sandy Umbel, Emmitsburg Baseball and Softball, about merging. TLL is requesting use of three Emmitsburg fields and would be willing to care for the fields and the concession stands. Mr. Johnson’s vision is to join Thurmont and Emmitsburg together since the children play together in high school anyway. TLL does not have softball programs currently, but would like to start a program in the future. Approximately 250 children participating on the little league now. Every child 5 to 12 years old can play and the fee ranges from \$75 to \$110. Commissioner O’Donnell inquired about a name change that would also represent Emmitsburg’s children. The organization would like to wait to change the name since Emmitsburg Baseball might try to be revitalized, but Mr. Johnson stated there is no guarantee on a name change. Mayor Briggs expressed a desire to revitalize Emmitsburg Baseball. Commissioner O’Donnell expressed a desire to have Emmitsburg players on TLL grouped together to help revitalize Emmitsburg Baseball, which Mr. Johnson explained was not an option due to TLL’s operational procedures. Town staff recommends moving forward with Mid-Maryland because Mid-Maryland requested specific fields first and allowing TLL the opportunity to use any unused fields. Commissioner Ritz III suggested tabling the item until more research can be done.

**Motion:** To table the agenda item until the March 5, 2018 town meeting.

Motion by Commissioner Ritz III, no second. The motion died.

**Motion:** To accept the Mid-Maryland United proposal as presented for the three fields used.

Motion by Commissioner Sweeney, second by Commissioner Blanchard.

Vote: Motion carries 4-0 in favor, Commissioner Ritz III abstained.

**Motion:** To let Thurmont Little League use the three other fields in the complex for their organization.

Motion by Commissioner Sweeney, second by Commissioner Blanchard.

Vote: Motion carries 4-0 in favor, Commissioner Ritz III abstained.

**Set Agenda Items for March 5, 2018 Town Meeting**

1. Tentative: Audit presentation by Michele Mills.
2. 2018 Pool Management Contract for Consideration.
3. Agreement between the Town and Milani Construction Related To Water Line Relocation at Bridge Project.
4. Park Pavilion Policy Amendment for Consideration.
5. Ordinances and Policies Related to Parking for Discussion.
  - Admin Business: LG Sonic Update.
  - Admin Business: Proposed Trail Route Flagging for Consideration.

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

**IV. Adjournment**

With no further business, the February 5, 2018 Town Meeting was adjourned at 10:28 p.m. EST.  
Motion to close by Commissioner Blanchard, second by Commissioner Ritz III.

Respectfully submitted,

Madeline Shaw, Town Clerk  
Approved: March 5, 2018