



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 **March 5, 2018 – 7:30 p.m.**

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. FUTURE MEETINGS

Town Council Meeting: Monday April 2, 2018 at 7:30 p.m.

4. MEETING ITEMS

A. APPROVE MINUTES: FEBRUARY 5, 2018

B. POLICE REPORT

C. TOWN MANAGER'S REPORT

D. TOWN PLANNER'S REPORT

E. COMMISSIONER COMMENTS

F. MAYOR'S COMMENTS

G. PUBLIC COMMENTS

H. ADMINISTRATIVE BUSINESS (DETAILS ATTACHED)

I. LG Sonic Update.

II. Proposed Trail Route Flagging for Consideration.

I. CONSENT AGENDA: NONE

J. TREASURER REPORT

K. PLANNING COMMISSION REPORT

L. AGENDA ITEMS (DETAILS ATTACHED)

I. Tentative: Audit presentation by Michele Mills.

II. 2018 Pool Management Contract for Consideration.

III. Agreement between the Town and Milani Construction Related To Water Line Relocation at Bridge Project.

IV. Park Pavilion Policy Amendment for Consideration.

~~V. Ordinances and Policies Related to Parking for Discussion. – POSTPONED~~

M. SET AGENDA FOR NEXT MEETING: APRIL 2, 2018

5. SIGN APPROVED TEXT AMENDMENTS AND/OR RESOLUTIONS

6. ADJOURN

A. APPROVE MINUTES: FEBRUARY 5, 2018

**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.

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 Delong & 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, Maryland), 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 Sweeny, 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:

draft

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

C. TOWN MANAGER'S REPORT

**Town Manager's Report
January 2018
Prepared by Cathy Willets**

Streets:

- Staff salted streets for several snow events.
- Contractor assisted with snow removal and salting.
- Staff removed Christmas decorations.
- Staff repaired some streetlights.
- Staff put up snow flags on fire hydrants.
- Staff put snow emergency signs back up in Southgate and Park Dr.
- Staff put up no parking signs on West Main St. between Warthen's Way and Tannery Dr.

Sidewalk and Bridge Project:

- Staff came in over the weekend to address the streetlight outage on East Main St.
- Contractor installed a new contactor in street light control box on Federal Ave.
- Staff removed the kiosk from the square for the square project construction beginning in the SW quadrant.

Water Service:

- Staff used a turbo heater to unthaw some water lines.
- Staff and contractor installed a new water service for 8935 Hampton Valley Rd.
- Staff connected a one-inch temporary water line to the eight inch line due to a major leak in the main service line behind 8744 Crystal Fountain Road.

Water:

- Rainbow Lake is at the spillway level of 16.6 feet.
- The roughing filters are being backwashed three times a day and the DE filters are being done 2-3 times per week.
- Well levels (optimum level was determined to be May 2011). Well #1 and #2 usage is down as we are starting to get our lake number. Well #4 shut off.

	<u>May 2011</u>	<u>January 2017</u>	<u>Change</u>
○ Well #1:	35'	40'	-5
○ Well #2:	8'	10'	-2
○ Well #3:	12	50'	-38
○ Well #4:	108'	OFF	n/a
○ Well #5:	10'	20'	-10

- Water production and consumption. We produced an average of 300,521 GPD. We consumed an average of 259,919 GPD. The difference is "Backwash Water" ... (14.3%).
 - 37.9% of this water came from wells.
 - 4.7% of this water came from Mt. St. Mary's.
 - 57.4% of this water came from Rainbow Lake.

We purchased 454,400 gallons of water from MSM this month.

Wastewater:

- We received about 4.7" of precipitation this month (the average is 3.19").
 - We have a precipitation **SURPLUS** of .36" over the last six months. The average precipitation for the period from August 1 through January 31 is 21.19". We have received 21.55" for that period.

Wastewater Treatment:

- We treated an average of 427,000 GPD (consumed 259,919 GPD) which means that **39.1%** of the wastewater treated this month was "wild water".
- We had one spill of untreated sewerage on January 13th due to the pumps at the Pumping Station not working.
- We did exceed the plant's design capacity one time in the month of January
 - 1,885,000 January 23, 2018

Trash: Trash pickup will remain Mondays for the remainder of the month of March.

Meetings Attended:

- 01/03 Met with Mayor, Town Clerk and Boys & Girls Club representative
- 01/08 Met with Mayor
- 01/08 Met with Town Clerk and staff
- 01/09 Met with Mayor, Town Clerk and John Fiesler re: potential grant opportunities
- 01/09 Met with Water department regarding status of meters
- 01/09 Met with Mayor and staff regarding baseball policies
- 01/11 Met with Mayor
- 01/12 Met with Mayor, Town Clerk and representative from Mid Maryland Baseball
- 01/17 Met with Mayor
- 01/17 Attended department head meeting
- 01/17 Attended support staff meeting
- 01/19 Met with staff regarding changes to baseball field policies, etc.
- 01/22 Attended Town Meeting
- 01/24 Met with Mayor
- 01/26 Met with Mayor
- 01/29 SHA meeting regarding brick and square status
- 01/29 Met with Mayor
- 01/31 Met with Dir. Of PW, W&S Superintendent, & Town Accountant to review status of necessary infrastructure projects related to water and sewer and funding sources
- 01/31 Met with Mayor
- 01/31 Met with Mayor, Town clerk and Erma to discuss the future of afterschool clubhouse

Noteworthy:

- Pumping station pumps quit working. A high level was encountered and the pumps got clogged due to the amount of debris. This was not caused by an electrical surge. This caused a backup and overflow at MH98. Approx. 7,000 gallons was lost out of the system. Reported to MDE.
- Staff are obtaining quotes/estimates for relining the sewer lines on West Main Street. It has been determined that there is at least one large leak in the line on West Main St.
- Staff obtaining quotes on the installation of wells for the three properties still connected to the 8" main water line on the mountain. Meeting set for February 28.

PARKING ENFORCEMENT REPORT
January 2018

Overtime Parking	69
Restricted Parking Zone	1
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	\$688.17
Parking Permits	
Meter Bag Rental	\$4.00
Parking Ticket Money	\$170.00
Funerals	
Total:	\$862.17

D. TOWN PLANNER'S REPORT

**Town Planner's Report
January 2018
Prepared by Susan H. Cipperly, AICP**

1. **GIS** – Continued working with ALWI staff person and town DPW staff regarding water/sewer mapping. Efforts delayed by weather and emergencies. Also: prepared various maps to support grant applications and other town projects. Created map showing 8" line on College Mountain for use at Town Meeting.
2. **Sidewalk Project:** Fielded resident complaints and concerns, and passed them along to SHA. Provided info to parking enforcement and office manager regarding daily need to be designated No Parking. Provided wording for website, Facebook and Ch. 99. Sent e-mails to business community as needed. Attended meetings and on-site discussions regarding design elements.
3. **Community Legacy:** Communicated with DHCD contact regarding quarterly reports and funding. Processed reimbursement request for completed project. Submitted Quarterly Report for FY2017 Square revitalization. (\$75,000. No funds utilized as yet.)
4. **Dog Park** - Provided financial information to C. Willets.
5. **Brookfield Development** –Received permit application for model home on Jan. 10, 2018. Provided zoning letter for Frederick Co. permit. Also assigned addresses for remaining lots and distributed to all involved agencies and companies. Investigated water meter size required and communicated to all involved. (All new single-family structures in Frederick County require sprinklers. Town Code also specifies this.)
6. **Permits -- highlights**
 - Issued solar roof permit to Seton Center.
 - Provided info the McDonald's re sign ordinance and other aspects of their upgrade project.
 - Need to follow up on permit enforcement situations in progress, together with Frederick County permits office.
7. **Business.** Provided procedural information regarding potential commercial construction on east side of US15, related to traffic/roads/access. Conferred with SHA District 7.
8. **FEMA/FIRM** – Attended meeting at Frederick County on Jan. 30 regarding new mapping of floodplains and what the process will be for adoption of the new maps by 2019.
9. **Planning Commission** – Prepared 2017 PC Annual report. Approved by PC at January 29, 2018 meeting. Attended Jan. 29 meeting. Prepared info for Pat Boyle certificate of appreciation.
10. Met with Becky Wilson of DNR to do biennial forestry review and examine reforestation projects within town.

Upcoming projects/activity as of February 2018 - Planning and Zoning:

GIS Water/sewer mapping with ALWI consultants per contract, followed by input of data.

MS-4 (Municipal Separate Storm Sewer System) Town Board provided additional money for GIS work. Will confer with GIS consultant assistance re mapping of existing Stormwater inlets and outflows on Town roads, and incorporating existing Stormwater Management ponds mapping into GIS system. This is needed for the MS-4 permit.

Emmit Gardens playground town permit issued Feb. 16, 2018. Work can commence.

Board of Appeals: Contact new alternate regarding training requirements and arrange BOA meeting to undertake reorganization, since there have been new members appointed.

Enforcement: There are several enforcement issues that have been backlogged due to other activity taking precedence. Need to follow up with property owners and Frederick County regarding violations.

Ordinance amendments and revisions: There are topics that have arisen that indicate a need to update sections of the ordinance to reflect newer practices and uses, and to assure that the ordinance meets current legal standards relative to items such as sign regulation, short-term rentals, etc. Continue working on short-term rental solution research and revisit with Planning Commission.

Community Legacy: Process reimbursement requests for any completed projects, potentially able to file final report for FY2016 grant agreement with DHCD.

Organize: Planning and Zoning files and computer files.

E. COMMISSIONER COMMENTS

F. MAYOR'S COMMENTS

February 1: MML Mayors Conference Annapolis

February 2: Met with town manager

February 5: Town meeting

February 6: Met with town manager

February 9: Met with Director of Security for Daughters of Charity

February 12: Met with town manager

February 13: Met with town manager

February 14: Met with town manager

February 15: Met with town manager, 3 pm. Points of discussion: Ethics, Big Brothers & Big Sisters, County Health Department Needle Exchange and Security for afterschool program.

February 15: Catoctin High School – Living Frederick Planning program 7 pm

February 20: Met with town manager

February 22: Attended MD Municipal League (MML) House of Delegates presentation on Highway User Revenues (HURS) in Annapolis, MD

February 23: Met with town manager

February 26: Met with town manager

February 27: Met with town manager

February 28: Attended African American History Month Observance presentation by Frederick City Alderman Roger Wilson at FEMA/NETC.

G. PUBLIC COMMENTS

H. ADMINISTRATIVE BUSINESS

I. LG Sonic Update: Presentation by town staff.

LG Sonic Installed: April 11, 2017

LG Sonic Removed for Winter: December 21, 2017

Note: To accurately compare the addition of the algae control system, town staff used data from the same months in 2016 and 2017. The following months were used for data:

A.) April 2016 to December 2016 (8 total months) – No algae system used

B.) April 2017 to December 2017 (8 total months) – Algae system used

- **Average # of Backwashes per day:**
 - 2016: 10 backwashes
 - 2017: 10.87 backwashes

- **Backwash Water Usage (percent of water that is wasted to make clean water):**
 - 2016: 19.71%
 - 2017: 14.08%

Example: In November 2016 it took 30.10% and in November 2017 it took 15.4%

Although there was not a reduction of the overall number of backwashes needed, the amount of water was reduced because the roughing filters did not take as much water to get them clean. The amount of water used during the backwashes was reduced from 1,459,888 average gallons per month in 2016 to 1,075,000 average gallons per month in 2017 for a total reduction of 384,888 gallons per month or 26.4% savings. The equivalent of 50.5 taps.

- Average flow for the lake: 159,600 gallons/day, which exceeded our target flow of 162,000 gallons per day.

- Overtime at the water plant: Reduced by 31% overall.
 - 2016: \$9,106 spent on overtime
 - 2017: \$6,320 spent on overtime

- Chemical costs: Reduced by 27 % from 2016. (2016: \$33,533 & 2017: \$24,440)
 - Green Clean Pro reduced by 100% (no longer needed)
 - Chlorine usage was reduced by 26%
 - DE usage increase by only .42%
 - Soda ash usage was reduced by 21%.
 - Coagulant usage increased by only 3.8%

LG SONIC UPDATE CONTINUED:

Noteworthy points:

1. Due to communication problems, we lost a month (at a critical point) of significant monitoring communication. The problem was fixed and no more issues encountered.
2. Main goal of the LG Sonic is to reduce the amount of toxins in the water by reducing the algae before it gets to the surface. The device performed excellent when dealing with the blue/green algae. Struggled in the fall with the brown algae. Working on ways to combat the brown algae more.
3. Significant reduction in not only cost of chemicals but also the amount of chemicals added to the water.
4. The system will be put back into the lake in early March 2018, which will give us an additional month to work before spring and warm weather generate the algae.
5. Water quality improved significantly.
6. Staff feels that the LG Sonic is working and has been beneficial to water operations by reducing the amount of chemicals used, decreasing overtime, and decreasing the amount of water used in backwashes.

In the UCMR4 (unregulated contaminate monitoring rule phase 4), EPA to include algae toxins in the sampling to see if there is enough reason to promulgate a national primary drinking water regulation for the toxins. Monitoring will last from 2018 -2020 after which EPA will determine if they will move forward.

ADMINISTRATIVE BUSINESS CONTINUED

- II. Proposed Trail Route Flagging for Consideration:** Presentation by Commissioner O'Donnell.

I. CONSENT AGENDA: NONE

J. TREASURER REPORT

**Town of Emmitsburg
 CASH ACTIVITY as of February 27, 2018**

\$5,467,341	Cash Balance February 1, 2018
164,443	Deposits
<u>-269,338</u>	Withdrawals
\$5,362,446	Operating Balance Forward

Top 10 Check Amounts:

<u>Amount</u>	<u>Vendor Name</u>	<u>Description</u>	<u>Check Date</u>	<u>Check Number</u>
\$46,997	Wantz Chevrolet	2018 Chevy truck purchase	02.07.18	37965
20,799	MD Dept of Budget & Mgmt	Jan 18 Health Insurance	02.07.18	37976
8,500	Make N Waves	New conduit & main electrical panel	01.31.18	37944
7,743	UGI Energy Services	Jan 18 Solar Field #2	02.14.18	38019
7,395	State Highway Administration	Seat wall planter	02.07.18	37983
5,875	Republic Services	Feb 18 Refuse Services	02.14.18	37987
4,960	Core & Main	Water Meter	02.14.18	37994
4,533	Frederick County DUSWM	Jan 18 Tipping Fees	02.14.18	37997
4,355	S&W Construction	Install shop concrete curb	02.07.18	37982
4,181	Capital Tristate	Fixtures	02.07.18	37973

Ck dates 01.31.18 to 02.27.18

K. PLANNING COMMISSION REPORT: Presentation at the meeting.

L. AGENDA ITEMS:

- I. Tentative: Audit presentation by Michele Mills:** Presentation at meeting by Michele Mills.

AGENDA ITEMS CONTINUED:

- II. 2018 Pool Management Contract for Consideration:** Presentation at meeting by town staff.

The Pool Management Request for Proposal (RFP):

- Put out to bid on: 12/17/2018
- Bids due on: 02/02/2018 at Noon
- Two (2) total bids were received

The RFP was advertised in the following methods:

- Public Notice on Town's Website Newsfeed – 12/15/2017
- Public Notice Under RFP Tab on Town's Website: 12/15/2017 to 02/02/2018
- Public Notice on Town's Facebook – 12/27/2017, 01/10/2018, 01/16/2018
- Public Notice on Channel 99 – 12/15/2017 to 01/15/2018
- Frederick News Post Publication: Sun. 12/17/2017 & Mon. 12/18/2017

Submittal Requirements:

- A. Letter of transmittal
- B. General vendor information
- C. Detailed cost statement
- D. Plan for offering swim lessons
- E. Copy of organizations safety manual & employee guidelines
- F. Copies of current licensing
- G. Draft contract
- H. Proof of \$10,000,000 (ten million dollars) insurance

BIDS RECEIVED:

1. USA Pools of Maryland: \$58,086.00 (bid received 01/30/2018 @ 3:05 PM)
2. RSV Pools Inc.: \$ 54,489.00 (bid received 01/29/2018 @ 12:32 PM)

Town staff recommendation: RSV Pools Inc.

AGENDA ITEMS CONTINUED:

III. Agreement between the Town and Milani Construction Related To Water Line Relocation at Bridge Project: Presentation at meeting by town staff.

THIS AGREEMENT, made this _____ day of _____, 2018, by and between the **Town of Emmitsburg**, a body corporate and politic of the State of Maryland (hereinafter referred to as “Town”), and **Milani Construction, LLC**, a District of Columbia limited liability company, (hereinafter referred to as “Milani”).

Recitals

WHEREAS, The Maryland Department of Transportation, State Highway Administration (hereinafter “SHA”) is engaged in a construction project to replace Bridge No. 1006200 on Maryland Route 140 which crosses Flat Run in the Town of Emmitsburg, Maryland, said project being known as SHA's Contract No FR5365180 (hereinafter “the SHA Bridge Replacement Project”); and

WHEREAS, the SHA Bridge Replacement Project will require that a portion of the Town’s public waterlines and related utility structures be relocated and/or replaced (hereinafter “the Waterline Relocation”), and SHA has asserted that the Town is or will be responsible for paying the costs and expenses incurred in relocating and/or replacing a portion of those water lines and structures based upon a Prior Rights determination, and

WHEREAS, the Town disputes its obligation to pay for such costs and expenses and has not consented to the Waterline Relocation as part of the SHA Bridge Replacement Project; and

WHEREAS, Milani is the general contractor engaged by SHA to undertake the SHA Bridge Relocation Project identified as “Milani Project M-145”. Milani is willing to pay or reimburse the Town for any costs or expenses incurred by the Town as directly charged by SHA for the Waterline Relocation, and Milani is willing to provide the Town with funds to be held by the Town in escrow in an amount equal to 150% of the estimated costs which may be charged by SHA to the Town.

NOW, THEREFORE, in consideration of the premises and of the covenants hereinafter set out, and for other good and valuable consideration, the receipt and sufficiency of which is acknowledged by the parties, the Town and Milani, for themselves, their respective successors and assigns, do hereby mutually consent, promise and agree as follows:

1. The Recitals stated above are incorporated herein and made a part of this Agreement.
2. Town will consent to and authorize SHA and/or Milani to proceed with the SHA Bridge Replacement Project including the Waterline Relocation. The Waterline Relocation shall be undertaken in accordance with plans, drawings and specifications approved by SHA, Milani and the Town. The Town will coordinate with and provide to SHA all necessary testing

requirements and specifications for the Waterline Relocation which shall be clearly stated on the plans. The Town shall be entitled to access the Waterline Relocation project during construction to conduct periodic inspections of the project.

3. Milani shall provide to the Town, prior to commencement of the Waterline Relocation, funds in the amount of Twenty Eight Thousand Five Hundred Dollars (\$28,500.00) to be held by the Town in escrow in a separately maintained account. All invoices, statements, charges and bills which are submitted by SHA to the Town for work associated with the Waterline Relocation shall be paid from the funds held by the Town in escrow. The Town shall provide copies of all such invoices, statements, charges and bills to Milani, and shall account to Milani for all expenditures from the escrow account. The escrow account funds shall not be used by the Town for any purpose other than to pay the invoices, statements, charges and bills which are submitted by SHA to the Town for work associated with the Waterline Relocation. Upon completion of the Waterline Relocation and the issuance by SHA to the Town of a final invoice for work associated by the Waterline Relocation, and payment of the final invoice, any funds remaining in the escrow account shall be promptly returned to Milani. No interest shall accrue on the escrow funds.

4. In the event that the funds held in escrow are inadequate to pay all of the invoices, statements, charges and bills which are submitted by SHA to the Town for work associated with the Waterline Relocation, Milani agrees that it will, as the case may be, pay directly to SHA or reimburse the Town for any such excess invoices, statements, charges and bills.

5. This Agreement may not be assigned by the Milani without the prior written consent of the Town, which consent shall not be unreasonably withheld.

6. This Agreement shall be binding upon the parties, their successors and assigns.

WITNESS the hands and seals and/or corporate name of the parties hereto the day and year first hereinbefore written.

ATTEST:

TOWN OF EMMITSBURG

By: _____

Donald N. Briggs, Mayor

ATTEST:

MILANI CONSTRUCTION, LLC

By: _____

Name:

Title:

STATE OF MARYLAND, COUNTY OF FREDERICK, TO WIT:

I HEREBY CERTIFY that on this _____ day of _____, 2018, before me, the Subscriber, a Notary Public in and for the State and County aforesaid, personally appeared **Donald N. Briggs**, Mayor of the Town of Emmitsburg known to me (or satisfactorily shown to be) and who, as Mayor, executed the foregoing document on behalf of the Town of Emmitsburg for the purposes therein contained and who further acknowledged that, as Mayor, he is authorized to do so.

WITNESS my hand and Notarial Seal.

Notary Public

My Commission Expires:

STATE OF MARYLAND, COUNTY OF FREDERICK, TO WIT:

I HEREBY CERTIFY that on this _____ day of _____, 2018, before me, the Subscriber, a Notary Public in and for the State and County aforesaid, personally appeared _____, _____ of Milani Construction, LLC, a District of Columbia limited liability company, and acknowledged the foregoing instrument to be the act of Milani Construction, LLC; and at the same time, he made oath in due form of law that he is the _____ of Milani Construction, LLC, and is duly authorized to make this acknowledgment on its behalf.

WITNESS my hand and Notarial Seal.

Notary Public

My Commission Expires:



Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Pete K. Rahn
Secretary
Gregory Slater
Administrator

February 15, 2018

Ms. Cathy Willets
Town Manager
Town of Emmitsburg
300A South Seton Avenue
Emmitsburg, MD 21727

RE: Letter of Agreement for the Waterline Relocation of
Town of Emmitsburg in conjunction with MDOT SHA's Contract No FR5365180

Dear Ms. Willets:

This Letter of Agreement (**LOA**) between the MDOT State Highway Administration (SHA) and the Town of Emmitsburg ("**Town**") sets forth the agreement between the parties to relocate a portion of the Town's waterline ("**Waterline Relocation**") to facilitate the replacement of Bridge No. 1006200 along MD 140 over Flat Run within the limits of the Town, hereinafter known as the "**Bridge Replacement**"; and

In consideration of the mutual promises contained herein, SHA and the Town agree to the following:

The parties agree that the Waterline Relocation work will be included in the aforesaid contract, and the cost responsibility for all of the work associated with the Waterline Relocation will be divided between the Town and SHA based upon the attached Prior Rights determination "**EXHIBIT 1**". The cost attributed to the Waterline Relocation will include all direct costs including, but not limited to, contractor costs, SHA salaries and payroll burden for Construction Engineering (construction inspection and materials certification/testing), consultant costs, reproduction, mileage, etc., and indirect costs to include, but not be limited to, SHA overhead on direct costs. Once the Prior Rights have been determined, an Amendment to the LOA shall be executed between the parties which shall set forth the actual cost responsibility of each party based on Prior Rights.

Ms. Willets:
Page Two

The Town shall arrange for the funding of the design of the Waterline Relocation. The Town will coordinate with and provide to SHA, all necessary testing requirements and specifications for the Waterline Relocation to be clearly stated on the plans. The Town's certified contractor will be responsible for testing. SHA and the Town will jointly and periodically inspect all of the Town's Waterline Relocation, with the Town providing technical inspection and SHA providing construction inspection services. SHA shall be the principal construction manager for the contract.

SHA shall provide the Town with a detail of all costs related to the Waterline Relocation. Each party's responsibility for the Waterline Relocation cost shall be in accordance with the Prior Rights determination as set for in Section S.15 of the Administration's MSHA Utility Policy issued July 1989 and revised March 1998.

The Town agrees to secure the obligation for the Town's share of the Waterline Relocation costs based on EXHIBIT 1. SHA shall periodically provide a detailed invoice to the Town to indicate the amount of money that the Town owes to SHA for the Waterline Relocation during that invoice period, in accordance with EXHIBIT 1. The Town shall reimburse SHA within thirty (30) days of receipt of each periodic invoice. Should the Town fail to pay any invoice within thirty (30) days of receipt of an invoice, SHA shall notify the Town in writing or by phone, advising that the payment is delinquent and SHA will provide the Town with the opportunity to pay. If payment is not received within thirty (30) days of notification, SHA shall, at its sole discretion, make a deduction from the Town's share of Highway User Revenue ("HUR") for all delinquent invoices. If the HUR balance is insufficient for reimbursement of delinquent invoices, SHA shall, at its sole discretion, send all delinquent invoices to Central Collection Unit ("CCU") at 300 West Preston Street, Room 500, Baltimore, MD 21201-2365 for collection. The Town further acknowledges that all invoices submitted to CCU will include additional charges for CCU processing which are over and above SHA's invoicing.

Progress will be tracked and final billing to the Town for the Town's Waterline Relocation costs will be based on SHA's contractor's monthly estimate with the understanding that all billings are due within thirty (30) days of receipt of an invoice from SHA.

In the event of certain changed conditions requiring modifications to the proposed construction, reconstruction, adjustment, protection and/or relocations of the Waterline Relocation, SHA will notify the Town of the need to provide plans and specifications detailing the proposed changes to the Waterline Relocation and determine all costs with the contractor in concert with SHA. SHA will prepare the necessary change order(s) for final execution. The

Ms. Willets:
Page Three

Town's cost share shall be determined by SHA and will be stated within an Amendment to this LOA.

SHA, with close cooperation from the Town, shall generate and maintain all records in support of billing to the Town. These records shall become available to the Town for audit purposes.

The parties hereby agree and affirm that the persons executing this LOA on their respective behalf are authorized and empowered to act on behalf of the respective parties. The parties hereby further warrant and affirm that no cause of action challenging the existence, scope, or validity of the LOA shall lie on the ground that the persons signing on behalf of the respective parties were neither authorized nor empowered to do so.

If the terms of this LOA meet with your approval, please sign the two (2) originals where indicated on signature Page 4, retain one (1) original for the Town's file, and return one (1) signed original to Randall Scott, Agreements Coordinator, MDOT SHA, 707 N. Calvert Street, Mailstop C-405, Baltimore MD 21202.

The Remainder Of This Page Was Intentionally Left Blank

IN WITNESS WHEREOF, the parties have executed this MOU by causing the same to be signed as of the day and year first above written.

WITNESS

STATE HIGHWAY ADMINISTRATION

BY: _____ (SEAL)

Gregory Slater
Administrator

Date

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

RECOMMENDED FOR APPROVAL:

Assistant Attorney General

Tim Smith, P.E.
Deputy Administrator/Chief Engineer
for Operations

Ms. Willets
Page Four

Jason A. Ridgway, P.E.
Acting Deputy Administrator/Chief Engineer
for Planning, Engineering, Real Estate &
Environment

Lisa B. Connors
Deputy Administrator for Administration

William J. Bertrand
Director
Office of Finance

**TOWN OF EMMITSBURG,
MARYLAND**

WITNESS:

BY: _____ (SEAL)

Donald Briggs
Mayor

Date

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:**

EXHIBIT 1



Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor
Pete K. Rahn
Secretary
Gregory Slater
Administrator

August 10, 2017

Prior Rights Report

Project: FR5365170
Flat Run Bridge
Replacement over
Md 140

Town of Emmitsburg
Water Co.

R/W file # 1976-R

Andrea Abend
District Utility Engineer
SHA District # 7
Frederick, Md 21704

This report covers our review of the existing locations of the Town of Emmitsburg Water Co facilities which are affected by the improvement of Md 140 within the limits of the above mentioned project. Work on this project may necessitate the adjustment or relocation of 1,112' of water lines, which were acquired in 1963 by deed @ liber 681/294 from the Emmitsburg Water Co. on 3/29/63.

We have found 508' of water lines to be located within the State Highway Administration's existing right-of-way, acquired under contracts FR536-1 and F191-511 On 10/06/32.

Resp: Town

We have found 65' of water lines to be located on the line of the State Highway Administration's existing right-of-way, acquired under contracts f191-511 and FR536-1 in 1932.

Resp: 50%

The remaining 539' of water lines are located entirely outside of the SHA existing right-of-way.

Resp: SHA

Pg.2

Cost responsibility, as indicated by this report, has been established in accordance with Section 8-304(b) and 8-346 of the Transportation Article of the Annotated code of Maryland.

This cost should include allowances for depreciation, betterment and salvage value, if any apply.

Attached and made a part of this report is one copy of the RW 57 from.

Sincerely,


James Engle, Real Estate Specialist,
Public Utility Adjustment Unit

JE
cc: N. Smith

State Highway Administration (SHA)
 Office of Real Estate - Record & Research
 211 E. Madison Street Baltimore MD 21202
 Mail Stop M-202

SHA District 7 Office
 Project Development - Utilities
 5111 Buckeystown Pike
 Frederick, Maryland 21704

UTILITY TABULATION FORM

Name of Utility	Town of Emmitsburg Water	Address	Town of Emmitsburg
Contract No.	FR5365170		The Honorable Donald N. Briggs
Description	Bridge Replacement, MD 140 Bridge		300A South Seton Avenue
			Emmitsburg, MD 21727

LF	Utility	Distance	Station	Date of Grant to Utility	Utility Title Acquired From	Title Reference	Location			SHA Responsibility	Remarks
							In	on	out		
PS 01	Water	5 RT	103+19	4/29/69	Emmitsburg Water Co	621/284					FR 5365170 F191-511
32	Water	5 RT	103+51				32'			NO	10/6/82
23	Water	6 RT	103+74				23'			"	Recorded
29	Water	6 RT	104+03				29'			"	60 ft. 81W
24	Water	6 RT	104+27				24'			"	
126	Water	3 RT	105+53				126'			"	
76	Water	2 RT	106+29				76'			"	
121	Water	1 LT	107+50				121'			"	
0	Water	5 RT	103+51								
38	Water	32 LT	103+50				35'	2'		NO YES	
0	Water	6 RT	103+74								
60	Water	67 RT	103+82				24'	36'		NO YES	
0	Water	6 RT	104+03								
18'	Water	24 RT	104+03				18'			NO	Y
0	Water	6 RT	104+27								

State Highway Administration (SHA)
 Office of Real Estate - Record & Research
 211 E. Madison Street Baltimore MD 21202
 Mail Stop M-202

SHA District 7 Office
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 5111 Buckeystown Pike
 Frederick, Maryland 21704

UTILITY TABULATION FORM

Name of Utility	Town of Emmitsburg Water	Address	Town of Emmitsburg
Contract No.	FR5365170		The Honorable Donald N. Briggs
Description	Bridge Replacement, MD 140 Bridge		300A South Seton Avenue Emmitsburg, MD 21727

LF	Utility	Distance	Station	Date of Grant	Utility Title	Title	Location	SHA	Remarks
36'	Water	30 LT	104+27	3/28/63	Emmitsburg Water Co	681/244	36'	NO	FR536-1
0	Water	3 RT	105+53						F191.5/1
31	Water	28 LT	105+53				31'	NO	Recorded
0	Water	2 RT	106+29						60 ft
36'	Water	34 LT	106+28				36'	NO	R/W
PS 02	Water	1 LT	107+50						
19	Water	1 LT	107+69				19'	NO	
13	Water	C/L	107+83				18'	"	
85	Water	50 RT	108+50				35'	NO	
82	Water	46' RT	109+32		SHA	82'	82'	YES	
35	Water	23 RT	109+54		SHA SHA SHA	35' 31.5'	85'	YES	
85	Water	27 RT	110+39		Town SHA	32.5' 20'	65'	NO	
32	Water	32 RT	110+70				32'	NO	
178	Water	83 RT	112+28				178'	NO	
25	Water	93 RT	112+49				35'	"	
PS 02	Water	1 LT	107+69						

State Highway Administration (SHA)
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 211 E. Madison Street Baltimore MD 21202
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SHA District 7 Office
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 5111 Buckeystown Pike
 Frederick, Maryland 21704

UTILITY TABULATION FORM

Name of Utility	Town of Emmitsburg Water	Address	Town of Emmitsburg
Contract No.	FR5365170	The Honorable Donald N. Briggs.	
Description	Bridge Replacement, MD 140 Bridge	300A South Seton Avenue	
		Emmitsburg, MD 21727	

LF	Utility	Distance	Station	Date of Grant	Utility Title	Title	SHA Location	SHA	Remarks
19	Water	20 LT	107+69	3/29/65	Emmitsburg Water Co.	681 294	19'	NO	FR536-1
0	Water	27 RT	110+39						F191-511
35	Water	61 RT	110+35				35'	NO	Recorded
0	Water	32 RT	110+70						60-A. R/W
25 36	Water	60 RT	110+65				25'	Yes	
0	Water	83 RT	112+28						
42	Water	123 RT	112+12				31 39'	NO Yes	
0	Water	23 RT	109+54						
60	Water	36 LT	109+57		Town 60'		60'	NO	
PS 02	Water	91 LT	107+50						
25	Water	65 LT	107+67				25'	Yes	
187	Water	36 LT	109+57				187'	"	
20	Water	32 LT	109+74				171' 3'	NO YES	
170	Water	35 LT	111+50				35' 135'	NO YES	
145	Water	30 LT	113+00				145'	Yes	F522-48 19/171
100	Water	29 LT	114+00		Y		100'	"	Y
41	Water	48 LT	114+41				41'	"	

State Highway Administration (SHA)
 Office of Real Estate - Record & Research
 211 E. Madison Street Baltimore MD 21202
 Mail Stop M-202

SHA District 7 Office
 Project Development - Utilities
 5111 Buckeystown Pike
 Frederick, Maryland 21704

UTILITY TABULATION FORM

Name of Utility		Town of Emmitsburg Water			Address		Town of Emmitsburg			
Contract No.		FR5365170					The Honorable Donald N. Briggs			
Description		Bridge Replacement, MD 140 Bridge					300A South Seton Avenue Emmitsburg, MD 21727			
LF	Utility	Distance	Station	Date of Grant	Utility Title	Title	Location		SHA	Remarks
45	Water	92 LT	144+41	3/29/05	Emmitsburg Water Co	681/294	45		Yes	F522-48 13/17
All measurements taken from base line of construction of rd 140.										
Utility:				Date:						
SHA: <i>Andrea Alvord</i>				Date: <i>8/08/17</i>						

AGENDA ITEMS CONTINUED:

IV. Park Pavilion Policy Amendment for Consideration: Presentation at meeting by town staff.

POLICY SERIES: 2017
Policy No. P17-02

Page 1 of 1

TOWN OF EMMITSBURG
Park Pavilion Reservation Deposit

This Policy will replace previously adopted policy P16-04.

As of this date and pursuant to Title 12 "Streets, Sidewalks and Public Places" of the Emmitsburg Municipal Code, ball field and pavilion fees shall be as follows:

A. Community and Memorial Park Ball Fields

- 1. \$25.00 clean-up deposit per day per field (refunded if in good condition & cleaned up)

B. Community and Memorial Park Pavilions

- 1. Resident
 - \$75.00 total rental fee
 - \$25.00 returned to resident if pavilion and/or bathroom in good condition
- 2. Non-Resident
 - \$125.00 total rental fee
 - \$25.00 returned to non-resident if pavilion and/or bathroom in good condition

Non-profits are exempt from the park pavilion fee as long as the non-profit user does not charge admission and the event is not a fundraiser. Proof of federal 501(c)(3) status may be required. All non-profits are required to submit a \$125 security deposit that will be returned if the pavilion and/or bathrooms are left in good condition.

BE IT FURTHER RESOLVED, ENACTED AND ORDAINED, that this policy shall take effect on 6th day of March, 2017.

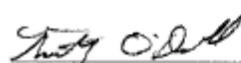
PASSED this 6th day of March, 2017.

ATTEST:

EMMITSBURG BOARD OF COMMISSIONERS:



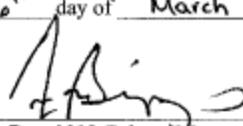
Madeline Shaw, Town Clerk



Timothy O'Donnell, President

APPROVED VETOED

This 6th day of March, 2017



Donald N. Briggs, Mayor

POLICY SERIES: 2017
Policy No. P18-04

Page 34 of 35

TOWN OF EMMITSBURG
Park Pavilion Reservation Deposit

draft

This Policy will replace previously adopted policy P17-02.

As of this date and pursuant to Title 12 "Streets, Sidewalks and Public Places" of the Emmitsburg Municipal Code, park pavilion fees shall be as follows:

A. Community and Memorial Park Pavilions

- 1. Resident
 - \$75.00 total rental fee
 - \$25.00 returned to resident if pavilion and/or bathroom in good condition
- 2. Non-Resident
 - \$125.00 total rental fee
 - \$25.00 returned to non-resident if pavilion and/or bathroom in good condition

Non-profits are exempt from the park pavilion fee as long as the non-profit user does not charge admission and the event is not a fundraiser. Proof of federal 501(c)(3) status may be required. All non-profits are required to submit a \$125 security deposit that will be returned if the pavilion and/or bathrooms are left in good condition.

BE IT FURTHER RESOLVED, ENACTED AND ORDAINED, that this policy shall take effect on _____ day of _____, 2018.

PASSED this _____ day of _____, 2018.

ATTEST:

EMMITSBURG BOARD OF COMMISSIONERS:

Madeline Shaw, Town Clerk

Timothy O'Donnell, President

_____ APPROVED _____ VETOED

This _____ day of _____, 2018

Donald N. Briggs, Mayor

AGENDA ITEMS CONTINUED:

~~V. — Ordinances and Policies Related to Parking for Discussion: Presentation at meeting by town staff.~~

POSTPONED TENTATIVELY TO 04/02/2018 TOWN MEETING
(PENDING BOARD OF COMMISSIONER AGENDA APPROVAL)

M. SET AGENDA FOR NEXT MEETING: APRIL 2, 2018

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