

**MINUTES  
TOWN MEETING  
June 4, 2018  
Emmitsburg Town Office**

**Present:** *Elected Officials:* Mayor Donald Briggs; Commissioners: Glenn Blanchard, Elizabeth Buckman, Joseph Ritz III, Clifford Sweeney, and Tim O'Donnell, President. *Staff Present:* Cathy Willets, Town Manager; Madeline Shaw, Town Clerk; Amy Naill, Code Enforcement Officer; and Cole Tabler, Town Accountant. *Others Present:* Deputy Ted Mostoller, Deputy Ben Whitehouse and Roger Wilson, Frederick City Alderman.

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**I. Call to Order**

Commissioner Tim O'Donnell, President of the Board of Commissioners, called the June 4, 2018 town meeting to order at 7:30 p.m. EST. Pledge of Allegiance was recited. The Board invited the political office candidate, Sabrina Massett, to introduce herself.

*Sabrina Massett, 5 Walnut Street Thurmont Maryland* - Ms. Massett explained she is running for State Senate in District 4. She lives and grew up in Thurmont. She has 30 years combined experienced in human services.

The Board announced upcoming meetings and explained the July 2, 2018 town meeting might be moved to July 9, 2018 due to the holiday. The potential change of date will be discussed at the end of the town meeting. The Board also welcomed Roger Wilson, Frederick City Alderman.

**Approval of Minutes**

**Motion:** To accept the May 7, 2018 town meeting minutes as presented. Motion by Commissioner Ritz III, second by Commissioner Blanchard. Vote: Motion carries 5-0 in favor.

**Motion:** To accept the May 21, 2018 town meeting minutes as presented. Motion by Commissioner Buckman, second by Commissioner Sweeney. Vote: Motion carries 5-0 in favor.

**Police Report:**

Deputy Ted Mostoller presented the police report from May 2018 (exhibit attached). Deputy Whitehouse assisted with a 5k race, and Deputy Mostoller spoke to the third and fifth graders at Emmitsburg Elementary School on cell phone safety and cyber bullying. The Board asked if any of the collisions on Main Street related to the State Highway Administration (SHA) projects, which they were not. Commissioner Buckman thanked the Deputies for helping enforce the speed limit along Main Street as she has noticed vehicles slowing down.

**Town Managers Report:**

Cathy Willets, Town Manager, presented the Town Manager's Report from April 2018 (exhibit attached). Ms. Willets mentioned town staff assisted with the Flat Run Bridge 10-inch waterline relocation overnight on April 29 and April 30. Staff finished the dog park construction by assisting with the waterline installation, mulching the area and installing benches. The Emmet Garden playground will begin construction on July 5, 2018. Ms. Willets mentioned there is currently a 4.86-inch surplus of precipitation, 67.7% of the water treated at the Wastewater Treatment Plant (WWTP) in April 2018 was wild water, there were no spills of untreated sewerage, and the WWTP exceeded its design capacity five times during April due to the high levels of inflow and infiltration (I&I). For noteworthy items, staff continues to experience problems with the pumps at the Creamery Road pumping station and two staff members are taking the class 5A WWTP class and test. The Board had no questions.

**Town Planners Report:**

Cathy Willets, Town Manager, highlighted portions of the Town Planner's Report from April 2018 on behalf of Susan Cipperly, Town Planner. Ms. Willets explain Ms. Cipperly continues to work as the liaison for the SHA project. Town staff is having problems with the SHA contractor providing consistent/timely information for no parking signs along Main Street. Ms. Cipperly worked with the Town Clerk on the Community Legacy grant for a renovated pool house and a new ADA playground. Upcoming projects include the re-organization of the Planning Commission and MHAA final report for the town square. Upcoming projects the Planning Commission will need to review are the re-approval of the Emmitsburg East Industrial Park two, approval of the Brookfield and Irish Town Road renewal and potential commercial developments submitted within the past six months. Ms. Cipperly is retiring at the end of July 2018. The Board requested she attend the next town meeting to bid her farewell.

**Commissioner Comments:**

- Commissioner Buckman: She inquired about the wooden pedestrian bridge between Community Park and Emmitsburg Elementary School. Town staff will look into it once the rain subsides.
- Commissioner Ritz III: He thanked town staff for organizing the pool grand opening on June 2, 2018.
- Commissioner Sweeney: He reminded the audience of upcoming Community Heritage Day on June 30, 2018 and the fishing derby. He encouraged the public to attend both events.
- Commissioner Blanchard: He stated he will be absent for the July 2018 town meeting due to a conference. He enjoyed the pool grand opening and encouraged residents to join the community garden and farmer's market.
- Commissioner O'Donnell: He thanked staff for their work with the community pool. He reminded the public of two upcoming trail workdays. He received two complaints from hunters who saw bikers on the trails mid-day during hunting season. He reminded the public that trails are Sunday's only during hunting season.

**Mayor's Comments:**

Mayor Briggs attended numerous meetings in May 2018 (meetings listed in agenda packet). Mayor Briggs thanked the staff for their work with the Dog Park, Community Pool and Arbor Day celebration. The historic clock was installed at the town square, which was donated from Mount Saint Mary's University (MSM). He attended a Memorial Day celebration put on by the AMVETS and VFW. The town square grand opening might be delayed from June 30, 2018 to the fall due to the numerous days of rain putting construction behind schedule. He is also making a presentation at the MML summer conference: Sustainability According to Mark Twain.

**Public Comments Continued:**

*Sheila Pittinger, 5 East Main Street* - Ms. Pittinger explained she owns a beauty salon on the town square. She is concerned with the new sidewalks because there are numerous obstacles prohibiting her clients from using her business and she has had two older clients fall. The Board directed town staff to address the concerns with SHA to see if handicap access can be improved at the new town square. *Donald Sonn, 2 West Main Street* - Mr. Sonn requested the Vigilant Hose Company hire more deputies for the Spring Fling in the future. He explained he saw drunks walking in the streets and causing other problems this year. *Chris Anadale, 219 West Main Street* - He is the Committee Chairman for Boy Scout Troop 2727. He expressed his support for a concession stand at the community pool and he offered the support of the local Boy Scouts. Commissioner Sweeney will contact the troop and see how the Lions Club can collaborate with the troop to run the concession stand. *Denise Cool, 7 University Drive* - Ms. Cool explained some of the MSM students are loud, explicit and urinating in resident yards. She explained there are problems with students taking out their trash, paying parking tickets and respecting the neighbors. *Melissa Wetzel, 301 West Main Street* - Ms. Wetzel explained the past six months she's had numerous problems with the MSM students destroying her flowers, stealing traffic cones from the pedestrian alley near her home and urinating near her property. She requested a MSM's phone number to call when there is a problem with the students. *Paul McKinley, 227 West Main Street* - Mr. McKinley explained MSM students have been throwing parties in the nearby houses. He's been woken up by loud parties and has seen the students peeing on his property and house. He requested a resolution to the problem. *TJ Burns, 321 Mountaineers Way* - Mr. Burns explained he rents a home to students and he has never had a problem with the students. He explained not all students are a problem. He encouraged the Board to use caution with handling the problem because it could result in property owners not being able to find a renter. He is currently struggling to find tenants. *Angie Smith, 110 South Seton Avenue* - Ms. Smith explained the MSM students have been urinating in her yard, breaking her fence and leaving trash behind. *Wayne Green, 16300 Emmitsburg Road* - Mr. Green is the Vice President of MSM. He explained the Mount will get to the bottom of the situations and he agreed the actions of the students were unacceptable. He explained this is the Mount's first time hearing of some of these problems and he expressed a desire to bridge the communication gap. He apologized for the students actions and invited each person to sit down with him face-to-face to find permanent and long-term resolutions to the problems. *Kenneth McVeary* - Mr. McVeary is the Dean of Students for MSM. He explained MSM's will keep a detailed record of where the students live in the coming school year and he'd like to hear about problems in a more timely manner from Town residents. He explained some of these concerns were never reported to the school. He encouraged the public to directly call the Dean of Student's office. If needed the Board suggested residents call 9-1-1, but also encouraged residents to follow-up with MSM. *Deputy Ted Mostoller* - He explained dispatcher's record where the incident is occurring, which is why it's important to call 9-1-1 with disorderly conduct. He requested MSM provide the Emmitsburg Deputies with a list of commuter students addresses in Town so they can know who the renter is and who is liable. Commissioner O'Donnell encouraged the public to contact the Board whenever needed.

**Administrative Business:**

- I. New Town Planner Employee for Consideration:** Ms. Willets explained town staff advertised for a town planner on Indeed, MML, Town's website, Frederick County Workforce Services and two other websites for approximately one month. From these postings, 38 candidates applied but only six candidates met the requirements. Of those six, Ms. Willets and the Mayor interviewed three candidates. Mayor Briggs recommends the hiring of Zachary R. Gulden who has a masters and bachelors degree in Public Administration. Mr. Gulden currently works for Freedom Township and has experience in zoning, permitting and code enforcement. Mr. Gulden's start date would be July 9, 2018 at Grade 11 Step 1 (\$55,303.88 annually). All references were checked and favorable. The Board requested a staff member that works well with the public. The overlap with the current town planner is in the budget. The Board requested Mr. Gulden attend the July 2018 town meeting so the Board could meet him. The SHA sidewalk project should be wrapped up by Ms. Cipperly's retirement date in July 27, 2018.

**Motion:** To accept the recommendations of the Mayor for the Town Planner position.

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

- II. Amended Contract Name Change for the Lagoon Storage for Consideration:** Commissioner O'Donnell explained town staff and the Mayor requested the tabling of this item to a future town meeting, which is to be determined.

- III. Ordinance to Adopt Fiscal Year (FY) 2019 Budget:** Ms. Willets explained the Board should have approved the ordinance at the May 21, 2018 town meeting when a motion to approve the budget was passed, but the ordinance was not ready at that time. The ordinance is required to finalize the new fiscal year 2019 budget.

**Motion:** To adopt fiscal year 2019 budget per ordinance number 18 - 07.

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

**Consent Agenda:**

None.

**Treasurer's Report:**

Commissioner Blanchard presented the Treasurer's Report from May 2018 (exhibit in agenda packet). The operating balance forward is \$5,187,526. Ms. Willets explained the Alam B Roofing check was a duplicate, but the check was pulled and voided before it was mailed. Town staff has not seen a significant increase or decrease in electricity consumption, but town staff will continue to monitor electricity consumption and cost.

**Planning Commission Report:**

Commissioner Sweeney, Liaison for the Planning Commission, presented the Planning Commission Report from May 29, 2018. Commissioner Sweeney explained the recent meeting reviewed the East Emmitsburg Industrial Park and the Commission expects to review the Brookfield and Irish Town Road renewal soon.

**II. Agenda Items**

Commissioner Ritz III requested the Board allow Mr. Slaughter to present his proposal for agenda item six before the other agenda items are presented in respect for Mr. Slaughter's time. The Board gave unanimous consent.

Agenda #6: Town Volunteer Program for Community Cleanup for Consideration: Mr. Slaughter explained he would like to begin a monthly town cleanup of trash. With Board approval, he would like to work with the Town Clerk and he would also like to submit a proposal to build a botanical garden in Community Park. Commissioner O'Donnell asked if funds are being requested for advertising; they are not. The Board requested Mr. Slaughter contact the Catocin Banner and the Frederick News Post (FNP). Commissioner Ritz III stated the Town should have funding to provide trash bags, clean up sticks, etc. Town staff does not recommend the FNP because of the cost. Ms. Willets explained town staff needs an itemized list. The Board requested Mr. Slaughter work directly with the Town Manager, who will give direction to town staff as needed. Commissioner Buckman requested the inclusion of the local churches. Town staff will meet with Mr. Slaughter to discuss supplies needed, work areas and other logistics.

**Motion:** To accept the proposal for the community cleanup.

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

Agenda #1: Resolution Related to Employee Benefit Payout: Mr. Tabler explained the resolutions purpose is to designate a portion of fund one in the event that an employee leaves employment with the Town after accruing amounts of vacation, sick, and personal leave. The resolution was worded using the assistance of the Town Attorney, John Clapp, and the Town's auditing firms representative, Michele Mills.

**Motion:** To accept the Resolution as written.

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

Agenda #2: Fiscal Year (FY) 2019 Salary Chart Adoption for Consideration: Ms. Willets explained the salary chart outlines the position and steps/grades for each employee for fiscal year (FY) 2019. The salary chart needs to be adopted with the new fiscal year budget every year.

**Motion:** To adopt the ordinance amending the Code of Emmitsburg for the new salary chart for 2019.

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

Commissioner O'Donnell called a five-minute recess at 9:45 PM.

**Motion:** To recess for five minutes.

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

*Note:* The Board reconvened at 9:50 PM.

Agenda #3: Electric Vehicle Institute and Frederick County Agreement for Consideration Relating to Electric Vehicle Chargers: Ms. Willets explained the Mayor and Ms. Shaw have been working with the Electrical Vehicle Institute (EVI) on adding four level-two electric vehicle (EV) charging stations behind the Emmitsburg Community Center. The installation and maintenance are covered by a grant and the Town's only expense would be the monthly electrical costs, which would be recuperated through a credit card payment method on the charging stations. The Board needs to approve a County Lease Addendum, since the charging stations would be on County property and the grant agreement with EVI for a term of five years. After the five years, the town can continue the services with EVI, upgrade to a newer station with EVI or terminate the charging stations. The contract would not take effect until the charging stations are installed and operational. There would be no installation or maintenance costs to the Town. John Clapp reviewed both items. Solar power cannot be used since a transformer is needed, but if it consumes enough electricity the Town could possibly add an account for the solar fields at the WWTP. These stations would take about four (4) hours, which could encourage local business use while people wait for their car to charge. The Town would also like to replace the Town car with an EV. There are currently no public EV charging stations in the northern end of the County. The stations are usually found with a smart phone app. Roger Wilson, Frederick County, explained the EV stations seem to be very popular in Frederick County and he recommends the Board consider what to do if a non-electric vehicle parks in the space.

**Motion:** To accept the Frederick County Lease Addendum as presented.

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

**Motion:** To accept the Electric Vehicle Institution Grant Agreement as presented.

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

Agenda #4: Sliding Scale for Pool Membership for Discussion: Commissioner Buckman researched this item by looking at the sliding scale costs of the YMCA pool. She explained the sliding scale is for season passes only and would include adult plus one and larger families. The Board asked about the current season pass rates of the pool, which Ms. Naill explained is \$225 for two adults and two children. Any additional children would be \$30/child. Daily admission pass is \$4 for adults, \$3 for children and \$3 for seniors. Between 5:00 p.m. and 7:00 p.m. the pool is half price. Ms. Willets explained in 2016 \$19,567 was received in admissions and \$65,272 was paid in expenses with a \$45,000 loss. The Board discussed the need for a sliding scale based on income. The Mayor explained the town received a \$4,000 donation from an anonymous donor for pool memberships and he would like to see how the 2018 pool season goes with the \$4,000 donation going to families that are in need and reevaluating the sliding scale at a later date. He explained some families that make more money could struggle with making ends meet too. Commissioner Blanchard recommended following the Mayor's recommendation. Consensus was given to uphold the Mayor's recommendation. The pool admission rates have not been changed by the Board in many years. The Mayor is identifying candidates in need by communicating with the local schools and Seton Center. Anyone interested should call the town office or the Seton Center. Town staff suggests tracking the frequency of use of pool users that are donated a pass to ensure they are going to a family that needs them and will use them.

Agenda #5: Parking Ordinances and Policy for Consideration: Ms. Willets explained these items were reviewed at the April 2, 2018 town meeting but were never voted on. Per the Board request, town staff made the requested changes to Ordinance 18-04 under "Repair Work Performed on Vehicles" by adding a forty-eight (48) hour period and the word "beyond" under "Parking Near Fire Hydrants, Intersections, Etc." In addition, town staff have recently added a section for temporary no parking signs to ordinance 18-04 under section 10.12.041. The new section was reviewed by John Clapp and would help deter people from taking down temporary no parking signs. All items will take effect on August 1, 2018 to allow time for new parking tickets to be ordered.

**Motion:** To accept policy series 2018, policy number P18 - 03 as presented.

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

**Motion:** To accept policy series 2018, policy number P18 - 05.

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

**Motion:** To accept ordinance number 18 - 03.

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

**Motion:** To accept ordinance number 18 - 04.

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

**Motion:** To accept ordinance series 2018, ordinance number 18 - 05.

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

**Motion:** To accept ordinance number 18 - 06 as presented.

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

Regarding the reservation of meter spaces for an extended period by businesses, town staff contacted 55 municipalities: 35 municipalities had no reservation policy, 19 municipalities had a three days maximum and one municipality allows reservations for over three days. Obstacles town staff foresees is the enforcement of the reserved spaces and the possibility of all the parking spots being reserved and public parking being limited. Based on research, town staff does not recommend pursuing a reservation of metered spaces for extended periods. The Board agreed no changes were needed.

Commissioner O'Donnell requested Board consent on pushing the July 2, 2018 town meeting to July 9, 2018.

**Motion:** To make the next town meeting July 9, 2018.

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

### **Set Agenda Items for the July 9, 2018 Town Meeting**

1. Frederick County Harm Reduction and Syringe Service Program Presentation
2. Ordinance Modifying Vendor Licenses Language
3. Three Resolutions in Support of the Fiscal Year 2019 Community Legacy Applications
4. Parking Policy Related to Electric Vehicle Chargers

#### ***Admin Business:***

- A. Introduction to the New Town Planner, Zachary Gulden
- B. Amended Contract Name Change for the Lagoon Storage for Consideration
- C. Approval of the Town of Emmitsburg Record Retention Schedule

The botanical garden proposal and community market garden proposal for the Scott Road Farm (handed out by Commissioner O'Donnell) are potential future agenda items.

**Motion:** To accept the July 9, 2018 meeting agenda as presented.

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

**Motion:** To accept the administrative items as presented.

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

**Motion:** To adjourn the town meeting.

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

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

### **IV. Adjournment**

With no further business, the June 4, 2018 Town Meeting was adjourned at 11:03 p.m. EST.

Respectfully submitted,

Madeline Shaw, Town Clerk  
Approved On: 07/09/2018