



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 **July 9, 2018 – 7:30 p.m.**

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. FUTURE MEETINGS

Citizen's Advisory Committee Meeting: Tuesday July 17, 2018 at 7:30 p.m.

*Quarterly Planning Commission Meeting: Monday July 23, 2018 at 7:30 p.m. (*Changed)*

National Night Out: Wednesday August 1, 2018 at 6:00 p.m.

Town Council Meeting: Monday August 6, 2018 at 7:30 p.m.

4. MEETING ITEMS

A. APPROVE MINUTES: JUNE 4, 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. Introduction to the New Town Planner, Zachary Gulden.

II. Amended Contract Name Change for the Lagoon Storage for Consideration.

III. Approval of the Town of Emmitsburg Record Retention Schedule.

IV. Request for Zoning Map Amendment related to a property located at 600/602 E Main, in Emmit Gardens.

I. CONSENT AGENDA: NONE

J. TREASURER REPORT

K. PLANNING COMMISSION REPORT

L. AGENDA ITEMS (DETAILS ATTACHED)

I. Frederick County Harm Reduction and Syringe Service Program Presentation.

II. Ordinance Modifying Vendor Licenses Language.

III. Three Resolutions in Support of the Fiscal Year 2019 Community Legacy Applications.

IV. ~~Parking Policy Related to Electric Vehicle Chargers.~~ POSTPONED

M. SET AGENDA FOR NEXT MEETING: AUGUST 6, 2018

5. SIGN APPROVED TEXT AMENDMENTS AND/OR RESOLUTIONS

6. ADJOURN

A. APPROVE MINUTES: JUNE 4, 2018

**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.

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 March 2018 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 Catoctin 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 possible 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:

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

C. TOWN MANAGER'S REPORT

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

Streets:

- Staff and contractor poured new section of sidewalk at pool entrance.
- Staff installed new meter head and poured concrete in area of 106 East Main St.
- Staff conducted monthly street sweeping on East and West Main St.
- Staff put up new brackets and flags on street light poles on East & West Main St. plus South Seton Ave.
- Contractor blacktopped inside and around new salt shed.

Sidewalk and Bridge Project:

- Staff assisted contractor with installing new clock at the square.
- Staff assisted contractor with putting up three streetlights.

Parks:

- Staff and contractors completed the dog park project by installing water fountains, top soil, seed, mulch and signs.
- Staff mowed, trimmed, raked grass and weed killed.
- Staff completed maintenance on garden plots.
- Contractor installed new dug out roof at ballfield #3 from windstorm.
- Staff assisted contractor with installing new storm drain inlet, piping, and blacktopping at pool parking lot.
- Staff conducted maintenance and minor repairs to ensure the pool was operational by opening day.

Water:

- Rainbow Lake is at the spillway level of 16.6 feet.
- The roughing filters are being backwashed one-two times a day and the DE filters are being done one time 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 #3 and #4 are shut off.

	<u>May 2011</u>	<u>May 2018</u>	<u>Change</u>
○ Well #1:	35'	26'	+9
○ Well #2:	8'	6'	+2
○ Well #3:	12	OFF	N/A
○ Well #4:	108'	OFF	n/a
○ Well #5:	10'	11'	-1

- Water production and consumption. We produced an average of 247,462 GPD. We consumed an average of 236,526 GPD. The difference is "Backwash Water" ... (11.1%).
 - 22.60% of this water came from wells.
 - 5.54% of this water came from Mt. St. Mary's.
 - 72.00% of this water came from Rainbow Lake.

We purchased 438,200 gallons of water from MSM this month.

Wastewater:

- We received about 7.15" of precipitation this month (the average is 4.33").
 - We have a precipitation **SURPLUS** of 5.1" over the last six months. The average precipitation for the period from December 1 through May 31 is 21.55". We have received 26.65" for that period.

Wastewater Treatment:

- We treated an average of 779,000 GPD (consumed 236,526 GPD) which means that **69.6%** of the wastewater treated this month was "wild water".
- We had no spills of untreated sewerage in the month of May.
- We did exceeded the plant's design capacity five times in the month of May:
1,000,900gpd 05/16 1,317,000gpd 05/17 1,356,000gpd 05/18
2,508,000gpd 05/19 1,000,400gpd 05/20

Trash: Trash pickup will remain Mondays in the month of July.

Meetings Attended:

- 05/01 Met with staff regarding blacktopping pool parking lot.
- 05/01 Met with staff to review the trash bids.
- 05/02 Met with staff to review bids on engineering costs related to new pumping station.
- 05/04 Met with staff to review bids on pool bathhouse renovations.
- 05/04 Met with Mayor
- 05/07 Met with Mayor
- 05/07 Attended Town Meeting
- 05/09 Met with Mayor
- 05/09 Attended pool inspection with County/State Health Dept. and staff
- 05/14 Met with Mayor and HR to go over new planner candidates
- 05/16 Met with staff to review third quarter FY18 budget
- 05/17 Met with Mayor
- 05/17 Met with Commissioner Sweeney, Health Dept. and staff to look at potential concession stand at pool
- 05/17 Attended support staff meeting
- 05/21 Conducted new planner interviews with HR and Mayor
- 05/21 Met with Town Accountant to go over FY19 budget presentation
- 05/21 Attended Town meeting
- 05/22 Attended department head meeting
- 05/22 Met with Mayor
- 05/23 Met with Mayor

Noteworthy:

- One week spent flushing hydrants in Town
- Emergency Operations Plan for Rainbow Lake sent to State for review
- Annual Consumer Confidence Report related to water quality sent to MDE. Posted to the website and sent out in June 30th water bill.
- New waterline at Flat Run Bridge fully operational.
- Several power surges at WWTP.
- The high flows due to the large amount of rain cause a lot of chemical use at the WWTP.
- The pool was completed, passed inspections, and opened on time.

PARKING ENFORCEMENT REPORT
May 2018

Overtime Parking	56
Restricted Parking Zone	2
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	
Street Sweeping	7
Meter Money	\$710.88
Parking Permits	\$345.00
Meter Bag Rental	
Parking Ticket Money	\$210.00
Funerals	
Total:	\$1,265.88

D. TOWN PLANNER'S REPORT

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

1. **GIS** – Prepared maps as needed to support grant applications and other town projects. Will be working with ALWI to map storm drains and SWM facilities needed for the MS-4 (stormwater) permit. Field work on water/sewer mapping will continue when town DPW staff can assist.
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 several meetings and on-site discussions regarding design elements and issues associated with the project. Took photos for website.
3. **Community Legacy:** Communicated with DHCD contact regarding Community Legacy Façade projects, reimbursement requests, MHT reviews. Preparing to close out FY2016 once reimbursement cycle has been completed.
Completed and submitted FY2019 Façade and Restoration CL Grant application. Requested \$75,000. Usual result is \$50,000.
4. **Permits and Zoning -- highlights**
 - Provided zoning info in response to inquiries.
 - Researched land records in response to specific permit or zoning questions.
 - Did walk-through of new Seton Center.
 - Total of 5 model home permits issued in Brookfield.
 - Antique Mall – Outdoor sales permit for monthly event.
 - 113 E Main – New owner submitted Use & Occupancy permit. Need interior drawing and description of use before continuing review.
5. **Dog Park** – Coordinated donor recognition items for Gold Paw Bench. Will arrive mid-June. (Will continue as more donations of that level are received.)
6. Provided input for Planner job search interviews to the HR consultant and Town Manager.
7. **Pool Parking lot.** Reviewed parking lot permit & striping plan. Made revisions including HC spaces, traffic flow. Worked with stripier on-site during installation.

Meetings:

- Office meetings – Dept. Head, budget.
- SHA Sidewalk meetings (status and on-site).

Upcoming activity as of June 18, 2018 – (In addition to continuing above projects.)

- **Final Report for MHAA Grant for the Square** – as invoices are processed by SHA.
- **Board of Appeals:** Arrange BOA meeting to undertake reorganization, since there have been new members appointed. May wait until new Planner is on board.
- **Organize:** Planning and Zoning files and computer files in contemplation of upcoming retirement on July 27.

Projects upcoming that will involve staff review and the Planning Commission:

- Coordinate rezoning request process, with input from town attorney.
- Brookfield/Irishtown Road approval renewal for that section
- Potential commercial development submitted in next 6 months or so. (site plans followed by building permits)

E. COMMISSIONER COMMENTS

F. MAYOR'S COMMENTS

- June 2, Pool Grand Opening. Guest County CE Jan Gardner
June 2 Lib and I dinner with Father O'Mally. Mount St. Marys Univ. and former pastor at St. Joseph's parish.
June 4, Town meeting.
June 4, meeting with Town manager.
June 5 8 am, met Wayne Green, Mount St. University Chief of Staff
June 5, meeting with Town manager.
June 6, 9 am, SHA construction meeting at Square. Myself, Town manager and staff.
June 6, Lunch with Fallen Firefighters Executive Director, Ron Siarnicki
June 7, meeting with Town manager.
June 7, Frederick County MML/County POS meeting in Walkersville.
June 9, meeting with Town manager.
June 10 MML Summer conference, Ocean City
June 11 MML Summer conference, Ocean City
June 12 MML Summer conference, Ocean City made presentation, "Sustainability According Mark Twain"
June 14 SHA/Contractor/represented Town re: Square – sidewalk meeting. Town demand
June 14 Welcomed planners from Frederick County and State hosted by town planner S. Cipperly, Jim Gugel, Director of Planning for County and Chuck Boyd from State Planning
June 14 Welcomed EBPA board and guest Sandy Wagaman, FredCo Office of Economic Development held in town office.
June 14 Flag Day, attended, lead pledge Allegiance to the Flag with Mayor Kinnaird of Thurmont annual joint commemoration of Emmitsburg and Thurmont Color Guards in Memorial Park. (Location rotates each year).
June 18, meeting with Town manager.
June 19 7:30 am breakfast meeting with Mount St. Marys University Chief of Staff Wayne Green.
June 21, 8 am meeting in Frederick Planner S. Cipperly and I with Kate Atlbaugh, County Economic Development "ROOT" program.
June 21, Maddy Shaw and I met with Civitan representative re: Challenged children playground equipment
June 21, meeting with Town manager.
June 22, Greet at Opening Day for Farmer's Market.
June 28 Attend Maryland Green Registry Annual Award event. Brookside Gardens in Wheaton, Maryland – I was one of the awardee selectors.
June 30; Community Heritage Day. Breakfast at Vigilant Hose. Parade at 5:30 pm. Speak at 6:30 pm. Fireworks at dark.
June 30 2:30 pm Girl Scouts Recognition and Awards Ceremony Regional Library in Thurmont

Upcoming Events:

- National Night Out: Wednesday August 1, 2018 behind town office, 6:00 p.m. – 8:00 p.m.
- Pool Party: Friday July 20, 2018 at the Community Pool, 6:00 p.m. – 8:00 p.m.

G. PUBLIC COMMENTS

H. ADMINISTRATIVE BUSINESS

- I. Introduction to the New Town Planner, Zachary Gulden:** Presentation by Mayor Briggs and town staff.

ADMINISTRATIVE BUSINESS CONTINUED

II. Amended Contract Name Change for the Lagoon Storage for Consideration: Presentation by town staff.



3308 Bernice Avenue
Russellville, AR 72802
PO Box 3036 • Russellville, AR 72811
Phone: 479-498-0500

April 30, 2018

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

Re: Lagoon Storage Agreement & Lease

Dear Mrs. Willets,

On June 5, 2017, Denali Water Solutions, LLC ("Denali") completed an asset purchase agreement with Enviro-Organic Technologies, Inc ("EOT") that included all major assets and contracts. Denali effectively began managing the Emmitsburg Lagoon Storage Agreement & Lease at that point. Over the past 11 months I have been working with Phil Sander in effort to make sure the management of the agreement and lagoon property continued as expected.

I would like to request that the Storage Agreement & Lease dated November 7, 2016 be assigned to Denali and name Denali Water Solutions, LLC as the tenant. Denali can comply with the terms and conditions of the current Storage Agreement & Lease. Enclosed with this request is a current certificate of insurance naming the Town of Emmitsburg as a certificate holder and additionally insured.

As outlined on page 12 (pp12.2) of the current agreement, it is the responsibility of the tenant to inform the landlord by May 1 if the tenant wishes to terminate the agreement. In speaking with Mr. Snader, Enviro-Organic Technologies, Inc. will be sending a termination letter but please note that this should be notice that EOT is also in agreement with the assignment of the storage agreement to Denali.

Please feel free to contact me with any questions at 443-685-4212 or mike.oliver@denaliwater.com

Respectfully,

A handwritten signature in black ink, appearing to read "M. Oliver".

Michael Oliver
General Manager – Mid Atlantic
Denali Water Solutions, LLC

Storage Agreement & Lease Amendment No.1

This Amendment No.1 to the Storage Agreement & Lease dated November 7, 2016 ("Agreement") is entered by the Town of Emmitsburg (Landlord), an incorporated town within the State of Maryland and Denali Water Solutions, LLC (Tenant), a limited liability company in the State of Maryland.

RECITALS

A. On November 7, 2016, the Town of Emmitsburg and Enviro-Organic Technologies, Inc entered into a Storage Agreement & Lease, hereinafter called the Agreement, to lease one (1) storage lagoon located at or near 16683 Creamery Road, Emmitsburg, MD 21727

B. On June 5, 2017, the Denali Water Solutions, LLC acquired Enviro-Organic Technologies, Inc through an asset purchase sale and is requesting the reassignment of this Agreement to Denali Water Solutions, LLC.

C. The parties mutually desire to amend the Agreement to clarify the respective rights, interests, claims and responsibilities of the parties in this Agreement.

AMENDMENT

The parties agree to amend the Agreement referenced above, as follows:

- 1.** The Recitals as set forth above are accurate in every respect and are incorporated into and made a part of the Agreement and the Amendment by this reference.
- 2.** As of June 5, 2017, Denali Water Solutions, LLC accepts all Enviro-Organic Technologies, Inc. rights and interests in the Agreement, and thereafter until the Agreement expires.
- 3.** Wherever in the Agreement the name of the Enviro-Organic Technologies, Inc is referenced, the name of Denali Water Solutions. LLC will be inserted in its place.
- 4.** All other terms and conditions of the Agreement remain in full force and effect. If there is a conflict or ambiguity among the Amendment and the Agreement, the documents in the following order prevail and control: (a) the most recent Amendment; and (b) the original Agreement.

Storage Agreement & Lease
Amendment No.1 Signature page

"Tenant"
Denali Water Solutions, LLC



Michael Oliver, General Manager

"Landlord"
Town of Emmitsburg

Donald N. Briggs, Mayor

Date: June 4, 2018

Date: _____

III. Approval of the Town of Emmitsburg Record Retention Schedule:
Presentation by town staff.

Notes:

Date of Last Record Retention Schedule: January 12, 1979

Maryland State Archives Recommends updating/reviewing every two (2) years.

Town staff proposes the adoption of three (3) record retention schedules:

1. Administrative
2. Accounting
3. Planning

Once approved by the Board, the Maryland State Archives would review the schedules for final approval and compliance with retention laws.

1. The website says “Your agency is responsible for all costs for delivery and shelving of records.” What is an estimate for this service? We would probably have about 10 boxes (just need a general idea please).

I am not able to provide you with a solid estimate of what this cost would be. There are many factors that may go into the pricing quotes-- such as time of year, gas prices, how busy a company is at the time of solicitation, distance to our facility, how many trucks & workers will be needed to complete the transfer. I can say that it is cheaper, in the long run, to transfer more items in one shipment, rather than many shipments of less items. Perhaps examples of transfers we had earlier this year would be helpful for a ballpark estimate only. One was for 13 boxes from an agency in Crownsville. The quotes came back ranged from \$300 to \$325. Another transfer of 8 boxes from an agency in Caroline County had quotes come back ranging from \$325 to \$500. Additionally, another was for 38 boxes from an agency in Ocean City had quotes come back ranging from \$440 to \$650. I cannot guarantee any specific price the vendor will quote.

2. Are the files scanned for computer access or is the only way to view transferred files via a file request?

If your agency has current business that requires access to a file it has previously transferred to the State Archives you can request that file back until it has met the current business needs. It will need to be returned. If a scanned version would suffice, that also could be done as a one off type of request.

If you would be interested in setting up a scanning project for a number of records with our scanning services, please feel free to reach out to Kathryn Baringer at 410-260-6467 or kathryn.baringer@maryland.gov

3. What environment are the records stored in? (e.g. climate controlled, etc.)

The Archive’s headquarters in Annapolis and off-site facility in Woodlawn- Baltimore County are both climate controlled, have fire suppression systems and security systems in place.

4. Do you also keep in-house records of what was transferred? My worry is with staff turnover in our office the documentation showing what files were transferred will get misplaced and no one will know we have historical records at the State Archives.

Yes, we keep a record of all transfers. A transfer file can tell us information about when items were transferred, by whom, and what items they were and where we have stored them. This is also why we ask that the Transfer Inventory Worksheet be filled out completely, because that also tells us about the function of the records, provides time periods the records cover and condition of the records. After a records transfer has occurred the inventory gets put into our online catalog of government records. So at any time, any citizen can look up and see what records we have from an agency. For example, this link [<http://guide.msa.maryland.gov/pages/series.aspx?ID=t5162>] provides information about what meeting minutes we have from the town of Ocean City.

Please let me know if I can be of further assistance.

Joyce Phelps
Transfer & Space Management Archivist
Maryland State Archives - Annapolis
Phone: 410-260-6448

DGS-850-1 REV. 6/78	DEPARTMENT OF GENERAL SERVICES Records Management Division	SCHEDULE NO. M-28 PAGE NO. 1
RECORDS RETENTION AND DISPOSAL SCHEDULE		
Town of Emmitsburg		
AGENCY	DIVISION	
Item No.	Description	Retention
1	GENERAL ACCOUNTING RECORDS Annual financial reports to Stat & Fed agencies. Assessment lists. Audit reports. Bankbooks, statements & deposit slips. Budget recors, papers & work sheets. Business & traders licenses. Cancelled checks, check copies & stubs. Expense reports. Paid bills, vouchers & invoices. Paid bonds and coupons. Payroll checks & carbon copies. Receipt & disbursement ledgers. Time sheets. Requisitions & purchase orders. Tax & water collection cards. Withholding forms & statements, State & Fed. General Ledger Books.	5 yrs. 3 yrs. 5 yrs. 5 yrs. 5 yrs. 3 yrs. 5 yrs. 5 yrs. 5 yrs. 5 yrs. permanent 5 yrs. 5 yrs. permanent 5 yrs. permanent 5 yrs. permanent
2.	CORRESPONDENCES Burgess & Commissioners'. Town Clerk & Manager.	5 yrs. 5 yrs.
3.	ELECTIONS Oaths of offices. Election candidates. Election Affidavits.	3 yrs. 3 yrs. 3 yrs.
4.	PLANNING & ZONING Zoning Certificates. Building permits.	permanent permanent
5.	MINUTES Burgess & Commissioners. Planning & Zoning. Recreation Committee. Board of Zoning Appeals.	permanent permanent permanent permanent
6.	RESOLUTIONS	permanent
7.	DEEDS & RIGHT-OF-WAYS	permanent
Schedule Approved by Department, Agency, or Division Representative		Schedule Authorized by Hall of Records Commission
12-12-78 Date	Samuel Jones Signature Town Manager Title	1/2/79 Date Edward J. Cooper State Archivist

PS-943

RECORDS RETENTION AND DISPOSAL SCHEDULE (CONTINUATION SHEET)		SCHEDULE NO. M-28
		PAGE 2 NO.
Description	Retention	
8. EMPLOYMENT Applications. Personnel files.	3 yrs. permanent	
9. BOND RETIREMENT RATE SHCEDULES	3 yrs. or until bonds are retired	

PS-942

DEPARTMENT OF GENERAL SERVICES RECORDS MANAGEMENT DIVISION RECORDS RETENTION AND DISPOSAL SCHEDULE		Schedule No.
		Page 1 of 3
Agency Town of Emmitsburg Frederick County, Maryland		Division/Unit Administration
Item No.	Description	Retention
1.	MINUTES a) Town Meetings (Open & Closed Meetings) b) Citizen’s Advisory Committee c) Parks and Recreation Committee	Permanent. Transfer to MSA every 10 years.
2.	AGENDA PACKETS a) Board of Commissioner’s Meetings	Permanent. Transfer to MSA every 10 years.
3.	RECORDINGS (TAPE, DVDS, OR OTHER AUDIO FORMAT) a) Town Meeting Recordings b) Public Hearings c) Other Recordings	Retain 15 years after approval of minutes, then destroy.
4.	LEGISLATION a) Ordinances and Amendments to the Town Charter b) Resolutions c) Proclamations d) Policies	Permanent. Transfer to MSA every 10 years.
5.	TOWN CODE BOOK AND SUPPLEMENTS a) Town Code Books b) Municipal Code Supplements (Extra Copies)	a) Retain permanently in house. b) After all code books are updated, retain for 5 years.
6.	PUBLIC HEARINGS a) Resulting in Legislation b) Resulting in Non-Legislative Action c) Resulting in No Action	a) Permanent, transfer periodically to State Archives. b) Retain 3 years (or until resolution), then destroy. c) Retain 3 years, then destroy.
7.	ELECTIONS a) Elected Officials Oaths of Office b) Application for Candidacy c) Used Ballots (Mail-in and Regular) d) Final Vote Count e) Precinct Register f) Election Judge Application & Oath of Office g) Referendum Documents	a) Permanent. Periodically transfer to State Archives. b) 3 years, then destroy. c) 3 years, then destroy. d) 3 years, then destroy. e) 3 years, then destroy. f) Permanent. Periodically transfer to State Archives. g) 3 years, then destroy.
8.	OTHER LEGISLATIVE MATERIAL a) Financial Disclosures b) Ethic Complaints & Ethic Commission Findings	a) Retain 4 years, then destroy. b) Retain 5 years after resolution, then destroy.

DEPARTMENT OF GENERAL SERVICES RECORDS MANAGEMENT DIVISION RECORDS RETENTION AND DISPOSAL SCHEDULE (Continued)		Schedule No.
Agency Town of Emmitsburg Frederick County, Maryland		Page 2 of 3
		Division/Unit Administration
Item No.	Description	Retention
9.	CONTRACTS AND AGREEMENTS a) Contracts b) Agreements	Retain 3 years after work is completed, then destroy. If there is a warranty, retain until warranty expires.
10.	REQUEST FOR PROPOSALS (RFP) a) Request for Proposal (RFP) Bid Packet b) Received Bids (With Time Stamped Envelope) c) Summary of Bids Received and Amounts d) Copies of RFP Acceptance or Rejection Letters	Retain 2 years after project completed, then destroy.
11.	INSURANCE (PROPERTY, VEHICLE) a) Insurance Certificates b) Property Insurance Appraisals c) Accident Reports d) Loss Reports e) Workmen Compensation Claims f) Insurance Claims g) Correspondence	a) Retain until expiration date of certificate, or replacement is received, then destroy. b) Retain 1 year after the completion of the next appraisal. c) Retain 3 years, then destroy. d) Retain 1 year after the completion of the next report. e) Retain for length of employment with the Town plus 5 years, then destroy. f) Retain 3 years after claim is closed, then destroy. g) Screen annually and destroy material that is no longer needed for current business.
12.	CORRESPONDENCES a.) Phone Messages Book b.) Interoffice Memos c.) Copies of Mailed Letters d.) Other Correspondences.	a) Retain 2 years, then destroy. b) Screen annually and destroy material that is no longer needed for current business. c) Screen annually and destroy material that is no longer needed for current business. d) Screen annually and destroy material that is no longer needed for current business.

DEPARTMENT OF GENERAL SERVICES RECORDS MANAGEMENT DIVISION RECORDS RETENTION AND DISPOSAL SCHEDULE (Continued)		Schedule No.
		Page 3 of 3
Agency Town of Emmitsburg Frederick County, Maryland		Division/Unit Administration
Item No.	Description	Retention
13.	BUILDINGS a) Leases b) Property Maintenance Records c) Building Evaluations	a) Retain 2 years after expiration, then destroy. b) Retain for the length of property ownership plus 5 years, then destroy. c) Retain for the length of property ownership plus 5 years, then destroy.
14.	VEHICLES a) Vehicle Titles b) Vehicle Maintenance Records c) Insurance Certificates	a) Retain 1 year after sale of vehicle, then destroy. b) Retain for the life of vehicle plus one year, then destroy. c) Retain until expiration date of certificate, or replacement is received, then destroy.
15.	PARKS AND RECREATION a) Hunting Licenses b) Fishing Licenses c) Community Pool Daily Attendance Log d) Pool Settlement Sheets e) Park Pavilion Reservation Forms (Memorial & Community Park). f) Ball Field Reservation Forms (Memorial & Community Park). g) Farmers Market Vendor Applications.	a) Retain 3 years, then destroy. b) Retain 3 years, then destroy. c) Retain 4 years, then destroy. d) Retain 4 years, then destroy. e) Retain 1 year, then destroy. f) Retain 1 year, then destroy. g) Retain 1 year, then destroy.
16.	MISCELLANEOUS RECORDS a.) Town Newsletters b.) Vendor Licenses c.) Newspaper Clippings On Town d.) Photographs e.) Public Information Act (PIA) Requests f.) State Highway Administration Special Event Permits	a) Retain permanently, transfer periodically to state archives. b) Retain one year after expiration. c) Screen annually. Retain permanently any material having historic value regarding the origin, development, functions and accomplishments of the Town. d) Screen annually. Retain permanently any photos having historic value regarding the origin, development, functions and accomplishments of the Town. e) Retain 3 years, then destroy. f) Retain 6 months after event.
17.	LEGAL OPINIONS AND LITIGATION a) Written Legal Opinions by the Town Attorney b) Case Files Regarding Legal Actions	Permanent. Transfer periodically to the State Archives.

DEPARTMENT OF GENERAL SERVICES RECORDS MANAGEMENT DIVISION RECORDS RETENTION AND DISPOSAL SCHEDULE		Schedule No.
		Page 1 of 2
Agency Town of Emmitsburg Frederick County, Maryland		Division/Unit Accounting Department
Item No.	Description	Retention
1	GENERAL ACCOUNTING RECORDS a) Bank Deposit Slips b) Cash Receipts c) All Other Front Desk Receipts d) Check Registers e) Bank Statements	Retain 7 years after audited, then destroy.
2	ACCOUNTS PAYABLE a) Check Stubs b) Canceled and/or Voided Checks c) Paid Bills and Invoices	Retain 7 years after audited, then destroy.
3	AUDIT REPORTS a.) Annual Audit Reports	Permanent. Retain 10 years then transfer to the Maryland State Archives.
4	BUDGET AND FISCAL PLANNING RECORDS a) Adopted Fiscal Year Budget	Permanent. Retain 10 years then transfer to the Maryland State Archives.
5	BONDS a) Paid Bonds and Coupons	Retain 7 years, or until audited, then destroy.
6	GENERAL LEDGER JOURNAL ENTRIES a) General Ledger Journal Entries	Permanent. Retain 10 years then transfer to the Maryland State Archives.
7	LOAN DOCUMENTS & AGREEMENTS a.) Loan Documents	Permanent. Retain 10 years then transfer to the Maryland State Archives.
8	TAX DOCUMENTS a) Real Estate Tax Rolls b) Personal Property Tax Rolls c) Real Estate and Corporate Tax Bills d) Tax Sale Records e) Escrow Accounts f) County Revenue Receipts g) State Revenue Receipts	Retain 7 years after audited, then destroy.

DEPARTMENT OF GENERAL SERVICES RECORDS MANAGEMENT DIVISION RECORDS RETENTION AND DISPOSAL SCHEDULE (Continuation Sheet)		Schedule No.
		Page 2 of 2
Agency Town of Emmitsburg Frederick County, Maryland		Division/Unit Accounting Department
Item No.	Description	Retention
9	PERSONNEL RECORDS a.) Applications for Employment b.) Personnel Files c.) Pension Records d.) Health Insurance Records e.) Employee Handbooks (old)	a - d.) Retain 7 years after termination of employment, then destroy. e.) Retain 1 year after approval of new handbook.
10	PAYROLL RECORDS a.) W-4 / W-2 / FICA / Withholding / 940 / 941 / Payroll Forms b.) Leave Slips c.) Employee Time Sheets	Retain 7 years after audited, then destroy.
11	MISCELLANEOUS ACCOUNTING RECORDS a) Computer Generate Reports (spreadsheets, etc.) b) Investment Records (statements, wire info, confirmation of withdrawals)	Retain for 7 years and until all audit requirements have been met.
12	GENERAL CORRESPONDENCE e.) Interoffice Memos f.) Copies of Mailed Letters g.) Other Correspondences.	Screen annually and destroy material that is no longer needed for current business. Retain permanently any material that serves to document the origin, development or accomplishments of the Town.
13	GRANT RECORDS a) Grant Applications b) Grant Agreements c) Budget Breakdown d) Reimbursement Requests e) Copies of Invoices, Correspondences & Approval Letters	a - b.) Permanent. Retain 10 years then transfer to the Maryland State Archives. c - e.) Retain 7 years after grant closeout, or until audit requirements have been fulfilled, then destroy.
14	WATER & SEWER & REFUSE BILLING a) Water and Sewer Consumption Records b) Water/Sewer/Trash Bill Payment Receipts c) Utility Accounts List d) Water and Sewer Correspondences	Retain 7 years or until audited, then destroy.

DGS 550-1A

DEPARTMENT OF GENERAL SERVICES RECORDS MANAGEMENT DIVISION RECORDS RETENTION AND DISPOSAL SCHEDULE		Schedule No.
		Page 1 of 2
Agency Town of Emmitsburg Frederick County, Maryland		Division/Unit Planning Department
Item No.	Description	Retention
1	GENERAL CORRESPONDENCE Original incoming letters, copies of outgoing letters, copies of emails, memorandums.	Screen annually and destroy material that is no longer needed for current business.
2	BOARD OF APPEALS & PLANNING COMMISSION a) Minutes & Agenda Packets b) Planning Commission & Board of Appeals findings	Permanent. Transfer periodically to State Archives.
3	ZONING TEXT AMENDMENTS a) Staff Reports b) Planning Commission Findings	Permanent. Transfer periodically to State Archives.
4	PERMIT FILES a) Zoning Permit Applications b) Site Plans & Engineer Drawings c) Correspondences d) Building Inspection Documents	Permanent. Transfer periodically to State Archives.
5	ANNEXATIONS a) Correspondence Regarding Background Information. b) Annexation Petitions c) Annexation Agreements d) File of Proceedings	Permanent. Transfer periodically to State Archives.
6	DEEDS AND EASEMENTS a) Deeds b) Easements c) Other Recorded Land Instruments	Permanent. Transfer periodically to the State Archives.
7	MAPS a) Maps	Permanent. Transfer periodically to the State Archives.
8	COMPREHENSIVE PLANS a) Comprehensive Plan	Permanent. Transfer periodically to the State Archives.
9	CODE ENFORCEMENT RECORDS a) Incident Reports b) Code Enforcement Letters (other than Zoning issues) c) Zoning Enforcement Letters	a) Retain 5 years, then destroy. b) Retain 5 years after resolution, then destroy. c) Permanent. Transfer periodically to State Archives.

DEPARTMENT OF GENERAL SERVICES RECORDS MANAGEMENT DIVISION RECORDS RETENTION AND DISPOSAL SCHEDULE (Continuation Sheet)		Schedule No. Page 2 of 2
Agency Town of Emmitsburg Frederick County, Maryland		Division/Unit Planning Department
Item No.	Description	Retention
10	PARKING TICKETS, PARKING PERMITS AND FLAGGING a) Paid Parking Tickets b) Unpaid Parking Tickets c) Paid Flagging Letters d) Unpaid Flagging Letters e) Parking Meter Reservation Sheets	a) Retain 3 years, then destroy. b) Retain 8 years, then destroy. c) Retain 3 years, then destroy. d) Retain 8 years, then destroy. e) Retain 1 year after paid, then destroy.
11	MISCELLANEOUS a) Major Subdivision Requests (application, final plat, staff reports) b) Traffic Studies c) Photographs d) Newspaper Clippings	a) Permanent. Transfer periodically to State Archives. b) Screen annually. Destroy material having no further legal, administrative or operational value. c) Screen annually. Retain permanently any photos having historic value regarding the origin, development, functions and accomplishments of the Town. d) Screen annually. Retain permanently any clippings having historic value regarding the origin, development, functions and accomplishments of the Town.

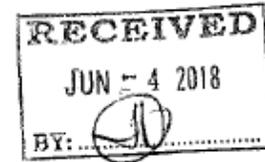
DGS 550-1A

IV. Request for Zoning Map Amendment related to a property located at 600/602 E Main, in Emmitt Gardens: Presentation by town staff.

The Town has received a Request for Zoning Map Amendment related to a property located at 600/602 E Main, in Emmitt Gardens. There are specific criteria and conditions that have to be met in regard to such a request. The first step is for the Board of Commissioners to refer it to the Planning Commission for Review and Recommendation. The Planning Commission has 30 days to provide their recommendation to the Board related to whether the criteria are met to consider a rezoning, and also whether they recommend the change in zoning. The next Planning Commission meeting will be held on July 23. (Staff have conferred with Town Attorney on this.)

Joseph Baldacchino
12508 Killian Lane
Bowie, Maryland 20715

May 31, 2018



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

Re: Zoning Map Amendment; 600-602 East Main Street, Ext.

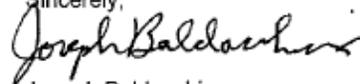
Dear Ms. Willets:

After consultation with Sue Cipperly, who has been very helpful and considerate, I am respectfully submitting this request to the Town of Emmitsburg Board of Commissioners for a Zoning Map Amendment to rezone my family's property located at 600/602 East Main Street, Ext. from R-1 (low density residential) to B-1 (Neighborhood Commercial). My late father, Dr. Joseph Baldacchino, and my mother, Sarah Baldacchino, who is age 92 and no longer conducting her own financial affairs, built this structure in 1960 for their home and my father's dental practice. Dr. Baldacchino conducted his dental practice there until his retirement in 1985. I am the co-trustee of my mother's trust (The Sarah E. Baldacchino Trust dated September 22, 2016) to which the property is now deeded.

I have included with this letter a Justification Statement addressing the reasons, logic and legal requirements for the rezoning of this property to B-1. Had I been aware that the Town was conducting a comprehensive zoning review and rezoned the adjoining property at 514 East Main Street to B-1 in 2015, I would certainly have made the same request for my parents' property.

Because it was designed and built as both a residence and a dental office, the structure is not suitable solely for a residence and would require considerable modification to permit full residential use. Confining the use of this property solely to residential, thereby disallowing one of the purposes for which the structure was explicitly built, significantly diminishes its value, both to the owner and to the community. If rezoning is permitted, there is current interest by a local doctor to use the property as a combined physician's office and residence for hospice patients. It would seem that such a use would be of benefit to the entire Emmitsburg community.

Based on the above and the attached Justification Statement, I respectfully request that the Board of Commissioners look favorably upon this request to rezone the property at 600/602 East Main Street, Ext. to B-1 Neighborhood Commercial, to be consistent with its original purpose and use. As stated, we believe such rezoning would also be compatible with the existing development of the area and the character of the neighborhood. I have enclosed a check payable to the Town for the required Zoning Map Amendment (rezoning) processing and review fee.

Sincerely,

Joseph Baldacchino

Attachment: Justification Statement
Enclosure: Check

I. CONSENT AGENDA: NONE

J. TREASURER REPORT

**Town of Emmitsburg
 CASH ACTIVITY as of June 26, 2018**

\$5,210,073	Cash Balance June 1, 2018
39,931	Deposits
<u>-299,546</u>	Withdrawals
\$4,950,458	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>
\$63,009	State Highway Administration	Town Square Project	06.13.18	38470
38,000	Frederick County Paving	Paving Pool Parking Lot	06.20.18	38479
29,512	State Highway Administration	Town Square Project	06.20.18	38494
21,315	MD Dept of Budget & Mgmt	May 18 Health Insurance	05.30.18	38412
18,238	Make N Waves	Completion of Pool Construction	05.30.18	38411
11,837	UGI Energy Services	Apr 18 Solar Field 1 Generation	06.20.18	38495
11,395	UGI Energy Services	Apr 18 Solar Field 2 Generation	06.13.18	38472
9,082	RSV Pools	Jun 18 Pool Management Services	05.30.18	38416
6,026	Republic Services	Jun 18 Residential Refuse Services	06.13.18	38447
4,247	Frederick County DUSWM	May 18 Tipping Fee	06.06.18	38426

Check dates 05.30.18 to 06.26.18

K. PLANNING COMMISSION REPORT: Presentation at the meeting.

L. AGENDA ITEMS:

I. Frederick County Harm Reduction and Syringe Service Program

Presentation: Presentation at meeting by Jessica Ellis, Syringe Services Program Coordinator for Frederick County.

AGENDA ITEMS CONTINUED:

II. Ordinance Modifying Vendor Licenses Language: Presentation at meeting by town staff.

ORDINANCE SERIES: 2018
ORDINANCE NO. 18-09

Page 33 of 42

AN ORDINANCE TO AMEND
TITLE 5
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 15, Section 5.04.020 and 5.04.030 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 5.04 - Business Licenses Generally

5.04.020 - Charge for licenses

Licenses good for a calendar year shall be issued at a charge of forty dollars (\$40.00), and licenses good for a period less than a calendar year shall be issued for a charge of five dollars (\$5.00) per day. Application for licenses shall be made to and licenses shall be issued by the town clerk or ~~any elected official of the town~~ **TOWN MANAGER**.

5.04.030 - Licenses—Applicant investigation.

Before issuing licenses and accepting the charges therefore, the town clerk or ~~elected official~~ **TOWN MANAGER** to whom application is made, shall investigate the applicant, his product and equipment, so as to insure the safety and protection of the residents of the town and to be sure that all federal, state and local safety, health, and tax laws and regulations are being followed by such applicant.

ORDINANCE SERIES: 2018
ORDINANCE NO. 18-09

Page 2 of 42

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 passes the Ordinance over the veto of the Mayor.

PASSED this ___ day of _____, 2018
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 _____, 2018.

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.

Madeline Shaw, Town Clerk
Date:

AGENDA ITEMS CONTINUED:

III. Three Resolutions in Support of the Fiscal Year 2019 Community Legacy Applications: Presentation at meeting by town staff.

RESOLUTION: 2018
RESOLUTION NO. 18 – 02R

Page 35 of 42

**A RESOLUTION
APPROVING THE APPLICATION
AND RECEIPT OF FINANCING
FOR COMMUNITY LEGACY PROJECTS:
*Façade & Restoration Program***

BE IT RESOLVED, ENACTED AND ORDAINED, this 9th day of July, 2018 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, do, approve the application and receipt of financing for a Community Legacy Project (the “Project”) further described in the Community Legacy Application (the “Application”), to be financed either directly by the Department of Housing and Community Development (the “Department”) of the State of Maryland or through other departments or agencies of the State of Maryland.

WHEREAS, the Mayor and Board of Commissioners recognize that there is a significant need for reinvestment and revitalization of the communities in Frederick County/Town of Emmitsburg; and

WHEREAS, the Department, either through Community Legacy or through other Programs of the Department, or in cooperation with other State departments or agencies, may provide some or all of the financing for the Project (the “Project Financing”) in order to assist in making it financially feasible; and

WHEREAS, the Project is located within a priority funding area under Section 5-7B-02 of the Smart Growth Act and the Project will conform to the local zoning code; and

WHEREAS, the applicable law and regulations require approval of the Community Legacy Project and the Project Financing by the Mayor and Board of Commissioners and, where appropriate, by the chief elected executive official of the local subdivision;

NOW, THEREFORE BE IT RESOLVED THAT, the Mayor and Board of Commissioners hereby endorses the Project; and **HEREBY** approves the request for financial assistance in the form of a grant in the amount of \$75,000.00 for Façade & Restoration Program;

BE IT FURTHER RESOLVED THAT, the chief elected executive official be, and is hereby requested to endorse this Resolution, thereby indicating his approval thereof; and,

BE IT FURTHER RESOLVED THAT, Donald N. Briggs, Mayor, and Cathy Willets, Town Manager, are hereby authorized to execute documents and take any action necessary to carry out the intent of these resolutions; and,

BE IT FURTHER RESOLVED THAT, copies of this Resolution are sent to the Secretary of the Department of Housing and Community Development of the State of Maryland.

RESOLUTION: 2018
RESOLUTION NO. 18 – 02R

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NOW, THEREFORE, BE IT HEREBY enacted this 9th day of July 2018 by the Mayor and Board of Commissioners, that Resolution Number 2018 – 02R is true, correct, and duly adopted by the Mayor and Board of Commissioners of the Town of Emmitsburg.

PASSED this 9th day of July, 2018.

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 _____, 2018.

Donald N. Briggs, Mayor

RESOLUTION: 2018
RESOLUTION NO. 18 – 03R

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**A RESOLUTION
APPROVING THE APPLICATION
AND RECEIPT OF FINANCING
FOR COMMUNITY LEGACY PROJECTS:
*Community Pool House Rehabilitation Project***

BE IT RESOLVED, ENACTED AND ORDAINED, this 9th day of July, 2018 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, do, approve the application and receipt of financing for a Community Legacy Project (the “Project”) further described in the Community Legacy Application (the “Application”), to be financed either directly by the Department of Housing and Community Development (the “Department”) of the State of Maryland or through other departments or agencies of the State of Maryland.

WHEREAS, the Mayor and Board of Commissioners recognize that there is a significant need for reinvestment and revitalization of the communities in Frederick County/Town of Emmitsburg; and

WHEREAS, the Department, either through Community Legacy or through other Programs of the Department, or in cooperation with other State departments or agencies, may provide some or all of the financing for the Project (the “Project Financing”) in order to assist in making it financially feasible; and

WHEREAS, the Project is located within a priority funding area under Section 5-7B-02 of the Smart Growth Act and the Project will conform to the local zoning code; and

WHEREAS, the applicable law and regulations require approval of the Community Legacy Project and the Project Financing by the Mayor and Board of Commissioners and, where appropriate, by the chief elected executive official of the local subdivision;

NOW, THEREFORE BE IT RESOLVED THAT, the Mayor and Board of Commissioners hereby endorses the Project; and **HEREBY** approves the request for financial assistance in the form of a grant in the amount of \$94,755.00 for Community Pool House Rehabilitation Project;

BE IT FURTHER RESOLVED THAT, the chief elected executive official be, and is hereby requested to endorse this Resolution, thereby indicating his approval thereof; and,

BE IT FURTHER RESOLVED THAT, Donald N. Briggs, Mayor, and Cathy Willets, Town Manager, are hereby authorized to execute documents and take any action necessary to carry out the intent of these resolutions; and,

BE IT FURTHER RESOLVED THAT, copies of this Resolution are sent to the Secretary of the Department of Housing and Community Development of the State of Maryland.

RESOLUTION: 2018
RESOLUTION NO. 18 – 03R

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NOW, THEREFORE, BE IT HEREBY enacted this 9th day of July 2018 by the Mayor and Board of Commissioners, that Resolution Number 2018 – 03R is true, correct, and duly adopted by the Mayor and Board of Commissioners of the Town of Emmitsburg.

PASSED this 9th day of July, 2018.

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 _____, 2018.

Donald N. Briggs, Mayor

RESOLUTION: 2018
RESOLUTION NO. 18 – 04R

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**A RESOLUTION
APPROVING THE APPLICATION
AND RECEIPT OF FINANCING
FOR COMMUNITY LEGACY PROJECTS:
*Emmitsburg ADA Accessible Playground***

BE IT RESOLVED, ENACTED AND ORDAINED, this 9th day of July, 2018 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, do, approve the application and receipt of financing for a Community Legacy Project (the “Project”) further described in the Community Legacy Application (the “Application”), to be financed either directly by the Department of Housing and Community Development (the “Department”) of the State of Maryland or through other departments or agencies of the State of Maryland.

WHEREAS, the Mayor and Board of Commissioners recognize that there is a significant need for reinvestment and revitalization of the communities in Frederick County/Town of Emmitsburg; and

WHEREAS, the Department, either through Community Legacy or through other Programs of the Department, or in cooperation with other State departments or agencies, may provide some or all of the financing for the Project (the “Project Financing”) in order to assist in making it financially feasible; and

WHEREAS, the Project is located within a priority funding area under Section 5-7B-02 of the Smart Growth Act and the Project will conform to the local zoning code; and

WHEREAS, the applicable law and regulations require approval of the Community Legacy Project and the Project Financing by the Mayor and Board of Commissioners and, where appropriate, by the chief elected executive official of the local subdivision;

NOW, THEREFORE BE IT RESOLVED THAT, the Mayor and Board of Commissioners hereby endorses the Project; and **HEREBY** approves the request for financial assistance in the form of a grant in the amount of \$207,378.00 for Community Pool House Rehabilitation Project;

BE IT FURTHER RESOLVED THAT, the chief elected executive official be, and is hereby requested to endorse this Resolution, thereby indicating his approval thereof; and,

BE IT FURTHER RESOLVED THAT, Donald N. Briggs, Mayor, and Cathy Willets, Town Manager, are hereby authorized to execute documents and take any action necessary to carry out the intent of these resolutions; and,

BE IT FURTHER RESOLVED THAT, copies of this Resolution are sent to the Secretary of the Department of Housing and Community Development of the State of Maryland.

RESOLUTION: 2018
RESOLUTION NO. 18 – 04R

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NOW, THEREFORE, BE IT HEREBY enacted this 9th day of July 2018 by the Mayor and Board of Commissioners, that Resolution Number 2018 – 04R is true, correct, and duly adopted by the Mayor and Board of Commissioners of the Town of Emmitsburg.

PASSED this 9th day of July, 2018.

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 _____, 2018.

Donald N. Briggs, Mayor

AGENDA ITEMS CONTINUED:

- IV. — ~~Parking Policy Related to Electric Vehicle Chargers:~~ Presentation at meeting by ~~town staff.~~ POSTPONED TO FUTURE TOWN MEETING. DATE TO BE DETERMINED.**

M. SET AGENDA FOR NEXT MEETING: AUGUST 6, 2018

- 1.
- 2.
- 3.
- 4.
- 5.

Administrative Business:

- A.
- B.
- C.
- D.