



# Town of Emmitsburg

Mayor Donald N. Briggs

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

**Town Manager**  
Cathy Willets

**Town Clerk**  
Madeline Shaw

## TOWN MEETING AGENDA August 6, 2018 – 7:30 p.m.

### 1. CALL TO ORDER

### 2. PLEDGE OF ALLEGIANCE

### 3. FUTURE MEETINGS

*Parks and Recreation Committee Meeting: Tuesday August 21, 2018 at 7:30 p.m.*

*Last Day to Register to Vote: Monday August 27, 2018*

*Last Day to File for Election: Monday August 27, 2018 by 4:00 p.m.*

*Next Town Council Meeting: Tuesday September 4, 2018 at 7:30 p.m.*

### 4. MEETING ITEMS

#### A. APPROVE MINUTES: JULY 9, 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. Discussion Related to Timeline of Work at Flat Run Bridge

#### I. CONSENT AGENDA: NONE

#### J. TREASURER REPORT

#### K. PLANNING COMMISSION REPORT

#### L. AGENDA ITEMS (DETAILS ATTACHED)

I. Budget Transfer Related to the After School Clubhouse for Consideration

II. Electric Vehicle Parking Ordinance for Consideration

III. Policy Related to Employee Vacation Buyback for Consideration

~~IV. Charter Amendment Updates for Consideration~~ POSTPONED

V. Discussion Related to Scott Road Community Market Garden

#### M. SET AGENDA FOR NEXT MEETING: SEPTEMBER 4, 2018

### 5. SIGN APPROVED TEXT AMENDMENTS AND/OR RESOLUTIONS

### 6. ADJOURN

**A. APPROVE MINUTES: JULY 9, 2018**

**MINUTES  
TOWN MEETING  
July 9, 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; Susan Cipperly, Town Planner; and Zachary Gulden, Town Planner. *Others Present:* Deputy Ben Whitehouse and Sergeant Hillman.

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**I. Call to Order**

Commissioner Tim O'Donnell, President of the Board of Commissioners, called the July 9, 2018 Town Meeting to order at 7:30 p.m. EST. Pledge of Allegiance was recited. Upcoming meetings were announced.

**Approval of Minutes**

**Motion:** To accept the June 4, 2018 town meeting minutes as presented. Motion by Commissioner Buckman, second by Commissioner Blanchard. Vote: Motion carries 5-0 in favor.

**Police Report:**

Deputy Ben Whitehouse presented the police report from June 2018 (exhibit attached). Deputy Whitehouse mentioned the majority of 9-1-1 calls came from the Daughters of Charity property because the residents have to dial nine to leave the building. The deputies will not be present for the next town meeting due to vacations, but other deputies will be patrolling the area. Sergeant Hillman was introduced to the Board. He has 15 years of experience and is the supervisor of the Community Deputy program. He encouraged the Board to contact him with questions.

**Town Managers Report:**

Cathy Willets, Town Manager, presented the Town Manager's Report from May 2018 (exhibit attached). Town staff conducted street sweeping on Main Street and assisted with installing the new Town Square clock. There is currently a 5.1-inch surplus of precipitation and 69.6% of the water treated was wild water due to the high levels of inflow and infiltration (I&I). For noteworthy, staff flushed hydrants, the Emergency Operations Plan for Rainbow Lake was sent to the State for review, the Flat Run Bridge waterline is fully operational and MDE awarded a \$30,000 grant to the Town for town staff's hard work in maintaining optimum phosphorus and nitrogen levels below 1.0 per million gallons per day. The new Emmet Garden playground equipment was in July 2018.

**Town Planners Report:**

Susan Cipperly, Town Planner, presented her last Town Planner's Report from May 2018 due to her retirement on July 27, 2018 (exhibit attached). Ms. Cipperly explained she is reviewing procedures with the new town planner and submitting reimbursement requests for Community Legacy. The Board thanked Ms. Cipperly for her hard work with Main Street, Community Legacy and numerous other projects.

**Commissioner Comments:**

- **Commissioner Ritz III:** He explained there will be a community clean-up day on the second Saturday of each month until October 2018 for any interested volunteers. The Arbor Day trees are growing well.
- **Commissioner Sweeney:** He is grateful the new Emmet Garden playground has finally come to fruition. He also thanked town staff and volunteers for all their efforts with Community Heritage Day 2018 and the concession stand at the Community Pool, which helps fund the Heritage Day fireworks.
- **Commissioner Buckman:** She encouraged residents to attend the Seton Center grand opening July 10, 2018.
- **Commissioner Blanchard:** He encouraged residents to attend the Seton Center grand opening and he expressed gratitude for the new community pool.
- **Commissioner O'Donnell:** He thanked town staff for their efforts on Community Heritage Day and requested a bathroom fan in the pool house to improve airflow. He requested quantitative numbers on the pool regarding attendance numbers since the pool has opened and the cost of the new pool.

**Mayor's Comments:**

Mayor Briggs attended numerous meetings in June 2018 (meetings listed in agenda packet). Mayor Briggs mentioned he met with Wayne Green, Main Saint Mary's Chief of Staff, twice in June. He also attended the Project Open Space meeting and was able to get \$75,000 for pool house renovation and \$120,000 for a new ADA playground. A meeting was held with the Civitan Club regarding additional funding for a new ADA playground. He has worked with Ms. Cipperly since 2011 and expressed gratitude for her work on Main Street and Community Legacy.

**Public Comments:**

None.

**Administrative Business:**

**I. Introduction to the New Town Planner, Zachary Gulden:** Mayor Briggs introduced Zachary Gulden, Town Planner. He was chosen among three finalists. He explained Mr. Gulden has a master's degree in Public Administration from Shippensburg's University. Mr. Gulden explained he is from Gettysburg and has experience working with two different jurisdictions: Upper Allen Township (population of 17,000 people) and Freedom Township (population of 800 people).

**II. Amended Contract Name Change for the Lagoon Storage for Consideration:** Ms. Willets explained the contract with Enviro Organic Technologies (EOT) was approved by the Board in November 2016. A letter was received by town staff on April 30, 2018 that explained Denali Water Solutions was buying out EOT and requested the contract get transferred to Denali Water Solutions, which John Clapp, Town Attorney, said was an acceptable modification. The Board needs to amend the agreement and lease to include the new company name. Mike Oliver, EOT representative, is with Denali Water Solutions now and will continue to work with the Town. Everything agreed upon prior with EOT regarding operations will continue under the name change.

**Motion:** To accept the storage agreement and lease amendment number one as presented.

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

**III. Approval of the Town of Emmitsburg Record Retention Schedule:** Ms. Shaw explained the current record retention schedule is from January 1979 and has not been updated in almost 40 years. Maryland State Archives (MSA) recommends reviewing the schedule every two years. The project was pursued because the file room in the town office is near capacity, but the records cannot be disposed of, organized, or sent to the MSA until the record retention schedule is updated. Town staff proposes three new schedules for administration, accounting and planning/zoning. The recommended retention timelines are results of discussions with town staff, the town auditors, MSA and the research of 15 other municipalities. If the Board approves the schedules, the MSA would then review it for a final approval and legal compliance. The Board commended town staff on their work. There is no cost to store permanent files at the MSA and the documents would be accessible to town staff through a request form.

**Motion:** Motion to accept the record retention schedules as presented.

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

**IV. Request for Zoning Map Amendment related to a property located at 600/602 E Main, in Emmit Gardens:** Ms. Cipperly explained the Town received a request for a zoning map amendment related to a property at 600/602 East Main Street in Emmit Gardens, which is a house that used to be a dental office. In order to amend the map and have the item voted on in a future town meeting, the Board would need to refer the item to the Planning Commission. The Commission would then have 30 days to provide a recommendation to the Board. The next Planning Commission will be held on July 23, 2018. The public will be notified of the amendment when the item comes before the Board for a final vote. Staff has been conferring with the town attorney on the subject.

**Motion:** To send this onto the Planning Commission to review the zoning map amendment.

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

**Consent Agenda:**

None.

**Treasurer's Report:**

Commissioner Blanchard presented the Treasurer's Report for June 2018 (exhibit in agenda packet). The operating balance forward is \$4,950,458. The two SHA checks and Frederick County Paving check are grant-funded projects.

**Planning Commission Report:**

None. Next meeting is July 23, 2018. The date has been changed to allow Ms. Cipperly to attend before retirement.

**II. Agenda Items**

Agenda #1- Frederick County Harm Reduction and Syringe Service Program Presentation: Jessica Ellis, Syringe Service Program (SSP) Coordinator for the Frederick County Health Department, explained the importance of harm risk reduction. Frederick County received a grant to promote a SSP, which helps reduce drug overdose, crime, the spread of diseases and needle stick injuries. Ms. Ellis explained the common misconceptions of SSPs and counteractive statistics. She invited the Board to look at the Frederick County Harm Reduction Services program. Participants in the program could receive sterile syringes, narcan kits, overdose response training, HIV/Hepatitis C testing, counseling and fentanyl testing strips (among other possible services). The program is still in the proposal stage. Commissioner O'Donnell requested the sources of the statistical data reported, which Ms. Ellis will find.

Agenda #2- Ordinance Modifying Vendor Licenses Language: Ms. Willets explained the current vendor license ordinance requires either the town clerk or an elected official to approve a vendor license. Town staff recommends modifying the language from elected official to town manager to allow for a quicker turnaround time if the town clerk is out. All approved vendors must carry their licensing on them. The vendor's organization, issued date and expiration date are posted on the town website.

**Motion:** To accept ordinance 18-09 as presented.

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

Agenda #3- Three Resolutions in Support of the Fiscal Year 2019 Community Legacy Applications: Ms. Cipperly explained these resolutions are needed to obtain funding through Community Legacy for fiscal year 2019. The resolutions are for three separate projects: Facade and Restoration Program (\$75,000), Community Pool House Rehabilitation Project (\$94,755) and Emmitsburg ADA Accessible Playground (\$207,378). The Town will have in-kind contributions (town staff time) as a match. Awards should be announced in September 2018.

**Motion:** To accept resolution number 18-02R Community Legacy project as presented.

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

**Motion:** To accept resolution 18-03R the Community Pool House Rehabilitation project.

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

**Motion:** To approve resolution number 18-04R.

Motion by Commissioner Blanchard, second by Commissioner Sweeney.

Per the recommendation of Commissioner Ritz, the motion was modified due to an error in the resolution.

Resolution approved as modified. Vote: Motion carries 5-0 in favor.

Agenda #4- Parking Policy Related to Electric Vehicle Chargers: Per the request of the Mayor and town staff, this item has been postponed to a future town meeting.

**Set Agenda Items for August 6, 2018 Town Meeting**

1. Budget Transfer Related to the After School Clubhouse for Consideration
2. Electric vehicle Parking Ordinance for Consideration
3. Policy Related to Employee Vacation Buyback for Consideration
4. Charter Amendment Updates for Consideration
5. Discussion Related to Scott Road Community Market Garden

***Administrative Business:***

- A. Discussion Related to Timeline of Work at Flat Run Bridge

The Board discussed the possibility of requesting a new contractor for the SHA Flat Run Bridge project since the project appears to not be getting done in a timely manner. The Board requested the project lead and anyone who has influence in the project timeline from SHA come to the next town meeting.

**Motion:** To accept the meeting for August 6 as presented.

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

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

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

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

**IV. Adjournment**

With no further business, the July 9, 2018 Town Meeting was adjourned at 9:25 p.m. EST.

Respectfully submitted,

Madeline Shaw, Town Clerk  
Approved:

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

### C. TOWN MANAGER'S REPORT

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

Streets:

- Staff repaired some streetlights.
- Staff made some repairs on several parking meters.
- Staff conducted monthly street sweeping.

Sidewalk and Bridge Project:

- Staff assisted contractor with installing streetlights, parking meters and the kiosk around the square.
- Staff fixed the time on the new clock.

Parks:

- Staff mowed, trimmed and weed killed in all parks.
- Staff installed new door closure at the pool.
- Contractor repaired backflow preventer at the pool.
- Staff put up new signs (handicap, one-way, do not enter, staff parking) at the pool.
- Staff and contractor made repairs at the community park restroom.
- Staff performed monthly maintenance checks on the equipment, roads, ballfields, etc. in each park.

Water:

- Rainbow Lake is at the spillway level of 16.6 feet.
- The roughing filters are being backwashed one time 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 #4 and #5 are shut off.

	<u>May 2011</u>	<u>June 2018</u>	<u>Change</u>
○ Well #1:	35'	27'	+8
○ Well #2:	8'	7'	+1
○ Well #3:	12'	36'	-24
○ Well #4:	108'	OFF	n/a
○ Well #5:	10'	OFF	n/a

- Water production and consumption. We produced an average of 252,679 GPD. We consumed an average of 232,920 GPD. The difference is "Backwash Water" ... (8.4%).
  - 28.73% of this water came from wells.
  - 5.53% of this water came from Mt. St. Mary's.
  - 65.74% of this water came from Rainbow Lake.

We purchased 419,550 gallons of water from MSM this month.

Wastewater:

- We received about 9.65" of precipitation this month (the average is 5.62").
  - We have a precipitation **SURPLUS** of 9.08" over the last six months. The average precipitation for the period from January 1 through June 30 is 23.82". We have received 32.85" for that period.

Wastewater Treatment:

- We treated an average of 942,000 GPD (consumed 232,920 GPD) which means that **75.3%** of the wastewater treated this month was "wild water".
- We had no spills of untreated sewerage in the month of June.
- We did exceed the plant's design capacity eight times in the month of June:

1,550,000gpd 06/01	1,623,000gpd 06/02	2,167,000gpd 06/03
991,000gpd 06/04	876,000gpd 06/05	1,825,000gpd 06/10
1,684,000gpd 06/11	776,000gpd 06/12	

**Trash:** Trash pickup will remain Mondays in the month of August.

**Meetings Attended:**

- 06/04 Met with Mayor
- 06/04 Attended Town Meeting
- 06/05 Met with Mayor
- 06/05 Met with Town Planner to review zoning issues
- 06/06 Attended meeting with SHA, Town Planner and contractor related to square project
- 06/06 Met with staff to review preliminary engineering bids for new pumping station
- 06/10-06/13 Attended MML Summer Conference
- 06/18 Met with Sgt. Hillman
- 06/18 Met with auditors for the preliminary audit
- 06/18 Met with Mayor
- 06/19 Met with staff and a representative from DCHD to discuss funding opportunities
- 06/20 Met with Town Clerk to go over project statuses
- 06/20 Met with staff and one homeowner related to the 8" water line
- 06/21 Met with Town Clerk and Mr. Slaughter to go over the Community Clean-Up day
- 06/21 Met with mayor
- 06/22 Attended meeting with HR
- 06/25 Attended support staff meeting
- 06/25 Met with Mayor and representatives of EBPA to discuss goals/projects
- 06/27 Attended Department Head and budget review meeting with staff
- 06/27 Met with Town Clerk and representatives from the Afterschool clubhouse
- 06/27 Met with Town Planner, Mayor, SHA and contractor regarding the status of tree planting
- 06/27 Met with Mayor
- 06/28 Met with Mayor

Noteworthy:

- The raw water from the lake has been excellent.
- The second phase of the rip rap at Rainbow Lake was scheduled July 20-22<sup>nd</sup>.
- Continued power blips at WWTP.
- 07/13 Town walk through with SHA and contractor.
- 07/04 sanitary sewer overflow. MDE notified.

**PARKING ENFORCEMENT REPORT**  
**June 2018**

Overtime Parking	68
Restricted Parking Zone	3
Parked in Crosswalk	
Parked on Sidewalk	
Parked Blocking Road	
Parked by Fire Hydrant	
Parked on Highway	
Failure to Park between Lines	
Other Violation	
Left Side Parking	1
Street Sweeping	7
Meter Money	\$727.48
Parking Permits	
Meter Bag Rental	
Parking Ticket Money	\$275.00
Funerals	
<b>Total:</b>	<b>\$1,002.48</b>

## D. TOWN PLANNER'S REPORT

**Town Planner's Report  
June 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:**
  - Prepared Town Board support resolutions to accompany 3 CL FY2019 applications
  - Prepared to close out FY2016 once reimbursement cycle has been completed. (Submitted July 3 to DHCD)
  - Processed grant agreements for 2 new projects – 239 W. Main & 119 N. Seton.
4. **Permits and Zoning -- highlights**
  - Provided zoning/permit info in response to inquiries.
  - Researched land records in response to specific permit or zoning questions.
  - Examined specific situations on-site to verify permit information.
  - Cellular permit for replacement system on Jubilee roof.
5. **Dog Park** – Coordinated donor recognition items for Gold Paw Bench (\$100- \$249 donation) and installed on bench. Installed recognition sign for Playground Specialists Inc. donation of mulch.
6. **Hosted Frederick County Planners** quarterly meeting, including a tour of the Square, CL projects, and new Seton Center.
7. Display re Community Heritage Day in kiosk on Square.
8. Provided input on Records Retention Policy.

**Meetings:**

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

**Upcoming activity as of July 19, 2018 – (In addition to continuing above projects.)**

**Final Report for MHAA Grant for the Square** – before Sue retires on 7/27/18

**Train** Zach Gulden on Community Legacy, permits, other necessary programs/procedures

**Board of Appeals:** Arrange BOA meeting to undertake reorganization and address one anticipated application.

**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

July 2, Met with Scout Dominic McKenney, for an interview, at town office. (Troop 727)

July 9, Town meeting

July 9, Met with town manager

July 10, Met with town manager

July 10, Seton Center ribbon cutting, 3 pm

July 12, Met with town manager

July 13, Square walk through with SHA and contractor, 9 am

July 17, Met with town manager

July 20, Farewell Party for Father Charlie Krieg. Presented Fr. Charlie with a town proclamation.

July 23, Emmitsburg Planning Commission meeting

July 25, Met with town manager

July 25, Sue Cipperly, Retirement Interview

July 26, Met with town manager

July 30, Met with town manager

July 30, Main Street Alliance presentation w/ Amy E. Seitz, Director, Community Access Main Streets.

July 31, Met with town manager

July 31, Met with president of Woodsboro Bank, Stephan Heine and VP Catherine Lucy-Meyers

August 1, Mayor's corner – FB & website

August 1, National Night out, Lib and I served hotdogs

August 4, Christ's Community Church, Back To School event

August 6, Seton Center - Getting Ahead Graduation

August 6, Town meeting

**G. PUBLIC COMMENTS**

**H. ADMINISTRATIVE BUSINESS**

- I. Discussion Related to Timeline of Work at Flat Run Bridge:** Presentation by State Highway Administration (SHA).

**I. CONSENT AGENDA: NONE**

**J. TREASURER REPORT**

**Town of Emmitsburg  
 CASH ACTIVITY as of July 24, 2018**

\$5,072,638	Cash Balance July 1, 2018
319,302	Deposits
<u>-142,861</u>	Withdrawals
\$5,249,079	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>
\$24,599	Daughters of Charity	Partial Security Release of \$211,323	06.27.18	38506
\$24,545	Comptroller of Maryland	2Q CY18 Bay Restoration Fee	07.11.18	38564
\$21,315	MD Dept of Budget & Mgmt	Jun 18 Health Insurance	06.27.18	38516
\$17,400	Playground Specialist	Playground Equipment	07.11.18	38573
\$11,481	UGI Energy Services	May 18 Solar Field #1	07.18.18	38613
\$10,886	UGI Energy Services	May 18 Solar Field #2	07.18.18	38613
\$9,082	RSV Pools	Jul 18 Pool Mgmt Services	06.27.18	38524
\$9,082	RSV Pools	Aug 18 Pool Mgmt Services	07.18.18	38611
\$6,990	Vigilant Hose Company	Community Legacy Program - Roof Replace	07.11.18	38584
\$6,664	Republic Services	Jul 18 Refuse Services	07.11.18	38578

*Check dates 06.27.18 to 07.24.18*

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

**L. AGENDA ITEMS:**

**I. Budget Transfer Related to the After School Clubhouse for Consideration:**

Presentation at meeting by town staff.

It is recommended by Town Staff that **\$10,000** be transferred from Department 10 – Legislative to Department 60 – Parks within the FY19 General Fund Budget.

If so approved by the Board Commissioners the following line items would be modified.

- Dept 10 Legislative – Acct 6901 Special Events/ Program Costs reduced by (\$10,000)  
*(Amount originally designated for potential Boys & Girls Club Program)*
- Dept 60 Parks – Acct 5001 Salaries – Wages increased by \$8,825
- Dept 60 Parks – Acct 5101 Payroll Taxes – FICA increased by \$675
- Dept 60 Parks – Acct 6901 Special Events/ Program Costs increase by \$500

*(Original FY19 Budget amounts were \$0 based on potential Boys & Girls Club Program)*

**AGENDA ITEMS CONTINUED:**

**II. Electric vehicle Parking Ordinance for Consideration:** Presentation at meeting by

ORDINANCE SERIES: 2018  
ORD. NO: 18 - 11

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AN ORDINANCE TO AMEND  
TITLE 10  
OF THE CODE OF EMMITSBURG  
ENTITLED  
VEHICLES AND TRAFFIC

\*\*\*\*\*

**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 10, Section 10.12.101 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 10.12 Stopping, Standing and Parking

**10.12.101 RESERVED PARKING FOR RECHARGING PLUG-IN ELECTRIC DRIVE VEHICLES**

- A. ANY PARKING SPACE WITH AN ELECTRIC CHARGING STATION USED FOR CHARGING PLUG-IN ELECTRIC DRIVE VEHICLES MUST HAVE SIGNAGE INDICATING THAT THE SPACE IS FOR THE EXCLUSIVE USE OF PLUG-IN ELECTRIC DRIVE VEHICLES. ONLY PLUG-IN ELECTRIC DRIVE VEHICLES MAY PARK IN SUCH PARKING SPACES.**
- B. THE USE OF A CHARGING STATION SHALL BE AVAILABLE ON A FIRST-COME FIRST-SERVE BASIS.**
- C. ALL VEHICLES PARKED IN A SPACE RESERVED FOR PLUG-IN ELECTRIC DRIVE VEHICLE CHARGING MUST BE CONNECTED TO AND USING THE CHARGING STATION EQUIPMENT TO CHARGE THE VEHICLE.**
- D. NO PLUG-IN ELECTRIC DRIVE VEHICLE MAY BE PARKED IN A CHARGING SPACE AT ANY TIME BETWEEN THE HOURS OF 10 PM – 6 AM EXCEPT FOR THE TOWN OF EMMITSBURG FLEET VEHICLE. MAXIMUM CHARGING TIME IS SIX HOURS.**
- E. NO PLUG-IN ELECTRIC DRIVE VEHICLE MAY BE PARKED IN A CHARGING SPACE FOR LONGER THAN SIX (6) CONSECUTIVE HOURS.**
- F. THE OWNER OF ANY VEHICLE IN VIOLATION OF THIS ORDINANCE MAY BE ISSUED A CITATION AND SHALL BE SUBJECT TO A TEN DOLLAR (\$10.00) FINE FOR EACH DAY OF VIOLATION. IN ADDITION, THE VEHICLE IN VIOLATION OF THIS ORDINANCE MAY BE TOWED AT THE OWNER'S EXPENSE.**

ORDINANCE SERIES: 2018  
ORD. NO: 18 - 11

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**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

**AGENDA ITEMS CONTINUED:**

**III. Policy Related to Employee Vacation Buyback for Consideration:** Presentation at meeting by town staff.

POLICY SERIES: 2018  
Policy No. P18-06

Page 1 of 1

**TOWN OF EMMITSBURG  
VACATION BUY-BACK POLICY FOR EMPLOYEES**

\*\*\*\*\*  
The Town recognizes that employees need time away from the job for rest and relaxation and we encourage you to take your earned time off from work. However, we also understand that sometimes vacation is not an option, so we are offering an alternative vacation buy-back program.

A vacation buy-back plan is a program that allows an employee to sell his or her unused vacation time back to the Town. This is a common practice in many organizations, and it allows employees to profit from unused vacation days.

After one year of service, employees are eligible to cash out their excess vacation time. Leave balances in excess of 40 hours may be cashed out, up to a maximum of 260 hours per calendar year. Eligible employees are required to notify the Town Manager of their requested number of hours to cash out. If approved by the Town Manager, the benefit will be paid in the next regular pay cycle. The Town reserves the right to deny requests at any time for any reason.

For hires prior to December 1, 2016, there is no cap on the amount of accrued and unused leave that can be carried over from year to year.

For hires on or after December 1, 2016, accrued and unused vacation time may be carried over from year to year, to a maximum balance of 300 hours. Employees who have earned 300 hours will not be eligible to earn additional vacation time until some of their balance is used or cashed out.

This policy only applies to vacation time and does not apply to sick leave or personal days.

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

PASSED this \_\_\_\_ day of \_\_\_\_\_, 2018.

ATTEST:

EMMITSBURG BOARD OF COMMISSIONERS:

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

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

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

This \_\_\_\_ day of \_\_\_\_\_, 2018.

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

### Vacation Buy Back Policy Agreement – Policy 18-06

**Employee Agreement:**

This agreement for vacation buy-back is entered into \_\_\_\_\_ between the Town of Emmitsburg and employee \_\_\_\_\_.

\_\_\_\_\_ has requested that the Town buy back \_\_\_\_\_ hours of vacation time.

\_\_\_\_\_ will be compensated for those hours at his/her current pay rate.

\_\_\_\_\_ understands that taxes and withholdings will be taken out of his/her paycheck for these hours. The Town estimates that he/she will net approximately \$\_\_\_\_\_ after taxes and withholdings.

\_\_\_\_\_ understands that he/she will not be able to use vacation time above and beyond his/her remaining vacation hours.

Town Manager: \_\_\_\_\_ Date: \_\_\_\_\_

Supervisor: \_\_\_\_\_ Date: \_\_\_\_\_

Employee: \_\_\_\_\_ Date: \_\_\_\_\_

*Note: A copy of this agreement will be kept in your personnel file.*

**AGENDA ITEMS CONTINUED:**

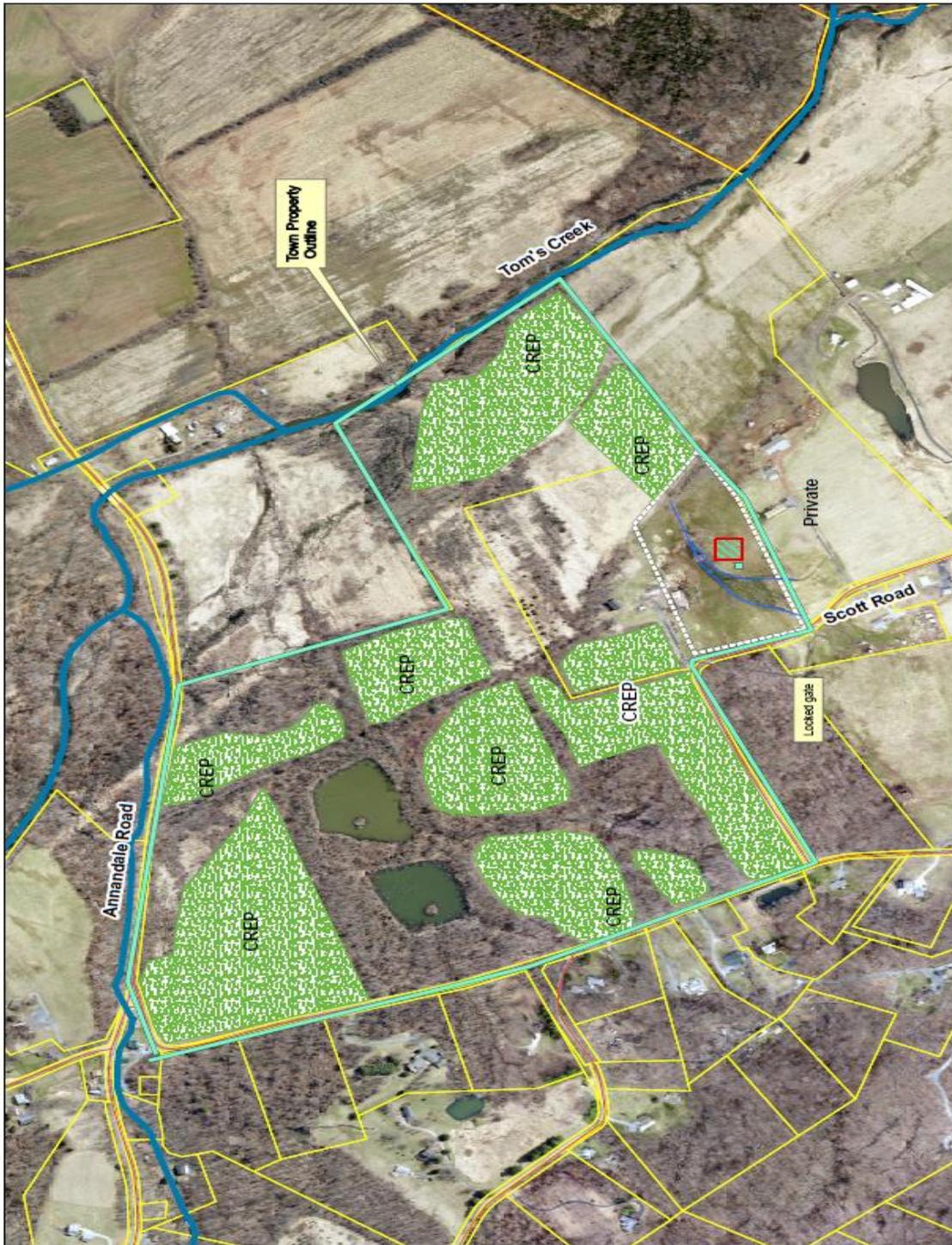
- IV. ~~Charter Amendment Updates for Consideration~~:** Presentation at meeting by town staff.

**POSTPONED TO FUTURE TOWN MEETING  
DATE TO BE DETERMINED**

**AGENDA ITEMS CONTINUED:**

- V. Discussion Related to Scott Road Community Market Garden:** Presentation at meeting by

**Scott Road Farm with CREP Planted Areas**



July 2018 - Emmitsburg GIS

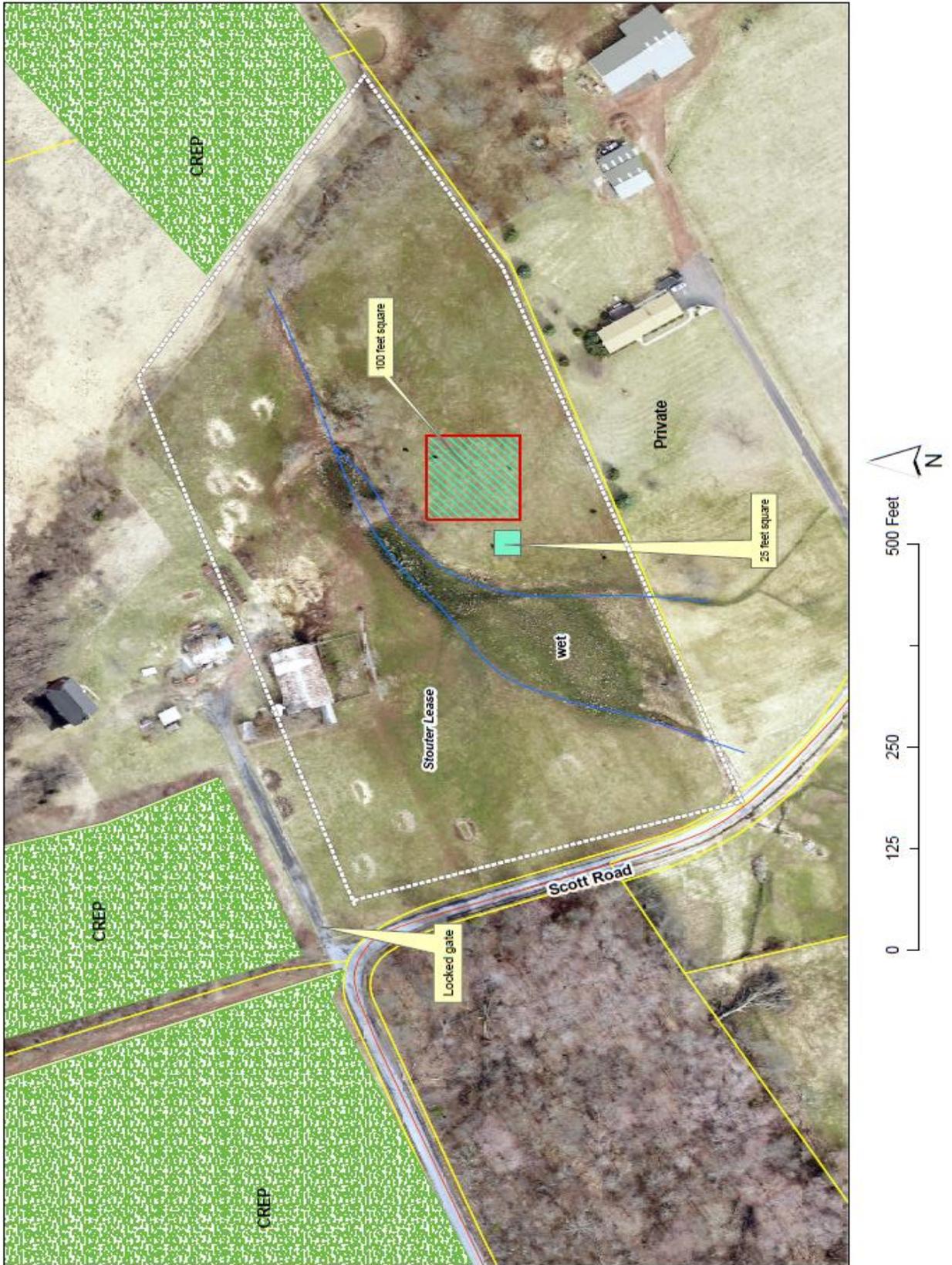
2,000 Feet

1,000

500

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N



Community Market Garden  
June, 2018

As I understand it, the farm owned by the town along Scott Road is currently in limbo as to what it may be used for. Having only Google satellite photos of the property to look at, I'm thinking the area around the house and outbuildings might be suitable for a community/market garden project. (see attached "Emmitsburg Community Market Garden Proposal")

If the Mayor and commissioners are interested in such a garden I'm willing to step up and do the grunt work necessary to get the project started. As I envision the garden- I believe I can manage the first year using my own resources. The garden would cost the town nothing but my access to the property.

I am currently experimenting with a "low impact" (no tillage, no gas powered equipment other than a truck to haul the bales, no tools other than T-posts and jute cord for trellising beans and tomatoes) straw bale garden which cost about \$50 for bales, fertilizer and seeds for 50' of row. Based on last year's 25' row I expect to harvest 20 pounds of tomatoes, several quarts of dried beans and at least several dozen pounds of green beans which should bring the experiment to even, as far as expenses go. However, the best value would come when the rotted bales are turned into the soil and potatoes are planted the following spring. The value would continue as the potatoes are harvested and garlic is planted in the fall. New rows of straw bales would be set up the following spring and the garden expanded. The crops benefit from rotation to help avoid insects and diseases (hopefully negating the use of pest and fungicides), as well as crop specific nutrient depletion.

Future community gardens built on the town's farm would be supplemented with composted livestock bedding material from local farms that also supply the straw bales. Manure teas made from compost would eventually be used to "season" the bales and supply the nutrients the commercial fertilizers had previously provided, further lowering expenses while recycling local compostables.

If the community garden expands- ornamental plants could be grown for landscaping projects: flowering perennials, bulbs, shrubs and trees. Sales to homeowners, landscapers and at farmers markets could fund an orchard of fruiting canes, shrubs and trees. (According to a county data base [see attached document] there are 22.25 acres surrounding the old farmhouse and outbuildings. Plenty of room for expansion.)

I have contacts among local farmers and nurseries who are willing to help me make this project a reality. The general attitude is- "This is good for my business, good for the environment and good for the people in and around Emmitsburg." I'm more about experimenting, teaching and occasionally having something tasty to eat that can't be found in any area supermarket, or at the farmers markets! There is a phenomenal amount of fruits and vegetables available to gardeners that never appear in stores or at markets!

Should the garden program continue after the first year the council might need to consider allowing a hunter or two on the farm to control the area's deer population. I know from talking to hunters on properties within sight of the town's

farm that the local herds are quite large and a garden will attract them as they seek out food stuffs not being grown on their home ranges.

There is an upside for allowing hunting, at least with bows and arrows. The state has a Farmers & Hunters Feeding the Hungry program (*see attached page from the DNR's website*) in place for the harvest of deer that are causing crop damage, which occurs just about everywhere field crops are grown! (Shuff's Meat Market outside of Thurmont is listed as the nearest butcher participating in the program so the harvested meat would stay in the area. Local meat hunters would happily control the herd even if they don't participate in the state's program.)

As I and possibly my wife would be the only people working the garden the first year or two, we would sign whatever liability disclaimer the town's lawyer would require. Should the project grow from that first year, each individual/family would be required to buy into a liability insurance policy- the coverage amount to be determined by the town's elect. It is my understanding that community gardens and Community Supported Agriculture (CSA) farms typically require liability insurance paid for by the members using the landowner's property.

I'm not a businessperson. I seldom play well with others. I *am* a contrary gardener with an idea. If granted access, and a year or two to work up a garden that inspires the mayor and council members to take the idea further, I'll happily step out of the way and let more knowledgeable people build the community part of the garden. A business oriented person would also need to work out a formula for the distribution of produce among those working the garden, as well as build a market clientele of restaurants and local farmers markets.

I would like to continue exploring different gardening methods and helping others learn the varied skills needed to keep such a project viable for future generations. (e.g. basic bookkeeping, garden/weather record keeping, insect identification and control, unwanted plant identification/eradication, wildlife identification, plant breeding programs, water collection and conservation, creation/use of fertilizers and soil amendments, crop rotation, seed saving, disease identification and control, "organic" vs Integrated Pest Management, soil analysis and other aspects of gardening, as well as community organizing and business promotion)

Beyond a garden? Should the Community Market Garden become a reality I'd further propose the connecting acreage (112.67 acres) the town owns (*see attached documents*) be considered for actual farming of feed crops and small livestock that could be worked and tended by the area's youth in an effort to expand agricultural knowledge beyond the area's farming families.

Thank you for your time, patience and consideration.  
Jack Deatherage, Jr  
jackdeathjr@juno.com  
301-447-2151

## Emmitsburg Community Market Garden Proposal

### General Concept

Establish a community market garden (size to be dictated by the area available and number of people interested in the project) for the purpose of giving interested families the opportunity to learn gardening and marketing- mainly through their own efforts.

### The Goal

Provide individuals/families with a year round business they build and maintain for several benefits to themselves:

- 1- they learn to create a business
- 2- they learn to work together to solve problems best dealt with as a group.
- 3- they learn about the various aspects of gardening:
  - soil structure
  - soil building
  - plant nutrition requirements
  - compost building
  - Organic vs Integrated Pest Management
  - cultural requirements of various food plants and ornamentals
- 4- if possible, a small flock of egg laying chickens would be ideal.
  - chickens would provide an entertaining break from gardening routines
  - chickens are an easy introduction to animal husbandry
  - chickens provide eggs, meat and manure, and act as garden waste recyclers
- 5- bee hives
  - for pollination needs and honey

### Garden Requirements

- 1- a 25' x 25' plot (in full sun) would be sufficient. 100' x 100' would be ideal.
- 2- access to a reliable water source- (e.g. well, municipal, creek, or rainwater collection)
- 3- a nearby composting area
- 4- some place to secure all tools and materials
- 5- an indoor meeting place/library with a refrigerator for storing seeds
- 6- restroom facilities (though peeing in the compost pile wouldn't be a bad thing)

### Materials Currently Available

- 1- gardening books: vegetables, flowers, herbs, composting, chickens, small livestock
- 2- two gas powered walk behind rototillers
- 3- various hand tools ranging from broad-fork to hand trowel
- 4- a self-propelled, walk behind lawnmower with a grass catcher (for compost building)
- 5- a three tiered 4' wide grow-light for seed starting
- 6- seed cells and trays
- 7- various vegetable and flower seeds as well as perennial flowering plants

### Free Local Resources

- 1- the Emmitsburg Branch Public Library
- 2- manure from area farms: cow, pig, horse and poultry (may have to pay for trucking in)
- 3- advice from the area's successful gardeners and commercial garden centers
- 4- Maryland's Master Gardener Program

**M. SET AGENDA FOR NEXT MEETING: SEPTEMBER 4, 2018 AT 7:30 P.M.**

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

***Administrative Business:***

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