

**MINUTES  
TOWN MEETING  
FEBRUARY 3, 2020  
EMMITSBURG TOWN OFFICE**

**Present:** *Elected Officials* - Mayor Donald Briggs; Commissioners: Clifford Sweeney, President; Timothy O'Donnell, Treasurer and Vice President; Joseph Ritz III; Frank Davis; and TJ Burns. *Staff Present* - Cathy Willets, Town Manager; Madeline Shaw, Town Clerk; Amy Naill, Code Enforcement Officer; Zachary Gulden, Town Planner; and Cole Tabler, Town Accountant. *Others Present* - Deputy Jason Ahalt.

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**I. Call to Order**

A quorum being present, Commissioner Clifford Sweeney, President of the Board of Commissioners, called the February 3, 2020 town meeting to order at 7:30 p.m. Pledge of Allegiance was recited. Upcoming meetings were announced.

**Approval of Minutes**

*Motion:* Commissioner Burns motioned to accept the January 6, 2020 town meeting minutes as presented; second by Commissioner Davis. Yeas – 5; Nays – 0. The president declared the motion passed.

*Motion:* Commissioner Burns motioned to accept the January 22, 2020 town meeting minutes as presented; second by Commissioner Ritz III. Yeas – 5; Nays – 0. The president declared the motion passed.

**Police Report:**

Deputy Ahalt presented the police report from December 2019 (exhibit attached).

**Town Managers Report:**

Cathy Willets, Town Manager, presented the Town Manager's Report from December 2019 (exhibit in agenda packet). For noteworthy, Ms. Willets mentioned the Town was awarded a \$8,500 grant from Maryland Municipal League to assist with the promotion of the 2020 census and the 8-inch water main coming down the mountain has been turned off.

**Town Planners Report:**

Zachary Gulden, Town Planner, presented the Town Planner's Report from December 2019 (exhibit in agenda packet).

**Commissioner Comments:**

- Commissioner O'Donnell: He attended a meeting where the linkage of Gettysburg to Emmitsburg via a pedestrian trail was discussed. He also received several compliments from the public on town staff's thoroughness.
- Commissioner Ritz III: He thanked Commissioner Davis for his work with Emmitsburg baseball.
- Commissioner Davis: He stated baseball/softball registration is open and encouraged people to sign-up. The Catocin Youth Association wants to host some youth activities in Emmitsburg in the future.
- Commissioner Burns: He is recruiting members for the Citizen's Advisory Committee. The Committee is working to improve relationships with Mount St. Mary's University and complete various service activities around Town.
- Commissioner Sweeney: The Emmitsburg Lions Club and Heritage Day Committee would like to run the concession stand in Memorial Park and at the Community Pool to raise firework funds for Community Day.

**Mayor's Comments:**

Mayor Briggs attended numerous meetings in January 2020 (meetings listed in agenda packet). Mayor Briggs attended the Vigilant Hose Company banquet on behalf of the Town and presented a \$6,000 donation. He also met with the Boy Scouts regarding a spring project, toured the Carroll Valley Township regarding office security and met with the Middletown town manager on discolored water. He requested the ability to present Roger Wilson with the proclamation; the Board consented.

**Administrative Business:**

- I. Proclamation Thanking Roger Wilson for His Service:** Mayor Briggs invited Roger Wilson to the front of the room and read the proclamation aloud. Photos were taken. Roger Wilson, former Director of Government Affairs and Public Policy for the County Executive, and Mayor Briggs then presented a certificate of congratulations to Matthias Buchheister and Thomas Lowe for receiving their Eagle Scout designation, which only 4% of Boy Scouts receive.

**Public Comments:**

*Dianne Walbrecker, 535 West Main Street* – Ms. Walbrecker works with the Emergency Management Institute in Emmitsburg and would like to see the town planner attend a local government disaster recovery class in March. Commissioner Davis requested all staff attend a class on disaster recovery in the future. *Charles Fluke, 3000 Stonehurst Drive* – He would like information on the Town's formal plan for rectifying discolored water issues.

**Administrative Business Continued:**

- II. Filing of the 2019 Planning Commission Report:** Mr. Gulden explained the Board needs to give consent to file the 2019 Planning Commission report. The Board unanimously consented to filing the report.
- III. Water Quality Update:** Ms. Willets explained numerous long and short-term tasks are being completed to permanently rectify the discolored water and are listed in the agenda packet. For short term, water samples have been taken and tested by Maryland Department of the Environment and Frederick County. Results indicate water is within safe consumable limits but there are higher secondary levels of iron and manganese. Other short term plans include increasing pH levels, adding ortho-phosphate to the water, the addition of an automatic chemical feeder, repair of a pressure reducing valve and ongoing testing. For long term, town staff recommends the replacement of parts of North Seton Avenue (\$1.1 million), Waynesboro Pike (\$750,000), DePaul Street (\$1.1 million), and Frailey Road water lines due to tuberculation. USDA and MDE funding is available for projects in the State priority funding area only. \$391,700 is available in the water budget for work. *Charles Fluke, 3000 Stonehurst Drive* – Mr. Fluke asked clarifying questions regarding timeline of work.

**Treasurer's Report:**

Commissioner O'Donnell presented the Treasurer's Report for January 2020 (exhibit in agenda packet). The operating balance forward is \$5,552,591. The top 10 check amounts are listed in the agenda packet.

**Consent Agenda:**

Commissioner O'Donnell requested the Board approve the multi-user trail workdays for March 15, April 19, and May 17 from 9:00 a.m. to 1:00 p.m. There will also be a new bike demo day by Pivot Cycles on March 22. The Board gave consent.

**Planning Commission Report:**

Commissioner Ritz III explained the last meeting was January 27. At the meeting the commission approved the 2019 Planning Commission Report and held the annual re-organization of the Commission: Keith Suerdieck will be President, Mark Long will be Vice President and Bernard Franklin will be Secretary. The next meeting is February 24, 2020.

**II. Agenda Items**

Agenda #1 - Audit Presentation by Michele Mills: Cole Tabler, Town Accountant, introduced Michele Mills, Public Accountant, and Addie Blickenstaff, In-Charge Accountant, with DeLeon and Stang. The fiscal year 2019 audit was completed in September 2019 and there were no significant problems identified. No new accounting policies were adopted, no problems were encountered with town staff/management, and only one journal entry was identified in the course of audit testing. A presentation highlighting key information such as summaries on net position, statement of activities, operating revenues, etc. was made by the auditors. The Town is operating at a loss in the water and sewer enterprise funds. The Board discussed funds transfer guidelines and questions with the Ms. Mills and Ms. Blickenstaff.

Agenda #5 - Approval of Contract to Conduct Silo Hill Storm Water Management Basin Restoration for Consideration: Mr. Gulden reviewed the Municipal Separate Storm Sewer Systems (MS4) activities for the Town. The North Gate storm water basin will not need to be retrofitted during the current MS4 permit as a 30-acre tree planting with StreamLink will occur instead. Town staff would like to annex the wastewater treatment plant and the Daughter's of Charity property in the future to allow for MS4 credit for tree plantings too. The Town advertised the bid on December 3, 2019 and the bids were due on January 22, 2020. Nine organizations submitted bids. Town staff recommends Barton and Loguidice, Bearing Construction Company, and NativeScapes for approximately \$200,000 to \$250,000. The project completion is scheduled for October 30, 2022. *Leslie Frie, 1006 Flat Run Court* - Ms. Frie asked clarifying questions regarding timeline and Memorandum of Understanding between the Town and homeowner's association. Town staff will review the basin plans with the homeowners prior to construction. *Motion:* Commissioner Burns motioned to approve the contract by Barton and Loguidice, Bearing and Construction Company, and NativeScapes for a maximum of \$250,000 for the Silo Hill Storm Water Basin Retrofit MS4 project; second by Commissioner Davis. Yeas – 5; Nays – 0. The president declared the motion passed.

Agenda #2 - Final Review and Approval of the FY2020 MHAA Wayside Exhibits for Consideration: Ms. Willets explained the four wayside exhibits are part of a long-term historic walking tour in Town funded partially by a grant. At the January 2020 town meeting the Board requested additional edits to the Chronicle Press exhibit and the edits have now been applied. Commissioner O'Donnell and Ritz III requested more edits to one sentence but stated they do not need the applied edits brought back at the next town meeting. *Motion:* Commissioner Davis motioned to approve the wayside exhibits as presented; second by Commissioner Burns. Yeas – 5; Nays – 0. The president declared the motion passed.

Agenda #3 - Presentation on Rural Public Transit for Discussion: Agenda item postponed.

Agenda #4 - Fiscal Year 2019 Budget Transfers to the Capital Fund for Consideration: Agenda item postponed.

Agenda #6 - Updates to the 2017 Employee Handbook, Vehicle Safety and Usage Section, for Consideration: Ms. Willets explained the proposed changes are part of the recommendations of the Town's insurance company, Local Government Insurance Trust, which will give the Town insurance savings for scoring 90% or higher on an annual loss control survey. The proposed additions, except for the defensive driving courses, are procedures town staff already follow but they need to be formally documented in the employee handbook. If approved, the changes will allow the Town to score 100% on the survey. *Motion:* Commissioner O'Donnell motioned to approve the Town of Emmitsburg employee handbook vehicle safety changes; second by Commissioner Ritz III. Yeas – 5; Nays – 0. The president declared the motion passed.

Agenda #7 - Waynesboro Waterline Update for Consideration: Ms. Willets explained town staff would like to replace a portion of the 2-inch waterline at Waynesboro Pike, which is believed to be partly contributing to the discolored water because of its tuberculation. The total cost of the project would be \$24,300 and would be completed by Valley Direction Boring and Mid-Atlantic paving. *Motion:* Commissioner Davis motioned to approve the water line upgrade for Waynesboro Pike; second by Commissioner O'Donnell. Yeas – 5; Nays – 0. The president declared the motion passed.

Mayor Briggs stated Jacob Fisher, Sewer and Water Operator, has announced his resignation. Mayor Briggs suggested the Board reconsider staff pay for water and sewer employees as the Town is having difficulty being competitive in the job market. Commissioner Davis suggested doing a study to see how all town staff salaries compare with other municipalities.

#### **Set Agenda Items for March 3, 2020 Town Meeting**

1. Approval of Resolution 20-01R, Community Development Block Grant Citizen Participation Plan, for consideration.
2. Approval of Resolution 20-02R, Community Development Block Grant Residential Anti-Displacement and Relocation Assistance Plan, for consideration.
3. Approval of Resolution 20-05R, Community Development Block Grant requirement prohibiting excessive police force for non-violent civil rights demonstrations, for consideration.
4. Amendment to the Pool Management Contract for Consideration.
5. Update to the Small Cell Tower Ordinance for Discussion.
6. Fiscal Year 2019 Budget Transfers to the Capital Fund for Consideration.
7. Approval of the Pool House Mural for Consideration.

#### **Administrative Business:**

- A. Presentation by Nicholas Lowe, Boy Scout, For Installation of a Handicap Accessible Table at the Community Park Playground.
- B. Proclamation Making April 4, 2020 Arbor Day for Consideration
- C. Proclamation Declaring April 2020 As Fair Housing Month for Consideration.

Ms. Willets mentioned town staff would like to present the budget at a second meeting in April 2020 and the May 4, 2020 meeting will be solely on the budget. She reminded the Board the FY2021 budget must be approved by June 30, 2020.

*Motion:* Commissioner Ritz III motioned to accept the agenda for the March 2 meeting as presented; second by Commissioner O'Donnell. Yeas – 5; Nays – 0. The president declared the motion passed.

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

#### **IV. Adjournment**

With no further business, Commissioner Burns motioned to adjourn the February 3, 2020 town meeting; second by Commissioner O'Donnell. Yeas – 5; Nays – 0. The meeting adjourned at 10:22 p.m.

Respectfully submitted,



Madeline Shaw, Town Clerk  
Minutes Approved On: March 2, 2020