



# Town of Emmitsburg

Mayor Donald N. Briggs

**Board of Commissioners,**  
Clifford Sweeney, *President*  
Timothy O'Donnell, *V.P. & Treasurer*  
Joseph Ritz III  
Frank Davis  
T.J. Burns

**Town Manager**  
Cathy Willets

**Town Clerk**  
Madeline Shaw

**VIRTUAL TOWN MEETING  
AGENDA PACKET  
TUESDAY, SEPTEMBER 8, 2020 – 7:30 P.M.**

**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. FUTURE MEETINGS**

*Write-In Elections Deadline: Tuesday, September 22, 2020 by noon.*

*Town Election Day: Tuesday, September 29, 2020 7:00 a.m. to 8:00 p.m. (22 East Main St.)*

*Town Council Meeting: Monday, October 5, 2020 at 7:30 p.m. (via Zoom & Channel 99)*

**4. MEETING ITEMS**

A. APPROVE MINUTES: AUGUST 3, 2020

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)

(A). Proclamation declaring September 26, 2020 as Arbor Day for consideration.

(B). Proclamation declaring Community Park as "E. Eugene Myers Community Park" for consideration.

(C). Proclamation declaring September 2020 as Recovery Month in Emmitsburg for consideration.

I. CONSENT AGENDA: NONE

J. TREASURER'S REPORT

K. PLANNING COMMISSION REPORT

L. AGENDA ITEMS (DETAILS ATTACHED)

(1). Approval of Resolution 20-10R, Approving the Town of Emmitsburg's participation in the Maryland Department of Housing and Community Development's Main Street Affiliate program, for consideration.

(2). Initial presentation of the compensation study analysis.

(3). Introduction of the WWTP annexation resolution, adoption of the annexation plan, and schedule a public hearing for November 2, 2020 at 7:30 PM for consideration.

(4). For consideration, distribution of the remaining Small Business Grant monies to the EBPA and the Main St. Affiliate Program.

(5). For consideration, the approval of contractor to install new sidewalk on West Lincoln in the area of the Community Pool.

M. SET AGENDA FOR NEXT MEETING: OCTOBER 5, 2020

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

**6. ADJOURN**

300A South Seton Avenue • Emmitsburg, Maryland 21727

Phone 301.600.6300 • Fax 301.600.6313 • [info@emmitsburgmd.gov](mailto:info@emmitsburgmd.gov) • [www.emmitsburgmd.gov](http://www.emmitsburgmd.gov)

**ZOOM MEETING ACCESS INFORMATION:**

Topic: Town Meeting: September 8, 2020

Time: Sep 8, 2020 07:30 PM Eastern Time (US and Canada)

**Join Zoom Meeting:**

<https://us02web.zoom.us/j/81077604832>

Meeting ID: 810 7760 4832

Passcode: 750536

One tap mobile

+13017158592,,81077604832#,,,,,0#,,750536# US (Germantown)

+13126266799,,81077604832#,,,,,0#,,750536# US (Chicago)

Dial by your location

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 810 7760 4832

Passcode: 750536

Find your local number: <https://us02web.zoom.us/u/kTWGohDh8>

**PUBLIC COMMENT:** The town meeting will begin at 7:30 p.m. If you would like to speak during public comment or an agenda item, you must sign-up to speak **BEFORE** 7:30 p.m. Sign-up to speak by emailing your name, address and topic you'd like to speak on to [mshaw@emmitsburgmd.gov](mailto:mshaw@emmitsburgmd.gov) or calling (301) 600-6300.

You can also watch the town meeting live on cable channel 99. A recording will be posted to YouTube the day after (@Town of Emmitsburg).

**A. APPROVE MINUTES: AUGUST 3, 2020**

**MEETING MINUTES  
AUGUST 3, 2020  
VIRTUAL TOWN MEETING  
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; and Zachary Gulden, Town Planner.

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**I. Call to Order**

Commissioners O'Donnell, Ritz III, Burns, Davis and Town Planner Zachary Gulden joined the meeting via a teleconferencing platform. A quorum being present, Commissioner Clifford Sweeney, President of the Board of Commissioners, called the August 3, 2020 town meeting to order at 7:30 p.m. Pledge of Allegiance was recited. Upcoming meetings were announced. Mayor Briggs read a statement about the status of the COVID-19 virus.

**Approval of Minutes**

*Motion:* Commissioner Burns motioned to accept the July 13, 2020 town meeting minutes as presented; second by Commissioner Ritz III. Yeas – 5; Nays – 0. The president declared the motion passed.

**Police Report:**

None.

**Town Managers Report:**

Cathy Willets, Town Manager, presented the Town Manager's Report from June 2020 (exhibit in agenda packet). The Town received payment for the damage incurred at the town square by A.J. Romano Construction Inc. during the MD140 sidewalk replacement project.

**Town Planners Report:**

Zachary Gulden, Town Planner, presented the Town Planner's Report from June 2020 (exhibit in agenda packet).

**Commissioner Comments:**

- Commissioner Davis: He thanked everyone for their help with the Flat Run Bridge dedication.
- Commissioner Burns: He encouraged the public to social distance and follow COVID-19 guidelines.
- Commissioner Ritz III: He attended the bridge dedication and enjoyed the ceremony.
- Commissioner O'Donnell: There is a fundraiser for the Emmitsburg Food Bank occurring. He thanked staff for their work on the pool house rehabilitation and fielding various public questions.
- Commissioner Sweeney: He thanked the pool management company for keeping the pool clean.

**Mayor's Comments:**

Commissioner Davis left the teleconferencing platform at 7:52 p.m. Mayor Briggs attended numerous meetings in July 2020. The meetings are listed in the agenda packet. Mayor Briggs hosted and continues to host a weekly COVID-19 update on channel 99 and YouTube. Guests this past month were from the Seton Center, a local doctor's office, the Daughters of Charity and Sheriff Chuck Jenkins. The Town Office will continue to be closed to the public in August due to precautions regarding COVID-19.

**Public Comments:**

None.

**Administrative Business:**

- (A). **Update on 2020 elections and COVID-19 restrictions:** Ms. Willets presented the item. The town clerk has been working with the Frederick County Board of Elections to give the proposed recommendations. Staff recommends having an additional judge working as a greeter to limit two voters to the voting room at a time. Face masks, hand sanitizer and other sanitizing techniques will be required. Anyone not wishing to vote in person can request an absentee ballot. Commissioner Davis rejoined the meeting at 8:04 p.m. via the teleconferencing platform. The Board consented to the election modifications.

**Consent Agenda:**

None.

**Treasurer's Report:**

Commissioner O'Donnell presented the Treasurer's Report for July 2020 (exhibit in agenda packet). The operating balance forward is \$5,222,480.

**Planning Commission Report:**

A meeting will occur in August 2020 pending Board decisions regarding agenda items four and five tonight.

**II. Agenda Items**

Agenda #1 - Approval of 2020 Election Judges for consideration: Mayor Briggs presented the item. There were five applicants for election judge. Mayor Briggs recommends using all five applications with Lynn Orondorff as the chief judge, Charlotte Mazaleski and Tammy May as judges and Tracy Lewis as a greeter judge. Deborah Arnold would serve as the alternate judge. *Motion:* Commissioner Burns motioned to accept the election judges as presented; second by Commissioner Ritz III. Yeas – 5; Nays – 0. The president declared the motion passed.

Agenda #2 - Approval of the FY2021 Frederick County Sheriff's Office contract for consideration: Ms. Willets presented the agenda item. The proposed contract is \$272,614, a decrease of 4.21% or \$12,010 since fiscal year 2020 due to personnel changes. *Motion:* Commissioner Davis motioned to accept the Frederick County Sheriff's Office contract; second by Commissioner Ritz III. Yeas – 5; Nays – 0. The president declared the motion passed.

Agenda #3 - Implementation of phase two mandatory water restrictions as permitted by Section 13.04.160 of the Town Code for consideration: Agenda item canceled due to staff's recommendation to continue a voluntary water curtailment due to the current well and lake water levels; pursuit of a mandatory water restriction will be reevaluated at the September 2020 town meeting.

Agenda #4 - Forward proposed Ordinance 2020-08 (subdivision amendment) to the Planning Commission for review & comment and set public hearing date for October 5, 2020 for consideration: Zachary Gulden presented the agenda item. Mr. Gulden gave a chronological presentation on the proposed changes in Title 16 via ordinance 2020-08. The ordinance is being pursued as the last significant updates to Title 16 occurred in 1999 and the title needs to be updated. *Motion:* Commissioner Ritz III motioned to send Ordinance 20-08 to the Planning Commission and set the public hearing date for October 5, 2020; second by Commissioner O'Donnell. Yeas – 5; Nays – 0. The president declared the motion passed.

Agenda #5 - Forward proposed Ordinance 2020-09 (zoning amendment) to the Planning Commission for review & comment and set public hearing date for October 5, 2020 for consideration: Zachary Gulden presented the agenda item. Mr. Gulden gave a chronological presentation on the proposed changes in Title 17 via ordinance 2020-09. The zoning amendments are being pursued to bring the title up to date and correct errors. *Motion:* Commissioner O'Donnell motioned to forward 2020-09 to the Planning Commission for review and comment and to set the public hearing date for October 5, 2020; second by Commissioner Burns. Yeas – 5; Nays – 0. The president declared the motion passed.

Agenda #6 - Approval of a contract with Fox & Associates, Inc. in the amount of \$19,825.00 for the design of a North Seton Avenue Green Street Concept Plan project for consideration: Mr. Gulden presented the agenda item. Mr. Gulden gave a presentation displaying photos of the proposed project along North Seton Avenue. The project would give the town credit towards MS-4 by treating stormwater runoff. The Town was awarded a \$17,538 grant by the Chesapeake Bay Trust. Six bids were received. Staff recommends Fox & Associates, Inc. for \$19,825. The project would be completed after the North Seton Avenue waterline is replaced. *Motion:* Commissioner Davis motioned to approve the Fox & Associates, Inc. bid for \$19,825; second by Commissioner Burns. Yeas – 5; Nays – 0. The president declared the motion passed.

### **Set Agenda Items for September 8, 2020 Virtual Town Meeting**

1. Approval of Resolution 20-10R, Approving the Town of Emmitsburg's participation in the Maryland Department of Housing and Community Development's Main Street Affiliate program, for consideration.
2. Initial presentation of the compensation study analysis.
3. Introduction of the WWTP annexation resolution, adoption of the annexation plan, and schedule a public hearing for November 2, 2020 at 7:30 PM for consideration.

#### ***Administrative Business:***

- A. Proclamation declaring September 26, 2020 as Arbor Day for consideration.

The Board gave unanimous consent approving the September 8, 2020 town meeting agenda.

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

#### **IV. Adjournment**

With no further business, Commissioner Burns motioned to adjourn the August 3, 2020 town meeting; second by Commissioner Ritz III. Yeas – 5; Nays – 0. The meeting adjourned at 9:38 p.m.

Respectfully submitted,

Madeline Shaw, Town Clerk  
Minutes Approved On:

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

### C. TOWN MANAGER'S REPORT

**Town Manager's Report  
July 2020  
Prepared by Cathy Willets**

Streets:

- Staff replaced and repaired some street signs around town.
- Staff conducted monthly street sweeping.
- Staff repaired several street lights.
- Staff conducted monthly storm drain inlet cleaning.
- Staff weed ate, weed killed on sidewalks and curbs on East & West Main Street as well as South Seton Ave.
- Staff cold patched pot holes around Town/developments
- Staff trimmed tree wells on East & West Main St.

Parks:

- Staff conducted daily park checks – trash cans, cameras, dog waste stations, restrooms.
- Staff conducted monthly park maintenance – playground equipment, roads, fences, pavilions, etc.
- Staff mowed, trimmed and weed killed in parks.
- Staff sanitized playground equipment twice a week.
- Staff repaired a drain pipe at the pool concession stand.
- Staff assisted with inspections at the pool.
- Staff repaired the dog park water fountain several times.
- Staff installed hand sanitizer stations in the parks and park pavilions.
- Staff installed six recycling bins in Memorial Park.
- Staff installed a speed bump in Community Park near ballfield #3.
- Staff moved dust and stones into Disc Golf project.

Water:

- Rainbow Lake is .9' below the spillway level (16.6 feet) as of July 31, 2020.
- The roughing filters are being backwashed four times a day (decreased to three later in July) and the DE filters are being done once every other week.
- Well levels (optimum level was determined to be May 2011).

	<u>May 2011</u>	<u>July</u>	<u>Change</u>
○ Well #1:	35'	36'	-1'
○ Well #2:	8'	13'	-5'
○ Well #3:	12'	OFF'	N/A
○ Well #4:	108'	124'	-16'
○ Well #5:	10'	16'	-6'

- Wells #1 & #2 have been running minimally and the lake number is over the monthly average. Still running with wells #4 & #5 without the need for Well #3. The wells are running a little more recently due to the dryer conditions, but not excessive yet.
- Water production and consumption. We produced an average of 269,787 GPD. We consumed an average of 227,460 GPD. The difference is "Backwash Water" ... (15.2%).
  - 23.4% of this water came from wells.
  - 4.8% of this water came from Mt. St. Mary's.
  - 71.8% of this water came from Rainbow Lake.

We purchased 429,480 gallons of water from MSM this month.

Wastewater:

- We treated an average of 289,000 gpd (consumed 227,460 GPD) which means that 21.3 % of the wastewater treated this month was "wild water". We had no spills of untreated sewage in the month of July.
- We did not exceed the plant's design capacity at any time in the month of July.
- We received about 1.40" of precipitation this month (the average is 3.6").
  - We have a precipitation DEFICIT of 3.7" over the last six months. The average precipitation for the period from February 1 through July 31 is 23.3". We have received 19.6" for that period.

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

**Meetings Attended:**

- 07/01 Conference call with Mayor, Town Planner and Post Office
- 07/01 Conference call with Mayor, Town Planner and potential buyer for Emmitt Ridge
- 07/13 Attended Town Meeting
- 07/14 Attended on-site meeting with Public Works and PE re: lighting on West Main
- 07/14 Conference call with Town Attorney
- 07/14 Attended zoom presentation with Mayor and Town Planner
- 07/14 Attended zoom meeting with Mayor, Town Planner and hotel developer
- 07/21 Attended zoom meeting with Mayor, Town Planner, Contractor re: Silo Hill storm water basin
- 07/21 Conference call with HR re: COVID-19
- 07/27 Conference call with Town Attorney
- **\*\*\* Met with or spoke with the Mayor every day during the COVID-19 shutdown. (03/19-present)**

**Noteworthy:**

- Staff pumps holding tank every 10 days at 8533 Hampton Valley Rd.
- Staff worked the yard waste dumpster twice in July.
- Staff conducted monthly equipment maintenance.
- Staff installed new entrance gate at Scott Road property due to vehicle collision.
- Staff removed an old section of 8" water line, installed gabion stone, and put down good dirt, seeded and mulched in area of 8744 Crystal Fountain Rd.
- Pump #2 had to be rebuilt at the Creamery Road Pump Station. Both pumps should remain in operation until the new station is built.
- WTP – DE filter #1 needs repaired. Soda Ash pump was rebuilt.
- WWTP – routine maintenance and repairs (belts at centrifuge need replaced; continued work on clarifier #2)

**PARKING ENFORCEMENT REPORT**  
**July 2020**

Overtime Parking	47
Restricted Parking Zone	3
Street Sweeping	
Parked in Crosswalk	
Parked on Sidewalk/Curb	
Parked by Fire Hydrant	
Parked Blocking Street	1
Failure to Park between Lines	
Left Side Parking	1
48 Consecutive Hours	
Total Meter Money	\$ 947.24
Parking Permits	
Meter Bag Rental	\$ 15.00
Parking Ticket Money	\$ 195.00
<b>Total:</b>	<b>\$ 1,157.24</b>

## **D. TOWN PLANNER'S REPORT**

### **Town Planner's Report – July 2020 Prepared by Zachary R. Gulden, MPA**

\*Worked remotely from 07/01/20 – 07/31/20 due to COVID-19 Pandemic restrictions\*

#### **1. Board of Commissioners (BOC)**

- Attended the virtual BOC meeting on 07/13.
- Processed Stand 6 logging bid and prepared BOS meeting information.
- Created mandatory county & state notifications for the proposed WWTP annexation.
- Worked with Delegate Cox, Delegate Pippy, & Senator Hough on Small Business Tax Credit.

#### **2. Grants**

- Misc. Census, Community Legacy, Chesapeake Bay Trust (rain barrel & green street), & Keep MD Beautiful grant management.
- Submitted Community Legacy reimbursement request for:
  - 5 W Main St.
- Processed a Community Legacy grant application for:
  - 137 South Seton Avenue
- Submitted the FY2019 Community Legacy grant final report.
- Updated the CDBG & Community Legacy ADA curb ramp grant applications.
- Assisted Silo Hill SWM basin contractor with Chesapeake Bay Trust grant.

#### **3. Municipal Separate Storm Sewer System (MS4)**

- Misc. Silo Hill basin retrofit project management.
- Continued working on the yearly MS4 report.
- Attended a MS4 webinar on 7/8.
- Attended a conference call with Town Manager, Mayor, & contractors for the Silo Hill basin retrofit project kick-off on 7/21.
- Prepared for Silo Hill basin retrofit project public outreach meeting for 8/6.
- Prepared N Seton Ave Green Street BOC meeting presentation.

#### **4. Permits & Zoning**

- Processed 9 zoning permit applications:
  - 2x sign (5x Dunkin' & 2x State Farm)
  - 1x change of use
  - 3x fence
  - 2x deck
  - 1x garage
- 1x no zoning permit required form.
- Responded to incident reports.

## 5. Planning Commission (PC)

- Misc. Rutter's, Dunkin', & Insurance Brokers of MD project management.
- Answered questions from potential developers of Emmit Ridge.
- Assisted property owner on Silo Hill Parkway with potential development.
- Received, processed, and reviewed a revised concept Preliminary Plat for the Emmitsburg East Industrial Park II.
- Received, processed, and reviewed a Concept Plat for Lot 8 – Emmitsburg East Industrial Park II (proposed 58,900 sq. ft. of warehouse & 5,200 sq. ft. of office space).
- Re-reviewed the updated Insurance Brokers of MD site plan.
- Created the following development applications & checklists:
  - Subdivision application;
  - Site plan application;
  - Sketch plat checklist;
  - Preliminary plat checklist;
  - Final plat checklist;
  - Forest delineation plan & checklist;
  - Preliminary forest conservation plan & checklist;
  - Final forest conservation plan & checklist;
  - Forest conservation ordinance exemption request;
  - Forest conservation variance request;
  - Adequate public facilities ordinance; and
  - Adequate public facilities ordinance exemption request.

## 6. Miscellaneous

- Attended conference call with the Mayor, Town Manager, and potential developer of Emmit Ridge on 7/2.
- Attended conference call with the Mayor, Town Manager, and Emmitsburg Post Master on 7/2.
- Attended a Zoom meeting with the Mayor & Town Manager on 7/16 regarding proposed subdivision / zoning amendments.
- Attended a conference call with the Mayor & Town Manager with property owner on Silo Hill Parkway regarding potential development.
- Attended a Frederick County addressing policy virtual meeting on 7/23.
- Attended a conference call with the Mayor, Town Manager, Town Attorney, & RK&K on 7/27 regarding Emmitsburg East Industrial Park II sketch plans.

## **E. COMMISSIONER COMMENTS**

## **F. MAYOR'S COMMENTS**

### Meetings attended since August 3, 2020 town meeting:

- August 3, (virtual) Town meeting
- August 5, Weekly COVID-19 update on channel 99 & social media, Mayor Don Briggs and Emmitsburg resident Emmy award winning film producer Conrad Weaver. Conjostudios.
- August 6, Zoom Virtual Town Hall with Mount St. Mary's University.
- August 6, 7pm, ZOOM Silo Hills storm water basin retro fit public outreach meeting, town manager, town planner, engineer and contractor.
- August 5, Weekly COVID-19 update on channel 99 & social media, Mayor Don Briggs and Local Emmy award winning film producer Conrad Weaver.
- August 12, Weekly COVID-19 update on channel 99 & social media, Mayor Don Briggs and Joe Clibur, owner Creosote Affects.
- August 19, Weekly COVID-19 update on channel 99 & social media, Mayor Don Briggs and Mayor of Thurmont John Kinnaird.
- August 21, Emmitsburg pool party.
- August 26, Weekly COVID-19 update on channel 99 & social media, Mayor Don Briggs and Susie Ott Glass, co-owner of the OTT House.
- August 27, 10am Wayside Exhibits dedications: Vigilant Hose Company; square – Great Town Fire 1863; Chronicle Press building; Carriage Hose Inn.
- September 1, 10am Conference call, town manager, town attorney, developer and counsel East Emmitsburg industrial Park
- September 2, 9am, Compensation Survey
- September 2, 10am, third flight of Wayside exhibit meeting re: Fire museum exhibit, Daughters of Charity, John Alexander.
- September 2, social media presentation, Mayor Don Briggs and Sr. Martha, Executive Director of the Seton Center.
- September 3 ,7pm, (virtual), Mayoral candidate forum. Mayor, Don Briggs, former Mayor Jim Hoover and Commissioner Cliff Sweeney.
- September 8, 11am, swearing-in of election judges.
- September 8, Town Council Meeting (virtual).

**G. PUBLIC COMMENTS**

**H. ADMINISTRATIVE BUSINESS**

- (A). **Proclamation declaring September 26, 2020 as Arbor Day for consideration:**  
Presentation at town meeting by Mayor Briggs and town staff.

*Proclamation*  
 **Arbor Day**  
**SATURDAY, SEPTEMBER 26, 2020**

*Draft*

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE, BE IT PROCLAIMED, that the Mayor and Council of the Town of Emmitsburg, Maryland do hereby proclaim September 26, 2020 as Arbor Day in the Town of Emmitsburg. We call upon all citizens and organizations to support efforts to protect our trees and woodlands by planting trees to gladden the heart and promote the well-being of this and future generations.

ADOPTED this 8<sup>th</sup> day of September, 2020.

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Donald N. Briggs  
Mayor

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Clifford L. Sweeney, President  
Board of Commissioners

- (B). **Proclamation declaring Community Park as “E. Eugene Myers Community Park” for consideration:** Presentation at town meeting.

# *Proclamation*

## **RENAMING COMMUNITY PARK IN HONOR OF E. EUGENE MYERS SATURDAY, SEPTEMBER 26, 2020**

WHEREAS, the Emmitsburg Board of Commissioners and Mayor seek to recognize the extraordinary contributions that Edward (E.) Eugene Myers made to the Town of Emmitsburg; and

WHEREAS, E. Eugene Myers was a lifelong resident of Emmitsburg that is credited as one of the founding members of Community Park through his love and dedication for youth baseball and softball; and

WHEREAS, throughout his life, E. Eugene Myers served as a volunteer fireman as well as Chief of the Vigilant Hose Company for 10 years; and

WHEREAS, Mr. Myers also served as Mayor of Emmitsburg from 1978 to 1989, President of the Board of Commissioners from 1974 to 1978, Chairman of the Planning and Zoning Commission and as a Parks Commissioner; and

WHEREAS, Mr. Myers was loved and appreciated by an overwhelming majority of residents for his contributions and service to the Town; and

WHEREAS, the Board of Commissioners unanimously approved the renaming of Community Park as “E. Eugene Myers Community Park” at the July 13, 2020 town meeting; and

WHEREAS, a renaming ceremony and sign unveiling ceremony is scheduled for Saturday, September 12, 2020 at 10:00 a.m. in Community Park.

NOW, THEREFORE, BE IT PROCLAIMED, that the Mayor and Council of the Town of Emmitsburg, Maryland do hereby proclaim Community Park as “E. Eugene Myers Community Park” in honor of Mr. Myers service.

ADOPTED this 8<sup>th</sup> day of September, 2020.

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Donald N. Briggs  
Mayor

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Clifford L. Sweeney, President  
Board of Commissioners

- (C). **Proclamation declaring September 2020 as Recovery Month in Emmitsburg for consideration:** Presentation at town meeting by Mayor Briggs and town staff.

# *Proclamation*

## NATIONAL RECOVERY MONTH SEPTEMBER 2020

WHEREAS, National Recovery Month is a national observance held every September to unify the community and reduce substance-related deaths and overdoses; and

WHEREAS, mental and substance use disorders affect all communities; and

WHEREAS, nearly half of all overdose deaths involved a prescription painkiller; prescription painkillers are killing more people than car accidents and homicides combined; and

WHEREAS, 1-in-4 teens report having abused or misused a prescription drug at least once; 4 out of 5 people who use heroin started with recreational use of prescription painkillers; and

WHEREAS, the Town of Emmitsburg offers hope and resources; supports those in active addiction, recovery, and their loved ones;

WHEREAS, the Town of Emmitsburg invests in the future of its youth through prevention education; and

WHEREAS, the Town of Emmitsburg joins Frederick County in going purple; standing together and conquering addiction.

NOW, THEREFORE, BE IT PROCLAIMED, that the Mayor and Council of the Town of Emmitsburg, Maryland do hereby proclaim the month of September as National Recovery Month and call upon all citizens, community agencies, religious organizations, medical facilities and businesses to “go purple” to bring awareness and understanding of mental health and substance use disorders, and to celebrate those living in recovery.

ADOPTED this 8<sup>th</sup> day of September 2020.

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Donald N. Briggs  
Mayor

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Clifford L. Sweeney, President  
Board of Commissioners

**I. CONSENT AGENDA**

NONE

**J. TREASURER REPORT**

**Town of Emmitsburg  
CASH ACTIVITY as of August 26, 2020**

\$5,171,280	Cash Balance August 1, 2020
618,370	Deposits
<u>-372,923</u>	Withdrawals
\$5,416,727	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>
\$63,724	Treasurer of Frederick County	1Q FY20 Law Enforcement	08.26.20	41362
44,242	Fulton Bank	Lincoln Ave GO Bond	07.29.20	41265
18,295	MD Dept of Budget & Mgmt	Aug 20 Health Insurance	08.26.20	41365
18,295	MD Dept of Budget & Mgmt	Jul 20 Health Insurance	07.29.20	41252
13,757	UGI Energy Services	Jun 20 Solar Field #1	08.05.20	41297
13,067	UGI Energy Services	Jun 20 Solar Field #2	08.05.20	41297
10,750	Kershner Environmental Technologies	FY21 Annual Calibration	07.29.20	41251
10,632	RSV Pools	Aug 20 Pool Management	08.05.20	41293
9,498	SSP Custom Sound	Sound System	07.29.20	41262
6,361	Republic Services	Aug 20 Residential Service	08.12.20	41317

*Check dates 07.29.20 to 08.26.20*

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

**L. AGENDA ITEMS:**

**AGENDA ITEM# 1. Approval of Resolution 20-10R, Approving the Town of Emmitsburg's participation in the Maryland Department of Housing and Community Development's Main Street Affiliate program, for consideration:** Presentation at meeting by town staff.

**1.) What is the Main Street Affiliate program?**

The Main Street Affiliate program is a program administered by the Maryland Department of Housing and Community Development (DHCD) to help communities with a traditional main street area gain economic development strategies. The Main Street *Affiliate* program is an interim step in becoming a full Main Street Maryland community of which 23 communities in Maryland are designated.

The affiliate program is designed to assist communities at a variety of readiness levels, including:

- Communities that are in the early stages of preparing to submit an application for Main Street Maryland designation.
- Communities that may not be eligible for Main Street Maryland designation, but are interested in addressing local housing and community development challenges through the Main Street approach.
- Participation in the affiliate program helps downtown communities transform themselves by tapping into those assets that make them special using tested principles established by the National Main Street Center.

**2.) What are the benefits of the Affiliate program?**

Benefits to Main Street area: (1) financial resources from State that are designated specifically to this program (e.g. grants), (2) assistance to help the Town run our program and projects effectively, (3) connection with the National Main Street Center resources/technical assistance.

Benefits outside Main Street area: (1) property value increase, (2) draw of tourism to area, (3) projects that benefit whole area (e.g. bike racks, wayfinding signage, etc.).

**3.) Who are the current Main Street communities?**

Affiliates: La Plata, Leonardtown, Perryville, Pocomoke, Rock Hall, Snow Hill.

Main Street: Annapolis, Bel Air, Berlin, Brunswick, Cambridge, Chestertown, Cumberland, Denton, Dundalk, Easton, Elkton, Frederick, Frostburg, Havre De Grace, Middletown, Mount Airy, Oakland, Princess Anne, Salisbury, Takoma Park, Taneytown, Thurmont, Westminster.

**4.) What is the difference between and Affiliate and full designation?**

Main Street Affiliate Program	Main Street Maryland Program
<ul style="list-style-type: none"><li>• Designated staff member to oversee program efforts.</li><li>• Staff member attend Main Street Affiliate meetings twice a year.</li><li>• Commitment to organize and maintain a volunteer board.</li></ul>	<ul style="list-style-type: none"><li>• Commitment to employ a full-time program manager for a minimum of three years</li><li>• Commitment to provide a program budget for a minimum of three years</li><li>• Commitment to organize and maintain a volunteer board.</li><li>• Program manager attend quarterly Main Street managers meeting.</li><li>• Program manager attend Main Street America national conference at least every other year (Dallas, TX this year – about \$500 for conference excluding lodging)</li></ul>

**Proposed Main Street Affiliate Area:**



RESOLUTION: 2020  
RESOLUTION NO. 20-10R

Page 1 of 2

**Resolution Approving the  
Town of Emmitsburg's participation in the  
Maryland Department of Housing and Community Development's  
Main Street Affiliate Program**

\*\*\*\*\*

Resolution of Town of Emmitsburg has made, by application, a request for the Main Street Maryland Affiliate program designation by the Department of Housing and Community Development (the "Department") of the State of Maryland and supports the local administration of the Main Street Maryland Affiliate program in Town of Emmitsburg, Maryland.

WHEREAS, Town of Emmitsburg recognizes that there is a significant need for continued reinvestment and revitalization of this community in Emmitsburg, Maryland; and,

WHEREAS, Town of Emmitsburg has made a commitment to improve the economy, appearance and image of their traditional downtown business district; and,

WHEREAS, a local organization, the Town of Emmitsburg, has agreed to implement a comprehensive revitalization strategy, based on the Department's Main Street Maryland Affiliate program which utilizes the Main Street Four-Point Approach®, to strengthen the economic potential of the historic downtown and neighborhood business district

NOW, THEREFORE BE IT RESOLVED THAT, Town of Emmitsburg's Board of Commissioners and Mayor hereby endorses and supports Town of Emmitsburg in administering the local Main Street Maryland Affiliate program for Town of Emmitsburg; and

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

BE IT FURTHER RESOLVED THAT, the Mayor of the Town of Emmitsburg or the Town Manager is 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 be sent to the Department of Housing and Community Development of the State of Maryland Main Street Maryland Affiliate Program.

**NOW, THEREFORE, BE IT HEREBY** enacted this \_\_\_\_\_ day of \_\_\_\_\_, 2020 by the Mayor and Board of Commissioners, that Resolution Number 2020 – 10R is true, correct, and duly adopted by the Mayor and Board of Commissioners of the Town of Emmitsburg.

**PASSED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020  
by a vote of \_\_\_\_\_ for, \_\_\_\_\_ against, \_\_\_\_\_ absent, and \_\_\_\_\_ abstain.

ATTEST:

EMMITSBURG BOARD OF COMMISSIONERS:

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

\_\_\_\_\_  
Clifford L. Sweeney, President

\_\_\_\_\_APPROVED \_\_\_\_\_VETOED

this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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

- AGENDA ITEM# 2. Initial presentation of the compensation study analysis:**  
Presentation at meeting by Mayor Briggs, Town Staff and William Benner.

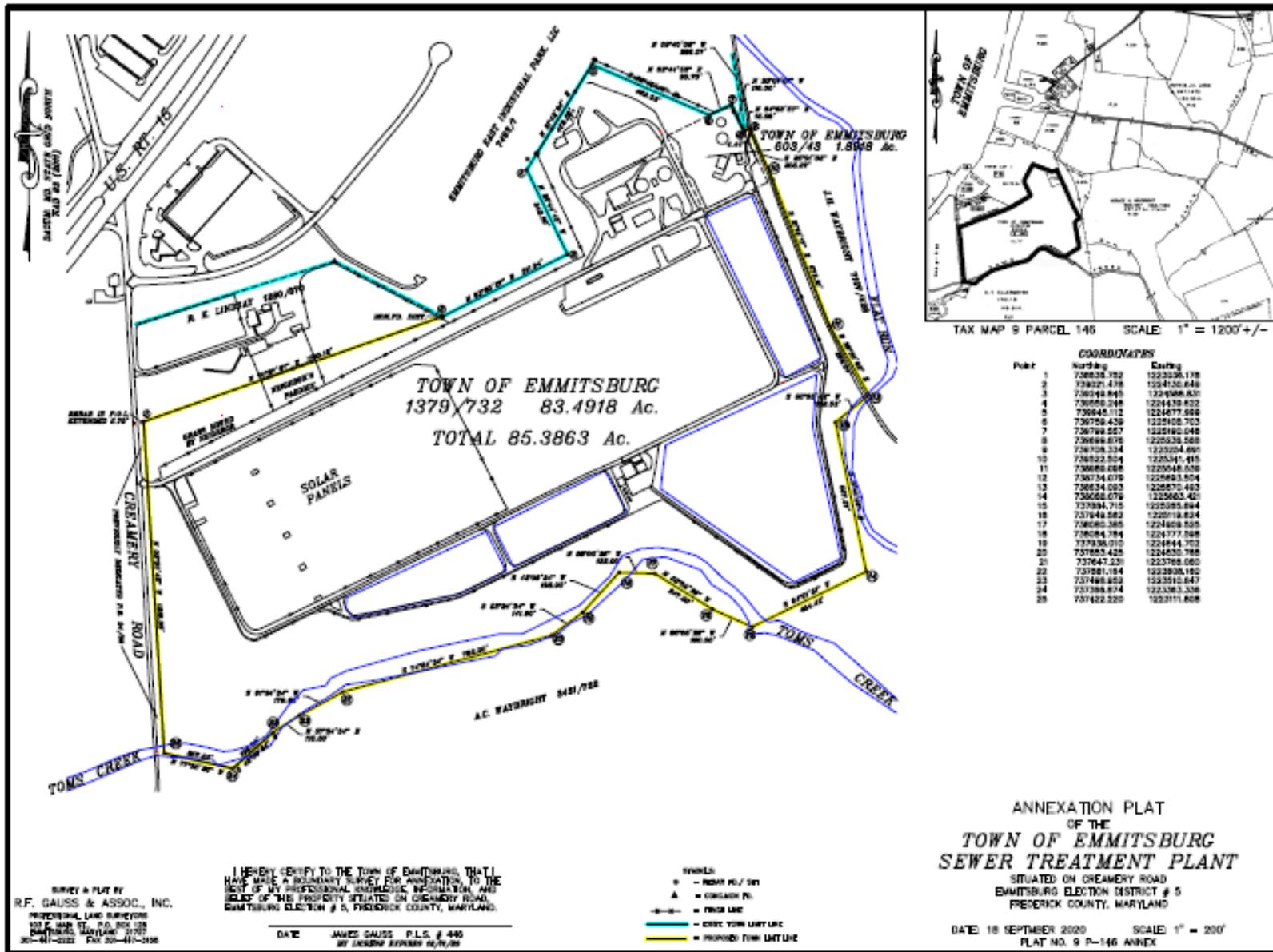
**Compensation Study Completed By:**

William H. Benner Jr. MPA, CCP  
President & Principal  
WW Consulting, Inc.  
“Leading & Coaching for Exceptional Outcomes”  
HR Consulting, Leadership Development, Coaching,  
Training, & Compensation & Classification

**AGENDA ITEM# 3. Introduction of the WWTP annexation resolution, adoption of the annexation plan, and schedule a public hearing for November 2, 2020 at 7:30 PM for consideration:** Presentation at meeting by town staff.

**On the following pages:**

1. Annexation Plat
2. Resolution
3. Annexation Plan



RESOLUTION: 2020  
RESOLUTION NO. 2020-11R

Page 1 of 5

**A RESOLUTION  
APPROVING THE ANNEXATION OF  
PARCELS 05-159040 AND 05-178231**

\*\*\*\*\*

**BE IT RESOLVED, ENACTED AND ORDAINED**, this 2<sup>nd</sup> day of November 2020, 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 annexation of Parcels 05-159040 and 05-178231 into the Town of Emmitsburg.

WHEREAS, the Town of Emmitsburg (the "Town") is authorized by the Town Charter and provisions of Title 4, Subtitle 4 of the Local Government Article of the Annotated Code of Maryland (the "Maryland Code") to expand its municipal boundaries by annexing lands which are adjoining and contiguous; and

WHEREAS, the property to be annexed will consist of two (2) parcels of land (Parcels 05-159040 and 05-178231) totaling 85.3863 acres, more or less, contiguous and adjoining to the existing southern and eastern corporate boundaries of the Town, and more particularly described herein below (the "Annexation Property") owned by the Town; and

WHEREAS, the Local Government Article, § 4-403 of the Maryland Code states that "[b]efore an annexation resolution is introduced, the legislative body shall obtain consent from: (1) at least 25% of the registered voters who are residents in the area to be annexed; and (2) the owners of at least 25% of the assessed valuation of real property in the area to be annexed . . . ."; and

WHEREAS the Annexation Property is currently owned by the Town has no residential dwellings and no residential occupants upon the premises or parcels owned and maintained by the Town therefore there are no qualified voters residing in the Annexation Property; and

WHEREAS, the Town as owner of the Annexation Property consents to the proposed annexation; and

WHEREAS, the Annexation Property is described in the metes and bounds legal description contained herein; and

WHEREAS, a proposed Annexation Plan consistent with the requirements of Section 4-415 of the Local Government Article, of the Annotated Code of Maryland has been prepared and submitted to the Town and made available for public review and discussion; a copy of the Annexation Plan has been provided to the County Executive of Frederick County, Frederick County Council, Frederick County Planning Commission, Metropolitan Washington Council of Governments, and the Maryland Department of State Planning at least thirty (30) days prior to the date of public hearing to be conducted on this Resolution; and

WHEREAS, all requirements of the Laws of the State of Maryland, Frederick County, and the Charter and laws of the Town of Emmitsburg regarding initiation of this annexation by the Town's legislative body have been satisfied, and the Town has determined that it is desirable to initiate by resolution the annexation process for the benefit of the Town.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE BOARD OF COMMISSIONERS OF THE TOWN OF EMMITSBURG the following:

Section 1. Modification of Town Boundaries. The municipal boundaries of the Town of Emmitsburg, Maryland, shall be and are hereby amended to incorporate into the Town of Emmitsburg the Annexation Property, as described in the metes and bounds legal description of parcels of land referenced herein below.

Section 2. Amendment of Town Charter. Pursuant to the authority of Article XI-E of the Constitution of Maryland and the Local Government Article of the Maryland Code, the Charter of the Town of Emmitsburg is hereby amended in Section 2 by adding the following subsection containing the metes and bounds description of the Annexation Property:

...

Section 2c. 2020 Annexation.

Beginning for the same at the end of the 13<sup>th</sup> line of resolution #2006-08R, said point being on the outline of the land conveyed by the Horace H. Waybright and Jeffrey H. Waybright unto the Town of Emmitsburg by deed dated 25 November 1986, and recorded among the land records of Frederick County in Liber 1379 Folio 732, thence as now surveyed by R.F. Gauss & Associates, Inc., Land Surveyors, and running with said land in part the following 19 courses and distances.

- (1) North 64° 58' 57" East 15.56' to a point, thence
- (2) South 25° 01' 03" East 205.07' to a point, thence
- (3) South 21° 13' 17" East 572.21' to a point
- (4) South 29° 36' 58" East 293.34' to a point in Flat Run, thence
- (5) South 50° 53' 42" West 158.52' to a point, thence
- (6) South 11° 41' 07" East 557.57' to a point, thence
- (7) South 64° 01' 51" West 464.42' to a point in Toms Creek
- (8) North 66° 05' 26" West 160.00' to a point, thence
- (9) North 58° 05' 26" West 132.00' to a point in said creek, thence
- (10) North 88° 05' 26" West 132.00' to a point in said creek, thence
- (11) South 42° 09' 34" West 198.00' to a point in said creek, thence
- (12) South 53° 24' 34" West 141.90' to a point in said creek, thence
- (13) South 74° 54' 34" West 792.00' to a point in or near said creek, thence
- (14) South 61° 24' 34" West 179.85' to a point in or near said creek, thence
- (15) South 57° 24' 34" West 115.50' to a point in said creek, thence
- (16) South 48° 09' 34" West 198.00' to a point in or near said creek, thence
- (17) North 77° 35' 26" West 257.55' to a point in said creek, said point being on the right of way line of Creamery Road as shown on Plat Book 34 Page 36, thence with said right of way line.
- (18) North 03° 33' 48" West 1216.88' to a point on said right of way line, said point being North 70° 37' 57" East 5.79' from a rebar found at the southwest corner of Lot 1 Swomley Divison, as shown in Plat Book 16 Page 24, thence leaving said right of way line and running with said Lot 1.
- (19) North 70° 37' 57" East 1160.12' to a broken concrete monument found a the southeast corner of said Lot 1, said point being at the end of the 20<sup>th</sup> line of said resolution.

Section 3. Application of Town Charter and Ordinance. Upon the effective date of this Resolution, the provisions of the Charter and Code of Ordinances of the Town of Emmitsburg, and any local public laws enacted or to be enacted affecting the Town of Emmitsburg, shall be effective within the Annexation Property except to the extent that any law, this Resolution or the Annexation Plan provides otherwise.

Section 4. Zoning Classification. The Annexation Property is under the land use jurisdiction of the Frederick County Planning Commission. The Annexation Property is currently zoned Agricultural pursuant to the County Zoning Ordinance. Subject to the appropriate laws and administrative requirements, the Annexation Property shall be zoned to the Town's Institutional zoning classification. In the event that the Town's Institutional zoning classification for the Property permits a land use substantially different from the use for the land specified in the zoning classification in effect at the time of the Annexation, the Town will cooperate in all regards and make all reasonable efforts to secure approval of said requested zoning classification and the requested annexation, including seeking the grant of a waiver of zoning consistency from Frederick County, if required.

Section 5. Annexation Plan. The Town has prepared an Annexation Plan with regard to the Annexation Property. The Annexation Plan is attached hereto as Exhibit A, but is not part hereof and the Town reserves the right to amend the Annexation Plan prior to final adoption of this Resolution in a manner consistent with Local Government Article, Section 4-415 of the Maryland Code. The Annexation Plan may not be construed in any way as an amendment to this Resolution. A copy of the Annexation Plan has been provided to the County Executive of Frederick County, Frederick County Council, Frederick County Planning Commission, Metropolitan Washington Council of Governments, and the Maryland Department of State Planning at least thirty (30) days prior to the date of the public hearing conducted by the Mayor and Commissioners on this Resolution.

Section 6. Public Hearing and Public Notice. A public hearing, as required by the provisions of Local Government Article, Section 4-406 of the Maryland Code, shall be held by the Town at a time to be determined by the Mayor and Commissioners, and duly advertised according to the provisions of that statute. Public notice of the proposed public hearing shall be given at least four (4) times, at no less than weekly intervals, in a newspaper of general circulation in Emmitsburg, Maryland, the last day of which public notice shall precede the public hearing by at least fifteen (15) days, all in accordance with the provisions of Section 4-406 of the Local Government Article of the Maryland Code.

Upon the first publication of the public notice a copy thereof, including exhibits, shall be provided to:

- (a) the County Executive of Frederick County,
- (b) Frederick County Council,
- (c) Frederick County Planning Commission,
- (d) Metropolitan Washington Council of Governments, and
- (e) the Maryland Department of State Planning.

Section 7. Registration of Boundaries. Within ten (10) days of the effective date of this Resolution, in accordance with the provision of the Local Government Article, Sections 4-414 and 4-308 of the Maryland Code, the Mayor, or his designee, shall promptly forward a copy of this Resolution with the new municipal boundaries to the Town Clerk, the Clerk of the Circuit

Court for Frederick County, Maryland, and to the Maryland Department of Legislative Services. Each such official or agency shall hold this Resolution with the new municipal boundaries on record and available for public inspection.

Section 8. Effective Date. This Resolution shall be deemed “finally enacted” on the date on which the Mayor and Commissioners indicate their approval of the Resolution by affixing their signatures hereto. This Resolution shall become effective forty-five (45) days after final enactment, unless it is subject to a petition for referendum by at least 20% of the qualified voters of the municipality, whereas should said petition come to pass and be verified to be in compliance with law, the Mayor shall suspend this Resolution by proclamation pending the results of the referendum.

**NOW, THEREFORE, BE IT HEREBY** enacted this 2<sup>nd</sup> day of November, 2020 by the Mayor and Board of Commissioners, that Resolution Number 2020 – 11R is true, correct, and duly adopted by the Mayor and Board of Commissioners of the Town of Emmitsburg.

**PASSED** this 2<sup>nd</sup> day of November, 2020

by a vote of \_\_\_\_\_ for, \_\_\_\_\_ against, \_\_\_\_\_ absent, and \_\_\_\_\_ abstain.

ATTEST:

EMMITSBURG BOARD OF COMMISSIONERS:

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

\_\_\_\_\_  
Clifford L. Sweeney, President

\_\_\_\_\_APPROVED \_\_\_\_\_VETOED

this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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

**Town of Emmitsburg  
Annexation Plan  
16707 Creamery Road (Parcel 05-159040)  
16715 Creamery Road (Parcel 05-178231)**

**In accordance with Local Government Article, §4-415, Annexation Plan Requirements, the legislative body of the municipality shall prepare, adopt, and make available to the public a plan detailing:**

**1. A description of the land use pattern proposed for the areas to be annexed.**

- Both areas to be annexed are owned by the Town of Emmitsburg (Town), and they are the locations of the Town's previous and current Waste Water Treatment Plant (WWTP). 16707 Creamery Road (Parcel 05-159040) consists of 1.8918 acres, and it was the location of the Town's previous WWTP. 16715 Creamery Road (Parcel 05-178231) consists of 83.4918 acres, and it is the location of the Town's solar field and current WWTP.
- In accordance with the Town's 2015 Comprehensive Plan and the current use of the parcels, the properties are proposed to be zoned as Institutional once annexed. The current land use pattern of the parcels will remain the WWTP and solar field uses. The only proposed change being considered is planting approximately 11 acres of trees on 16715 Creamery Road in order to meet restoration requirements of the Town's federal and state mandated National Pollutant Discharge Elimination System (NPDES) permit.

**2. The schedule to extend each municipal service performed in the municipality at the time of the annexation to the area to be annexed.**

- **Sewer** – The areas are currently connected to the Town's sewer system. No extension of services is required.
- **Water** – The areas are currently connected to the Town's water system. No extension of services is required.
- **Roads** – The area's roads are currently maintained by the Town's Department of Public Works. No extension of services is required.
- **EMS / Fire / Police** – The areas are currently served by the Vigilant Hose Company for fire and EMS and the Frederick County Sherriff's office for police services. No extension of services is required.
- **Schools** – Since the area's current use will not change, the school system will not be utilized. No extension of services is required.

- **Libraries** - Since the area's current use will not change, the library system will not be utilized. No extension of services is required.
  - **Recreation** - Since the area's current use will not change, the recreation system will not be utilized. No extension of services is required.
- 3. The general methods by which the municipality anticipates financing the extension of municipal services to the area to be annexed.**
- Since municipal services will not be extended, financing will not be required.
- 4. Demonstrate the available land for public facilities that may be considered reasonably necessary for the proposed use, including facilities for schools, water, or sewage treatment, libraries, recreation, fire, or police services.**
- Since the use of the areas to be annexed will not change, land for additional municipal facilities is not necessary.
- 5. The annexation plan shall be consistent with the municipal growth element of the comprehensive plan of the municipality.**
- The annexation of these areas is consistent with the growth element goals of the Town's previous 2009 Comprehensive Plan and current 2015 Comprehensive Plan (Plan).
  - Page 3-4 of the Plan shows the Emmitsburg Growth Boundary Suggested Land Use Designations, and the proposed areas to be annexed are within the growth boundary. The suggested land use designation of these areas is the Institutional zone.
  - Page 3-4 of the Plan states that the WWTP parcels have been included in the growth boundary to create continuity for proposed annexations of adjacent properties and to match the County growth area map.
  - The proposed areas to be annexed are also located in the 2010 Frederick County Comprehensive Plan's Community Growth Boundary.

**AGENDA ITEM# 4. For consideration, distribution of the remaining Small Business Grant monies to the EBPA and the Main St. Affiliate Program.**

The Town issued 13 small business grants in the amount of \$1,000 each for a total of \$13,000.

Currently, the Town has \$17,000 leftover.

**Mayor and Staff Recommendation:** Mayor and Town staff recommend dividing the remainder up equally between the EBPA and future Main Street Affiliate program, in the amount of \$8,500 each.

**AGENDA ITEM# 5. For consideration, the approval of contractor to install new sidewalk on West Lincoln in the area of the Community Pool: Presentation at town meeting by staff.**

**Staff Recommendation:** Staff recommends awarding the bid to Lion's Contractors, Inc. in the amount of \$33,790.

Proposal		Page No.	of	Pages	
 <p><b>LION CONTRACTORS, INC.</b> 3169 Caveat Court Mt. Airy, MD 21771 PH: 301-330-9071 FAX: 301-330-2189 Licensed By M.H.I.C. #12297 (410) 230-6309 Concrete Construction • Landscape Services • Snow Removal</p>					
PROPOSAL SUBMITTED TO	Stev Fox	PHONE	301.447.2162	DATE	9/2/2020
STREET	300 A. S. Seton Av.	JOB NAME	Sidewalk replacement		
CITY, STATE and ZIP CODE	Emmitsburg Md. 21727	JOB LOCATION	out door Pool		
ARCHITECT	-	DATE OF PLANS	-	JOB PHONE	Same -
We hereby submit specifications and estimates for: <u>Concrete</u> :					
To: Remove and Replace <sup>to</sup> Approx. 180' <sup>for 4"</sup> at a depth Not to exceed 4" thick sidewalk					
Approx 180' of (top of connecting curb) 5" <sup>high</sup> x 6" <sup>wide</sup>					
<u>Inclusions:</u>		<u>Condition</u>			
- Equipment to perform above work	- Haul off all concrete & dump	- poly vapor barrier and wire mesh	- 6 Bag - 4000 P.S.I. Concrete	- Expansion and control joints	
- Power compaction	- Curing compound	- Saw cutting	- Form work	- All Labor	
- Work to start at apron and end at fence line	- Contract Price includes: Soil removal and/or installation, mulch and grass work, permits protection, manhole and water lid work, Rebar and/or wire mesh removal, asphalt work, ice and chisel work in concrete	- Owner to locate any and all utilities that will affect our work	- Water and electric on sight for use	- All work to be performed at approx same elevations	
- The contract price is based on one trip to the job and is good till 11/1/2020					
<p><b>We Propose</b> hereby to furnish material and labor — complete in accordance with above specifications, for the sum of: <u>Three thousand seven hundred ninety and 00/100 (\$33790.00)</u> (original - 33800, excitem - 1500, extra - 400 dollars (\$33790.00))</p> <p>Payment to be made as follows:  <input checked="" type="checkbox"/> \$11,000 down; and <input checked="" type="checkbox"/> \$22,790.00 upon completion.</p>					
<p>All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.</p>		Authorized Signature	<p>Note: This proposal may be withdrawn by us if not accepted within <u>11</u> days.</p>		
<p><b>Acceptance of Proposal</b> — The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.</p>		Signature			
Date of Acceptance:		Signature			

A. Heltzel & Sons Contracting, LLC  
5689 Prospect Hill Road  
Spring Grove, Pa 17362  
717-688-1381 or 717-965-4764

**PROPOSAL for turn down walk a long Lincoln Ave.**

DATE: May 7, 2019  
  
**SUBMITTED TO:**  
Dan Fissel  
300A S. Seton Avenue  
Emmitsburg, MD 21727

Name of Project:  
Emmitsburg, MD  
Walk at Lincoln Ave.

**Scope of Work**

1 Remove up to 400 feet of sidewalk and 400 feet of curb and gutter. Reinstall 400 feet of 4" sidewalk with a monolithic curb. Stone backfill along curb and roadwayway. Place stone on walk subgrade as needed. No asphalt work is figured. No import of soil for grading is figured.	\$34,450.00
--	-------------

**TOTAL = \$34,450.00**

Repair at driveway from water repair - \$2350.00 *ahw*

**NOTE** There is one mobilization figured for this work.

**EXCLUSIONS**

Undercutting, aggregate base material, engineering layout, testing, permits, bonds.

**PAYMENT TERMS**

Paid in full with in 2 weeks of invoice. Unless other agreement is made with A. Heltzel and Sons.

*Tim Heltzel*

Tim Heltzel

Accepted:

Date:

*[Signature]*  
05/19/19 Town Manager



**M. SET AGENDA FOR NEXT MEETING: OCTOBER 5, 2020**

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

***Administrative Business:***

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