

**MEETING MINUTES  
NOVEMBER 18, 2020  
VIRTUAL TOWN MEETING  
EMMITSBURG TOWN OFFICE**

**Present:** *Elected Officials* - Mayor Donald Briggs; Commissioners: Clifford Sweeney, Vice President; TJ Burns, Treasure; Joseph Ritz III; and Frank Davis. *Staff Present* - Cathy Willets, Town Manager; Madeline Shaw, Town Clerk; Zachary Gulden, Town Planner; and Amy Naill, Parking and Code Enforcement Officer. *Others Present* – Leslie Powell, Town Attorney. **Absent:** Timothy O'Donnell, President.

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**I. Call to Order**

Commissioners Ritz III, Davis, Burns and town staff Cathy Willets and Zachary Gulden and Town Attorney Leslie Powell joined the meeting via the zoom teleconferencing platform. A quorum being present, Commissioner Clifford Sweeney, Vice President of the Board of Commissioners, called the November 18, 2020 town meeting to order at 7:30 p.m. Pledge of Allegiance was recited. President Sweeney announced the need for a closed executive session as permitted by the General Provisions Article, Section 3-305(b)(7), Annotated Code of Maryland to obtain legal advice after public comment. Upcoming meetings were announced. The Board discussed if the December 7, 2020 Christmas tree lighting ceremony should be canceled due to the COVID-19 virus. The Board gave unanimous consent to proceed with the event and encourage attendees to adhere to COVID guidelines.

**A. Public Comments**

None.

**B. Agenda Items**

Agenda #1 – Closed executive session to obtain legal advice regarding the Town's continuing obligations with respect to the construction of, operation of and additions to, the East Emmitsburg Industrial Park waste water facilities.

Agenda #2 – Closed executive session to obtain legal advice regarding certain sanitary sewer overflows during rain events and communications with the Maryland Department of the Environment regarding same.

*Motion:* Commissioner Ritz III motioned to close the November 18, 2020 town meeting at 7:47 p.m. for a closed Executive Session to consult with counsel to obtain legal advice regarding the Town's continuing obligations with respect to the construction of, operation of and additions to, the East Emmitsburg Industrial Park waste water facilities; and to obtain legal advice regarding certain sanitary sewer overflows during rain events and communications with the Maryland Department of the Environment regarding same as permitted by the General Provisions Article, Section 3-305(b) Item 7; second by Commissioner Burns. Yeas – 4; Nays – 0; Absent – 1. The president declared the motion passed.

The Board entered into a closed session at 7:47 p.m. via the zoom teleconferencing platform. The Board reconvened in an open session at 8:37 p.m.

**C. Set Next Town Meeting Agenda for December 8, 2020**

The December 8, 2020 town meeting agenda has one modification, the addition of a sixth agenda item: consideration of closure of Irishtown Road and detour plan during road improvement construction.

**II. Adjournment**

With no further business, Commissioner Burns motioned to adjourn the November 18, 2020 town meeting; second by Commissioner Ritz III. Yeas – 4; Nays – 0; Absent – 1. The meeting adjourned at 8:40 p.m.

Respectfully submitted,



Madeline Shaw, Town Clerk

Approved On: December 8, 2020

**CLOSED EXECUTIVE SESSION SUMMARY  
EMMITSBURG TOWN OFFICE  
NOVEMBER 18, 2020**

**Time Closed Session Began:** 7:48 p.m.

**Place of Closed Session:** Due to COVID-19, virtual via Zoom teleconferencing platform.

**Purpose:** To consult with counsel to obtain legal advice.

**Members Who Voted to Meet in Closed Session:** Commissioners: Clifford Sweeney, Joseph Ritz III, T.J. Burns and Frank Davis.

**Persons Attending Closed Session:** Commissioners: Clifford Sweeney, Joseph Ritz III, Frank Davis and T.J. Burns. Staff Present: Cathy Willets, Town Manager; Zachary Gulden, Town Planner; Madeline Shaw, Town Clerk; and Amy Naill, Parking and Code Enforcement. Others Present: Leslie Powell, Town Attorney.

**Authority Under § 3-305 for the Closed Session:** Item seven (7), consult with council to obtain legal advice.

**Topics Actually Discussed:** Legal advice given by town attorney regarding the Town's continuing obligations with respect to the construction of, operation of, and additions to the East Emmitsburg Industrial Park and Town's waste water treatment plant. And legal advice given regarding certain sanitary sewer overflows during rain events and communications with the Maryland Department of the Environment regarding same.

**Actions Taken:** For agenda item one, the Board requested another closed session once a response letter is received from the Emmitsburg East Industrial Park owner. For agenda item two, the Board authorized the town attorney and Mayor Briggs the ability to settle with Maryland Department of the Environment if needed.

**Time Closed Session Ended:** 8:37 p.m.