

**MINUTES  
TOWN MEETING  
DECEMBER 7, 2021  
TOWN OFFICE – 300A SOUTH SETON AVENUE**

**Present:** *Elected Officials* - Mayor Donald Briggs; Commissioners: Timothy O'Donnell, President; Clifford Sweeney, (arrived late with prior notice), Vice President; T.J. Burns, Treasurer, and Joseph Ritz III.

*Staff Present* - Cathy Willets, Town Manager; Amy Naill, Code Enforcement Officer and acting Recording Secretary. Cole Tabler, Town Accountant; and Zachary Gulden, Town Planner. *Others Present* – Deputy Ben Whitehouse, Michelle Mills, CPA and Addie Blickenstaff, Senior Auditor, both with DeLeon and Stang.

**Absent:** Commissioner Frank Davis with prior notice.

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**I. Call to Order**

A quorum being present, Commissioner Timothy O'Donnell, President of the Board of Commissioners, called the December 7, 2021 town meeting to order at 7:30 p.m. Pledge of Allegiance was recited. Upcoming meetings were announced. By unanimous consent the scheduled Monday, January 3, 2022 was moved by the Board of Commissioners to Tuesday January 11, 2022.

**Approval of Minutes**

*Motion:* Commissioner Clifford Sweeney motioned to accept the November 1, 2021 town meeting minutes as presented; with the contingency that the language related to Agenda Item # 5 will be reviewed in the January 11<sup>th</sup> Town Meeting, second by Commissioner T. J. Burns. Yeas – 4; Nays – 0; Absent – 1. The motion passed.

**Police Report:**

Deputy Ben Whitehouse presented the police report from November 2021 (exhibit attached).

**Town Managers Report:**

Cathy Willets, Town Manager, presented the Manager's Report from October 2021 (exhibit in agenda packet).

**Town Planners Report:**

Zachary Gulden, Town Planner, presented the Planner's Report from October 2021 (exhibit in agenda packet).

**Commissioner Comments:**

- Commissioner Burns: He thanked the 55 people that came out for the Turkey Trot and mentioned that over \$1000.00 was raised for the Emmitsburg Food Bank.
- Commissioner Ritz III: He thanked staff for the Christmas decorations on North Seton Avenue.
- Commissioner Sweeney: Mentioned that the Town looked nice especially North Seton Avenue due to the Christmas decorations.
- Commissioner O'Donnell: Mentioned at the January meeting he will be giving an update on the red trail. Also mentioned an upcoming closed session scheduled for either the second or third week of January.

**Mayor's Comments:**

Mayor Briggs attended numerous meetings in November 2021 (meetings listed in agenda packet). Mayor Briggs mentioned the birth of a daughter to Maddy and Tyler Shaw. He thanked Staff for a \$98,000 grant for a tag reader, which will benefit the Town.

**Public Comments:**

*Kevin Hagan, 1304 Huntley Circle, Emmitsburg, MD 21721* –He mentioned in the results of the 2020 census, the Town population decreased by 1.6%, but the total housing units increased. He wanted to get the board's opinion on the plans going forward. Commissioner Burns mentioned the decrease in population is due to resident's children growing up and moving away. Commissioner O'Donnell mentioned the consolidation of the Daughters of Charity and their facility. Mariela Roca, *no address given*, stated she will try to be at the January Town Meeting. She also made the audience aware that she is running for congress in Maryland's 8<sup>th</sup> Congressional District and looks forward to meeting everyone.

**Administrative Business:**

- (A). **Free holiday metered parking for consideration:** Ms. Willets recommends free holiday metered parking from Friday, December 10, 2021 until Monday, January 3, 2022. Any meter money collected during this time would be donated equally between, The friends of the Emmitsburg Library, the Lion's Club and the Emmitsburg Food Bank. *Motion:* Commissioner Ritz III motioned to accept the free holiday metered parking as presented; second by Commissioner Burns. Yeas – 4; Nays -0. Absent – 1. The motion passed.

**Consent Agenda:**

The Board approved the resignation of Ron Lind as of October 12, 2021. The Board approved the appointment of Levi Esses to the Board of Appeals for the term of December 7, 2021 to February 17, 2023. Commissioner O'Donnell abstained from this vote. The Board approved the appointment of Scott Frager as an alternate member of the Board of Appeals for a term of December 7, 2021 to January 11, 2024.

**Treasurer's Report:**

Commissioner Burns presented the Treasurer's Report for November 2021 (exhibit in agenda packet). The operating balance forward is \$7,603.602.

**Planning Commission Report:**

No Report, no meeting was held in November.

**II. Agenda Items**

Agenda #1 – Audit Presentation by Michele Mills, CPA: The presentation was given by Michele Mills, CPA and Addie Blickenstaff, Senior Auditor, both with DeLeon and Stang. The fiscal year 2021 audit was completed, and there were no significant problems identified. There were two material adjustments that were identified and corrected by management. There was one deficiency identified. This was a finding concerning internal controls over vendor payments. The recommendation by the auditors was that the Town review its current "Resident" vendor policies, and make changes, so that payments can be tracked properly. In response, Town Staff is implementing a policy to set up a separate vendor if it is known that the person /entity is to be used more than once and/or in the amount of \$600 or above (once or in total). The Office Manager will then be distributing the check.

Agenda #2 – Approval of a stormwater management and water/sewer deed of easement with Village Liquors & Plaza Inn and authorize Mayor to sign on behalf of the Town for consideration: Mr. Gulden presented the agenda item. He explained these easements are necessary for Staff and work crews to have access to these facilities located on the property. *Motion:* Commissioner Burns motioned the approval of a stormwater deed of easement with Village Liquors & Plaza Inn, and authorize the Mayor to sign on behalf of the Town as presented; second by Commissioner Ritz III. Yeas – 4; Nays – 0. Absent – 1. The motion passed. *Motion:* Commission Burns motioned the approval of the water/sewer deed of easement with Village Liquors & Plaza Inn and authorized the Mayor to sign on behalf of the Town as presented; second by Commissioner Ritz III. Yeas – 4; Nays -0. Absent 1. The motion passed.

Agenda #3 – Approval of the Town of Emmitsburg Addition Plat for 2 Creamery Road for consideration: Mr. Gulden presented the agenda item. He explained the project consists of combining the parcel that is 9.5314 acres with a parcel that is 0.4874 acres to create a new lot that consists of 10.188 acres in order for the new pump station to meet current day zoning setbacks. *Motion;* Commissioner Burns motioned the approval of the Town of Emmitsburg's addition plat for 2 Creamery Road as presented; second by Commissioner Sweeney. Yeas – 3; Nays – 0. Absent 1. Commissioner Ritz III abstained due to voting on this agenda item previously at a Planning Commission Meeting. The motion passed.

Agenda #4 – Approval of a confirmatory/road dedication deed for the pump station project located at 2 Creamery Road and authorize Mayor to sign on behalf of the Town for consideration: The agenda item was presented by Mr. Gulden. He explained since we have created a new lot, we need to create a new deed and road dedication. *Motion:* Commissioner Sweeney motioned the approval of a confirmatory/road dedication deed for a 2 Creamery Road and authorize the Mayor to sign on behalf of the Town; second by Commissioner Burns. Yeas – 3, Nays – 0. Absent 1. Commissioner Ritz III abstained due to voting on this agenda item previously at a Planning Commission Meeting. The motion passed.

Agenda # 5 – Approval of bid to complete a water rate, sewer rate and tap fee study for consideration: Ms. Willets presented the agenda item. She mentioned that USDA advised us that they would be unable to provide us with any additional water infrastructure funding until our rates can sustain the cost of our yearly maintenance on the water system. She mentioned the project was bid out, and the Town received three bids the Staff recommends NewGen Strategies & Solutions for \$35,000.00. *Motion:* Commissioner Burns motioned the approval of NewGen Strategies and Solutions to complete a water rate, sewer rate and tap fee study for the cost of \$35,000.00; second by Commissioner Ritz III. Yeas – 4, Nays – 0. Absent – 1. The motion passed.

Agenda #6 – Set sale price for 303 West Lincoln Avenue for consideration: Discussed the appraisal amount of \$625,000. The appraisal was conducted by Michael P. Pugh. Per Ms. Willets, the intent is to set the price, but not list it in order to give the Town the ability to negotiate with the tenant. The board had some discussion concerning the uses of the property, and after the property is sold, where the money should be applied. The Mayor mentioned this is a time sensitive matter. *Motion:* Commissioner Burns motioned the that the sale price of \$625,000 be set for 303 West Lincoln Avenue; second by Commissioner Sweeney. Yeas – 4, Nays -0. Absent – 1. The motion passed.

### **Set Agenda Items for January 11, 2021 Town Meeting**

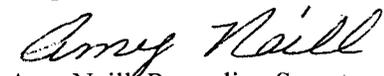
**Agenda Items:** (1.) Approval of Mayor entering into a real estate listing agreement for the purpose of selling 303 West Lincoln Avenue for consideration. (2.) Discussion related to second water meter irrigation proposal. (3.) Set sale price for three acres at Waste Water Treatment Plant. (4.) Approval of the sewer connection with 502 East Main Street and authorize Mayor to sign on behalf of the Town for consideration. (5.) For discussion and consideration Policy 20-01 Ballfield Reservation Fees. **Administrative Business:** (A.) Proclamation thanking Joyce Rosensteel for her service to the Town of Emmitsburg. (B.) Update on multi-user trail and RTP (Recreational Trail Program) grant application. **Consent Items:** (I.) Appointment of Kevin Hagan as a regular member of the Planning Commission with a term of January 18, 2022 – January 18, 2027 for consideration. (II.) Appointment of “person” as an alternate to the Planning Commission with a term of January 18, 2022 – January 18, 2027 for consideration. (III.) Accept resignation of Dr. Bernard Franklin from the Planning Commission effective December 10, 2021 for consideration. (IV.) Appointment of “person” as a regular member of the Planning Commission with a term of December 10, 2021 – July 2, 2022 for consideration. *Motion:* Commissioner Ritz III motioned to approve the agenda for the January 11, 2022 town meeting as presented; second by Commissioner Burns. Yeas – 4; Nays – 0. The motion passed.

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

#### **IV. Adjournment**

With no further business, Commissioner Sweeney motioned to adjourn the December 7, 2021 town meeting; second by Commissioner Burns. Yeas – 4; Nays - 0. The meeting adjourned at 10:08 p.m.

Respectfully submitted,



Amy Nail, Recording Secretary

Minutes Approved On: January 11, 2022