



# Town of Emmitsburg

Mayor Donald N. Briggs

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

**Town Manager**  
Cathy Willets

**Town Clerk**  
Julie Scott

**TOWN MEETING AGENDA PACKET  
TOWN OFFICE – 300A SOUTH SETON AVENUE  
MONDAY, MARCH 7, 2022 – 7:30 P.M.**

**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. FUTURE MEETINGS**

*Planning Commission Meeting: Monday, March 28, 2022 at 7:00 p.m. (Town Office & Zoom)*

*Town Council Meeting: Monday April 4, 2022 at 7:30 p.m. (Town Office & Zoom)*

**4. MEETING ITEMS**

A. APPROVE MINUTES: February 7, 2022

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). Update on 507 East Main Street being deemed a dangerous and hazardous building

I. CONSENT AGENDA

- Accept resignation of Levi Essess from the BOA effective January 12, 2022.
- Appoint Scott Frager as a regular member of the Board of Appeals with a term of March 7, 2022 through February 17, 2023.
- ~~Appoint \_\_\_\_\_ as an alternate to the Board of Appeals with a term of March 7, 2022 through January 11, 2024. (POSTPONED)~~

J. TREASURER'S REPORT

K. PLANNING COMMISSION REPORT

L. AGENDA ITEMS (DETAILS ATTACHED)

- (1) Stormwater Utility Feasibility Study presentation and final recommendation – presentation by staff and the University of Maryland.
- (2) Approval of bid for the purchase and installation of advanced license plate readers for consideration.
- (3) Approval of the design of the new town sign for consideration.
- (4) Approval of bid to pave gravel area in Memorial Park for consideration.

M. SET AGENDA FOR NEXT MEETING: April 4, 2022

**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 • www.emmitsburgmd.gov

**ZOOM MEETING ACCESS INFORMATION:**

Town of Emmitsburg is inviting you to a scheduled Zoom meeting.

Topic: Town Meeting: March 7, 2022

Time: Mar 7, 2022 07:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/83442523525>

Meeting ID: 834 4252 3525

Passcode: 21727

One tap mobile

+16465588656,,83442523525#,,,,\*21727# US (New York)

+13017158592,,83442523525#,,,,\*21727# US (Washington DC)

Dial by your location

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 834 4252 3525

Passcode: 21727

Find your local number: <https://us02web.zoom.us/j/83442523525>

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 [jscott@emmitsburgmd.gov](mailto:jscott@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 after (@Town of Emmitsburg).

**A. APPROVE MINUTES**

**MINUTES  
TOWN MEETING  
FEBRUARY 7, 2022  
TOWN OFFICE – 300A SOUTH SETON AVENUE**

**Present:** *Elected Officials* - Mayor Donald Briggs; Commissioners: Timothy O'Donnell, President; Clifford Sweeney, Vice President; T.J. Burns, Treasurer, Joseph Ritz III; and Frank Davis. *Staff Present* - Cathy Willets, Town Manager; Madeline Shaw, Town Clerk; Amy Naill, Code Enforcement Officer; and Zachary Gulden, Town Planner. *Others Present* – Deputy Ben Whitehouse; Deputy Paul Groves.

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**I. Call to Order**

Commissioner Burns and Town Clerk Ms. Shaw joined the meeting via the Zoom teleconferencing platform. A quorum being present, Commissioner Timothy O'Donnell, President of the Board of Commissioners, called the February 7, 2022 town meeting to order at 7:30 p.m. Pledge of Allegiance was recited. Upcoming meetings were announced.

**Approval of Minutes**

*Motion:* Commissioner Ritz III motioned to accept the January 11, 2022 town meeting minutes as modified; second by Commissioner Davis. Yeas – 5; Nays – 0. The motion passed.

**Police Report:**

Paul Graves introduced himself as the new Emmitsburg community deputy. Deputy Ahalt presented the police report from January 2022 (exhibit attached).

**Town Managers Report:**

Cathy Willets, Town Manager, presented the Manager's Report from December 2021 (exhibit in agenda packet). Commissioner Burns joined the meeting in-person at 7:55 p.m.

**Town Planners Report:**

Zachary Gulden, Town Planner, presented the Planner's Report from December 2021 (exhibit in agenda packet). The Board discussed tap fees for a new residential dwelling. Commissioner Davis and Ritz III expressed a desire to formally review and update the tap fees in the future.

**Commissioner Comments:**

- Commissioner Burns: He explained there are many discussions occurring about future growth of the Town and he looks forward to the outcomes of those discussions.
- Commissioner Davis: None.
- Commissioner Ritz III: He thanked the Frederick News Post and Emmitsburg News Journal for attending the town meeting.
- Commissioner Sweeney: None.
- Commissioner O'Donnell: He has been interacting with the town attorney and town staff regarding zoning procedures and improving the process. He also attended meetings with the Library and Community Heritage Day planning committee.

**Mayor's Comments:**

Mayor Briggs attended numerous meetings in January 2022 (meetings listed in agenda packet). Mayor Briggs had meetings with: County Executive Gardner and other Mayors/Burgesses; Timothy Trainor, Mount St. Mary's president, regarding a graduate school in Town; and interviews with candidates for town clerk and office coordinator.

**Public Comments:**

*Eric Sloane, East Main Street* – Mr. Sloane requested the Town install street lights on the new MD140 bridge over Flat Run to improve safety at night. Town staff is currently searching for a grant to fund the project.

**Administrative Business:**

None.

**Consent Agenda:**

Mr. Gulden presented the filing of the 2021 Planning Commission Report, which is required by the State. The report summarizes the actions taken by the Planning Commission during 2021. The report has been approved by the Planning Commission but the Board needs to acknowledge receipt before the report can be filed. *Motion:* Commissioner Sweeney motioned to approve the filing of the 2021 Planning Commission Report; second by Commissioner Burns. Yeas – 4; Nays – 0; Abstained – 1 (Ritz III). The motion passed. Commissioner Ritz III abstained because he already voted on the report at the Planning Commission meeting.

**Treasurer's Report:**

Commissioner Burns presented the Treasurer's Report for January 2022 (exhibit in agenda packet).

**Planning Commission Report:**

Commissioner Ritz III presented the report. The Commission last met on January 31, 2022 where the 2022 chair, vice-chair and secretary positions were elected and the 2021 Planning Commission Report was approved.

**II. Agenda Items**

Agenda #1 - Forward zoning map amendment application for Lots C and D as shown on the Final Plat of Section 1 – Plat 1 Parcels "C", "D" & "E" of Brookfield recorded in Plat Book No. 58, Page 40 to the Planning Commission and set public hearing and final vote for April 4, 2022 for consideration: Mr. Gulden presented the agenda item for informational purposes only. The application is being presented to the Planning Commission on March 28, 2022 at 7:00 p.m. and will come back to the Board with the Planning Commission recommendations and a public hearing on April 4, 2022 at 7:30 p.m. The final vote on the amendment will also occur on April 4, 2022. The public can provide comment at the March 28<sup>th</sup> and April 4<sup>th</sup> meetings.

Agenda #2 - Approval of bid to pour eight concrete slabs for ballfield bleachers for consideration: Ms. Willets presented the item. This project is being pursued as part of the Town's FY2022 Local Playgrounds and Infrastructure Grant. Eight total concrete slabs will be poured for ballfield bleachers in Myers Community Park and Memorial Park. The bid was published on January 4, 2022 with a due date of January 25, 2022. A total of 25 bids were received. Town staff recommends Frederick County Paving for \$14,325. *Motion:* Commissioner Sweeney motioned to approve Frederick County Paving's bid for \$14,325; second by Commissioner Burns. Yeas – 5; Nays – 0. The motion passed.

Agenda #3 - Approval of bid to construct and install seven bleachers for ballfields for consideration: Ms. Willets presented the item. This project is being pursued as part of the Town's FY2022 Local Playgrounds and Infrastructure Grant. Seven total outdoor aluminum five row 15-foot bleachers will be installed on the concrete pads poured in Myers Community Park and Memorial Park. The bid was published on January 4, 2022 with a due date of January 25, 2022. A total of 11 bids were received. Town staff recommends Green Sites, LLC for \$42,600. *Motion:* Commissioner Burns motioned to approve the Green Sites, LLC bid for \$42,600; second by Commissioner Ritz III. Yeas – 5; Nays – 0. The motion passed.

Agenda #4 - Approval of bid to pave gravel area in Memorial Park for consideration: Ms. Willets presented the item. This project is being pursued as part of the Town's FY2022 Local Playgrounds and Infrastructure Grant. The project would pave the gravel area in Memorial Park with 3-inch thick asphalt. The bid was published on January 4, 2022 with a due date of January 25, 2022. A total of 21 bids were received. Town staff recommends HMF Paving Contractors, Inc. for \$28,980. The contractor had excellent references.

*Motion:* Commissioner Ritz III motioned to approve the HMF Paving Contractors, Inc. bid for \$28,980; second by Commissioner Burns. Yeas – 5; Nays – 0. The motion passed.

Agenda #5 - FY2021 budget transfers to the capital projects fund for consideration: Ms. Willets presented the agenda item. Upon completion of the FY2021 audit the Town had additional revenues over expenses in the General Fund in the amount of \$371,917. These additional funds are now available for allocation within the General & Capital Projects Funds and town staff would like to use the money to balance negative line items and complete projects such as the stormwater management requirements, the Cedar Avenue storm drain project, GIS updates for mapping town water/sewer lines, building a new electronic message board for the town office, street paving, and constructing a new restroom/concession stand building in Community Park. *Motion:* Commissioner Sweeney motioned to approve the FY21 budget transfers as presented; second by Commissioner Ritz III. Yeas – 5; Nays – 0. The motion passed.

Agenda #6 - Approval of new employee hire for position of Town Clerk for consideration: Mayor Briggs presented the item. There were 115 applicants and none of the applicants had grant writing experience. Six of the applicants were interviewed. Mayor Briggs recommends Julie Scott as the new town clerk at \$30.29 an hour or \$63,003.20 per year. Ms. Scott had strong qualifications for the position. *Motion:* Commissioner Burns motioned to accept Julie Scott for the position of town clerk with an annual salary of \$63,003.20; second by Commissioner Sweeney. Yeas – 5; Nays – 0. The motion passed.

Agenda #7 - Approval of new employee hire for position of Office Coordinator for consideration: Mayor Briggs presented the item. There were 85 applications and none of the applicants had grant writing experience. Five candidates were interviewed. Mayor Briggs recommends Sabrina King as the new office coordinator at \$41,995.20 per year. *Motion:* Commissioner Burns motioned to accept Sabrina King for the position of office coordinator with an annual salary of \$41,995.20; second by Commissioner Sweeney. Yeas – 5; Nays – 0. The motion passed.

Agenda #8 - Approval of employee for new position part-time Grant Administrator for consideration: Ms. Willets presented the item. Since none of the applicants for town clerk or office coordinator had grant writing experience and the Town relies heavily of grants for the funding of various projects, Mayor Briggs had offered Madeline Shaw, prior town clerk, this new part-time position. The position will have a max of 16-20 hours per week. The grant administrator would be responsible for managing all Town grants except those that are assigned to other personnel. Ms. Shaw has an 82% success rate with grant writing and currently manages numerous grants for the Town. The position would be paid \$35 per hour with no benefits besides the ability to accrue time off. *Motion:* Commissioner Burns motioned to accept

Madeline Shaw for the new part-time grant administrator position; second by Commissioner Davis. Yeas – 5; Nays – 0. The motion passed.

Agenda #9 - Approval of pool management company for the 2022-2024 pool seasons for consideration: Ms. Willets presented the item. The bid was published on November 16, 2021 and bids were due January 10, 2022. The bid was advertised as the Town Code requires and also emailed to 12 potential pool management companies. One total bid was received by RSV Pools, Inc. with a bid price of \$65,952 for 2022, \$67,848 for 2023 and \$70,980 for the 2024 pool season. RSV Pools, Inc. has been managing the Town pool the past few years. The price increase is due to rising minimum wage, chemical prices and unemployment insurance. The Board would like to see pool management staff wear their uniforms while working. *Motion:* Commissioner Ritz III motioned to approve the RSV Pools, Inc. bid as presented; second by Commissioner Burns. Yeas – 5; Nays – 0. The motion passed.

### **Set Agenda Items for March 7, 2022 Town Meeting**

**Administrative Business:** (A.) Update on 507 East Main Street being deemed a dangerous and hazardous building. **Consent Items:** (I.) Accept resignation of Levi Essess from the BOA effective January 12, 2022. (II.) Appoint Scott Frager as a regular member of the Board of Appeals with a term of March 7, 2022 through February 17, 2023. (III.) Appoint \_\_\_\_\_ as an alternate to the Board of Appeals with a term of March 7, 2022 through January 11, 2024. **Agenda Items:** (1.) Stormwater Utility Feasibility Study presentation and final recommendation – presentation by staff and the University of Maryland. (2.) Approval of new employee for the position of water and sewer operator trainee for consideration. (3.) Approval of bid for the purchase and installation of advanced license plate readers for consideration. (4.) Approval of contract for purchase of new town sign not to exceed \$55,0000 for consideration. *Motion:* Commissioner Sweeney motioned to approve the March 7, 2022 town meeting agenda as presented; second by Commissioner Burns. Yeas – 5; 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 February 7, 2022 town meeting; second by Commissioner Ritz III. Yeas – 5; Nays - 0. The meeting adjourned at 9:52 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  
January 2022  
Prepared by Cathy Willets**

Streets:

- Staff replaced and repaired some street signs around town.
- Staff conducted monthly street sweeping.
- Staff repaired and replaced some street lights.
- Staff conducted monthly storm drain inlet cleaning.
- Staff in for a couple of snow/ice events.
- Staff took down all holiday decorations from around Town.
- Staff installed new street light box on Timbermill Run and Wheatley Dr.
- Staff gave three rubber speedbumps to the Post Office.

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 removed speed pumps on Memorial Park Rd for the upcoming paving project.
- Staff installed new outdoor light on men’s side of Memorial Park restroom building.
- Staff took a load of dirt back to hole #10 at disc golf course.

Water:

- Rainbow Lake is at the spillway level (16.6 feet).
- The roughing filters are being backwashed three times a day. The DE filters are getting back to two week runs.
- Well levels (optimum level was determined to be May 2011).

|            | <u>May 2011</u> | <u>January</u> | <u>Change</u> |
|------------|-----------------|----------------|---------------|
| ○ Well #1: | 35’             | 30’            | +5’           |
| ○ Well #2: | 8’              | 9’             | -1’           |
| ○ Well #3: | 12’             | 29’            | -17’          |
| ○ Well #4: | 108’            | OFF            | N/A           |
| ○ Well #5: | 10’             | OFF            | N/A           |

- Water production and consumption. We produced an average of 224,712 GPD. We consumed an average of 210,120 GPD (finish water + MSM). The amount of Backwash Water in the month of January is ... (16.39%).
  - 76.0% of this water came from wells.
  - 6.5% of this water came from Mt. St. Mary's.

- 17.5% of this water came from Rainbow Lake.

We purchased 451,050 gallons of water from MSM this month.

Wastewater:

- We treated an average of 626,000 gpd (consumed 210,120 GPD) which means that 66% of the wastewater treated this month was "wild water".
- We did not have any spills of untreated sewage in the month of January.
- We did exceed the plant's design capacity one time in the month of January.
  - 01/01/22 931,000 gpd
- We received about 3.2" of precipitation this month (the average is 3.18 "). We have a precipitation **SURPLUS of 3.96"** over the last six months. The average precipitation for the period from August 1 through January 30 is 21.14 ". We have received 25.1" for that period.

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

**Meetings Attended:**

- 01/03 Met with Mayor
- 01/04 Meeting with HR and staff
- 01/06 Met with Mayor
- 01/10 Meeting with Mayor and staff re: SWM Feasibility Study
- 01/10 Meeting with Town Clerk
- 01/11 Met with staff to open pool bid
- 01/11 Met with Office Coordinator to review upcoming baseball season
- 01/11 Conference call with temporary employment agency
- 01/12 Met with staff and contractor re: pollution prevention plan
- 01/12 Attended webinar re: American Rescue Plan Act reporting guidelines
- 01/13 Attended webinar re: Maryland Retirement System changes
- 01/13 Met with Mayor
- 01/18 Conducted interviews with Mayor and HR for position of Town Clerk
- 01/19 Attended zoom meeting with staff and contractor re: water clarifier progress
- 01/19 Attended department head meeting
- 01/19 Attended support staff meeting
- 01/20 Met with Mayor
- 01/24 Met with staff and Frederick County re: preconstruction site visit
- 01/26 Meeting with Public Works and Water/Sewer staff
- 01/26 Met with Mayor

**Noteworthy:**

- Staff pumps holding tank every 10 days at 8533 Hampton Valley Rd.
- Staff worked the yard waste dumpster twice in January.
- Staff conducted monthly equipment and fire extinguisher maintenance.

- Staff did some water meter upgrades.
- Staff completed some use and occupancy permit inspections.
- Staff worked with contractor on East Lincoln Ave. to dig up and install six feet PVC sewer pipe.
- Contractor conducted yearly maintenance on Town’s fire extinguishers.
- Staff installed rubber rings around some manholes that were hit during plowing in Silo Hill.
- Staff assisted contractor with the lowering of large antenna near maintenance garage.
- Staff assisted fire department with an emergency call by salting steep/ice driveway.

**PARKING ENFORCEMENT REPORT**  
**January 2022**

|                               |                  |
|-------------------------------|------------------|
| Overtime Parking              | 62               |
| Restricted Parking Zone       | 3                |
| Street Sweeping               |                  |
| Parked in Crosswalk           |                  |
| Parked on Sidewalk/Curb       | 1                |
| Parked by Fire Hydrant        |                  |
| Parked Blocking Street        |                  |
| Failure to Park between Lines |                  |
| Left Side Parking             | 4                |
| 48 Consecutive Hours          | 3                |
| Meter Money                   | \$ 719.21        |
| Parking Ticket Money          | \$ 170.00        |
| <b>Total:</b>                 | <b>\$ 889.21</b> |

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

### **Town Planner's Report January 2022 Prepared by Zach Gulden, MPA**

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

- Attended the 1/11 BOC meeting and processed pre/post meeting materials.
- Researched history of 4x open space lots at Brookfield.
- Researched history of 4x B-1 zoned properties at entrance of Brookfield.
- Received, processed, and started preparing staff memo for a zoning map amendment application.

#### **2. Grants:**

- Community Legacy grant management:
  - Prepared & delivered Sustainable Community Work Group packets.
  - Held meeting with Sustainable Community Work Group on 1/18 regarding FY22 applications.
  - Submitted FY22 applications to Maryland Historical Trust for review.
  - Processed approval/denial letters & grant agreements for FY22.
  - Processed reimbursement requests for:
    - 2 W Main St
    - 4 W Main St
    - 6 W Main St
- Chesapeake Bay Trust grant management:
  - Silo Hill SWM basin retrofit design & permitting.
- Community Development Block Grant (ADA Ramps) management:
  - Conducted 5x construction inspection.
  - Completed 1x employee interview as required by grant.
  - Reviewed & processed weeks 21, 22, 23, & 24 payrolls.
  - Met with MDOT/SHA & contractor at Ramp 133 on 1/10 regarding ROW permit.
  - Attended a virtual progress meeting on 1/19.
  - Completed the semi-annual report.
  - 81 of 130 ramps are completed to date.
- Community Development Block Grant (DePaul Street Waterline):
  - Processed 14 completed income surveys.
  - Reached out to missing survey properties via phone/in-person/letters.

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

- Silo Hill SWM basin retrofit & tree planting project management.
- SWM Utility Feasibility Study project management:
  - Worked with contractor on creating an educational flyer.
  - Attended a virtual meeting with contractor, manager, public works director, & sewer/water superintendent on 1/10.
  - Attended the Feasibility Advisory Committee meeting on 1/20.

- Attended a virtual meeting with contractor on 1/21.
- Gathered and provided various information to contractor.
- Created map of all non-residential properties within Town boundary.
- Created map of all Town owned property within Town boundary.
- Attended a meeting with manager, public works director, sewer/water superintendent & contractor regarding pollution prevention plan & GIS updates on 1/12.

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

- Processed 6x zoning permit applications:
  - 1x – paver patio.
  - 4x – single family dwellings (Brookfield)
  - 1x – change of use & multi-family dwelling (135 Chesapeake Ave)
- Processed 3x backflow preventer permit applications.
- Processed 1x street closure permit application.
- Processed 1x street cut permit application.
- Processed 1x personal use firewood application.
- Responded to incident reports.

#### **5. Planning Commission (PC):**

- Rutter's, Irishtown Road (Brookfield Lots 1-19), Federal Stone, Village Liquors & Plaza Inn, and Ripleigh's Creamery, Christ's Community Church, & Emmitsburg East Industrial Park II project management.
- Irishtown Road (Brookfield Lots 1-19):
  - Reviewed various construction reports.
  - Attended the Irishtown Road ribbon cutting event.
- Rutter's:
  - Worked with engineer on sewer construction specification approvals.
- Emmitsburg East Industrial Park II:
  - Received, processed, & started review of final forest conservation plan for combined lots 7 & 8.
  - Received, processed, & started review of final subdivision plat for combined lots 7 & 8.
- Worked with public works director & sewer/water superintendent on requested information for Warthen's Court townhouse 5-unit development.
- Created and distributed new membership packets for Amy Boehman-Pollitt & Terri Ray.
- Finalized the 2021 Planning Commission report.
- Attended the 1/31 PC meeting and processed pre/post meeting materials.

#### **6. Miscellaneous:**

- Forestry stand 9 & 10 project management.
- Worked with contractor on the street tree plan.
- Attended a meeting on 1/4 with manager, administrative coordinator, & code enforcement officer.

- Reviewed and provided updates to Town Planner job description.
- Researched areas for potential water fire hydrant supply storage tank for manager.
- Gathered information for sewer/water rate study.
- Met with manager & code enforcement officer on 1/11 regarding pool management bids.
- Completed and submitted the 2021 Forest Conservation Act report to the state.
- Created a certificate of appreciation for Terry Ray.
- Attended a department head meeting on 1/19.
- Assisted with training temporary employee for administrative coordinator.
- Attended informational session conference call for counties & local governments with US Senator Van Hollen with Mayor on 1/21 to request funds for N Seton Ave Green Street project.

#### 7. New Business / Development Updates:

- **Brookfield 10-unit cul-de-sac** – Sketch plan submitted. Zoning map amendment submitted to change zoning from B-1 to R-1.
- **Catoctin Vistas (Trout Property)** – Property owner has decided to repackage property from residential development to commercial/industrial park “Mason Dixon Logistics Park”.
- **Christ’s Community Church** – concept plan submitted to build 12,500 sq. ft. church with 98 parking spaces on Creamery Road around Quality Tire.
- **Emmit Ridge 2** - Property has sold to an investor. RJD Development & Ryan Homes working with investor to purchase. Wetlands have been found to compromise 8 proposed lots and part of proposed Irishtown Drive. Wetland mitigation will need to be approved by State of MD. 48 total lots proposed.
- **Federal Stone** - Preparing required engineered plans for Planning Commission submittal. They have purchased the Emmitsburg East Industrial Park II property in its entirety. Final subdivision plat & forest conservation plan have been submitted for combined lots 7 & 8.
- **Frailey Farm** - Property is for sale. No activity with the Town this month.
- **Mason Dixon Logistics Park** – concept plan submitted to staff. Commercial / industrial park.
- **MDOT/SHA Park & Ride** – Design is 15% complete. Project is on hold due to State budget cuts resulting from COVID-19. Staff working with legislators to push project forward. No activity with the town this month.
- **Ripleigh’s Creamery** – Working on obtaining FC building permit.
- **Rutter’s** – active construction. Expected completion is late summer of 2022.
- **Tuscany’s Pizzeria** - Occupancy permit issued by County. Awaiting grand opening date from owner. No activity with the town this month.
- **Village Liquors & Plaza Inn** - Working on meeting Planning Commission final subdivision plat & improvement plat conditions & permitting from Town & County.
- **Warthen’s Court 5-unit townhomes** – Sketch plan submitted. Preparing required engineered plans for Planning Commission submittal.

## **E. COMMISSIONER COMMENTS**

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

- Monday, February 7<sup>th</sup> @ 11:00 AM: Maryland Commission on African American History Culture public meeting (virtual), Chair Rev. Wilson, Herbert Frisby.
- Tuesday, February 8<sup>th</sup> @ 10:00 AM: presented two checks from the town to the Emmitsburg Library (\$151+ from holiday funds and \$300 donation from town).
- Tuesday, February 8<sup>th</sup> from 1:00 - 2:30 PM: Sustainable Maryland Executive Committee meeting (virtual).
- Wednesday, February 9<sup>th</sup> @ 1:00 PM: National Fire Heritage Center (NFHC) Board Directors meeting (virtual).
- Wednesday, February 9<sup>th</sup> @ 2:00 PM: Current Assessment for Frederick Community Foundation - Interview with Eric Devereux, Devereux Consulting.
- Thursday, February 11<sup>th</sup>: Zoom meeting with town attorney Powell and TM Willets re: WWTP.
- Tuesday, February 15<sup>th</sup>: meeting with HR rep and town manager.
- Tuesday, February 15<sup>th</sup>: meeting Maddy Shaw, Scott Gove, and Ruth re: Wayside Exhibit at St Euphemia's School.
- Thursday, February 17<sup>th</sup> @ 6:30 PM: Mount St Mary's University Frederick Campus - Mount Alumni College of Liberal Arts Symposium.
- Thursday, February 17<sup>th</sup> @ 8:30 AM: St. Johns College, Annapolis - Santa Fe Classics Symposium (virtual).
- Thursday, February 17<sup>th</sup> @ 1:30 PM: pod cast with County Executive Jan Gardner
- Friday, February 18<sup>th</sup> @ 3:00 PM: Mount St. Mary's University Athletic Advisory Committee meeting Gelles Room. Cancelled.
- Thursday, February 24<sup>th</sup> @ 10:00 AM: Tuscany Restaurant visit/opening, 2 E. Main St. (former Stavros location).
- Tuesday, March 1<sup>st</sup>, 10:30 AM podcast with Conrad Weaver, Ukraine.

## **G. PUBLIC COMMENTS**

## **H. ADMINISTRATIVE BUSINESS**

- (a) Item:** Update on 507 East Main Street being deemed a dangerous and hazardous building. Presentation at meeting by staff.

**I. CONSENT AGENDA**

- (1) Accept resignation of Levi Essess from the BOA effective January 12, 2022.
- (2) Appoint Scott Frager as a regular member of the Board of Appeals with a term of March 7, 2022 through February 17, 2023.
- ~~(3) Appoint \_\_\_\_\_ as an alternate to the Board of Appeals with a term of March 7, 2022 through January 11, 2024. (POSTPONED)~~

**J. TREASURER REPORT**

**Town of Emmitsburg  
 CASH ACTIVITY as of February 28, 2022**

|             |                               |
|-------------|-------------------------------|
| \$7,803,265 | Cash Balance February 1, 2022 |
| 412,679     | Deposits                      |
| -411,057    | Withdrawals                   |
| \$7,804,887 | 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> |
|---------------|---------------------------|--|-------------------|---------------------|
| \$77,441      | MIM<br>Construction       | ADA Curb Ramps                                       | 02.09.22          | 43295               |
| \$33,333      | GSC LLC                   | Community<br>Legacy - 2, 4, & 6<br>West Main Streets | 02.23.22          | 43350               |
| \$15,019      | RK&K                      | Reimbursable<br>from Rutters                         | 02.09.22          | 43307               |
| \$13,028      | Univar USA Inc            | Chemicals  | 02.16.22          | 43338               |
| \$7,090       | Republic Services         | Feb 22 Refuse<br>Services                            | 02.09.22          | 43306               |
| \$6,925       | Hach Company              | Water Digital<br>Upgrade                             | 02.16.22          | 43321               |
| \$6,664       | University of<br>Maryland | SWM Utility<br>Study                                 | 02.09.22          | 43311               |
| \$6,332       | Hach Company              | Water Digital<br>Upgrade                             | 02.09.22          | 43294               |
| \$6,192       | UGI Energy<br>Services    | Dec 21 Solar<br>Field #1                             | 02.02.22          | 43276               |
| \$6,003       | University of<br>Maryland | SWM Utility<br>Study                                 | 02.09.22          | 43311               |

*Check dates 02/01/2022 to 02/28/2022*

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

**L. AGENDA ITEMS:**

- AGENDA ITEM# 1.** Stormwater Utility Feasibility Study presentation and final recommendation – presentation by staff and the University of Maryland.

**Estimated MS4 costs for the FY23 – FY28 term.**

The low hanging fruit/cheaper projects are gone. This data is based on the Town continuing to be required to meet another 20% goal of treating 20.45 impervious acres. The acreage will go up slightly when we do the next baseline impervious assessment due to increased impervious coverage over the past five years.

**Restoration requirements: \$1,288,000**

- \$500,000 – Northgate SWM basin – 6.07 impervious acres treated
- \$300,000 – North Seton Avenue green street – 5.02 impervious acres treated
- \$288,000 - Street sweeping at \$24,000 per year – 5.00 impervious acres treated
- \$200,000 - 12 acres of tree plantings with StreamLink – 4.56 impervious acres treated

The Northgate basin partnered with the N Seton green street should dramatically decrease flooding (not eliminate) at the Northgate entrance.

**General permit requirements: \$157,500**

- \$20,000 - Outfall screenings
- \$25,000 – Town owned BMP maintenance
- \$25,000 – Misc. GIS updates
- \$60,000 – SWM utility implementation
- \$5,000 – Rain check program for rain barrels / cisterns
- \$2,500 – staff trainings
- \$20,000 – new baseline impervious assessment
- \$\_\_\_\_\_ - unexpected costs to fix/repair SWM infrastructure.

**TOTAL: \$1,445,500**

**Grants:** Staff believes that we can get at least half of the funding for Northgate basin (\$250,000), 100% for N Seton Ave green street (\$300,000), 100% for the trees with StreamLink (\$200,000), and 100% for the rain check program (\$5,000).

\$1,445,500 - \$755,000 = **\$690,500 Town responsibility or \$138,100 per year.**

**AGENDA ITEM# 2.** Approval of bid for the purchase and installation of advanced license plate readers for consideration.

**SCOPE OF PROJECT:**

Purchase and installation of 3 fixed location Advanced License Plate Readers (ALPRs) to include the cameras and all its hardware as well as, storage and management software, installation, training, maintenance, support and warranty services.

**TIMELINE:**

|                       |  |
|-----------------------|--|
| RFP published by Town | Fri. February 4, 2022                                  |
| DEADLINE, bids due    | Thurs. February 24, 2022 at 4:00 p.m.                  |
| Bids opened           | Wed. March 2, 2022 at 8:30 a.m. – Willets, Shaw, Click |

**RFP ADVERTISEMENT:**

- Public Notice under RFP Tab on Town’s Website – 02/04/2022
- Public Notice on Town’s Facebook – 02/04/2022
- RFP published on eMaryland Marketplace – 02/04/2022
- RFP emailed to potential bidders – 02/04/2022 (3 companies)

**PROJECT FUNDING:**

FY2022 Edward J. Byrne Memorial Justice Grant (BJAG): \$98,544

Total grant funds include funding for:

- Purchase & installation of 3 ALPRs
- Purchase & installation of 270-degree security camera
- Electrician to run electrical to cameras
- Computer/server
- SIM cellular data plans

**STAFF RECOMMENDATION:**

To be given by town staff at the meeting.

**Advanced License Plate Readers  
 Purchase and installation  
 Official Bid Tabulation Sheet**  
 Due: 02/24/2022 by 4:00 p.m.  
 Opened On: 03/02/2022 at 8:30 a.m.

Opened By (initial): Cathy Willets: CW Jimmy Click: JC Maddy Shaw: MS

| Company:  | Price:  | Notes: |
|---|---|--------|
| Pine Hill Electronics LLC<br>Finksburg, MD      | 24/7 Power: \$44,100                                  |        |
| Vigilant Solutions<br>Livermore, CA             | 24/7 Power: \$19,270<br>Battery: \$16,270             |        |
| Applied Technology Services<br>Middle River, MD | 24/7 Power: \$42,140.19<br>Battery Power: \$31,525    |        |
| General Sales Administration<br>Kenil, NJ       | 24/7 Power: \$42,348.82<br>Battery Power: \$46,144.57 |        |

**AGENDA ITEM# 3.** Approval of the design of the new town sign for consideration.



**AGENDA ITEM# 4.** Approval of bid to pave gravel area in Memorial Park for consideration.

*\*Note:* The Board approved HMF Paving Contractors for the project at the February 7, 2022 town meeting; however, HMF Paving Contractors has since withdrawn their bid. Town staff is bringing this bid back to the Board with a new recommendation.

**SCOPE OF PROJECT:**

All gravel areas paved with 3-inch thick surface asphalt in Memorial Park. The total square footage is approximately 29,500 square feet. Project includes stripping/lining of parking lot.

**TIMELINE:**

|                       |  |
|-----------------------|--|
| RFP published by Town | Tues. January 4, 2022  |
| DEADLINE, bids due    | Tues. January 25, 2022 at 4:00 p.m.                                      |
| Bids opened           | Mon. January 31, 2022 at 3:00 p.m. – Willets, Naill, Shaw                |
| Bid approved by Board | Mon. February 7, 2022 (approved contractor withdrew bid later that week) |

**RFP ADVERTISEMENT:**

- Public Notice under RFP Tab on Town’s Website – 01/04/2022
- Public Notice on Town’s Facebook – 01/04/2022
- RFP published on eMaryland Marketplace – 01/04/2022
- RFP emailed to potential bidders - 01/04/2022

**PROJECT FUNDING:**

FY2022 Local Parks & Playgrounds Infrastructure (LPPI): \$58,000  
Town Match: None

**STAFF RECOMMENDATION:**

Town staff recommends Frederick County Paving for \$49,850.

**Memorial Park Paving  
Official Bid Tabulation Sheet  
Due: 01/25/2022 by 4:00 PM  
Opened On: 01/31/2022 at 3:00 PM**

**Opened By (initial):** Cathy Willets: cmw Amy Naill: an Maddy Shaw: MS

|     | <b>Company</b>                  | <b>Location</b>       | <b>Price</b>  |
|-----|---------------------------------|-----------------------|---------------|
| 1.  | HMF Paving Contractors, Inc.    | Frederick, MD         | \$ 28,980.00  |
| 2.  | Frederick County Paving         | Thurmont, MD          | \$ 49,850.00  |
| 3.  | M.T. Laney Co.                  | Eldersburg, MD        | \$ 49,900.00  |
| 4.  | Wastler & Sons Inc.             | Middletown, MD        | \$ 50,575.00  |
| 5.  | American Asphalt Paving Co      | Baltimore, MD         | \$ 57,535.00  |
| 6.  | Thurmont Paving, LLC            | Thurmont, MD          | \$ 59,930.00  |
| 7.  | Huntzberry Brothers             | Smithsburg, MD        | \$ 63,550.00  |
| 8.  | ECM Corporation                 | Fort Washington, MD   | \$ 65,125.00  |
| 9.  | Teamcam Services                | Linthicum Heights, MD | \$ 65,785.00  |
| 10. | Image Asphalt Maintenance, Inc. | Pasadena, MD          | \$ 68,525.00  |
| 11. | Pleasant Construction, Inc.     | Frederick, MD         | \$ 69,911.43  |
| 12. | Highway & Safety Services, Inc. | Gaithersburg, MD      | \$ 72,500.00  |
| 13. | Talon Veteran Services          | Richmond, VA          | \$ 74,115.00  |
| 14. | Superior Facilities Management  | Bethesda, MD          | \$ 82,800.00  |
| 15. | Ross Contracting, Inc.          | Mount Airy, MD        | \$ 82,950.00  |
| 16. | M.I. Tech Construction          | Frederick, MD         | \$ 85,900.00  |
| 17. | Colossal Contractors, Inc.      | Burtonsville, MD      | \$ 89,900.00  |
| 18. | CJ Miller LLC                   | Hampstead, MD         | \$ 91,500.00  |
| 19. | Earn Contractors, Inc           | Gaithersburg, MD      | \$ 92,900.00  |
| 20. | Driveways Today                 | Thurmont, MD          | \$ 103,250.00 |
| 21. | J McDonald Contracting, LLC     | Pasadena, MD          | \$ 120,000.00 |

**M. SET AGENDA FOR NEXT MEETING: MONDAY, APRIL 4, 2022 AT 7:30 PM**

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

***Administrative Business:***

- A.
- B.
- C.