

# Town of Emmitsburg

300 A South Seton Avenue • Emmitsburg, MD 21727

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www.emmitsburgmd.gov

## TOWN MEETING AGENDA

TOWN OFFICE – 300A SOUTH SETON AVENUE

MONDAY, MARCH 4, 2024

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **FUTURE MEETINGS**

*Board of Commissioners Meeting: March 18, 2024, 7:00 pm (Town Office & Zoom)*

*Comprehensive Workshop: March 25, 2024, 7:00 pm (Town Office & Zoom)*

*Board of Commissioners Meeting: April 1, 2024, 7:00 pm (Town Office & Zoom)*

### MEETING ITEMS

- A. APPROVE MINUTES: February 05, 2024 and February 12, 2024.
  - B. POLICE REPORT
  - C. TOWN MANAGER'S REPORT
  - D. TOWN PLANNER'S REPORT
    1. GRANT ADMINISTRATIVE REPORT
    2. PARKING ENFORCEMENT REPORT
  - E. COMMISSIONER COMMENTS
  - F. MAYOR COMMENTS
  - G. PUBLIC COMMENTS
  - H. ADMINISTRATIVE BUSINESS
    1. Presentation by Gary Casteel on his proposed National Civil War Monumnet.
  - I. CONSENT AGENDA (NONE)
  - J. TREASURER'S REPORT
  - K. PLANNING COMMISSION REPORT
  - L. AGENDA ITEMS (DETAILS ATTACHED)
    1. FY 23 audit presentation.
    2. For consideration, approval of bid for DePaul St. waterline.
    3. For consideration, approval of bid for three-year trash service contract.
    4. For consideration, approval of pre-fab restroom/concession stand building E. Eugene Myers Park.
    5. For consideration, approval of estimate for the backwash project at the WTP.
    6. For consideration, approval of change order #2 for the Creamery Road Pump Station Project.
  - M. SET AGENDA FOR NEXT MEETING: April 1, 2024
4. **SIGN APPROVED TEXT AMENDMENTS AND/OR RESOLUTIONS**
  5. **ADJOURN**
  6. **CLOSED SESSION:** To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any

other personnel matter that affects one or more specific individuals pursuant to Md. Code Ann. Gen. Prov. § 3-305(b)(1).

Hi there,

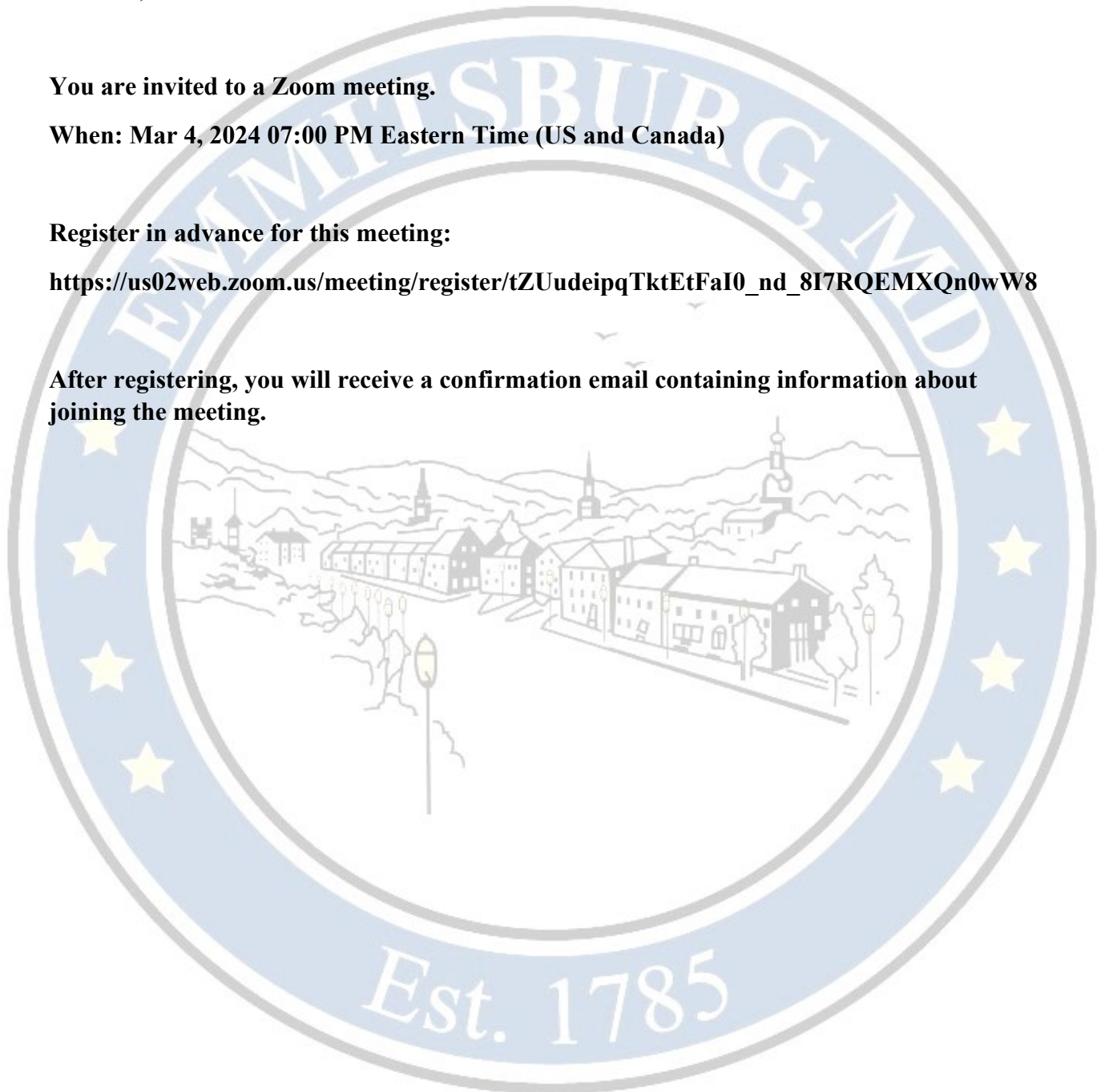
**You are invited to a Zoom meeting.**

**When: Mar 4, 2024 07:00 PM Eastern Time (US and Canada)**

**Register in advance for this meeting:**

**[https://us02web.zoom.us/meeting/register/tZUudeipqTktEtFaI0\\_nd\\_8I7RQEMXQn0wW8](https://us02web.zoom.us/meeting/register/tZUudeipqTktEtFaI0_nd_8I7RQEMXQn0wW8)**

**After registering, you will receive a confirmation email containing information about joining the meeting.**



**A. MINUTES**



**MINUTES  
TOWN MEETING  
FEBRUARY 5, 2024  
TOWN OFFICE – 300A SOUTH SETON AVENUE**

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**Present:** *Elected Officials* - Mayor Frank Davis; Commissioners: Amy Boehman-Pollitt, President; Jim Hoover, Vice President; Valerie Turnquist, Treasurer; Timothy O'Donnell; and Clifford Sweeney. *Staff Present* - Cathy Willets, Town Manager; Sabrina King, Town Clerk; Najila Ahsan, Town Planner; Jessica Housaman Recorder. *Others Present* – Deputy Honaker; Clark Adams, Town Attorney.

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**I. Call to Order**

A quorum being present, Commissioner Boehman-Pollitt, President of the Board of Commissioners, called the February 5, 2024, Town meeting to order at 7:00 p.m. Pledge of Allegiance was recited. Upcoming meetings were announced.

**Approval of Minutes**

Commissioner Sweeney motioned to accept the December 5, 2023 Town meeting minutes as presented; second by Commissioner Hoover. Yeas – 5; Nays – 0. The motion was accepted.

Commissioner Hoover motioned to accept the December 12, 2023 Town meeting minutes as modified; second by Commissioner Sweeney. Yeas – 5; Nays – 0. The motion was accepted.

Commissioner Turnquist motioned to table the January 8, 2024 and January 22, 2024 Town meeting minutes. No second.

Commissioner Hoover motioned to accept the January 8, 2024 Town meeting minutes as presented; second by Commissioner Sweeney. Yeas – 3; Nays – 2. (Boehman-Pollitt; Turnquist) The motion was accepted.

Commissioner Hoover motioned to accept the January 22, 2024 Town meeting minutes as presented; second by Commissioner O'Donnell. Yeas – 3; Nays – 2. (Boehman-Pollitt; Turnquist) The motion was accepted.

After a lengthy discussion it was decided that Commissioner Turnquist will write a set of minutes for February 05, 2024 on behalf of the Board of Commissioners. She will compare with staff at the next Town meeting on March 4, 2024.

**Police Report:**

Deputy Honaker presented the police report from January 2024 (exhibit attached).

**Town Managers Report:**

Ms. Willets, Town Manager, presented the Town Managers Report in December 2023. Ms. Willets highlighted key points in her report and noted at the time of the report that Rainbow Lake was 16.6 feet at the spillway level. She also reviewed the amount of water that was produced and consumption for the water and the amount of wastewater treated. Ms. Willets included (2) two noteworthy items; the LG Sonic was pulled from Rainbow Lake on December 21, 2023 and Conewago completed the pump station bypass (exhibit in the agenda packet).

**Town Planners Report:**

Najila Ahsan, Town Planner, presented the Town Planners Report from January 2024. Ms. Ahsan highlighted that she processed (1) one zoning permit and listed ongoing projects related to Federal Stone, Emmitsburg Distillery, Christ Community Church and MSMU E Wing Improvements. Ms. Ahsan briefly noted future meetings, grants and upcoming in-person Public Visioning Workshops (exhibit in agenda packet).

Ms. Ahsan stepped out at 7:45PM.

Ms. Ahsan returned at 7:48PM.

**Commissioner Comments:**

- Commissioner O'Donnell: He attended the County Executives budget listening session and noted those attending were County Commissioner Kemp, County Commissioner President Young and County Commissioner Mason Carter. Commissioner O'Donnell added that those representing the Town were himself and Mayor Davis. He announced the upcoming meeting for the Parks Committee meeting on February 13<sup>th</sup> at 7:30 PM. Commissioner O'Donnell was pleased to hear about the park inventory and hopes to present and share that information to the Parks Committee in the future. Lastly, he added that he was invited to Washington DC to REI to speak about the Emmitsburg trails to a group in the District of Columbia.
- Commissioner Turnquist: No comment.
- Commissioner Sweeney: No comment.
- Commissioner Hoover: He asked if staff could contact Allegany Power because there is a streetlight out on West Main Street.
- Commissioner Boehman-Pollitt: She announced that the Town has several committees that have openings and asked residents if they are interested to please contact the Town. She gave a shout out to Jess Housaman, front office coordinator for the number of postings on all social media outlets for the Town meetings and workshops. Commissioner Boehman-Pollitt said she was contacted by a resident of Southgate about the flooding at South Seton and Ave.

**Mayor's Comments:**

Mayor Davis thanked Kadeem Brim, Parking Code Enforcement Officer for his time here with the Town and announced that he is moving on to better things. He added that Kadeem had a hard position regaining the respect of the citizens and that he did an outstanding job. He announced that there will be more activity in Town for the next couple of months with the installation of the streetlights and parking meters. Mayor Davis noted the Town has multiple bid openings with future projects. Mayor Davis explained that the Town received another unfunded mandate from Maryland Department of Environment for the inspection of the spillway at Rainbow Lake which includes the Town hiring an engineer to do the inspection and fill those shortfalls for the DAM. Mayor Davis noted that he was able to meet with the County Executive and two of her senior staff and briefly spoke about Stormwater Management. Lastly, Mayor Davis mentioned how staff has put in a lot of hard work for the comprehensive plan and urged the community to get involved as this pertains to the future of the Town.

**Public Comments:**

*Eric Sloane, Emmitsburg MD* – He mentioned how the Town received new streetlights and parking meters and asked if the Town has put any thought into selling them. Mr. Sloane also asked about the future of the Town and if there would be a possibility of having an open meeting on a Saturday for people to speak their (4) four minutes.

*Jack Weller, Emmitsburg MD* – He commented on how Valero went out of business and is saddened by this. He also asked why Annandale Road was closed tonight.

Commissioner O'Donnell speculated that it was related to construction work that is being done on the road related to the recent flooding.

Mayor Davis also informed Mr. Weller that the Town did contact County Highway last week after the second flooding and mentioned the County brought concrete barricades. He was told they did that to prevent any future water rescues as people were still going past the wooden barriers. Mayor Davis added the County needs to bring in heavy equipment to remove those barricades and that is what is causing the delay with re-opening the road. Mayor Davis also mentioned how he spoke with the lead person with the roads department and was informed that they do know how to fix the problem, but Maryland Department of Environment will not give them permission. Mayor Davis said that it is a state issue and will be reaching out to the County Delegates and the State Senator to see what can be done.

Mr. Weller continued to comment on how Taneytown is having problems with their government. He said he hopes this doesn't happen in Emmitsburg and commented that it shouldn't take 30 minutes to approve minutes. Lastly, Mr. Weller asked if there was any logging for this year.

Staff answered no.

*Don Sonn, Fairfield PA* – Mr. Sonn asked if the Board could change the code to allow outside residents to be part of various committees.

**Administrative Business:**

- (A) First Item: Discussion related to advertising Town events and meetings. Commissioner Boehman-Pollitt noted that she was the one that requested this to be for discussion but no longer feels that it is needed. She acknowledges that the meetings and workshops are being posted on all social media outlets and thanked Jessica Housaman for doing that. Commissioner Boehman-Pollitt asked if there was a way the Town could create an event page on Facebook for meetings and workshops.

**Consent Agenda:**

1. For consideration, appointment of Dale Sharrer as a full member of the Planning Commission effective February 20, 2024. *Motion:* Commissioner Hoover motioned to approve Dale Sharrer as a full member of the Planning Commission effective February 20, 2024; second by Commissioner O'Donnell. Yeas – 5; Nays – 0. The motion was adopted.

**Treasurer's Report:**

Commissioner Turnquist presented the Treasurer's Report for January 2024 (exhibit in agenda packet).

**Planning Commission Report:**

Commissioner Turnquist presented the report. The Commission last met on February 28, 2024 and informed the Board they have elected new officers. She announced Kevin Hagan was elected as the chair, Patricia Galloway was elected as the new Vice Chair and Dan Garnitz will continue as the Secretary. Commissioner Turnquist also noted that the Planning Commission wants their own Rules of Procedure updated. She inquired if the updates would have to be approved by the Board.

Staff responded no. Commissioner O'Donnell added it is because they are an independent body.

**II. Agenda Items**

Agenda #1 – For consideration, move the home department of the following positions: (A) Office Coordinator from Dept. 40 (water) to Dept. 13 (financial). (B) Town Clerk from Dept. 50 (sewer) to Dept. 10 (legislative). (C) Town Manager from Dept. 50 (sewer) to Dept. 10 (legislative). Staff explained the breakdown of the chart that was provided for each position and the estimated amount that would be moved to the new department (exhibit in the agenda packet). Staff noted that the reason the Board must approve this change is because it affects more than (5) five percent of that department's budget. Commissioner Hoover reiterated that this was part of discussion at the last Town meeting and agreed that the three positions benefit packages and taxes should be changed. Staff informed the Board that this money will be taken out of the general fund and is going to roughly be \$97,000 less in the general fund come next fiscal year. *Motion:* Commissioner Hoover motioned to approve moving the three employees, as noted in the agenda, to include benefits, health insurance and taxes to move to their new home department; second by Commissioner Sweeney. Yeas – 5; Nays – 0. The motion was adopted.

Agenda #2 – For consideration, approval of the pump station dedication agreement with Rutters. Staff explained that this is the dedication agreement between the Town and Rutters. It was summarized that Rutters constructed a pump station at their location and was responsible for all the construction and maintenance up until this agreement was approved. Staff read noteworthy items from the dedication agreement (exhibit in the agenda

packet).

Commissioner Turnquist asked questions regarding the agreement. She asked if all new construction is done this way and then transferred back to the Town. She also referred to page (2) two of the dedication agreement, section (4) four "The Town shall be Entitled to collect all fees of any nature for the operation of the Facilities", and if the Town receives any of those fees. Commissioner Turnquist asked if the language she referred to needs to be modified.

Staff informed the Board that this is the way the Town does all new construction, and the Town has not received any fees because there is nothing to be collected. Clark Adams, Town Attorney, answered Commissioner Turnquist regarding the modified language and informed the Board that there does not have to be a modification and this language means the facility is now incorporated within the larger system that the Town operates and bills for. *Motion:* Commissioner O'Donnell motioned to approve of the pump station dedication agreement with Rutters; second by Commissioner Hoover. Yeas – 5; Nays – 0. The motion was adopted.

Agenda #3 – For consideration, approval of three-year contract with EOS for maintenance of Silo Hill Stormwater Basin as required by MS-4 permit. Staff presented the EOS contract and explained the purpose of this is to ensure the maintenance of Silo Hill Basin is in place. Staff referred to the grant, IJJA DNR Grant from the Town Planners report that is dated November 15, 2023 is modified to a previous MOU to add extra funds towards maintenance of the Silo Hill Water Basin. The total being awarded through this grant is \$218,877.00 and includes up to \$38,580.00 for maintenance and will cover the Town for the next (3) three years. Staff added that this contract was drafted by EOS and was reviewed thoroughly by the Town Attorneys and noted for each year for the next (3) three-years will be taken out \$11,578 and asked that this be approved tonight as this a requirement for MS4.

Commissioner Hoover understands that the grant will cover up to the (3) three-years and acknowledged that the Town will re-apply for the grant but asked if the Town does not get awarded what fund would this money come from.

Staff explained the Storm Water Utility Fee will go into effect in July of this year and will be included in the water, sewer and trash bill and explained it has been on pause since last year. Staff added that this fee will be enough to fund one year's worth of the Stormwater utility fee. With more clarification staff explained, the fee is collected from the amount of impervious surface that each property has, and it's built into their water and sewer bill once it goes into effect. In conclusion, the money collected would have to be used towards Stormwater management practice. *Motion:* Commissioner Sweeney motioned to approve the three-year contract with EOS for maintenance of Silo Hill Stormwater Basin as required by MS-4 permit; seconded by Commissioner Hoover. Yeas – 5; Nays – 0. The motion was adopted.

Agenda #4: For consideration, approval of the updated Rules of Procedure for Board of Commissioner meeting to include provisions for closed session and workshops. Mr. Adams briefly noted the Board should have a redlined version of the Rules and Procedure and a clean version behind it (exhibit in the agenda packet). He explained the main intent of the revision was to account for the addition of workshops and request to include information on the closed session under the open meetings act. Mr. Adams explained that he tried to make this document step by step and easy as possible to have meetings run smoothly. He noted that of those changes made were to Sections, 2.5, 3.4, 3, 3.7, 3.10, 4, 5, and Section 6.

Commissioner O'Donnell referred to a procedural question and asked if a script could be provided in the procedures moving from a Board of Commissioners meeting open session to a closed session and a script to end the closed session.

Commissioner Boehman-Pollitt asked if the Board must meet for another open meeting to announce the results of that closed session.

Mr. Adams responded that he could include the script for the Board. The Board does not have to meet in an open session. He added, the results of a closed session end up in the minutes. He reiterated that the minutes are just topics discussed, who was there and what actions taken.

Commissioner Hoover did not agree with the language related to, Section 3.6 where a Board member must leave the room if it is a public meeting, Section 5.3 that there should be a quorum for a workshop, Section 5.4 that minutes should be taken for a workshop, Section 5.7 it should be read "Shall may" and Section 3.11. Commissioner Hoover asked that the Board have the same book of Roberts Rules to follow.

Another question was asked, with the updated language in Section 3.10. Do they conflict with the Roberts Rules of Procedure. Mr. Clark answered they do not.

*Motion:* Commissioner O'Donnell motioned to table the agenda item #4 with the addition of giving direction to the Town attorney to further investigate and return to the Board with information related to abstention, recusals and scripted language related to closed sessions; second by Commissioner Sweeney. Yeas – 5; Nays – 0. The motion was adopted.

Agenda #5 – Discussion to allow 24-hour parking as it relates to Town Code 10.12.090. Commissioner Turnquist referred to when the Town was looking into replacing parking meters on Main Street and explained that she came across Code 10.12.090 and read the code in detail. She asked, since the parking meters were approved could the Board amend the ordinance related to parking. Commissioner Turnquist suggested they do not limit the parking on Main Street and if it can be aligned with the other streets in Town. Commissioner Turnquist added that the Board could strike out 10.12.090 since there are other codes related to parking limits.

Commissioner Sweeney raised concerns about the West end of Town rather than the East end because of the church and concerned that they will not have anywhere to park for services. He feels that having more than (2) two-hour parking could cause problems for churches.

Commissioner Hoover agreed that removing the (2) two-hour parking would not affect the Town residents. Commissioner Turnquist added that this was looked into in 2018, when there used to be (2) two-hour parking on two other streets. She feels that it would be equivalent to making all streets in Town the same. *Motion:* Commissioner Hoover motioned to direct staff to prepare an ordinance to change the (2) two-hour parking on West Main Street to be consistent with the rest of the Town for (48) hours; second by Commissioner Sweeney. Yeas – 5; Nays - 0. The motion was adopted.

#### **Set Agenda Items for February 12, 2024, Special Meeting**

**Agenda Items:** (1.) For consideration, approval of the updated Rules of Procedure for Board of Commissioner meetings to include provisions for closed meetings, workshops, etc. (2.) For consideration, setting priorities for the Town. **Administrative Business:** (NONE) **Consent Items:** (NONE).

*Motion:* Commissioner O'Donnell motioned to accept the February 12, 2024, as presented, Town meeting agenda as presented; second by Commissioner Hoover Yeas – 5; Nays – 0. The motion was adopted.



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**Set Agenda Items for March 4, 2024, Town Meeting**

**Agenda Items:** (1.) FY 23 audit presentation. (2.) For consideration, approval of bid for DePaul St. waterline. (3.) For consideration, approval of bid for three-year trash service contract. (4.) For consideration, approval of pre-fab restroom/concession stand building E. Eugene Myers Park. (5.) For consideration, approval of estimate for the backwash project at the WTP. (6.) For consideration, approval of the change order for the pump station project. **Administrative Business:** Presentation by Gary Castile on his proposed National Civil War Monument. **Consent Items:** (NONE).

*Motion:* Commissioner Hoover motioned to accept the March 4, 2024, Town meeting agenda as presented; second by Commissioner Sweeney. Yeas – 5; Nays – 0. The motion was adopted.

*Motion:* Commissioner O'Donnell motioned to amend the February 12, 2024, agenda to add a closed session pursuant to Maryland Code Annotated General Provisions 3-305(b)(1); second by Commissioner Hoover. Yeas – 5; Nays – 0. The motion was adopted.

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

**IV. Adjournment**

With no further business, Commissioner Hoover motioned to adjourn the February 5, 2024, Town meeting at 9:03 p.m.; second by Commissioner O'Donnell. Yeas – 5; Nays - 0. The motion was adopted.

Respectfully submitted,

Sabrina King, Town Clerk  
Minutes Approved On:

Est. 1785

draft

**MINUTES  
TOWN MEETING  
FEBRUARY 12, 2024  
TOWN OFFICE – 300A SOUTH SETON AVENUE**

**Present:** *Elected Officials* - Mayor Frank Davis; Commissioners: Amy Boehman-Pollitt, President; Jim Hoover, Vice President; Valerie Turnquist, Treasurer, Timothy O'Donnell; and Clifford Sweeney. *Staff Present* - Cathy Willets, Town Manager; Sabrina King, Town Clerk; Jessica Housaman Recorder. *Others Present* – Clark Adams, Town Attorney.

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**I. Call to Order**

A quorum being present, Commissioner Boehman-Pollitt, President of the Board of Commissioners, called the February 12, 2024, Town meeting to order at 7:00 p.m. Pledge of Allegiance was recited. Upcoming meetings were announced.

**Commissioner Comments:**

- Commissioner O'Donnell: None
- Commissioner Sweeney: None
- Commissioner Turnquist: None
- Commissioner Boehman-Pollitt: She let staff know that a resident had raised concern about the lighting at the second entrance at Rutters and asked if there was a way to inquire about this.
- Commissioner Hoover: None

**Mayor's Comments:** Mayor Davis announced a time change in office hours beginning March 11<sup>th</sup> and it will be a six (6) month trial. He also announced that we received BIDS for the DePaul Street Waterline project. Mayor Davis noted there was a low bidder and added there could be left over ARPA money for future projects. He will have more details at the March 4<sup>th</sup> Town meeting. Mayor Davis explained that he received an email from the County last week about the backflow preventers cross connections, and how Frederick County wants to issue their own permits. He added that he did contact Mason Carter who is on the County Council who represents this area also Devin Pier with Frederick County, and noted he does have a meeting set up at the end of February to discuss this further.

**Public Comments:** (NONE)

**Administrative Business:** (NONE)

**Consent Agenda:** (1.) For consideration, approval of Leslie Frei to the Sustainable Communities Workgroup with a term of 02/12/2024 – 02/12/2029. *Motion:* Commissioner Sweeney motioned to accept Leslie Frei to the Sustainable Communities Workgroup with a term of 02/12/2024 – 02/12/2029; second by Commissioner Hoover. Yeas – 5; Nays – 0. The motion was adopted.

**Treasurer's Report:** (NONE)

**Planning Commission Report:** (NONE)

**II. Agenda Items**

Agenda #1 – For consideration, approval of the updated Rules of Procedure for Board of Commissioner meetings to include provisions for closed meetings, workshops, etc. Clark Adams, Town Attorney, addressed the questions that were asked at the last Town meeting on February 5, 2024. He referred to Section 3.1 and stated there are no rules either way if a Commissioner must leave the room during a public meeting and is purely at the Board's discretion. Mr. Adams addressed the next question referring to the closed meeting items and explained he did add two exhibits, the script for the president to read with the closing statement and the statement that follows with the minutes as a template. Mr. Adams suggested an idea related to Section 3.11 and asked to modify it. He suggested Robert's Rules be used as a tiebreaker when Commissioners cannot come into an agreement then Robert's Rules is the tie breaker. Mr. Adam's read his proposed modified language for

Section 3.11, "If a question of procedure arises which these rules do not address, and a majority of Commissioners cannot agree as to how the Board should proceed the most up to date version of Robert's Rules of Order shall control.

There was discussion amongst the Board on who agreed and disagreed. Over-all the Board agreed that the modified language will be a good guide for the Board to follow if they do not know how to proceed during a particular agenda item. It was suggested to reach out to MML and ask if this could be a workshop for the summer conference to see their framework of Robert's Rules.

There were concerns regarding Section 3.6 and the Board agreed collectively that the Commissioner may stay in the room but sit with the public depending on the circumstances.

There was discussion related to Section 5.3 and the Board agreed collectively that a quorum should be included during a workshop.

There was discussion related to Section 5.4 and the Board agreed collectively that there should be minutes during a workshop.

Section 5.6 was briefly mentioned as it is like Section 3.6.

There was discussion related to 5.7 and the Board agreed collectively that "Shall may" be included in the language for public comment.

There were questions related to Section 2.5, 4.3, and 4.9. Mr. Adams addressed the questions and noted he had an amendment to Section 4.9. Mr. Adams went on to explain the Board should adopt in 4.9 at the beginning of the second sentence, "During a quasi-judicial hearing, any person may,". The Board agreed collectively to add the additional language to Section 4.9 in the second sentence.

There was discussion related to Section 4.11 related to the public hearing and asked if the Board is required to leave the record open once the public hearing is closed. Mr. Adams explained that the voting does typically happen the same night as the hearing.

Mr. Adams asked the Board if they agreed to adding the additional language for Section 3.11 and all agreed.

Mr. Adams read, to adopt the revised Board of Commissioners Rules of Procedure as presented with the amendments that Section 3.6 be amended to remove the requirement that a Commissioner leave the room if a conflict of interest exists, that Section 4.9 be amended to add the following language to the second sentence during a quasi-judicial hearing, that Section 5.3 be struck in its entirety and that all remaining sections of section 5 be renumbered accordingly that Section 5.4 be amended to delete the sentence the Board need not prepare minutes for a workshop, that Section 5.6 be amended to remove the requirement that a Commissioner exit the meeting room in the event of conflict of disqualification exists, Section 5.7 that the word shall, shall be changed to need, and Section 3.11 be struck in its entirety and replaced with the following provision, if a question of procedure arises which these rules do not address and a majority of Commissioners cannot agree as to how the Board should proceed the most up to date version of Robert's Rules of Order shall control

*Motion:* To adopt the revised Rules of Procedures for the Board of Commissioner meetings to include Provisions for closed meetings, workshops etc., as presented with the following amendments as presented; second by Commissioner O'Donnell. Yeas – 5; Nays – 0. The motion was adopted.

Emmitsburg Town Meeting  
February 12, 2024, Minutes

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Agenda #2 – For consideration, setting priorities for the Town. The Mayor briefly spoke about the importance of having set tasks of projects that everyone has input. He would like the Commissioners to have a chance to give their input.

Mayor Davis stepped out at 8:02 PM.  
Mayor Davis returned at 8:04 PM.

Before beginning agenda #2, Commissioner Boehman-Pollitt suggested that since the Board was approached together to set priorities, she suggested that each Board member give their short description as staff writes them out altogether. She then explained after, the Board can decide as a group what would be priority for wants and needs.

The Board then one by one briefly went through their list of priorities and staff added other potential projects (exhibit attached). After discussion, staff will be sending a copy of the list to the Board to review. After further discussion, the Board decided to have a workshop meeting on March 18, 2024 as tentative and if that does not work it will be March 11<sup>th</sup>.

#### **Set Agenda Items for March 4, 2024 Town Meeting**

Staff noted the agenda items that were presented at the last Town meeting on February 05, 2024 did not change other than wanting to withdraw agenda item #6. Which read, for consideration, approval of change order for the pump station.

Commissioner Boehman-Pollitt read, "The Mayor and the Board of Commissioners intend to meet in closed session to discuss the appointment of an applicant for the position of Parking Code Enforcement Officer. This is the final agenda item, and the Board of Commissioners will not be meeting in another open session after the closed session has ended. Pursuant to Maryland Code Annotated, General Provisions Article 3-305(d), prior to closing a meeting, the Commissioners must conduct a recorded vote to close the meeting and make a written statement of the reason for closing the meeting, including a citation of the authority for closing the meeting under Maryland Code Annotated General Provisions Article 3-305(b) and a listing of the topics to be discussed.

I will now read the proposed closing statement which has been prepared by staff.

The topic to be discussed during the closed meeting will be the appointment of an applicant to the position of Parking/Code Enforcement Officer.

The authority for meeting in closed session for this purpose is Maryland Code Annotated General Provisions Article, § 3-305(b)(1), which authorizes the Board of Commissioners to meet in closed session to "discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance valuation of appointees, employees, or official over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals."

Additional authority to close the meeting exists under Maryland Code Annotated General Provisions Article, § 3-305(b)(13) which authorizes the Board of Commissioners to meet in closed session to "comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter."

The reason for closing the session is that public discussion of applicants' names and job information could discourage people from apply for Town jobs. Further discussion involving the applicant's application materials, including letters of reference, is protected from disclosure pursuant to the Maryland Public Information Act, Md. Code Ann. Gen. Prov. Art. §§ 4-310 and 4-311.

Emmitsburg Town Meeting  
February 12, 2024, Minutes

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draft

Do I hear a motion to adopt the closing statement as read and to enter into a closed meeting?

*Motion:* Commissioner Hoover motion to adopt the closing statement as read and to enter a closed meeting; seconded by Commissioner Turnquist. Yeas – 5; Nays – 0. The motion was adopted.

***The meeting ended at 8:38 pm***

Respectfully submitted,

Sabrina King, Town Clerk  
Minutes Approved On:



Est. 1785

Priorities list from the February 12, 2024 Town meeting.

Infrastructure

Waterline from the reservoir

Sewer relined on flatrun

Pump Station

Management and Completion of DePaul St Waterline, North Seton Ave/Green St Project

Emmit Ridge Development (Phase 1 Entrance)

Water Rates

Water Capacity

Tap Fee structure

Review and update charter and code

Legacy Grant Businesses and Low income residents

Dark skies committee

MS teams

Website updates

Start budget review earlier in the year

Vacant building (new business and incentives)

Main St MD Town alert sys and how alerting residents

Request to change citizens's advisory name

Making use of glass pane

Stormwater management utility fee

Future developments and annexations

Water and sewer contracts

Beef up water and sewer report

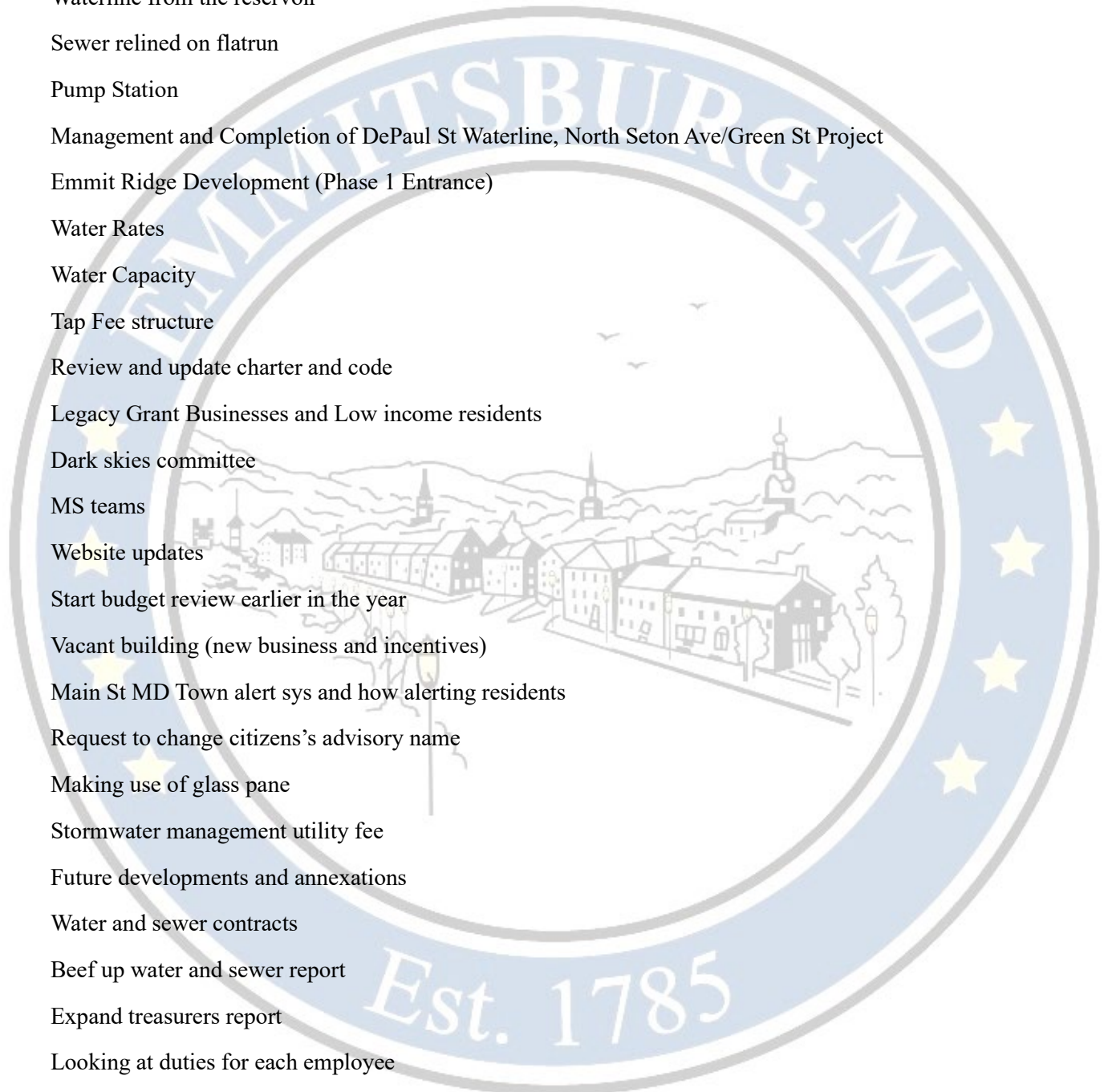
Expand treasurers report

Looking at duties for each employee

Staffing crossing guard

Amend ordinance to allow non residents on committees

Affordable housing



Child care

Senior housing

Community policing

Review comp plan (comment by June 24)

Town meets obligations

North seton revision (flooding issue)

Parking near square (main street retail)

County to replace elementary school

Expansion of trails (scott road farm: adaptive trail)

Business development (types of retail: residents at workshops)

Green turn arrow at square

Cross walk at town office

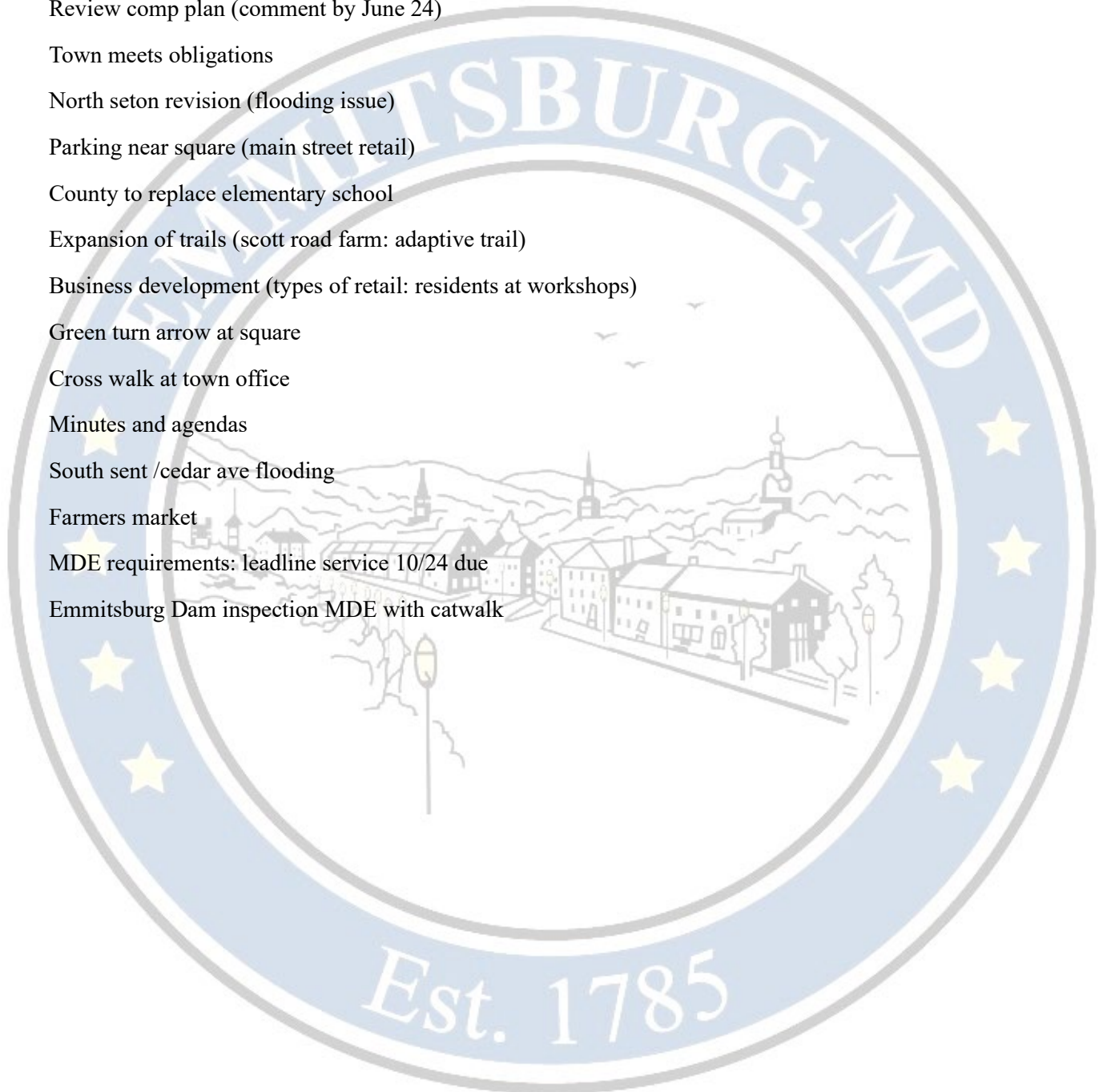
Minutes and agendas

South sent /cedar ave flooding

Farmers market

MDE requirements: leadline service 10/24 due

Emmitsburg Dam inspection MDE with catwalk



**B. POLICE REPORT**





## C. TOWN MANAGER'S REPORT

### Town Manager's Report

January 2024

Prepared by Cathy Willets

#### Streets:

- Staff replaced and repaired some street signs around town.
- Staff conducted monthly street sweeping.
- Staff repaired streetlights.
- Staff conducted monthly storm drain inlet cleaning.
- Staff assisted with the collection of parking meter money.
- Staff took down all banners, decorations, brackets, etc. for the Main Street Lighting project.
- Staff worked with the electrical contractor on Main Street. Lighting project. Staff took down old lights. As of now, the square is finished.
- Staff and contractors worked on three different snow events.
- Staff cleaned snow from parking spaces and cul-de-sacs after each snow event.
- Staff responded after hours to the flooding event. Closed some streets that were flooding.

#### Parks:

- Staff conducted daily park checks – trash cans, cameras, dog waste stations, restrooms.

#### Wastewater:

- We treated an average of 834,548 GPD (consumed 209,639 GPD) which means that 74.88% of the wastewater treated this month was "wild water".
- We had one spill of untreated sewage in the month of January.
  - 42,000 gpd 01/09/2024
- We were above the plant capacity for 20 days this month due to heavy rain, snow and pumping back through plant from lagoons.
- We received about 7.7" of precipitation this month (the average is 3.18"). We have had a precipitation **SURPLUS OF 5.58"** over the last six months. The average precipitation for the period from August 1st through January 31st is 21.14". We received 26.72" for that period.

#### 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 one week runs.
- Well levels (optimum level was determined to be May 2011). \*these depths are taken at the end of the month.

	May 2011	January*	Change
○ Well #1:	35'	38'	-3'
○ Well #2:	8'	16'	-8'
○ Well #3:	12'	27'	-15'
○ Well #4:	108'	117'	-9'
○ Well #5:	10'	17'	-7'

MONTHLY AVERAGE WELL DEPTHS					
2023	WELL # 1	WELL # 2	WELL # 3	WELL # 4	WELL # 5
	250FT DEEP	161FT DEEP	212FT DEEP	600FT DEEP	401FT DEEP
JAN	45	11	25	OFF	OFF
FEB	36	12	25	OFF	OFF
MAR	36	12	25	OFF	OFF
APR	36	11	28	OFF	OFF
MAY	34	9	24	OFF	OFF
JUN	34	11	24	OFF	OFF
JUL	40	14	33	OFF	OFF
AUG	44	18	36	OFF	OFF
SEPT	60	21	41	126	34
OCT	79	28	45	128	41
NOV	47	24	46	135	46
DEC	49	13	35	126	27

Est. 1785

MONTHLY AVERAGE WELL DEPTHS					
2024	WELL # 1	WELL # 2	WELL # 3	WELL # 4	WELL # 5
	250FT DEEP	161FT DEEP	212FT DEEP	600FT DEEP	401FT DEEP
JAN	44	16	30	119	17
FEB					
MAR					
APR					
MAY					
JUN					
JUL					
AUG					
SEPT					
OCT					
NOV					
DEC					

- Water production and consumption. We produced an average of 208,695 GPD. We consumed an average of 209,639 GPD (finish water). The amount of Backwash Water in the month of January is ... (15.41%).
  - 66.82% of this water came from wells.
  - 0.00% of this water came from Mt. St. Mary's.
  - 33.18% of this water came from Rainbow Lake.

We purchased 0 gallons of water from MSM this month. \*\*Due to PFAs at MSM, the Town halted obtaining water from MSM until further notice.

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

**Meetings Attended:**

- 01/08 Attended Town Meeting.
- 01/09 Attended meeting with Town Planner and consultant re: SW & MS-4 plan.

- 01/09 Attending zoom meeting with staff and MHAA representatives re: potential walking path project.
- 01/11 Attended zoom meeting with DRB re: Emmit Ridge II development.
- 01/11 Attended zoom meeting with staff and engineer re: pre-bid DePaul St. Waterline
- 01/12 Met with Town Planner re: Comprehensive Plan
- 01/13 Attended zoom meeting with staff, Town Attorney, and RK&K re: distillery and sewer connections.
- 01/17 Attended meeting with staff re: MDE Emmitsburg Dam inspection report.
- 01/22 Attended town meeting.
- 01/23 Met with representatives from Woodsboro Bank.
- 01/24 Attended meeting with staff and engineers re: pre-bid water clarifier project.
- 01/24 Met with Mayor Davis re: MDE Emmitsburg Dam inspection report.
- 01/25 Met with Town Planner re: project list.
- 01/30 Attended department head meeting with staff.
- 01/30 Attended support staff meeting.

**Noteworthy:**

- Staff worked the yard waste dumpster twice in January.
- Staff conducted monthly equipment and fire extinguisher maintenance.
- ★ Staff did some water meter upgrades.
- MDE staff visited the WTP and various sites for inspection on 01/26.
- Staff received dam inspection review from MDE with various requirements.
- Staff completed and submitted semi-annual water withdrawal report.
- ★ Staff attended pre-bid meeting for the DePaul St. waterline and the water clarifier.
- Due to heavy rain in January, the lake was very dirty so lowered backwash flow.
- Staff working with MDE on harmful algae blooms program.
- ★ MDE approved the Town's sludge generator's report for all hauling in 2023.
- ★ MDE approved Town's sludge utilization report.
- SCADA upgrade completed at WWTP.
- Staff completed necessary sanitary sewer overflow reports and letters.
- Contractor completed yearly maintenance on all Town fire extinguishers.
- Staff dug up and located curb boxes on Tract Rd. across from Brookfield Dr.

## 1. GRANT ADMINSTRATIVE REPORT

As of February 28, 2024  
Prepared By: Madeline Shaw, Grants Administrator

### COMPLETED GRANTS: NONE

### GRANTS ACTIVELY MANAGING (19 TOTAL)

<u>Grant No.:</u>	<u>Grant Agency:</u>	<u>Date Applied For:</u>	<u>Date Awarded:</u>	<u>Grant Amount:</u>	<u>Match:</u>
22-1	USDA-RD	05/24/2021	05/27/2021	\$157,000	\$140,400
<p><u>Description:</u> For purchase of a 4x4 work truck, backhoe loader, multi-user tractor, sewer SCADA. <u>Status:</u> Backhoe, multi-use tractor, and 4x4 truck delivered. SCADA 98% completed; last part of equipment to be installed 01/12/2024 before grant will be closed out.</p>					
22-6	FY22 DNR POS	05/06/2021	01/05/2022	\$147,980	25% total cost
22-7	FY22 DNR LPPI	07/16/2021	12/21/2022	\$62,290	None
<p><u>Description:</u> For construction of a new bathroom/concession stand building in Community Park. <u>Status:</u> Working with Fox &amp; Associates to order pr-fabricated building and prepare site. Purchase of prefabricated building to come before Board at 03/04/2024 town meeting.</p>					
22-16	MD DGS	2021	09/15/2021	\$1,000,000	None
<p><u>Description:</u> Design and construction of water treatment clarifier. <u>Status:</u> Project went to bid for construction in January 2024, bids are due 02/28/2024. Anticipate bid approval coming before Board at the 04/01/2024 town meeting.</p>					
23-3	FY 23 DHCD CL	07/13/2022	01/03/2023	\$50,000	None
<p><u>Description:</u> Community Legacy 50/50 façade improvement program for sustainable community area. <u>Status:</u> Property owners have until May 2024 to complete work. Reimbursements submitted as received.</p>					
23-5	FY23 DNR POS	11/29/2022	02/15/2023	\$70,000	\$37,850
23-13	FY23 DNR LPPI	11/22/2022	02/15/2023	\$44,500	None
<p><u>Description:</u> For 10 to 12 space Rainbow Lake parking lot SWM plan, design and construction. <u>Status:</u> Engineer signed contract for design 05/24/23. Currently in design and permitting phase. Project to go to bid for construction any day now.</p>					
23-10	USDA-RD	08/17/2022	10/07/2022	\$75,000	\$71,500
23-11	USDA-RD	08/17/2022	10/07/2022	\$50,000	None
23-17	FY23 DHCD OAG	06/30/2022	03/20/2023	\$10,000	None
<p><u>Description:</u> Purchase and installation of 97 streetlights along Main Street/S. Seton Avenue with new LED dimmable cutoff lights. <u>Status:</u> Board voted on winning bidder 09/11/23. Installation started 01/30/2024.</p>					
23-12	DHCD CSW	10/21/2022	01/03/2023	\$85,000	None
<p><u>Description:</u> Purchase two portable radar speed trailers and two surveillance cameras for town square. Leftover grant money (\$23,786) to go towards the downtown streetlight project. <u>Status:</u> Speed trailers delivered, and cameras installed. Waiting for streetlight installation to occur before submitting final grant report and closing project.</p>					

<u>Grant No.:</u>	<u>Grant Agency:</u>	<u>Date Applied For:</u>	<u>Date Awarded:</u>	<u>Grant Amount:</u>	<u>Match:</u>
23-18	FY24 MWIFA	01/31/2022	06/06/2023	\$277,500	None
24-3	FY24 DHCD CDBG	06/07/2023	07/21/2023	\$552,500	None
<u>Description:</u> Design and construction of replacement DePaul Street waterline. <u>Status:</u> Construction bid approval to come to Board 03/04/2024. Anticipated construction time frame Apr. 2024 – Jan. 2025.					
23-19	FY24 MWIFA	01/31/2022	06/06/2023	\$286,388	None
<u>Description:</u> Design and construction of replacement North Seton Ave. waterline and Green Street upgrade. <u>Status:</u> Project currently in design phase. Construction estimated to occur Jul. 2024 – Dec. 2025.					
23-20	FY23 FCTC	04/01/2023	04/19/2023	\$10,000	None
<u>Description:</u> Main Street cooperative fund. Purchase and installation of new Welcome signs. <u>Status:</u> Waiting to finish obtaining estimates for signs to determine if additional funding needed.					
24-1	FY24 TRIPP	03/31/2023	05/31/2023	\$3,335	\$1,665
<u>Description:</u> To advertise Emmitsburg as a tourism destination in two annual print publications (2024 Destination Gettysburg and 2024 Visit Frederick guide). <u>Status:</u> Ads have been placed and will be run in annual publication starting in January 2024. Final report due June 2024 once analytics collected from online print publications for a 6-month period.					
24-4	USDA-RD	03/23/2023	04/05/2023	\$1,862,300	\$1,395,000
<u>Description:</u> Design and construction of a new Creamery Road Pump Station. <u>Status:</u> Sewage bypass installed as of 12/15/2023. Delayed start of construction due to Build America, Buy America requirements. Anticipate construction to be completed by March 2025 (450 days).					
24-5	USDA-RD	08/10/2023	09/14/2023	\$31,100	\$33,900
<u>Description:</u> Purchase/installation of new parking meters along Main Street and multi-space meters for pool. <u>Status:</u> Request for proposal published on 10/24/2023 with a due date of 11/17/2023. Board to vote on winning bidder at 01/08/2024 meeting. Contract signed 02/23/2024.					
24-6	FY24 DHCD OAG	04/28/2023	11/15/2023	\$10,000	None
<u>Description:</u> Purchase/installation of four directional wayfinding signs for downtown. <u>Status:</u> Waiting for the grant agreement to be fully signed by the State before project can begin.					

**NEWLY AWARDED: NONE**

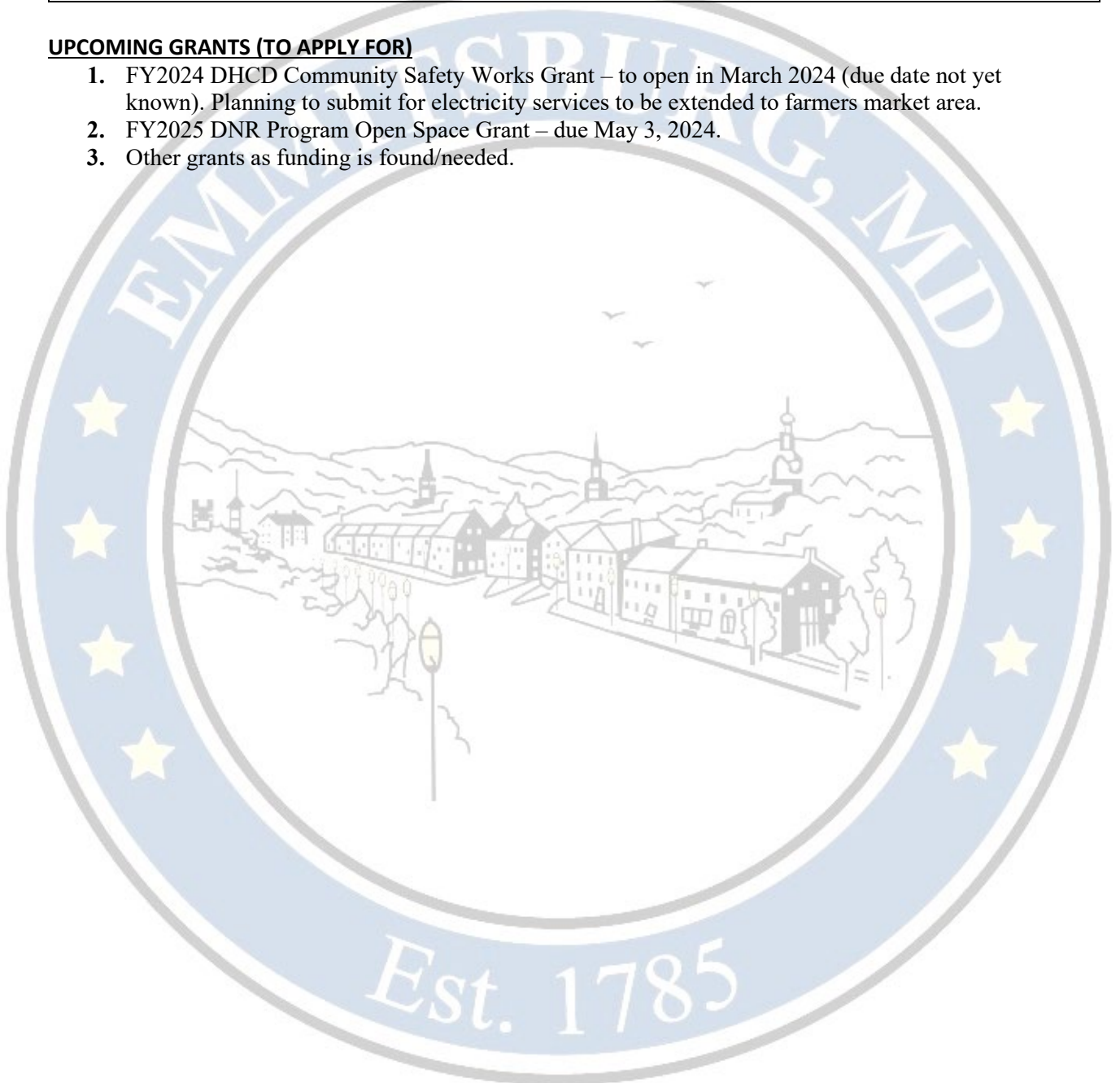
**PENDING GRANTS (WAITING FOR ANNOUNCEMENT) (6 TOTAL)**

<u>Grant Agency:</u>	<u>Date Applied For:</u>	<u>Date Awarded:</u>	<u>Grant Requested:</u>	<u>Match:</u>
FFY23/SFY25 MWIFA	01/31/2023	--	\$5,840,000	Unknown
<u>Proposed project:</u> Emmitsburg Transmission Main Replacement. To replace 10-inch mountain main with 16-inch to improve water quality and fire flow.				
FY24 POS	08/28/2023	--	\$85,950	\$9,550
<u>Proposed project:</u> Rainbow Lake Trail Improvements. Redesign and fix red trail damage from logging and add signage at trail transition points.				
FY24 POS	08/28/2023	--	\$20,000	\$2,222
<u>Proposed project:</u> Myers Community Park Improvements: Construct picnic shelter near ADA playground.				
FY25 CP&P	08/23/2023	--	\$13,000	None
<u>Proposed project:</u> Emmitsburg Park Improvements: To purchase bike repair stations for each park (Community, Memorial and Rainbow Lake).				

<b>FY25 GOCP SAPP</b>	<b>12/13/2023</b>	--	<b>State determines</b>	<b>None</b>
<u>Proposed project:</u> State aid for police protection. To provide financial aid for our contracted deputies, State to determine amount based on formula.				
<b>FFY24/SFY26 MWIFA</b>	<b>01/05/2024</b>	--	<b>\$140,000</b>	<b>Unknown</b>
<u>Proposed project:</u> Backwash filter replacement. To upgrade the backwash filters at the water plant				

**UPCOMING GRANTS (TO APPLY FOR)**

1. FY2024 DHCD Community Safety Works Grant – to open in March 2024 (due date not yet known). Planning to submit for electricity services to be extended to farmers market area.
2. FY2025 DNR Program Open Space Grant – due May 3, 2024.
3. Other grants as funding is found/needed.



**2. PARKING CODE ENFORCEMENT REPORT**

**PARKING ENFORCEMENT REPORT**

**February 2024**

<i>Overtime Parking</i>				
<i>Restricted Parking Zone</i>				
<i>Parked in Crosswalk</i>				
<i>Parked on Sidewalk/Curb</i>				
<i>Parked by Fire Hydrant</i>				
<i>Parked Blocking Street</i>				
<i>Parked Blocking Driveway</i>				
<i>Failure to Park between Lines</i>				
<i>Left Side Parking</i>				
<i>Parked in Handicapped Space</i>				
<i>48 Consecutive Hours</i>				
<i>Total Tickets – Warnings – Dismissed</i>		0		0
<i>Meter Money</i>	\$756.10			
<i>Meter Reservations</i>	Daily Reservations: 0		Funeral Home Reservations: 0	
<i>Parking Permits by Type</i>	1M: 0	3M:0	6M: 0	1Y: 0
<i>Parking Permits Money</i>	\$0			
<i>Violation Cost</i>	\$			
<i>Late Fees Assessed</i>	\$0			
<i>Payment Received</i>	\$			
<i>Dues Forward</i>	\$			
<b><i>Totals February:</i></b>	<b><i>Made</i></b> <b>\$756.10</b>		<b><i>Due</i></b> <b>\$</b>	
<b><i>Totals 2024</i></b>	<b><i>Violations Paid</i></b> <b>\$</b>	<b><i>Outstanding Bal.</i></b> <b>\$</b>	<b><i>Meter Money</i></b> <b>\$756.10</b>	<b><i>Permit Revenue</i></b> <b>\$</b>

\*Meter Money was pulled and counted Feb 20th.



## D. TOWN PLANNER'S REPORT



*Planner's Report*

**February 2024**

Prepared by: Najila Ahsan

### Permits & Code Enforcement

- Processed the following permit applications:

- 2 Zoning Permit

311 E Main St	Fence
17750 Creamery Rd	Use & Occupancy

### Development Updates

- Ongoing Developments

- Federal Stone
  - Under construction
  - Provided zoning verification to the lender financing the project.
- Seton Village:
  - Forest Delineation | Forest Conservation | Subdivision Plat
  - The applicant is seeking Planning Commission approval of a subdivision plat to convert two condominium units into two recorded lots
  - Will be on the next Planning Commission meeting agenda.
  - Met with applicant to discuss forest conservation requirements
- Emmitsburg Distillery
  - Updated plans received
  - Staff review is taking place currently
- Christ Community Church
  - Applicant has resubmitted site plan for review
  - Pending: a landscape plan stamped by licensed landscape architect
  - Pending: final review of lighting plan
- MSMU E Wing Improvements
  - Conditionally approved by the Planning Commission
  - Staff has provided additional comments for the applicant to address
  - The applicant has yet to satisfy all the conditions of approval, particularly regarding the lighting plan. Staff clarified lighting requirements.
- St Joseph Church
  - Improvement plan for installation of a ramp that meets ADA standards

- Currently being reviewed by staff
- Will be on the next Planning Commission meeting agenda
- Development Pipeline/ Applicant Interest
  - Emmet Ridge
    - Will have a meeting with the DRB group regarding a sketch plat.
  - Frailey Property Annexation
    - Potential developer interested in developing the portion within the Town boundary before annexing and developing the rest of the property.
  - Rodney McNair Property Annexation

### Stormwater Management

- Stormwater Utility Fee
  - Currently reviewing fee calculation spreadsheet

### Planning Commission

- Past Meeting
  - 02.19.24
    - Planning Commission Rules & Procedures
    - Comprehensive Plan
- Future Meeting
  - TBD
    - Seton Village Subdivision
    - St Joseph Church ADA ramp

### Board of Appeals

- Past Meeting
  - 02.06.24
    - 17750 Creamery Rd.  
The BoA approved a special exception request to allow the Chesterton Academy of the Annunciation to occupy one of the units
- Future Meeting
  - TBD
    - 17750 Creamery Rd.  
Applicant (insurance agency) is seeking a special exception to occupy one of the units at this office park.

### Grants

- Community Legacy Grant (Awarded)
  - The Sustainable Communities Workgroup made recommendations but requested additional information.
  - Pending: Grant Agreement with DHCD.

- IIJA DNR Grant (Awarded)
  - Reimbursement process

### Comprehensive Plan

- In Progress:
  - Existing conditions chapters
  - Maps & charts creation
  - Incorporation of public input
  - Incorporation of Planning Commission comments
  - Surveys
    - 3 webforms pertaining to
      - Economy – 8 responses
      - Community – 4 responses
      - Environment – 4 responses
    - 1 webform for general comments
- Past Event:
  - In-person Public Visioning Workshop – 1.29.24
    - Focus on economic development
      - Staff presentation, exercise, and discussion
      - The report will be available on the website.
  - In-person Public Visioning Workshop scheduled for 2.26.24 had to be postponed.
- Upcoming Events:
  - In-person Public Visioning Workshops
    - 3.25.24: Will combine community development and environmental sustainability focus

### Meetings

1.30.24	Department Head Meeting
2.5.24	Board of Commissioners Meeting
2.6.24	Board of Appeals Meeting
2.19.24	Planning Commission Meeting
2.20.24	Sustainable Communities Workgroup Meeting
2.28.24	Meeting with the Applicant of Seton Village Properties Subdivision
2.28.24	Meeting with Town Manager to discuss current projects

**E. COMMISSIONERS COMMENTS**



**F. MAYOR'S COMMENTS**



**G. PUBLIC COMMENTS**



**H. ADMINSTRATIVE BUSINESS**

1. Presentation by Gary Casteel on his proposed National Civil War Monument.

*Presentation at the Town meeting.*

**I. CONSENT AGENDA (NONE)**



**J. TREASURER'S REPORT**

**TOWN OF EMMITSBURG  
CASH ACTIVITY as of February 27, 2024**

**\$10,912,867**      Cash Balance February 1, 2024

**189,083**      Deposits  
**-368,861**      Withdrawals

**\$10,733,089**      Operating Balance Forward

<u>Check Amount</u>	<u>Vendor Name</u>	<u>Description</u>	<u>Check Date</u>	<u>Check Number</u>
\$59,040	Catoctin Lighting Services Inc	Streetlighting - grant #23-11, #23-17, #23-10	02.21.24	46062
\$54,160	Catoctin Lighting Services Inc	Streetlighting - grant #23-11, #23-17, #23-10	02.07.24	46014
\$37,084	Conewage Enterprises Inc	Cap #6 - Pump Station	02.14.24	46045
\$22,472	MD Dept of Budget & Management	Health Insurance - Dec 23	02.21.24	46071
\$10,715	Kelco Plumbing & Backhoe Service	Replace Water Heater	02.07.24	46026
\$8,830	DeLeon & Stang	Audit Services	02.14.24	46047
\$6,982	Republic Services	Feb 24 Refuse Services	02.07.24	46031
\$6,768	Powell LLC	Legal Services	02.07.24	46030
\$6,155	Fox & Associates Inc	POS Grant #23-5 - Rainbow Lake Parking Lot	02.07.24	46022
\$5,335	Frederick County DUSWM	Tipping Fees	02.07.24	46021

*Ck dates 02.01.24 to 02.27.24*

**Fund Breakdown as of 02/27/24**

	<b>FY22</b>	<b>FY23</b>	<b>FY24</b>
1 - General Fund	1,591,017	1,553,580	2,015,505
2 - Capital Projects	866,279	629,273	530,213
4 - Water	6,828	10,864	386,254
4 - ARPA	1,575,430	3,147,719	2,836,694
5 - Sewer	5,072,486	5,134,314	4,895,703
<b>Total</b>	<b>9,112,039</b>	<b>10,475,750</b>	<b>10,664,369</b>
Per Trial Balance	9,112,039	10,475,750	10,661,412
3 - Due to/Due From Acct Bal			(2,956)
Check	-	-	-



**K. PLANNING COMMISSION REPORT**

*Discussion at the Town meeting.*



**L. AGENDA ITEMS**

AGENDA ITEM #1: FY 23 audit presentation.

*Presentation at the Town meeting.*



AGENDA ITEM #2: For consideration, approval of bid for DePaul St. waterline.



**PROJECT EXPLANATION:**

This project entails the replacement of approximately 2,340 feet of 8-inch ductile iron water line, replacement of fire hydrants and copper water services, restoration of asphalt pavement and concrete sidewalks, mobilization, traffic control, and other related items necessary to complete the project in accordance with the Frederick County, Maryland Standard Details for Water Mains, Sanitary Sewers and Related Structures, the Maryland State Highway Specifications dated July 2023 (Latest Revision), unless directed otherwise by the Town of Emmitsburg.

**TIMELINE – SMART PARKING METER PURCHASE AND INSTALLATION:**

RFP published by Town	Fri. January 05, 2024
DEADLINE, bids due	Thurs. February 8, 2023 by 3:00 p.m.
Live bid opening	Thurs. February 8, 2024 at 3:00 p.m.
Bid review by Board	Tues. March 4, 2024

**RFP ADVERTISEMENT:**

- Public Notice Under RFP Tab on Town’s Website: 01/05/2024 – 02/08/2024
- Notice on MML Classifieds: Currently unavailable during transition to new process for 2024
- RFP Published on eMaryland Marketplace: 01/05/2024
- Public Notice on Town Facebook Page 01/05/2024
- Email sent to potential contractors: 01/05/2024

**PROJECT FUNDING:**

**DePaul Street Funding**

<b>GRANT #1 (CDBG)</b>	<b>\$552,500.00</b>
<b>GRANT #2 MWIFA (MDE)</b>	<b>\$277,500.00</b>
<b>ARPA</b>	<b>\$385,250.00</b>

**ESTIMATED COST:**

\$1,217,250.00

Est. 1785

**BIDS RECEIVED (IN ORDER OPENED):**

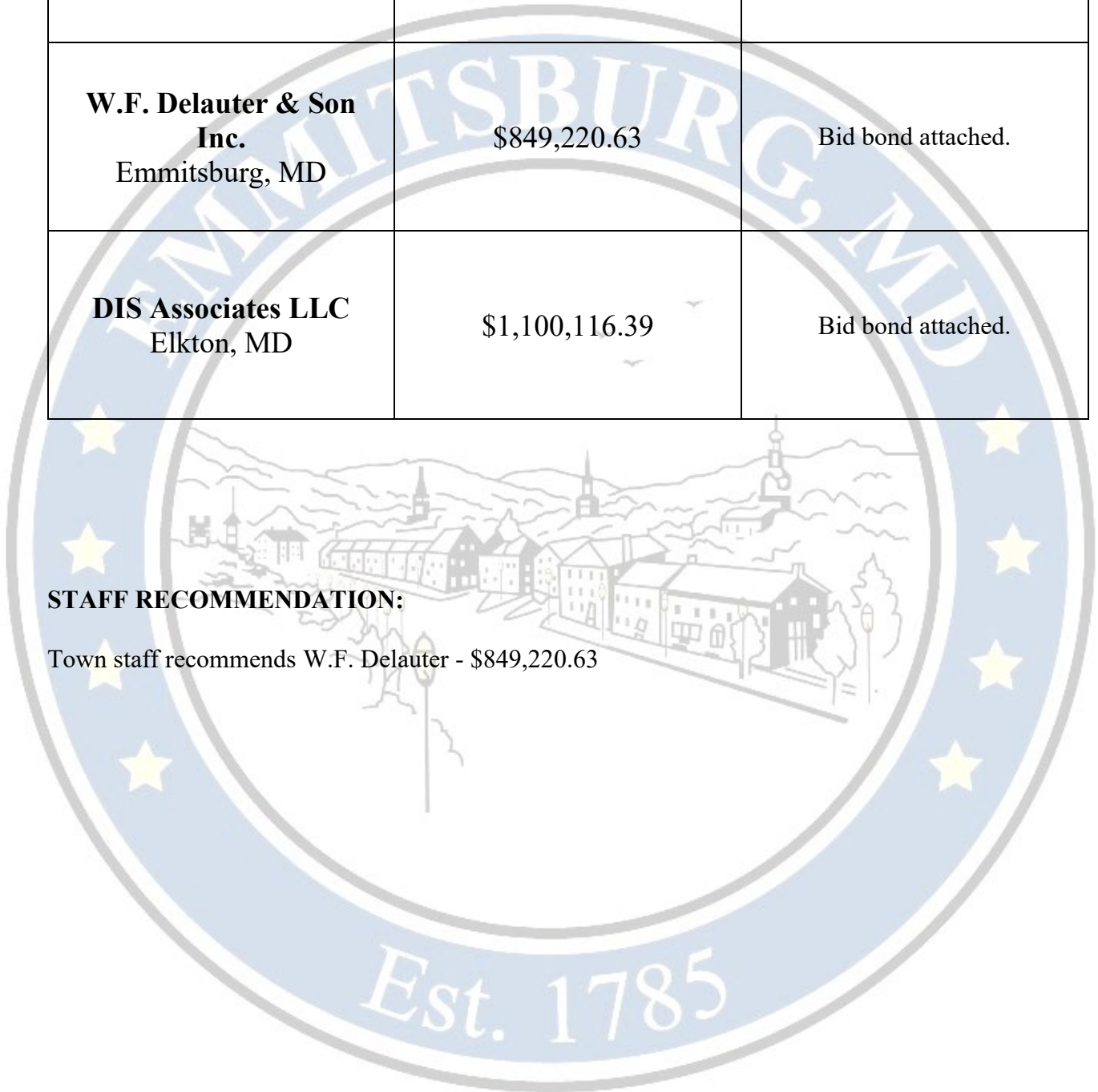
*\*Note: the below prices do not include shipping in the price, except for ITS.*

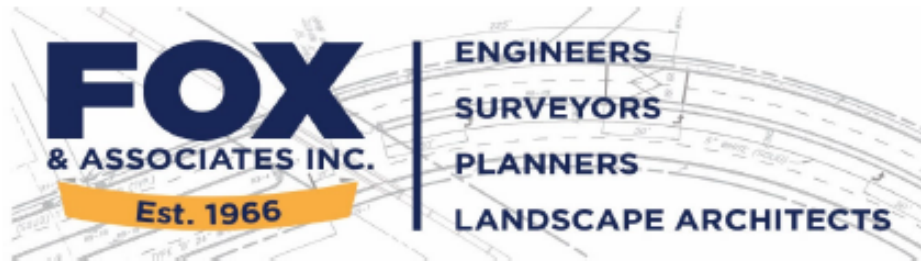
<b>Company:</b>	<b>Price:</b>	<b>Notes:</b>
<p><b>J Fletcher Creamer &amp; Son Inc.</b>                      Hackensack, NJ</p>	<p>\$1,327,697.00</p>	<p>Phase 1 and Phase 2 with contingency.                      Bid bond attached.</p>
<p><b>Bright Construction Group</b>                      Fairfax, VA</p>	<p>\$1,046,870.00</p>	<p>Bid bond attached.</p>
<p><b>ECM Corp.</b>                      Severn, MD</p>	<p>\$1,373,053.50</p>	<p>Bid bond attached.</p>
<p><b>W.F. Wilson &amp; Son</b>                      Elkridge, MD</p>	<p>\$1,518,113.00</p>	<p>Bid bond attached.</p>
<p><b>Guyer Brothers Inc.</b>                      New Enterprise, PA</p>	<p>\$1,376,477.00</p>	<p>Bid bond attached.</p>
<p><b>Huntzberry Brothers Inc.</b>                      Smithsburg, MD</p>	<p>\$1,107,771.00</p>	<p>Bid bond attached.</p>

<b>Jerry Justice</b> Aspers, PA	\$1,415,054.00	Bid bond attached.
<b>W.F. Delauter &amp; Son Inc.</b> Emmitsburg, MD	\$849,220.63	Bid bond attached.
<b>DIS Associates LLC</b> Elkton, MD	\$1,100,116.39	Bid bond attached.

**STAFF RECOMMENDATION:**

Town staff recommends W.F. Delauter - \$849,220.63





82 Worman's Mill Ct  
Suite G  
Frederick, MD 21701  
Phone: 301-695-0880  
Fax: 301-293-6009

February 21, 2024

Town of Emmitsburg  
300A South Seton Ave.  
Emmitsburg, MD 21727

Attn: Ms. Cathy Willetts

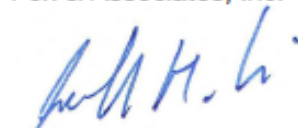
Re: DePaul Street Waterline Replacement

Dear Cathy,

After reviewing the bids submitted for the above-mentioned project, Fox & Associates, Inc. recommends that the project be awarded to the low bidder, W.F. Delauter & Son, Inc. with a total bid of \$849,220.63.

If you have any questions please contact me at 301-695-0880 x223 or by email, [jceci@foxassociatesinc.com](mailto:jceci@foxassociatesinc.com).

Sincerely,  
Fox & Associates, Inc.



Joseph Ceci, P.E., VP  
Project Manager

AGENDA ITEM #3: For consideration, approval of bid for three-year trash service contract.





**PROJECT EXPLANATION:**

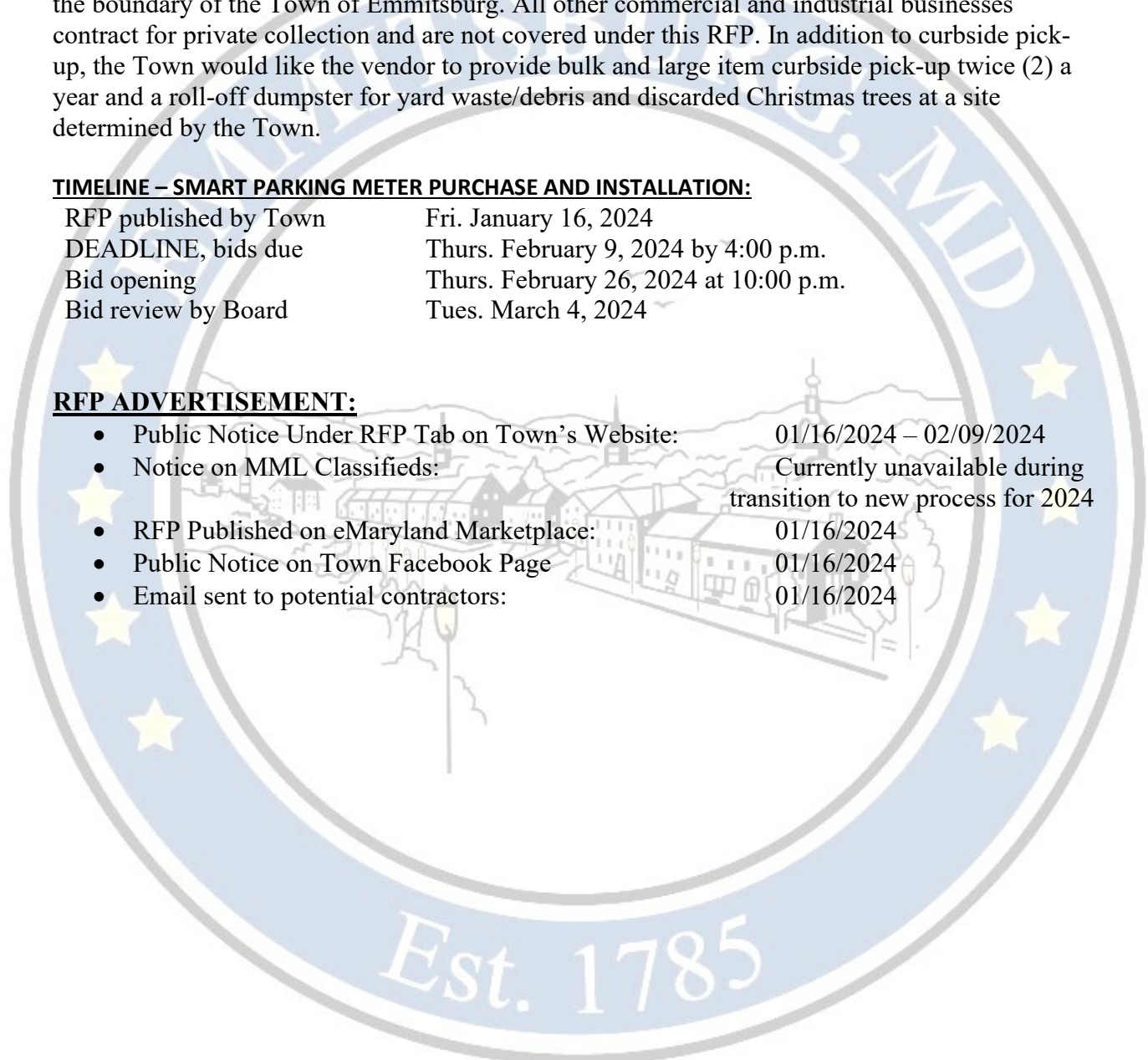
The Town of Emmitsburg is requesting sealed bids from qualified vendors for the collection, hauling and disposal of residential refuse over a three (3) year term contract. The Town of Emmitsburg has approximately 1,142 +/- units in need of trash collection, hauling and disposal services on a weekly basis. Current services occur on Monday morning every week. All curbside customers provide their own containers. These customers include town homes, single-family homes, apartment buildings and a limited number of small commercial enterprises throughout the boundary of the Town of Emmitsburg. All other commercial and industrial businesses contract for private collection and are not covered under this RFP. In addition to curbside pick-up, the Town would like the vendor to provide bulk and large item curbside pick-up twice (2) a year and a roll-off dumpster for yard waste/debris and discarded Christmas trees at a site determined by the Town.

**TIMELINE – SMART PARKING METER PURCHASE AND INSTALLATION:**

RFP published by Town	Fri. January 16, 2024
DEADLINE, bids due	Thurs. February 9, 2024 by 4:00 p.m.
Bid opening	Thurs. February 26, 2024 at 10:00 p.m.
Bid review by Board	Tues. March 4, 2024

**RFP ADVERTISEMENT:**

- Public Notice Under RFP Tab on Town’s Website: 01/16/2024 – 02/09/2024
- Notice on MML Classifieds: Currently unavailable during transition to new process for 2024
- RFP Published on eMaryland Marketplace: 01/16/2024
- Public Notice on Town Facebook Page 01/16/2024
- Email sent to potential contractors: 01/16/2024



**BIDS RECEIVED (IN ORDER OPENED):**

*\*Note: the below prices do not include shipping in the price, except for ITS.*

<b>Company:</b>	<b>Price:</b>	<b>Notes:</b>
<p><b>Republic Services</b> Frederick, MD</p>	<p>\$117,252.00</p>	<p>\$8.30 per unit per month. \$175.00 per haul- Yard Waste \$2.00 per unit-Bulk Trash (twice a year) *Price set for the entire contact</p>
<p><b>J&amp;J Services</b> Mount Airy, MD</p>	<p>Monday, 2024-\$127,545.00 Monday, 2025-\$131,369.60 Monday, 2026-\$135,331.24  Wednesday, 2024-\$113,841.00 Wednesday, 2025-\$117,254.00 Wednesday, 2026-\$120,805.00</p>	<p><u>Monday</u> 2024-\$9.00, 2025-\$9.27, 2026-\$9.55 per unit per haul. 2024-\$275, 2025-\$283, 2025-\$291 per haul, Yard Waste Dumpster 2024-\$2.00, 2025-\$2.03, 2026-\$2.06 per unit, Bulk Trash, twice a year <u>Wednesday</u> 2024-\$8.00,2025-\$8.24,2026-\$8.49 per unit per haul. 2024-\$275,2025-\$283,2026-\$291 per haul, Yard Waste Dumpster. 2024-\$1.00,2025-\$1.03,2026-\$1.06</p>
<p><b>Waste Collection Resolve LLC</b> Baltimore, MD</p>	<p>\$292,652.00</p>	<p>\$4.00 per unit per month. \$994.00 per haul-Yard Waste \$7.00 per unit-Bulk Trash (twice a year) *Bid was incomplete. *Asked for clarification on estimated cost</p>
<p><b>R&amp;R Moving and Hauling Services LLC</b> Baltimore, MD</p>	<p>\$1,751,050.00</p>	<p>\$96.33 per unit per month \$550 to drop off unit, \$450 per unit = \$1,000 per unit \$257 per resident for bulk trash. *Two days late</p>

**STAFF RECOMMENDATION:**

Town staff recommends: Republic Services - \$117,252.00

AGENDA ITEM #4: For consideration, approval of pre-fab restroom/concession stand building  
E. Eugene Myers Park.



**PROJECT EXPLANATION:**

The Mayor and Commissioners of Emmitsburg, Maryland are requesting sealed bids from qualified contractors for a prefabricated concrete restroom and concession stand combo facility. The restroom facility will be installed in E. Eugene Myers Community Park located at 201 West Lincoln Avenue, Emmitsburg MD 21727.

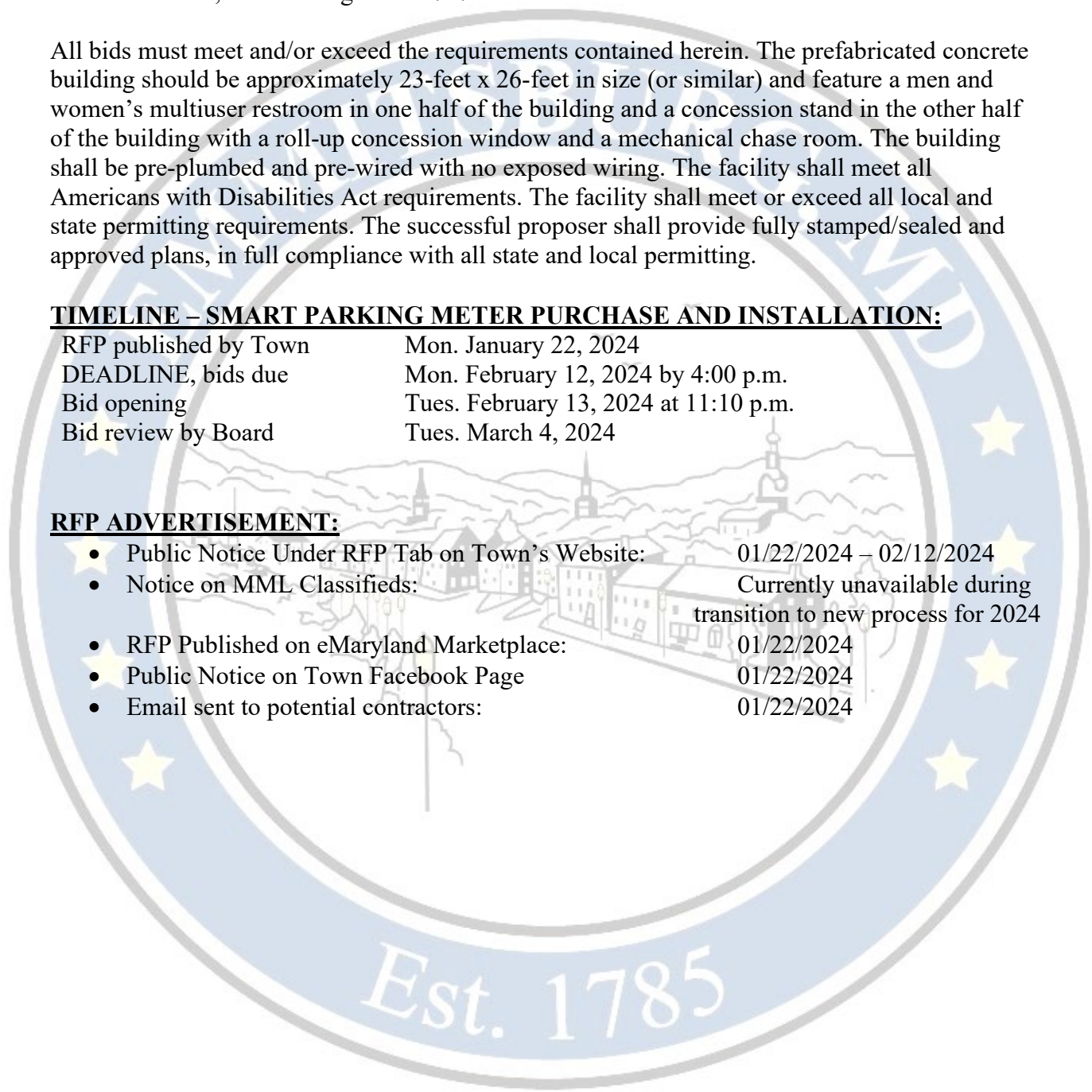
All bids must meet and/or exceed the requirements contained herein. The prefabricated concrete building should be approximately 23-feet x 26-feet in size (or similar) and feature a men and women’s multiuser restroom in one half of the building and a concession stand in the other half of the building with a roll-up concession window and a mechanical chase room. The building shall be pre-plumbed and pre-wired with no exposed wiring. The facility shall meet all Americans with Disabilities Act requirements. The facility shall meet or exceed all local and state permitting requirements. The successful proposer shall provide fully stamped/sealed and approved plans, in full compliance with all state and local permitting.

**TIMELINE – SMART PARKING METER PURCHASE AND INSTALLATION:**

RFP published by Town	Mon. January 22, 2024
DEADLINE, bids due	Mon. February 12, 2024 by 4:00 p.m.
Bid opening	Tues. February 13, 2024 at 11:10 p.m.
Bid review by Board	Tues. March 4, 2024

**RFP ADVERTISEMENT:**

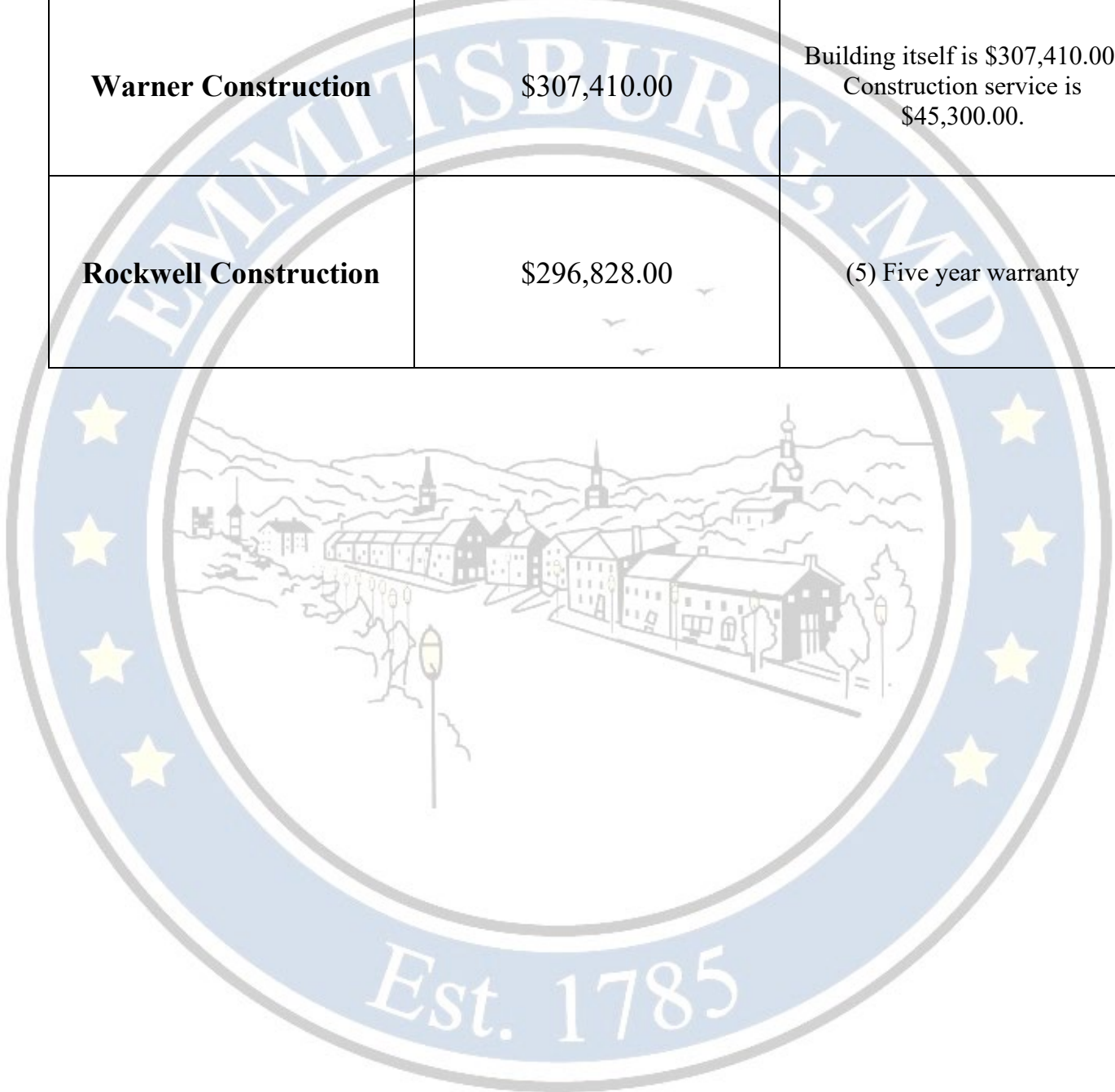
- Public Notice Under RFP Tab on Town’s Website: 01/22/2024 – 02/12/2024
- Notice on MML Classifieds: Currently unavailable during transition to new process for 2024
- RFP Published on eMaryland Marketplace: 01/22/2024
- Public Notice on Town Facebook Page 01/22/2024
- Email sent to potential contractors: 01/22/2024

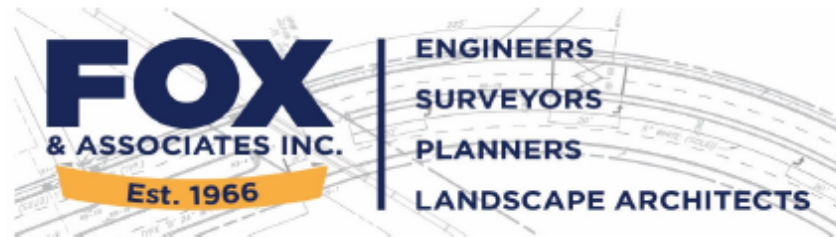


**BIDS RECEIVED (IN ORDER OPENED):**

*\*Note: the below prices do not include shipping in the price, except for ITS.*

<b>Company:</b>	<b>Price:</b>	<b>Notes:</b>
<b>Warner Construction</b>	\$307,410.00	Building itself is \$307,410.00. Construction service is \$45,300.00.
<b>Rockwell Construction</b>	\$296,828.00	(5) Five year warranty





82 Worman's Mill Ct  
Suite G  
Frederick, MD 21701  
Phone: 301-695-0880  
Fax: 301-293-6009

February 26, 2024

Town of Emmitsburg  
300A South Seton Ave.  
Emmitsburg, MD 21727

Attn: Ms. Cathy Willetts

Re: RFP for Prefabricated Concession Stand Facility Purchase

Dear Cathy,

After reviewing the bids submitted for the above-mentioned project, Fox & Associates, Inc. recommends that all bids be rejected due to the proposed cost.

The two base bids received, for the same prefabricated building, were in the amounts of \$296,828 and \$307,410.00.

The base bid quote received directly from the manufacturer was \$217,124.00. This represents a \$79,704.00 savings for the Town if purchased directly from the manufacturer.

If you have any questions please contact me at 301-695-0880 x223 or by email, [jceci@foxassociatesinc.com](mailto:jceci@foxassociatesinc.com).

Sincerely,  
Fox & Associates, Inc.

A handwritten signature in blue ink, appearing to read "Joe Ceci", is written over the typed name.

Joseph Ceci, P.E.  
Vice President

A large, stylized logo at the bottom of the page, consisting of a blue arc with the text "Est. 1785" written in white, serif font inside it.



**Restroom Proposal**

Fox & Associates, Inc.  
 Attn: Jim Lillard

December 20, 2023  
 (price is good for 30 days)

Re: Easi-Set Precast Concrete Restroom Buildings Delivered to Emmitsburg, MD.

We propose to supply material on the above referenced project as follows:

QTY	DESCRIPTION	PRICE
(1)	2 Toilet/2 Room Restroom w/ concession (23'-4" x 19'-4" x 9' high I.D.) Precast Building	@ \$ 217,124.00

**Price Includes:** Simulated Easi-Brick exterior finish on walls stained one color; anti-graffiti coating; cast-in cove base on interior restroom walls; delivery; (8) 48" x 12" pebble texture Lexan windows; (2) ADA/Braille signs; (4) vents with mechanical louvers; (4) vents with fixed louvers; (4) exterior LED lights; (2) ADA 3068 restroom doors; (1) 3068 mechanical chase door as specified; (3) 3068 hollow metal steel doors for concession room; Interior partition walls to create restrooms, mechanical chase, and concession room; (2) exterior GFCI receptacle (NEMA 3R) and offloading based upon customer having a level, smooth compacted stone base.

**Mechanical Chase-** 8 gallon mini water heater; vent openings to circulate air in restroom (temperature regulator); (2) Unit Heaters; (1) vent pipe with rain cover; (1) floor drain; (1) 120/240V 200A main circuit breaker; (3) 4' LED light fixtures; (2) GFCI receptacles; (1) cold water hose bib; (1) 1 1/2" pressure reducing valve; and electrical work to the rest of the building.

**Men's Side -** (1) ADA approved stainless steel toilet stall with automatic flush valves and ADA grab bars and HDPE stall partition wall and door; (1) stainless steel urinal with automatic flush valves and HDPE stall partition walls; (1) stainless steel sink with running hot and cold water and automatic sensor; (1) auto soap dispenser; (1) three roll jumbo toilet paper holder; (4) 4' LED light fixtures; (1) 18" x 36" stainless steel mirror; (1) 10" 115V exhaust fan with occupancy sensor; (1) coat hook; (1) wall hydrant concealed; (1) floor drain; (1) Saniflow hand dryer; Floor will be coated with an epoxy coating to create a non-slip surface. Walls will be painted white.

**Women's Side -** (1) ADA approved stainless steel stall with automatic flush valves and ADA grab bars and HDPE stall partition walls and doors; (1) stainless steel toilet stall with automatic flush valves and partition walls; (1) stainless steel sink with running hot and cold water and automatic sensor; (1) auto soap dispenser; (2) three roll jumbo toilet paper holder; (4) 4' LED light fixtures ; (1) 18" x 36" stainless steel mirror; (1) 10" 115V exhaust fan with occupancy sensor; (2) coat hooks; (1) wall hydrant concealed; (1) Saniflow hand dryer; (1) floor drains; Floor will be coated with an epoxy coating to create a non-slip surface. Walls will be painted white.

**Concession Side -** (1) 6'w x 4't coiling door for concession with stainless steel counter top; (1) floor drain; (1) 10" 115V exhaust fan with switch; (4) duplex LED light fixtures; (8) dedicated receptacles; 50 G Water Heater; (1) 3-Compartment SS Sink; (1) hand wash sink; and (1) service sink; (1) wall hydrant concealed; and (1) Unit Heater.

**Price Excludes:** Site preparation of any kind; tax; building permits; baby changing stations; final field connections; sloped floors; interior insulation; colored concrete; wage scale; inspections; crane plan and anything that is not included is specifically excluded.

**\*40 PSI minimum water pressure required.**

Price is based on customer having level compacted stone base per manufacturer's recommendations. Contractor must provide level unobstructed area large enough for crane and tractor-trailer to park adjacent to pad. Crane must be able to place outriggers within 3'-0" of edge of pad and truck and crane must be able to get side-by-side under their own power. No overhead lines may be within 75' radius of center of pad. Firm roadbed with turns that allow 65' lowbed tractor and trailer must be provided directly to site. No building shall be placed closer than 2'-0" to an existing structure.



A fee of \$450.00/hour will be charged for waiting time of SMC if site is not ready upon our arrival.

**TERMS. Net - 30 Days:** SMITH-MIDLAND Corporation will render monthly statements to the purchaser for work performed and material fabricated which is either delivered to job site or stored at the SMITH-MIDLAND Corporation plant. Full payment of those statements will be due within thirty days of its date, after which the Purchaser will pay a late charge of 1.5% of the overdue amount for each month or part thereof until the statement is paid. Purchaser agrees to pay reasonable attorney's fees in the event the account is placed for collection. **Ten percent mobilization is due with order.** No retention shall be withheld from payment to SMITH-MIDLAND Corporation. No claims for extras will be accepted unless SMITH-MIDLAND Corporation is given immediate notice, in writing, and given an opportunity to investigate.

Sincerely,

Cody Williams,  
Sales Associate  
540-439-3266 x 149

Date accepted by Purchaser: _____
Name of Company: _____
Signed by Officer: _____
Printed Name: _____





**BATHROOM/CONCESSION STAND PROJECT E. EUGENE MYERS PARK**

Two bids received:

Warner Construction

- \$352,710.00 includes building, construction services, project management, field supervision and site requirements.
- Sitework preparation for building structure is an additional \$139,400.00
- Total Cost - \$492,110.00

Rockwell Construction Company

- \$296,828.00 includes general conditions and building. Does not include sitework preparation for building structure. Engineer estimates site preparation to be between \$40,000 and \$50,000.00.
- Total estimated cost - \$336,828 - \$346,828.00

Fox and Associates recommend Board of Commissioners reject both bids based off engineer certification letter.

The engineer designed this project based on the Smith-Midland pre-fabricated building. The engineer recommends the Town purchase the building directly from the manufacturer. The Town will then need to do a separate RFP for the field work.

For this reason, the Town Manager is requesting approval of the estimate to purchase the Smith-Midland building for \$217,124.00. This is permitted by 3.12.040 Town of Emmitsburg code as there is only one appropriate source for this building.

If the Town approves direct purchase of building at \$217,124 and field work is estimated at \$50,000. The total cost for the building is **\$267,124.**

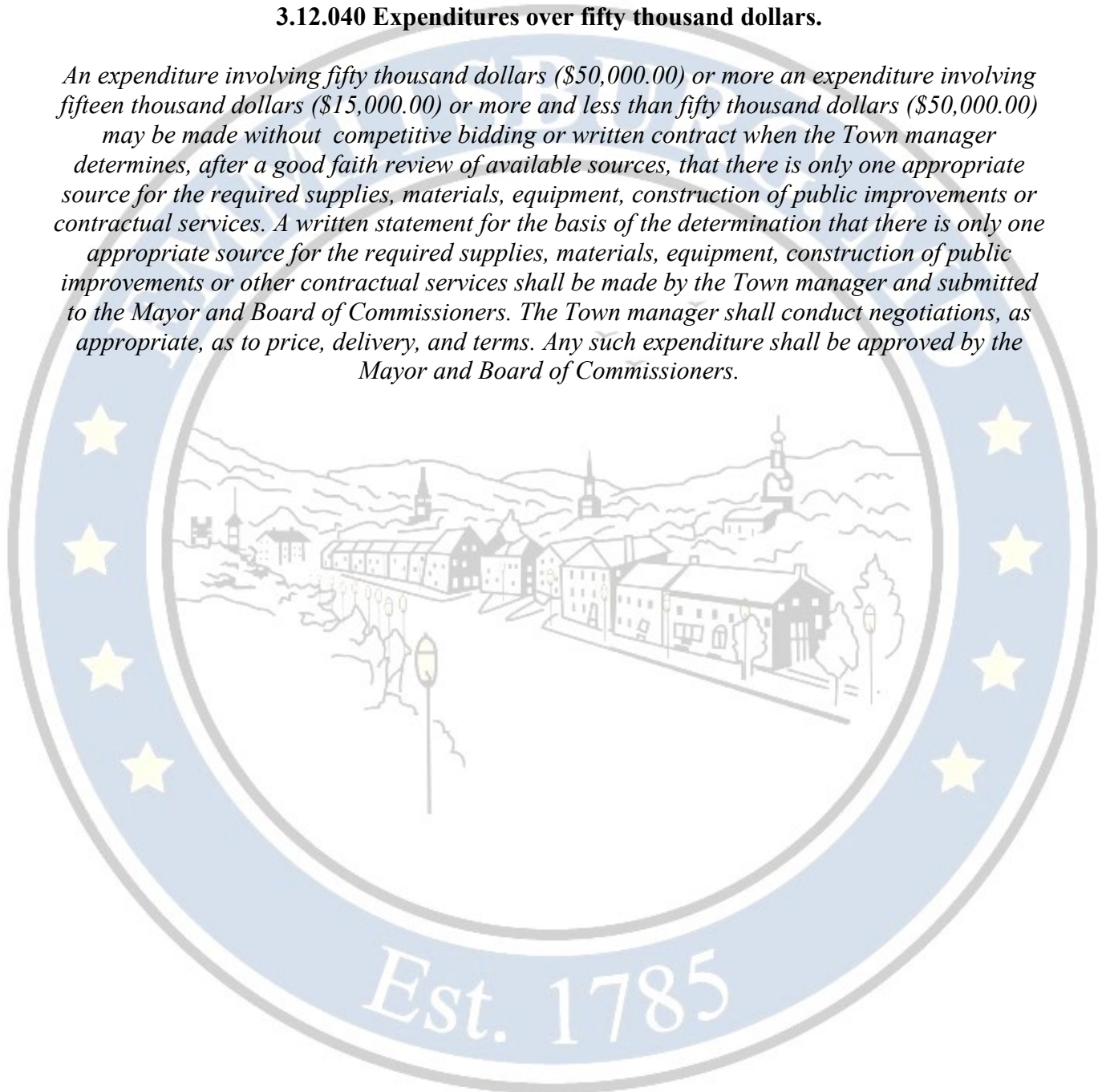
**ESTIMATES:**

Engineering Fox & Assoc. Contract	\$	11,100.00
Construction Admin - Fox & Assoc.	\$	14,700.00
Electric trenching - Dixie Electric	\$	17,400.00
ESTIMATE - waterline 600ft as of 05/31/2021	\$	10,965.00
ESTIMATE - sewerline as of 05/03/21	\$	2,200.00
ESTIMATE - Prefabricated building with delivery	\$	217,124.00
ESTIMATE - Site prep for building	\$	50,000.00
<b>TOTAL:</b>	<b>\$</b>	<b>323,489.00</b>

AGENDA ITEM #5: For consideration, approval of estimate for the backwash project at the WTP.

**3.12.040 Expenditures over fifty thousand dollars.**

*An expenditure involving fifty thousand dollars (\$50,000.00) or more or an expenditure involving fifteen thousand dollars (\$15,000.00) or more and less than fifty thousand dollars (\$50,000.00) may be made without competitive bidding or written contract when the Town manager determines, after a good faith review of available sources, that there is only one appropriate source for the required supplies, materials, equipment, construction of public improvements or contractual services. A written statement for the basis of the determination that there is only one appropriate source for the required supplies, materials, equipment, construction of public improvements or other contractual services shall be made by the Town manager and submitted to the Mayor and Board of Commissioners. The Town manager shall conduct negotiations, as appropriate, as to price, delivery, and terms. Any such expenditure shall be approved by the Mayor and Board of Commissioners.*



## **Backwash Project for WTP**

As permitted by Town Code, the Town Manager is requesting approval of this estimate from Control Systems 21 for the completion of the Back Wash System Controls Upgrade. Specialized Expertise: Control Systems 21 offers unparalleled expertise in control systems engineering, providing tailored solutions that perfectly align with the unique requirements of your project. They are knowledgeable and experienced with our plant and the specific requirements/equipment needed. Staff have collaborated with them on a frequent basis.

1. Time Efficiency: By partnering with Control Systems 21, the Town can expedite the commencement of the project, ensuring timely delivery and adherence to your project schedule.
2. Collaborative Relationship: Control Systems 21 emphasizes collaborative engagement, fostering effective communication, flexibility, and alignment with your strategic objectives throughout the project lifecycle.
3. Customized Solutions: Given the complexity of your project, Control Systems 21's ability to deliver customized solutions to ensure that the Town's specific needs are met with precision and efficiency.
4. Control Systems 21 will also design the PLC that controls the backwash sequence and all parameters will be specialized that is specific to our unique operations.

I believe engaging Control Systems 21 as our provider will maximize efficiency, mitigate risks, and lead to the successful completion of this project. Control Systems 21 meets the requirements of sole source as it is the only source that will be compatible with our WTP as well as familiarity with our systems and equipment.

This project is necessary since the existing valves in the backwash system are obsolete and no longer available, a new style of valve is required. The new style of valve requires additional wiring.

Estimate: \$148,844.10

Recommended Funding: ARPA

Est. 1785



713 Range End Road Dillsburg, PA 17019  
 V: 717-432-5511  
 F: 717-432-7550  
 Estimates - estimates@controlsystems21.com

# Estimate

		Date	Estimate #
		2/26/2024	24-Bachwash Update
		CS21 Sales Rep	Taylor
		Attention:	Jared Brantner
Estimated Ship from Date of PO	TBD	Shipping will be Prepaid by CS21 and added to Customer Invoice	
Customer Name/Address		Ship To	
Town Of Emmitsburg 300A S. Seton Avenue Emmitsburg, MD 21727		8585 Crystal Fountain Rd Emmitsburg, Md 21727	
Terms Net 30 Days		Job#	Revision
Control Systems 21 is pleased to provide the following estimate.		Back Wash Upgrade	-
		Estimate Type	Lump Sum
<b>Backwash System Upgrade</b>			
<p>Due to the fact that the existing valves in the backwash system are obsolete and no longer available, a new style of valve is required. The new style of valves require additional wiring. The existing under ground conduit is full and will not allow for additional wires to be pulled. On inspection of the controls system for the backwash operations, it is noted that the PLC/HMI are obsolete. We are proposing the following:</p> <ul style="list-style-type: none"> <li>- Install new overhead conduit and wiring to 3 Filter units with 5 new Hayward valves and Actuators per filter.</li> <li>- Install new control panel with New PLC and HMI</li> <li>- Convert existing PLC logic to an up to date software version</li> <li>- Modify the existing logic to trigger backwash off of effluent turbidity</li> <li>- Install 3 new modulating valves for backwash flow control.</li> </ul> <p><b>Assumptions/Restrictions:</b></p> <p>All permitting is by others.</p> <ul style="list-style-type: none"> <li>-All existing equipment other than valves and PLC/HMI are in good working order and will be re-used.</li> <li>-Plant Down time will need to be coordinated with operator</li> <li>- Customer to supply 4-20mA Turbidity value to new PLC panel</li> </ul> <p><b>Payment Terms</b></p> <p>Progress billing with NET30 payment due for each invoice issued</p> <p>45% down upon order, 25% due 30 days later, and the final 30% due upon completion.</p>			
		<b>TOTAL</b>	\$ 148,844.10

- Product warranty claims should be directed to the manufacturer
- All work to be performed on normal work days Monday thru Friday from 7:00 AM to 4:00 PM
- This proposal is valid for (30) days
- A valid purchase order and signature on this quotation will be required before Control Systems 21 can order parts and start work
- Standard exclusions: Unpredictable and unforeseeable conditions. For the purpose of this contract, unpredictable and unforeseeable condition shall mean a condition not readily observable to an experienced contractor or subcontractor inspecting the property for the purpose of estimating and performing the work specified within the contents of this contract.

Any alterations or deviation from the above specifications or any unpredictable and unforeseeable conditions involving extra cost of material or labor will be executed upon written order for same, and will become an extra charge over the sum mentioned in this contract.

- Control Systems 21 does not participate in any retainage
- Control Systems 21 does not participate in liquidated damages of any kind
- Should you have any questions please do not hesitate to contact us

Customer Approval Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

Customer PO: \_\_\_\_\_

**ARPA Funding Breakdown**

<b>Project:</b>	<b>Total Cost:</b>	<b>Grant 1:</b>	<b>Grant 2:</b>	<b>Loan:</b>	<b>ARPA Designated</b>
<b>DePaul Street Waterline Replacement-Phase 1</b>	<b>\$1,110,000.00</b>	<b>\$552,500.00</b>	<b>\$277,500.00</b>	<b>\$280,000.00</b>	<b>\$280,000.00</b>
<b>DePaul Street Waterline Replacement-Phase 2</b>	<b>\$107,250.00</b>				<b>\$107,250.00</b>
<b>North Seton Avenue Waterline Replacement &amp; Green Street</b>	<b>\$1,145,552.00</b>	<b>\$286,388.00</b>		<b>\$859,164.00</b>	
<b>WTP Clarifier</b>	<b>\$3,098,439.00</b>	<b>\$1,000,000.00</b>			<b>\$2,098,439.00</b>
<b>Water Fund FY24 Water Revenue Loss</b>	<b>\$300,000.00</b>				<b>\$300,000.00</b>
<b>Backwash Project for the WTP</b>	<b>\$148,844.10</b>				<b>\$148,844.10</b>

**Total ARPA Designated: \$2,934,533.10**

<b>American Rescue Plan Money Available</b>	<b>\$3,152,038.92</b>
<b>ARPA Remaining ARPA Available – Total ARPA Designated</b>	<b>\$217,505.82</b>

AGENDA ITEM #6: For consideration, approval of Change Order #2 for the Creamery Road Pump Station Project.

*Presentation at the Town meeting.*



**M. SET AGENDA FOR NEXT MEETING: APRIL 1, 2024**

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

Administrative Business:

- A.
- B.
- C.

