

**MINUTES  
TOWN MEETING  
JULY 1, 2019  
EMMITSBURG TOWN OFFICE**

**Present:** *Elected Officials* - Mayor Donald Briggs; Commissioners: Elizabeth Buckman; Joseph Ritz III; Timothy O'Donnell, Treasurer; Glenn Blanchard, Vice President; and Clifford Sweeney, President. *Staff Present* - Cathy Willets, Town Manager; and Amy Nail, Code Enforcement Officer. *Others Present* - Deputy Ben Whitehouse.

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**I. Call to Order**

Commissioner Clifford Sweeney, President of the Board of Commissioners, called the July 1, 2019 town meeting to order at 7:30 p.m. Pledge of Allegiance was recited. Upcoming meetings were announced.

**Approval of Minutes**

**Motion:** To accept the June 3, 2019 town meeting minutes as presented. Motion by Commissioner O'Donnell, second by Commissioner Ritz III. Vote: Motion carries 5 – 0 in favor.

**Police Report:**

Deputy Whitehouse presented the police report from June 2019 (exhibit attached). Deputy Whitehouse mentioned it was a slow month other than increased suspicious activity calls and a few 9-1-1 calls. The events attended by the deputies were the pilgrimage from the Seton Shrine to St. Joseph's Church and Emmitsburg Community Heritage Day. Anytime there is a crime, big or small, residents should call and report it to the police.

**Town Managers Report:**

Cathy Willets, Town Manager, presented the Town Manager's Report from May 2019 (exhibit in agenda packet). Ms. Willets mentioned staff installed the Tree City USA signs on the welcome to Emmitsburg signs on South Seton Avenue and East Main Street. The contractor and staff dug out a storm drain inlet and installed a new swale and put down rip-rap stone to the rear of 29 Provincial Parkway. Town Staff installed new recycling containers in all town parks. Town staff also installed a new board fence at the Farmer's Market site on South Seton Avenue. At this time Rainbow Lake is still at the spillway level of 16-feet 6-inches. Related to wastewater the Town received 8.25- inches of precipitation (the average is 4.5- inches) and the Town has a surplus of 6.8-inches over the last six months. 73.3% of the wastewater treated was wild water and there was one spill of untreated sewerage due to a large amount of precipitation on May 5th. The incident was reported to MDE and the Frederick County Health Department. There is a significant increase in usage of the newly renovated town pool by residents and local daycares. Town park restrooms are only unlocked Monday through Friday, 7:30 a.m. to 4:00 p.m., and weekends by pavilion reservation only.

**Town Planners Report:**

Cathy Willets, Town Manager, presented the Town Planner's Report from May 2019 (exhibit in agenda packet). Ms. Willets mentioned Mr. Zach Gulden, Town Planner, created and processed a request for proposal for implementation of the Cross-Connection Control Program. He also finalized the Provincial Parkway storm drain project among other projects. The Planning Commission approved the site plan for the new Rutter's and the Town is awaiting the improvement plan, which is anticipated around end of August or early September 2019. At this point the State is not requiring a traffic light at the intersection of the new Rutter's but a traffic study is required and could result in one.

**Commissioner Comments:**

- Commissioner O'Donnell: He thanked town staff, the Lions Club, Commissioner Sweeney and Jennifer Joy for a successful Community Heritage Day. He mentioned they had fifty cyclists in town because of the event. He also took a class at the MML Summer Conference on a cell tower issue and who has final authority to place the cell towers; he requested staff look into code modifications to protect the Town regarding this.
- Commissioner Ritz III: He thanked everyone involved in Community Heritage Day. He mentioned that he attended the unveiling of the wayside exhibits. He also attended the MML Conference for the first time this year.
- Commissioner Buckman: Congratulated Commissioner Sweeney for getting an award at the MML Summer Conference for his 22 total years of service as an Emmitsburg Commissioner.
- Commissioner Blanchard: Stated it was a great Community Heritage Day and the fireworks were well done. He attended MML Summer Conference too. He reiterated the importance of everyone participating in the 2020 Census.
- Commissioner Sweeney: He thanked everyone for all their help with Community Heritage Day. He also attended the MML Conference for the first time this year.

**Mayor's Comments:**

Mayor Briggs attended numerous meetings in June 2019 (meetings listed in agenda packet). Mayor Briggs thanked the town staff, Commissioner Sweeney and Jennifer Joy for the success of Community Heritage Day. He too went to the MML Summer Conference. He thanked town staff for help with the Pool Party and Shred Event. He said it was a strong month of activities for the Town. The Town received the new fully electric town car and is planning for more wayside exhibits.

**Public Comments:**

None.

**Administrative Business:**

None.

**Consent Agenda:**

None.

**Treasurer's Report:**

Commissioner O'Donnell presented the Treasurer's Report for June 2019 (exhibit in agenda packet). The operating balance forward is \$5,367,346. The top ten check amounts are listed in the agenda packet. The Potomac Edison check is the new wastewater treatment plant, which had higher electrical costs because solar field number two was down.

**Planning Commission Report:**

Commissioner Blanchard presented the Planning Commission Report from the June 20, 2019 meeting. He mentioned the new sign ordinance was presented and the next meeting is July 29, 2019.

**II. Agenda Items**

Agenda #1 - Approval of the Bid to Purchase a New Mini Dump Truck for Consideration: Ms. Willets explained town staff would like to replace the 2002 mini dump truck, which is used for plowing, salting, hauling dirt and water/sewer repairs. The vehicle was originally budgeted for in the fiscal year 2019 budget and the line item has \$235,266 funds available as of June 17. The Town received three bids and recommends MJR Equipment for \$73,950 because they specialize in trucks/plows, they will come to the Town to make repairs, Frederick County uses them, the Town can work with Frederick County for needed parts, the bid was very in depth and they offer a good quality product. The bid comes with all needed equipment. Commissioner Buckman questioned the numerous vehicles bought during the year. Ms. Willets explained the Town prefers to stagger vehicle purchases and has a preventative maintenance program.

**Motion:** To approve the bid purchase of a new mini dump truck for consideration from MJR for \$73,950.00.

Motion by Commissioner Glenn Blanchard, second by Commissioner O'Donnell. Vote: Motion carries 5 – 0 in favor.

Agenda #2 - Approval of the Forestry Bid for Stand Five Select Harvesting for Consideration: The agenda item has been postponed because only one bid was received. The Town plans to rebid and bring the bids back to the Board at a later date.

Agenda #3 - Approval of the Bid for the Cross Connection Control Preferred Contractor for Consideration: Ms. Willets explained the Cross-Connection Control Program was approved by the board earlier in the year. Residents have five years from the approval of the ordinance to install the backflow preventer. The Town wanted to make the process easier for residents by finding a plumber and locking in rates through a bid process but explained no property owner is required to use these plumbers. The Town's approval is not a guarantee or warranty regarding the quality of the work that may be done, and the Town is not liable for any errors or omissions that may occur in the course of any work the plumber may do. The prices quoted are for ideal situations without any additional work needed. The Town created a request for proposal, which was reviewed by John Clapp and due June 3, 2019. The Town received three bids, but one was disqualified because it was sent via email. Despite the Town's offer, the disqualified bid was never re-submitted properly. Staff recommends Kelco Plumbing and Backhoe Services, LLC as the residential low-hazard non-testable backflow preventer contractor. For the approved commercial/industrial high-hazard testable backflow preventer contractor staff recommends Tri-County Plumbing and Heating. Both terms would be for five years and the guaranteed prices per year are listed in the agenda packet. Commercial properties would be required to re-test every two years per the ordinance. Commissioner Sweeney expressed concern over not having a public hearing on the item. According to the town attorney, a hearing is not needed because the residents are not required to use the approved plumber. Staff pursued this project to help residents and businesses get a locked in fair price. Commissioner Buckman had concerns about endorsing a particular plumber. The town attorney has given his approval on the project. The Board had directed town staff to find a plumber to lock in rates at a prior town meeting.

**Motion:** To approve Kelco Plumbing and Backhoe Services as the Town's backflow preventer approved residential low hazard contractor. Motion by Commissioner Buckman, second Commissioner Blanchard. Vote: Motion carries 5 – 0 in favor.

**Motion:** To approve Tri-County Plumbing and Heating as the Town's approved commercial industrial high hazard testable back flow preventer contractor for the five-year term. Motion by Commissioner Buckman, second Commissioner Blanchard. Vote: Motion carries 5 – 0 in favor.

Agenda #4 - Playground Specialist Contract to Install an All-Inclusive Playground in Community Park for Consideration:

Ms. Willets explained Mayor Briggs felt there was a need for an all-inclusive playground in Emmitsburg so all children can play together, which the proposed project would achieve by updating the existing playground in Community Park. Town staff has had several meetings with Playground Specialist and if the Board approves the \$302,350 contract the playground would be installed in October 2019. There is a twelve-week turnaround for installation. The Catoctin Area Civitan Club, who helped design Thurmont's all-inclusive playground, has been very active in assisting with the design of the playground and might be providing a \$25,000 grant. Funding will be provided mainly through a Community Legacy grant (\$75,000), Program Open Space grant (\$120,000) and the Town's required grant match. The Town entered into a cooperative purchasing agreement with the Houston-Galveston Area Council to get a 10% discount on play equipment through Playground Specialist. A PowerPoint presentation was shown that described the amenities and physical accommodations of the playground. The Board inquired about additional benches, which the contractor does not recommend because it deters parents from interacting with their children; however, the playground will have some benches. The Board suggested adding a water fountain. The playground will be expanded towards the road and only the existing climbing tower will be incorporated into the new design.

**Motion:** To accept the Playground Specialist bid as proposed. Motion by Tim O'Donnell, second by Commissioner Buckman. Vote: 5-0 in favor.

Set Agenda Items for August 5, 2019 Town Meeting

1. Approval of 2019 election judges for consideration.
2. Approval of bid to renovate the pool house for consideration.
3. Award Stand 5 forestry bid for consideration.
4. Hold public hearing and final vote on proposed ordinance 19-03 (Chapter 17.38) sign code for consideration.

Administrative Business:

- A. Nomination of a poet laureate for the Town for consideration.
- B. Proclamation for making August 6, 2019 National Night Out in Emmitsburg for consideration.

Commissioner Buckman and the Board asked staff to follow-up with Potomac Edison explaining why the Town is limited in the users that can be added to the Town's solar accounts. Staff will reach out again.

**Motion:** To accept the agenda items for the August 5 meeting as presented. Motion by Commissioner Ritz III, second by Commissioner Buckman. Vote: Motion carries 5-0 in favor.

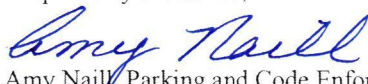
**Motion:** To adjourn the meeting at 9:20 p.m. Motion by Commissioner Buckman, second by Commissioner O'Donnell. Vote: Motion carries 5-0 in favor.

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

**IV. Adjournment**

With no further business, the July 1, 2019 town meeting was adjourned at 9:20 p.m.

Respectfully submitted,



Amy Nail, Parking and Code Enforcement Officer  
Approved On: August 5, 2019