

**MINUTES
TOWN MEETING
October 2, 2017
Emmitsburg Town Office**

Present: Mayor Donald Briggs; Commissioners: Glenn Blanchard, Elizabeth Buckman, Joseph Ritz III, Clifford Sweeney, and Tim O'Donnell, President. **Staff Present:** Cathy Willets, Town Manager; Madeline Shaw, Town Clerk; and Amy Naill, Code Enforcement Officer. **Others Present:** Deputy Ben Whitehouse.

I. Call to Order

Commissioner Tim O'Donnell, President of the Board of Commissioners, called the October 2, 2017 Town Meeting to order at 7:30 p.m. Pledge of Allegiance was recited. A moment of silence was taken for the Las Vegas tragedy.

Note: Agenda was rearranged in courtesy of the re-elected official's families present.

Agenda #1- Swearing in of Mayor and Commissioner: The winning Mayor, Donald N. Briggs, was sworn in by Sandra Dalton, Frederick County Clerk of Circuit Court. The winning Commissioner, Joseph A. Ritz III, was sworn in by Mayor Donald N. Briggs. Remarks were given by the re-elected officials. Commissioner Ritz III thanked residents for voting for him, the other candidates, the election judges, and his family. Mayor Briggs explained he has been honored to serve as Mayor for six years, and he is looking forward to serving three more years. He reviewed the projects he has contributed to the past six years. Over the next three years, Mayor Briggs hopes to make the downtown area more pedestrian friendly, finish the State Highway Administration (SHA) projects, finish the new swimming pool, build a dog park, and continue to pursue sustainable projects that create a future for Emmitsburg.

Approval of Minutes

Motion to accept the meeting minutes from the September 5, 2017 Town Meeting as presented. Motion by Commissioner Buckman, second by Commissioner Sweeney. Motion carries 5-0 in Favor.

Police Report:

Deputy Whitehouse presented the police report from September 2017 (exhibit attached). Deputy Whitehouse mentioned more residents are calling 9-1-1 when they see suspicious activity. He explained there was approximately \$500 worth of damage to trees near Flat Run Creek from juveniles cutting down trees in a reforestation area. Also, a resident stole a whole unit of pet waste bags from a pet waste station. Ms. Willets added the bags cost about \$150 a bundle. Deputy Whitehouse encouraged residents to lock their cars and vehicles to help reduce theft. He directed the Board's attention to the last page of his police report, which records the number of incidents at the intersection of Lincoln Avenue and South Seton Avenue between January 1, 2011 and September 18, 2017.

Town Managers Report:

Cathy Willets, Town Manager, presented the Town Manager's Report from August 2017 (exhibit attached). Ms. Willets mentioned staff conducted a maintenance check on the streetlights around town. Staff continues to work on the ball fields, installing a new Community Park fence, and SHA related tasks. Rainbow Lake is .6 inches below spillway level. In August 2017 the wells were 7.25 ft below their optimal May 2011 level. Ms. Willets explained the LG Sonic Algae Control System is working wonderfully now that the system is receiving signal. There were no spills of untreated sewerage in the month of August 2017, and the Waste Water Treatment Plant (WWTP) did not exceed capacity during August. Ms. Willets explained larger right turn only signs are being installed on Lincoln Avenue with the hopes of reducing traffic accidents at the intersection of Lincoln Avenue and South Seton Avenue. Ms. Willets concluded by referencing the Fluid Pinpointing Services, Inc. leak detection test results, which is in the October 2, 2017 agenda packet. She explained the contractor will come back at least once a year to help reduce leaks in the Town's aging infrastructure, and the services were presented with the fiscal year 2018 budget.

Town Planners Report:

Cathy Willets, Town Manager, presented the Town Planner's Report from August 2017 (exhibit attached). Ms. Willets mentioned Susan Cipperly, Town Planner, has been busy with the SHA projects, and Ms. Cipperly has been attending MS-4 storm water management meetings. The Board will get an update at the November 6, 2017 Town Meeting on the MS-4 permit. The upcoming projects of Ms. Cipperly includes a Board of Appeals meeting, Planning Commission meeting, and Geographical Information System (GIS) work. Ms. Cipperly is also working on getting the trees removed at the Emmit Garden's playground site.

Commissioner Comments:

- Commissioner Ritz III: He inquired about seating adjustments of the Board.
- Commissioner Sweeney: He inquired about the areas of sidewalk that do not have concrete yet. Ms. Willets explained SHA will use the areas for trees and streetlight conduits.
- Commissioner Buckman: She explained the Citizen's Advisory Committee is requesting a water bottle fountain in Community Park, a bridge going over Willow Rill, and more access points into Community Park through the current fence. She also thanked Catoctin High School Safe for a fundraising event, and residents for providing food/drinks to the SHA construction workers. She encouraged town staff to consider a pet waste station that uses grocery bags.
- Commissioner Blanchard: He congratulated Mayor Briggs and Commissioner Ritz III on getting reelected. He encouraged the Board to continue working as a team and improving the Town with a positive mindset.
- Commissioner O'Donnell: He congratulated Mayor Briggs and Commissioner Ritz III, and expressed thanks to the election judges and those who contributed to the elections. He also met with Mount St. Mary's (MSM) in regards to students living off campus. He reminded residents to wear helmets while bike riding. He concluded by encouraging the Board to continue working together.

Mayor's Comments:

Mayor Briggs attended numerous meetings/events in September 2017. Mayor Briggs highlighted several meetings to include the National Fallen Fire Fighters Memorial Service, a meeting on adding an afternoon TransIt bus ride to the northern part of Frederick County, the swearing in ceremony of the election judges, a green team meeting, and a constitution day celebration at MSM. The Emmitsburg Business and Professionals Association (EBPA) had their free breakfast in September for local businesses. He attended a meeting with MSM on students living off-campus in Town. He hopes to get student rental properties preapproved for mold and fire safety. He reiterated the project completion dates for the Town projects. Mayor Briggs explained the Town is hoping to get grant funding to reduce landfill waste and have a local composting program site; he will keep the Board updated. In regards to the preapproved student housing, MSM would certify the rental properties with guidelines the University establishes.

Public Comments: None.

Administrative Business:

- Consideration of a Fund Regarding Accrued Leave at Separation of Employment: Cathy Willets, Town Manager, presented the consideration of a fund regarding accrued leave at separation of employment. Ms. Willets explained when the prior Town Manager retired, there was a large amount of accrued leave paid, and if several long term employees retired at the same time now, there would be a large payout. Town staff would like to have a specific fund set aside for all employees, and auditing requirements dictate payouts cannot be made from the general fund (fund 1). As of June 30, 2017, if every employee left, the payout would be \$128,320. Town staff recommends creating a line item in fund 2 with an initial transfer of \$32,000. There was discussion over a use-it-or-lose-it vacation policy. Ms. Willets explained the current amount will need funding regardless of future policy changes. She clarified when the auditors are finished auditing in October 2017, there will be a \$130,000 excess that is transferred to fund 2. Town staff would like to have that amount go to accrued leave, but the Board can determine to budget the money elsewhere if desired. There was discussion over the Town's current leave policy. Commissioner O'Donnell agreed the current vacation policy is a draw for new hires. Ms. Willets added 25% of the total payout amount is not required, but she would like to get the fund started. Commissioner Sweeney recommended paying out vacation at the end of the year. Ms. Willets explained some staff save their leave for family emergencies. Mayor Briggs added staff also set aside vacation to help fund retirement. The Board agreed 20-25% was sufficient and approved staff to create a line item. The Board requested staff research a policy requiring staff to take five consecutive days off each year.

Consent Agenda:

Re-appointment of Richard Kapriva to the Board of Appeals. Term: 10/17/2017 to 10/17/2020. Vote: 5-0 in Favor.

Treasurer's Report:

Commissioner Blanchard presented the Treasure's Report for September 2017 (exhibit attached). Commissioner Blanchard mentioned the operating balance forward is \$5,285,478. The law enforcement check is a quarterly bill.

Planning Commission Report:

Commissioner Sweeney presented the Planning Commission Report from September 2017. He explained Lot 38 in Emmet Gardens was split in half with the consent of the Planning Commission.

II. Agenda Items

Agenda #2- Reorganization of the Board of Commissioners: Mayor Briggs recommend the Board remain in its current organization with Timothy O'Donnell as President, Commissioner Sweeney as Vice President, Commissioner Blanchard as Treasurer, Joseph Ritz III as the liaison for the Parks and Recreation Committee, Commissioner Sweeney as the liaison for the Planning Commission, and Commissioner Buckman as the liaison for the Citizen's Advisory Committee. Commissioner Ritz III requested a liaison swap. No liaison swaps were made.

Motion: To accept the Mayor's recommendations for the reorganization of the Board of Commissioners as of October 2, 2017. Motion by Commissioner Blanchard, second by Commissioner Ritz III. Motion carries 5-0 in Favor.

Agenda #3- Updates on community related projects such as the SHA sidewalk, Flat Run Bridge, square project, dog park, etc.: Cathy Willets, Town Manager, presented the project updates for the Town of Emmitsburg as of October 2, 2017. She explained the presentation is a highlight of the Town's five biggest projects at the moment.

- *Emmit Garden Playground:* Ms. Willets stated the Application for the Alteration of Any Floodplain, Waterway, Tidal, or Non-Tidal Wetland in Maryland was submitted 09/26/2017 to Maryland Department of the Environment (MDE). The total estimated cost of the project is \$16,930.00 of which \$10,000 would be funded by a Project Open Space grant. Once the Town receives approval from MDE, the Town can proceed, but it may take up to 180 days to get approval. There was discussion over MDE and approvals. There are no foreseen landscaping needs at the playground site.
- *Route 140 Square Revitalization/Sidewalk Project:* The estimated date of completion is Spring 2018 and the project is 35.7% complete. The goal is to complete East Main Street before turning back towards West Main Street. The connection to Timbermill will occur at the end of the sidewalk work. There was discussion about SHA completing a sidewalk section along North Seton Avenue. Romano Construction has five outstanding invoices totaling \$7,520.44 for damage to Town waterlines and street lights. Commissioner O'Donnell requested Town staff continue to update local businesses on work.
- *Route 140 Flat Run Bridge Project:* The estimated date of completion is December 2019, and the project is 30.7% complete. Work wise, phase one of the stream diversion has been completed, and a portable sediment tank and demolition of the southwest quadrant is complete. Next steps include saw cutting the bridge deck, which will lead into the demo of bridge. Negotiations over waterline work continues.
- *Community Park Swimming Pool:* The estimated completed date is May 2018, and the project is 33% complete. So far the leak survey, drawings, permitting, demolition of old pool, widening of deep end, and installation of interior lights have been completed. Next steps include installing a rebar cage in the pool shell and shooting the concrete shell of the pool. There is a slight problem of a spring leaking into the pool which is causing extra work, but the estimated date of completion remains the same. Funding wise, the total cost of the pool is \$324,987.00. There is a \$217,000 Community Parks and Playground (CP&P) grant. To date \$158,262.50 has been spent on building the new pool.
- *Community Park Dog Park:* The estimated date of completion is late winter/early spring 2018. The site has been cleared. The next steps include installing the fence, mulching the site, installing a waterline, and adding amenities. The Board requested town staff consider grass in the future. Funding wise, the total estimated cost is \$33,775.75, which was over estimated to be safe. The Town received \$13,000 from a Project Open Space grant and \$1,865 from donations, which makes the remaining cost to be funded by the Town \$18,910.75. The Town hopes to find more grants or raise the remaining cost through donations.

Agenda #4- New Route 140 Bridge at Flat Run dedication requested in the name of Terry L. Myers: Mayor Briggs presented the bridge dedication request in the name of Terry L. Myers. He explained Terry L. Myers was the first member of the Vigilant Hose Company who died in the line of duty. He is requesting the Board approve the dedication to honor the Myers' family, Vigilant Hose Fire Company, and the service members that visit our community.

Motion: To support the moving forward for the Flat Run Bridge dedication for Terry L. Myers. Motion by Commissioner Buckman, second by Commissioner Blanchard. Motion carries 5-0 in favor.

Set Agenda Items for November 6, 2017 Town Meeting

1. Guest Speaker: President Timothy Trainor, Mount St. Mary's University
2. Update on MS-4 Permit.
3. Holiday Parking for December- Meter Parking

Motion to accept the November 6, 2017 Town Meeting agenda as presented.

Motion by Commissioner Sweeney, second by Commissioner Ritz III. Motion carries 5-0 in Favor.

Ms. Willets reminded the Board there will be a public hearing on October 16, 2017.

III. Sign Approved Text Amendments and/or Resolutions

IV. Adjournment

With no further business, the October 2, 2017 Town Meeting was adjourned at 10:07 p.m.

Motion by Commissioner Ritz III, second by Commissioner Blanchard.

Respectfully submitted,

Madeline Shaw, Town Clerk

Minutes Approved: November 6, 2017