

MINUTES
TOWN MEETING
December 5, 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; Amy Naill, Code Enforcement Officer. **Others Present:** Deputy Ted Mostoller

I. Call to Order

Commissioner Tim O'Donnell, President of the Board of Commissioners, called the December 5, 2017 Town Meeting to order at 7:30 p.m. EST. Pledge of Allegiance was recited. Upcoming meetings were announced.

Approval of Minutes

The Minutes of the November 6, 2017 Town Meeting were approved as presented. Motion by Commissioner Ritz III, second by Commissioner Blanchard. Vote: Motion carries 3-0 in favor. Commissioner Sweeney and Buckman absent.

Police Report:

Deputy Ted Mostoller presented the police report from November 2017 (exhibit attached). Deputy Mostoller mentioned the Emmitsburg Community Park sign, a street sign, two stop signs, and the Paul's Pit Stop clock were stolen. Deputy Mostoller explained needles were discovered in the drug drop-box in the town office. He reminded the community that needles do not go in the drop box.

Town Managers Report:

Cathy Willets, Town Manager, presented the Town Manager's Report from October 2017 (exhibit attached). Ms. Willets mentioned right-turn only signs were installed at the intersection of East Lincoln Avenue and South Seton Avenue. The Town continues to work with the State Highway Administration (SHA) sidewalk contractor on street light conduits that were damaged during the project. Two dead trees were removed from a local park per DNR. Rainbow Lake is currently at spillway level at 16.6 feet. Ms. Willets explained the town has five wells, and each well has different importance. Currently the wells are at a good level, but staff will continue to monitor the wells. 5.65 inches of precipitation were received in October 2017. There were no spills of untreated sewerage, and the plant exceeded its design capacity on four days due to significant rain. Ms. Willets also noted the new water bill due date resulted in 70 less people paying late.

Note: Commissioner Buckman arrived at 7:37 p.m.

Town Planners Report:

Cathy Willets, Town Manager, presented the Town Planner's Report from October 2017 (exhibit attached). Ms. Willets mentioned Susan Cipperly, Town Planner, attended the October Planning Commission meeting on short-term, transient rental activity. Ms. Cipperly continues to work as a liaison between residents and SHA. Other projects in progress include the Town's Geographical Information System (GIS) mapping, Community Legacy, and MS-4 permit. The Emmit Gardens playground was approved. The Town hopes to have the final playground installed by Spring 2018. There was discussion over the general nature of the SHA project complaints. Town staff gathers the information on complaints and forwards the information onto SHA, who then works with the contractor to correct concerns.

Commissioner Comments:

- Commissioner Ritz III: He wished everyone a Merry Christmas and Happy New Year.
- Commissioner Buckman: She enjoyed the Christmas tree lighting ceremony and recommended using the location in front of the Emmitsburg Community Center because there was more space and it was safer to get to. She also thanked community members for making the Turkey Trot a wonderful event.
- Commissioner Blanchard: He represented the Town at the American Legion Veterans Day celebration. There are already plans for the 2018 celebration. He thanked Commissioner Buckman for the Thanksgiving Day Turkey Trot. He attended the Christmas tree lighting ceremony and recommended the location for future use too. He concluded by commending town staff on the Town's holiday decorations.
- Commissioner O'Donnell: Attended numerous meetings to include Mayor Brigg's award ceremony, the Parks and Recreation meeting, and the Friends of the Emmitsburg Library meeting. He also attended the Frederick County Delegation to the State Legislator meeting where he discussed the Highway User Revenue Fee, recreational assets in Emmitsburg, and a pedestrian connector between Emmitsburg and Mount St. Mary's.

Mayor's Comments:

Mayor Briggs attended numerous meetings in November 2017 (meetings listed in agenda packet). Mayor Briggs mentioned he hopes to have a Christmas tree at the square, but he would be willing to try the new location again. The

Town is holding a holiday door decorating competition with prizes. The remaining 47 lots in the Brookfield subdivision have contracts on them. An additional TransIt bus route has been added to Emmitsburg on Tuesday afternoons. The Mayor has been in contact with MML and Middletown on having a local Open Meetings Act class. He was awarded the 2017 Theodore Roosevelt Award. In regards to projects, the Community Pool concrete was poured and the dog park fencing is up. There was discussion over the new TransIt shuttle run, which will be reevaluated in 6 months. The more the route is used, the more days the afternoon stop will be added to.

Note: Commissioner Sweeney arrived at 7:51 p.m.

Commissioner Comments Continued:

- Commissioner Sweeney: Informed staff of a few SHA signage and concrete concerns he has observed or been informed of. Town staff will address these concerns with SHA.

Public Comments: No general public comment.

Administrative Business:

- National Interscholastic Cycling Association (NICA) Update: Commissioner O'Donnell presented the update. He explained the multi-user trails cannot be used for competitive events because the trails need to be one-way; however, NICA is still interested in using the Town for training activities and conferences. Commissioner O'Donnell reviewed the statistics of the size of the organization and programs offered. He explained NICA has expressed interest in pursuing trails on the Scott Road Farm when the current lease is up. Commissioner O'Donnell expressed a desire to have the NICA organization come to Emmitsburg because of positive impacts it could have on the community. He hopes the Board will support NICA if they decide to use Emmitsburg.
- Premier of Emmitsburg Multi-User Trail Promotional Videos: Commissioner O'Donnell presented the multi-user promotional trail videos. Two videos were played. Commissioner O'Donnell expressed his satisfaction over the videos and mentioned these videos were created by RolleMedia.com to help promote the trails. In the future Commissioner O'Donnell would like to record trail day footage.

Consent Agenda: None.

Treasurer's Report:

Commissioner Blanchard presented the Treasurer's Report for November 2017 (exhibit in agenda packet). The operating balance forward is \$5,292,652. The top ten check amounts are listed.

Planning Commission Report:

Commissioner Sweeney mentioned he did not have a Planning Commission report. Ms. Willets explained the Commission is reviewing the personal rental property ordinance, but no decision has been made at this time. The item will be brought to the Board at a later date.

II. Agenda Items

Agenda #1- Resolution Adopting the Frederick County Hazard Mitigation Plan: Dennis Dudley, Director of Emergency Preparedness with Frederick County, presented the Hazard Mitigation Plan. Mr. Dudley mentioned the Hazard Mitigation Plan is needed because it qualifies the Town of Emmitsburg for financial assistance from FEMA, etc. during a disaster. He explained Frederick County hired an agency to research and write the Hazard Mitigation Plan; the Town only needs to accept the plan. Mr. Dudley commended the Town on pursuing Emergency Management items, and reiterated this is needed for hazard mitigation funding. The Board had no questions. Commissioner O'Donnell read the Hazard Mitigation Resolution aloud. Copies of the Frederick County Hazard Mitigation Plan dated May 2016 are available at all Frederick County libraries and in the town office.

Motion: Motion to accept the resolution as presented. Motion by Commissioner Sweeney, second by Commissioner Buckman. Vote: Motion carries 5-0 in favor.

Agenda #2- Update on Lagoon Storage Operations at the Waste Water Treatment Plant: Cathy Willets, Town Manager, presented the update on the lagoon. Ms. Willets explained more contents are going to be added between December 15, 2017 and February 28, 2018. The crusted cap will not be broken when the contents are added, which should help control odor. There will be 12 hauling days between 6:00 a.m. and 6:30 p.m. between March 1, 2018 and May 1, 2018 with an attempt to complete the haulings in March when the weather is colder. Mixing will occur under the cap, with a strong attempt to minimize cap breaking. The trucks will not haul the contents through Town, which should also help minimize the smell. The Fall 2018 hauling will occur starting October 1, 2018 for 12 hauling days between 6:00 a.m. and 6:30 p.m.

with an attempt to remove most of the contents in late fall when the weather is colder. The Board requested specific time guidelines for the winter operations and straw being added. Mike Oliver, General Manager for the Mid-Atlantic Region for Denali Water Solutions (Denali), explained the current cap is about 8 inches thick with a grass layer on top of the cap. Denali's intent is to not disturb the cap, and the working days are dependent on the weather. There will be a Denali supervisor on site at all times. Denali's personnel have Town staff's information in case of an emergency. PVC pipes have been added for contents to be added without disturbing the cap.

- *Richard Lindsay, 16737 Creamery Road*- Mr. Lindsay expressed concern over adding more gallons to the lagoon, the timing of the haulings, and the trucks causing safety hazards at the Creamery Road and Route 15 intersection. He expressed gratitude over the contractor installing PVC pipes.

Ms. Willets clarified the contractors will be using the intersection at North Seton Avenue and Route 15, and more trucks will be used to decrease hauling time. Daylight hours were chosen because most town residents are at work. The Board and contractor agreed to have straw available on-hand during the hauling to fill in the cap edges as needed.

Agenda #3- National League of Cities Service Line Warranty Program for Consideration: Cathy Willets, Town Manager, presented a summary of the National League of Cities (NLC) Service Line Warranty Program. Ms. Willets highlighted key details on the Service Line Warranty Program to include the program cost, coverage, Board concerns, responses to Board concerns, and actions taken after each meeting that discussed the NLC program. She explained the summarized details were recorded in detail in the December 5, 2017 agenda packet, which also includes direct quotes from John Clapp, Town Attorney, on the program. Ms. Willets summarized Mr. Clapp's recommendations and legal views. Mr. Clapp does not view endorsing the program as creating a liability if the program were faulty and does not view endorsing the program as creating any binding precedents to endorse other products/programs in the future. Ms. Willets also reiterated her contact with the Town of Thurmont and Taneytown, which are current program users. Thurmont's views the program as not incurring liability since the program is performed on private property and private lines. She explained town staff researched the Frederick County Emergency Housing Rehabilitation Program Commissioner Buckman had suggested as an alternative. The Frederick County program is a lien against the property, only available for families under a specific income amount if funds are available at the time of need; back-to-back claims would not be covered within a two to five-year time frame. There was discussion over what to do with the \$0.50 revenue stream if the program is pursued. There was discussion over starting a town fund to aid residents in service line repairs instead, which town staff advised against due to audit regulations and the need to replace the town's aging infrastructure. The Board agreed there was a need in Town, but questioned endorsing a single organization. Commissioner O'Donnell expressed concern over the possibility of an incremental charge increase of 3-5% annually for residents who pursue the program. Mayor Briggs reiterated the program is optional for residents. Commissioner Buckman mentioned half the people she spoke with are for it and half are against it; the people against it are weary of the endorsement. Commissioner Ritz III stated there are other similar programs. Ms. Willets clarified town staff pursued the program because MML advertised it in their newsletter. Commissioner O'Donnell asked if there was a motion to support the program. There was no motion. Commissioner Sweeney stated he would make a motion to approve the program, but he won't because there won't be a second. He believes not pursuing the program will be a mistake for the Town. No motion made.

Set Agenda Items for January 8, 2018 Town Meeting

1. Audit Presentation by Michele Mills
2. Budget Transfer from General Fund to Capital Projects Fund for Consideration
3. Emergency Operations Plan for Consideration
 - Admin Business- For Consideration: The Catocin-ettes 6K Race for Community Heritage Day

Motion to accept the agenda for the January 8, 2018 meeting. Motion by Commissioner Buckman, second by Commissioner Ritz III. Motion carries 5-0 in Favor.

III. Sign Approved Text Amendments and/or Resolutions

IV. Adjournment

With no further business, the December 5, 2017 Town Meeting was adjourned at 9:25 p.m. EST.
Motion by Commissioner Ritz III, second by Commissioner Sweeney.

Respectfully submitted,

Madeline Shaw, Town Clerk
Approved: January 22, 2018