

**MINUTES**  
**TOWN MEETING**  
**July 9, 2018**  
**Emmitsburg Town Office**

**Present:** *Elected Officials:* 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; Susan Cipperly, Town Planner; and Zachary Gulden, Town Planner. *Others Present:* Deputy Ben Whitehouse and Sergeant Hillman.

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**I. Call to Order**

Commissioner Tim O'Donnell, President of the Board of Commissioners, called the July 9, 2018 Town Meeting to order at 7:30 p.m. EST. Pledge of Allegiance was recited. Upcoming meetings were announced.

**Approval of Minutes**

**Motion:** To accept the June 4, 2018 town meeting minutes as presented. Motion by Commissioner Buckman, second by Commissioner Blanchard. Vote: Motion carries 5-0 in favor.

**Police Report:**

Deputy Ben Whitehouse presented the police report from June 2018 (exhibit attached). Deputy Whitehouse mentioned the majority of 9-1-1 calls came from the Daughters of Charity property because the residents have to dial nine to leave the building. The deputies will not be present for the next town meeting due to vacations, but other deputies will be patrolling the area. Sergeant Hillman was introduced to the Board. He has 15 years of experience and is the supervisor of the Community Deputy program. He encouraged the Board to contact him with questions.

**Town Managers Report:**

Cathy Willets, Town Manager, presented the Town Manager's Report from May 2018 (exhibit attached). Town staff conducted street sweeping on Main Street and assisted with installing the new Town Square clock. There is currently a 5.1-inch surplus of precipitation and 69.6% of the water treated was wild water due to the high levels of inflow and infiltration (I&I). For noteworthy, staff flushed hydrants, the Emergency Operations Plan for Rainbow Lake was sent to the State for review, the Flat Run Bridge waterline is fully operational and MDE awarded a \$30,000 grant to the Town for town staff's hard work in maintaining optimum phosphorus and nitrogen levels below 1.0 per million gallons per day. The new Emmit Garden playground equipment was in July 2018.

**Town Planners Report:**

Susan Cipperly, Town Planner, presented her last Town Planner's Report from May 2018 due to her retirement on July 27, 2018 (exhibit attached). Ms. Cipperly explained she is reviewing procedures with the new town planner and submitting reimbursement requests for Community Legacy. The Board thanked Ms. Cipperly for her hard work with Main Street, Community Legacy and numerous other projects.

**Commissioner Comments:**

- **Commissioner Ritz III:** He explained there will be a community clean-up day on the second Saturday of each month until October 2018 for any interested volunteers. The Arbor Day trees are growing well.
- **Commissioner Sweeney:** He is grateful the new Emmit Garden playground has finally come to fruition. He also thanked town staff and volunteers for all their efforts with Community Heritage Day 2018 and the concession stand at the Community Pool, which helps fund the Heritage Day fireworks.
- **Commissioner Buckman:** She encouraged residents to attend the Seton Center grand opening July 10, 2018.
- **Commissioner Blanchard:** He encouraged residents to attend the Seton Center grand opening and he expressed gratitude for the new community pool.
- **Commissioner O'Donnell:** He thanked town staff for their efforts on Community Heritage Day and requested a bathroom fan in the pool house to improve airflow. He requested quantitative numbers on the pool regarding attendance numbers since the pool has opened and the cost of the new pool.

**Mayor's Comments:**

Mayor Briggs attended numerous meetings in June 2018 (meetings listed in agenda packet). Mayor Briggs mentioned he met with Wayne Green, Main Saint Mary's Chief of Staff, twice in June. He also attended the Project Open Space meeting and was able to get \$75,000 for pool house renovation and \$120,000 for a new ADA playground. A meeting was held with the Civitan Club regarding additional funding for a new ADA playground. He has worked with Ms. Cipperly since 2011 and expressed gratitude for her work on Main Street and Community Legacy.

**Public Comments:**

None.

**Administrative Business:**

- I. Introduction to the New Town Planner, Zachary Gulden:** Mayor Briggs introduced Zachary Gulden, Town Planner. He was chosen among three finalist. He explained Mr. Gulden has a master's degree in Public Administration from Shippensburg's University. Mr. Gulden explained he is from Gettysburg and has experience working with two different jurisdictions: Upper Allen Township (population of 17,000 people) and Freedom Township (population of 800 people).
- II. Amended Contract Name Change for the Lagoon Storage for Consideration:** Ms. Willets explained the contract with Enviro Organic Technologies (EOT) was approved by the Board in November 2016. A letter was received by town staff on April 30, 2018 that explained Denali Water Solutions was buying out EOT and requested the contract get transferred to Denali Water Solutions, which John Clapp, Town Attorney, said was an acceptable modification. The Board needs to amend the agreement and lease to include the new company name. Mike Oliver, EOT representative, is with Denali Water Solutions now and will continue to work with the Town. Everything agreed upon prior with EOT regarding operations will continue under the name change.

**Motion:** To accept the storage agreement and lease amendment number one as presented.

Motion by Commissioner Buckman, second by Commissioner Blanchard. Vote: Motion carries 5-0 in favor.

- III. Approval of the Town of Emmitsburg Record Retention Schedule:** Ms. Shaw explained the current record retention schedule is from January 1979 and has not been update in almost 40 years. Maryland State Archives (MSA) recommends reviewing the schedule every two years. The project was pursued because the file room in the town office is near capacity, but the records cannot be disposed of, organized, or sent to the MSA until the record retention schedule is updated. Town staff proposes three new schedules for administration, accounting and planning/zoning. The recommended retention timelines are results of discussions with town staff, the town auditors, MSA and the research of 15 other municipalities. If the Board approves the schedules, the MSA would then review it for a final approval and legal compliance. The Board commended town staff on their work. There is no cost to store permanent files at the MSA and the documents would be accessible to town staff through a request form.

**Motion:** Motion to accept the record retention schedules as presented.

Motion by Commissioner Blanchard, second by Commissioner Ritz III. Vote: Motion carries 5-0 in favor.

- IV. Request for Zoning Map Amendment related to a property located at 600/602 E Main, in Emmit Gardens:** Ms. Cipperly explained the Town received a request for a zoning map amendment related to a property at 600/602 East Main Street in Emmit Gardens, which is a house that used to be a dental office. In order to amend the map and have the item voted on in a future town meeting, the Board would need to refer the item to the Planning Commission. The Commission would then have 30 days to provide a recommendation to the Board. The next Planning Commission will be held on July 23, 2018. The public will be notified of the amendment when the item comes before the Board for a final vote. Staff has been conferring with the town attorney on the subject.

**Motion:** To send this onto the Planning Commission to review the zoning map amendment.

Motion by Commissioner Blanchard, second by Commissioner Buckman. Vote: Motion carries 5-0 in favor.

**Consent Agenda:**

None.

**Treasurer's Report:**

Commissioner Blanchard presented the Treasurer's Report for June 2018 (exhibit in agenda packet). The operating balance forward is \$4,950,458. The two SHA checks and Frederick County Paving check are grant-funded projects.

**Planning Commission Report:**

None. Next meeting is July 23, 2018. The date has been changed to allow Ms. Cipperly to attend before retirement.

**II. Agenda Items**

Agenda #1- Frederick County Harm Reduction and Syringe Service Program Presentation: Jessica Ellis, Syringe Service Program (SSP) Coordinator for the Frederick County Health Department, explained the importance of harm risk reduction. Frederick County received a grant to promote a SSP, which helps reduce drug overdose, crime, the spread of diseases and needle stick injuries. Ms. Ellis explained the common misconceptions of SSPs and counteractive statistics. She invited the Board to look at the Frederick County Harm Reduction Services program.

Participants in the program could receive sterile syringes, narcan kits, overdose response training, HIV/Hepatitis C testing, counseling and fentanyl testing strips (among other possible services). The program is still in the proposal stage. Commissioner O'Donnell requested the sources of the statistical data reported, which Ms. Ellis will find.

Agenda #2- Ordinance Modifying Vendor Licenses Language: Ms. Willets explained the current vendor license ordinance requires either the town clerk or an elected official to approve a vendor license. Town staff recommends modifying the language from elected official to town manager to allow for a quicker turnaround time if the town clerk is out. All approved vendors must carry their licensing on them. The vendor's organization, issued date and expiration date are posted on the town website.

**Motion:** To accept ordinance 18-09 as presented.

Motion by Commissioner Buckman, second by Commissioner Sweeney. Vote: Motion carries 5-0 in favor.

Agenda #3- Three Resolutions in Support of the Fiscal Year 2019 Community Legacy Applications: Ms. Cipperly explained these resolutions are needed to obtain funding through Community Legacy for fiscal year 2019. The resolutions are for three separate projects: Facade and Restoration Program (\$75,000), Community Pool House Rehabilitation Project (\$94,755) and Emmitsburg ADA Accessible Playground (\$207,378). The Town will have in-kind contributions (town staff time) as a match. Awards should be announced in September 2018.

**Motion:** To accept resolution number 18-02R Community Legacy project as presented.

Motion by Commissioner Sweeney, second by Commissioner Blanchard. Vote: Motion carries 5-0 in favor.

**Motion:** To accept resolution 18-03R the Community Pool House Rehabilitation project.

Motion by Commissioner Buckman, second by Commissioner Blanchard. Vote: Motion carries 5-0 in favor.

**Motion:** To approve resolution number 18-04R.

Motion by Commissioner Blanchard, second by Commissioner Sweeney.

Per the recommendation of Commissioner Ritz, the motion was modified due to an error in the resolution.

Resolution approved as modified. Vote: Motion carries 5-0 in favor.

Agenda #4- Parking Policy Related to Electric Vehicle Chargers: Per the request of the Mayor and town staff, this item has been postponed to a future town meeting.

#### **Set Agenda Items for August 6, 2018 Town Meeting**

1. Budget Transfer Related to the After School Clubhouse for Consideration
2. Electric vehicle Parking Ordinance for Consideration
3. Policy Related to Employee Vacation Buyback for Consideration
4. Charter Amendment Updates for Consideration
5. Discussion Related to Scott Road Community Market Garden

#### **Administrative Business:**

- A. Discussion Related to Timeline of Work at Flat Run Bridge

The Board discussed the possibility of requesting a new contractor for the SHA Flat Run Bridge project since the project appears to not be getting done in a timely manner. The Board requested the project lead and anyone who has influence in the project timeline from SHA come to the next town meeting.

**Motion:** To accept the meeting for August 6 as presented.

Motion by Commissioner Ritz III, second by Commissioner Buckman. Vote: Motion carries 5-0 in favor.

**Motion:** To close the town meeting.

Motion by Commissioner Sweeney, second by Commissioner Ritz III. Vote: Motion carries 5-0 in favor.

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

### **IV. Adjournment**

With no further business, the July 9, 2018 Town Meeting was adjourned at 9:25 p.m. EST.

Respectfully submitted,

Madeline Shaw, Town Clerk

Approved: August 6, 2018