

MEETING MINUTES
JANUARY 11, 2021
VIRTUAL TOWN MEETING
EMMITSBURG TOWN OFFICE

Present: *Elected Officials* - Mayor Donald Briggs; Commissioners: Timothy O'Donnell, President; Clifford Sweeney, Vice President; T.J. Burns, Treasurer; Joseph Ritz III; and Frank Davis. *Staff Present* - Cathy Willets, Town Manager; Madeline Shaw, Town Clerk; and Zachary Gulden, Town Planner. *Others Present* – Deputy Ben Whitehouse.

I. Call to Order

Commissioners O'Donnell, Sweeney, Burns, Ritz III, Davis, Town Manager Cathy Willets and Town Planner Zachary Gulden joined the meeting via the Zoom teleconferencing platform. A quorum being present, Commissioner Timothy O'Donnell, President of the Board of Commissioners, called the January 11, 2021 town meeting to order at 7:30 p.m. Pledge of Allegiance was recited. Upcoming meetings were announced. Mayor Briggs read a statement regarding the status of the COVID-19 virus and vaccination distribution.

Approval of Minutes

Motion: Commissioner Burns motioned to accept the December 8, 2020 town meeting minutes as presented; second by Commissioner Sweeney. Yeas – 5; Nays – 0. The president declared the motion passed.

Police Report:

Deputy Ben Whitehouse presented the police report from December 2020 (exhibit attached). There was 197 total 9-1-1 calls for 2020 in the Emmitsburg area. The Frederick County Sheriff's Office has new uniforms composed on a forest green shirt and khaki pants.

Town Managers Report:

Cathy Willets, Town Manager, presented the Town Manager's Report from November 2020 (exhibit in agenda packet). The Town continues to have a deficit of precipitation. Town staff responded to an unauthorized draw from a fire hydrant on South Seton Avenue; staff located the offending vehicle, a landscape company, and fined them \$500. The fine was sent to court and the fine was doubled to \$1,000 and was paid on January 11.

Town Planners Report:

Zachary Gulden, Town Planner, presented the Town Planner's Report from November 2020 (exhibit in agenda packet). Mr. Gulden applied for a \$1.38 million bond grant with the State for the proposed water clarifier project.

Commissioner Comments:

- Commissioner Ritz III: He encouraged everyone to be mindful of no parking areas during snow events.
- Commissioner Burns: He encouraged everyone to continue wearing their masks and get vaccinated.
- Commissioner Davis: He encouraged the public to get the vaccine and requested the Town consider hiring a third deputy to cover more night shifts in the future.
- Commissioner Sweeney: He encouraged the public to get the vaccine to stop the virus.
- Commissioner O'Donnell: He encouraged the Board and town staff to continue to put their best efforts forth and protect the democracy of the Town.

Mayor's Comments:

Mayor Briggs encouraged everyone to follow COVID-19 precautions and stated the Emmitsburg Community Center continues to be closed to the public due to the virus. He thanked the new Dunkin, Insurance Brokers of Maryland and the soon to open daycare for choosing Emmitsburg as their place of business. The Town was approved grant funding for the renovation of the E. Myers Community Park band stand, community gardens and the replacement of ballfield seven's baseball bleachers. OnlyinYourState.com voted Emmitsburg as one of the top ten most beautiful, charming small Towns in Maryland.

Public Comments:

None.

Administrative Business:

- (A). **Announcement of 2020 Holiday House and Business Decorating Contest winners:** Mayor Briggs read the winners for most traditional, most decorative and best business. First place winners will receive \$75.00, second place winners will receive \$50.00 and third place will receive \$25.00. The prize money was donated by the Emmitsburg Business and Professionals Association. A list of the winners is in the agenda packet. Pictures were shown of the first place winners in each category.
- (B). **Donation to the Thurmont Little League for consideration:** Commissioner Davis presented the business. Thurmont Little League, a team composed of Emmitsburg and Thurmont players, is going to Cooperstown Dreams Park Baseball Tournament in Cooperstown, New York in August 2021. The team is requesting a donation from the Town to help cover the costs of the \$20,000 trip. The Board discussed donation amounts. Commissioner Sweeney, on behalf of the Sons of the American Legion, offered to match the Town's donation. *Motion:* Commissioner Davis motioned to support the Thurmont Little League with a \$1,000 donation for their Cooperstown Tournament; second by Commissioner Burns. Yeas – 5; Nays – 0. The president declared the motion passed.

Consent Agenda:

Motion: Commissioner Davis motioned to appoint Dr. Levi Esses as an alternate to the Board of Appeals for a term of January 11, 2021 to January 11, 2024; second by Commissioner Burns. Yeas – 4; Nays – 0; Abstained – 1 (O'Donnell). The president declared the motion passed. The appointment of Stephen Starliper to the Planning Commission has been canceled due to Mr. Starliper withdrawing his name.

Treasurer's Report:

Commissioner Burns presented the Treasurer's Report for December 2020 (exhibit in agenda packet). The operating balance forward is \$5,410,995.

Planning Commission Report:

Mr. Gulden stated the last meeting was on December 28, 2020. The Commission reviewed and approved Ordinance 21-01 and the SPT Land LLC and Maryland State Highway Administration addition plat.

II. Agenda Items

Agenda #1 - Review and approval of the FY2021 MHAA wayside exhibits for consideration: Ms. Shaw explained phase three of the wayside exhibits is the addition of another four historic wayside signs on the St. Josephs House, "Volunteers" glass etching, Emmitsburg Railroad and the American Long Riffle. Three of the exhibits will be located on South Seton Avenue and one will be located on East Main Street. The Town received \$12,054 in grant funds from the Maryland Heritage Area Authority and also partnered with the Seton Shrine and Fire Museum for funding. Images of the exhibits were presented on the screen along with a map showing exhibit locations. Ruth Bielobocky, Ion Design, and Scott Grove, Grove Public Relations, were present virtually to answer questions and go over the content of each sign. The Board requested one edit to the St. Josephs House exhibit only. *Motion:* Commissioner Burns motioned to accept the exhibits as modified; second by Commissioner Sweeney. Yeas – 5; Nays – 0. The president declared the motion passed.

Agenda #2 - Review and approval of the preliminary engineering report and environmental report engineering contract for the DePaul Street and North Seton Avenue waterline replacement projects for consideration: Ms. Willets presented the agenda item. The Board approved McCrone for the project at the November 2, 2020 town meeting in the amount of \$25,000 for the completion of a Preliminary Engineering Report and Environmental Report that will evaluate the towns water system as a whole. The reports must be completed before construction and replacement of the waterlines can be begin. The Engineering Joint Contract Document Committee (EJCDC) E-500 is the contract required by the USDA for the preliminary work. The general terms of the contract were reviewed to include insurance coverage, suspension, termination, invoicing and dispute resolution. McCrone has 150 days to complete the project. The contract has been reviewed by the town attorney. *Motion:* Commissioner Davis motioned to approve the preliminary engineering report and environmental report engineering contract for

the DePaul Street and North Seton Avenue waterline replacement projects; second by Commissioner Ritz III. Yeas – 5; Nays – 0. The president declared the motion passed.

Agenda #3 - Hold public hearing and adoption of proposed Ordinance 2021-01 (Subdivision Amendment – Parks/Rec/Open Space Requirements) for consideration: Commissioner O'Donnell called the public hearing to order at 8:49 p.m. Mr. Gulden explained the hearing was advertised on December 15, 2020 in the Frederick News Post. The ordinance was forwarded to the Planning Commission at the December 8, 2020 town meeting. The Planning Commission reviewed the ordinance at the December 28, 2020 meeting and recommended approval of the ordinance with: a parkland goal of 10 acres for every 1,000 residents, a single paved trail only instead of a two-trail system, a fee of \$1,200 per dwelling unit, and updating Town Code section 16.16.100.D to meet the requirements in section 16.16.100.D.3.A-I. Only one public comment was received by town staff via email from Bob Mellor, 3 University Drive, who stated he supported the proposed trail system. There was no public comment made at the town meeting. Commissioner O'Donnell declared the public hearing closed at 9:01 p.m. *Motion:* Commissioner Ritz III motioned to accept ordinance 2021-01; second by Commissioner Burns. Yeas – 5; Nays – 0. The president declared the motion passed.

Agenda #4 - Increasing multi-user trail access during non-major hunting season and allowing access of electric bicycles on the multi-user trails for discussion and consideration: Commissioner O'Donnell presented the agenda item. There have been several requests to increase public access to the multi-user trails in the watershed during various hunting seasons and to allow class one pedal assist bicycles to use the trails. If pursued, the open trail days would be determined per year in accordance with the hunting seasons. The Board discussed how to inform hunters and trail users of changes. Town staff recommended passing a policy with guidelines regarding rules for Rainbow Lake and the watershed; a policy could be brought to the Board in March 2021. *Motion:* Commissioner Ritz III motioned to direct staff to make a policy regarding the allowed activities in the Town watershed; second by Commissioner Burns. Yeas – 5; Nays – 0. The president declared the motion passed.

Set Agenda Items for February 1, 2021 Town Meeting

1. Fiscal year 2021 budget overview.
2. Approval of ordinance 21-02 vendor license updates, for consideration.
3. Approval of the North Seton Avenue Green Street Conceptual Plan for consideration.

Administrative Business:

- A. Proclamation honoring Keith Suerdieck for his service on various committees.
- B. Filing of the 2020 Annual and 5-Year Mid-Cycle Planning Commission Reports.

Consent Agenda:

- Appointment of Glenn Blanchard to the Planning Commission.
- Appointment of Deborah Hobbs to the Ethics Commission.

Motion: Commissioner Ritz III motioned to accept the February agenda as presented; second by Commissioner Sweeney. Yeas – 5; Nays – 0. The president declared the motion passed.

III. Sign Approved Text Amendments and/or Resolutions

IV. Adjournment

With no further business, Commissioner Burns motioned to adjourn the January 11, 2021 town meeting; second by Commissioner Ritz III. Yeas – 5; Nays – 0. The meeting adjourned at 9:28 p.m.

Respectfully submitted,



Madeline Shaw, Town Clerk

Minutes Approved On: March 1, 2021

**NOTE: The February 1, 2021 and February 15, 2021 town meetings were canceled due to inclement weather.*