

**MINUTES  
TOWN MEETING  
December 6, 2016  
Emmitsburg Town Office**

**Present:** Mayor Donald Briggs; Commissioners: Joseph Ritz III, Elizabeth Buckman, and Tim O'Donnell, President.  
Staff present were: Cathy Willets; Town Manager: Sue Cipperly, Town Planner; and Amy Naill, Recording Secretary.

**Absent:** Glenn Blanchard with prior notice. Commissioner Sweeney arrived at 8:08 PM with prior notice.

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**I. Call to Order**

Commissioner Tim O'Donnell, President of the Board of Commissioners, called the December 6, 2016 Town Meeting to order at 7:30 p.m. Pledge of Allegiance was recited.

Commissioner O'Donnell: Mentioned upcoming meetings: Citizens Advisory Committee January 17th at 7:30 PM, and Quarterly Planning Commission Meeting, January 30<sup>th</sup> at 7:30 PM.

**Approval of Minutes:**

The minutes of the November 7th, 2016 Town Meeting were approved as presented.  
Motion by Commissioner Buckman, Second by Commissioner Ritz

**Police Report:** Deputy Mostoller presented the police report from November (exhibit attached). He said there were complaints concerning people driving out the wrong way at the post office. He cautioned everyone to obey the signage in this area. He mentioned that people are using WIFI at businesses after hours. He said it is a good idea to put a password on your WIFI system to prevent this.

**Town Manager's Report:** Presented by Cathy Willets. She said utility installation has begun on the Flat Run Bridge Project.

She mentioned the WWTP and said we have a rain deficit of 2.44 feet over the last six months. There were no spills of untreated sewage in October. The plants design capacity was exceeded in two days in October.

She went over the water stats: She said the information in the packet was from October. At that time Rainbow Lake was 2.3 feet below the spillway level. Normal is 16.6 feet. The water quality is terrible because it continues to drop. Today the lake is 2.4 feet below the spillway level. We need a continuous rain to filter out the algae. The roughing filters because of the debris and algae need to be backwashed six times a day. This uses a lot of water.

The wells were down an average of 49.2 feet below the May 2011 readings. We use the May 2011 readings because this was an optimum reading. As of today they are 60.75 feet below this reading. We will have to slowly pull more water from the lake. On November 22, 2016 the staff increased our flow from MSM to approximately 40 gallons per minute or 58,000 gallons per day. As of today we reduced it to 25 gallons per minute or 36,000 gallons per day. We are not yet at the critical stage but this rain is not enough.

We would like to request the Phase 1 water restriction per section 13.04.160. The curtailment use of water: Phase 1 is the voluntary conservation restraints by all users of water from the municipal water system of the Town. We would like to keep this water restriction on indefinitely until we get substantial rain or snow.

**Town Planner's Report:** Presented by Sue Cipperly. She said that she is continuing to work with SHA on the Flat Run Bridge project. She is reviewing plans for the Square Revitalization Project as SHA produces them.

She mentioned the Town received money from the 2017 DHCD Grant to continue the façade program and also received \$75,000.00 to defray the cost of the square revitalization. She said the Town received \$125,000.00 out of the program overall.

**Commissioner Comments:**

Commissioner Buckman: Shared an email from a citizen concerning the square being dangerous and crosswalk lights not working.

Commissioner O'Donnell: Suggested that this might be addressed as an agenda item at a future meeting.

Mayor Briggs: Mentioned that the timing is off concerning the traffic lights in Town and we need to document citizens complaints concerning traffic concerns.

Commissioner Ritz III: Thought that when the square is completed that we would have alternating traffic.

Ms. Willets: Said that she and Ms. Cipperly have had meetings with SHA and there had been discussions concerning the timing at the crosswalks. She said SHA has been made aware of the Town's concerns but as of right now they have no intentions of changing the timing. She said they need to hear the concerns from the board and/or the public.

Commissioner O'Donnell: Mentioned the demise of Bob Hance and his legacy and said he will be greatly missed.

Commissioner Sweeney: Mentioned he attended the Mother Seton School Santa Breakfast. He said it was well attended. He wanted to thank Ms. Cipperly, the Town Planner for getting the grants for the Town Square. He mentioned how nice it looks.

**Mayor's Comments:**

He mentioned visiting the fourth grade students of both Mother Seton School and Emmitsburg Elementary School for MML Month. He said Reese Fryer assisted him on the power point presentation. He stated it was well received.

He mentioned what a loss Mr. Hance's death was and how much he will be missed by everyone.

**Administrative Business:**

- **FY17 Capital Fund Budget Transfers:**

Ms. Willets explained the budget requests are to be made within the Capital Fund. The increase by \$2,500.00 to department 30 (Public Works Streets) and Activity 612 (Signs), is to pay for the new "Welcome to Emmitsburg" sign.

She went on to explain the increase by \$7000.00 to Department 30 (Public Works Streets) and activity 999 (General) is a budget transfer related to the last payment for the Doughboy Statue. It was coded incorrectly.

The increase of \$500.00 to department 15 (Buildings) and activity 333 (Solar Field Project) is the result of having our usage and production reviewed by a Solar Attorney. It is an added expense to the Solar Field Account.

The decrease by \$10,000.00 to department 30 (Public Works Streets) and activity 374 (LED Upgrade) is the fund where we are pulling the money from to transfer it to the other funds.

**Motion:** To accept the \$10,000.00 budget transfer within the Capital Fund as presented.

Motion by Commissioner Ritz III, second by Commissioner Buckman

**Vote 4-0 in favor**

Commissioner Blanchard absent

- **Appointments to the Ethics Commission:**

Mayor Briggs explained that both Charlotte Mazaleski and Barbara Weedon serve as election judges. He said a seminar will be held in January for the new appointees to explain the duties when serving on the Ethics Commission. He recommended both ladies highly.

**Motion:** To accept Charlotte Mazaleski and Barbara Weedon as new members of the Ethics Commission.

Motion by Commissioner Ritz III, second by Commissioner Sweeney

**Vote 4-0 in favor**

Commissioner Blanchard Absent

- **Phase 1 Voluntary Water Restriction 13.04.160 (B):**

Commissioner O'Donnell: Introduced the vote by the Board of Commissioners for the Phase 1, Voluntary Water Restriction, as discussed previously in the Town Managers Report.

**Motion:** To accept the Phase 1, Voluntary Water Restriction.

Motion by Commissioner Buckman, second by Commissioner Sweeney

**Vote 4-0 in favor**

Commissioner Blanchard Absent

- **Direction given to Staff to issue a letter from the Board of Commissioners to the Maryland State Highway Administration to modify or repair the timer for the crosswalks and the traffic lights at the square of Emmitsburg:**

**Motion:** To have Town staff issue a letter from the Board of Commissioners to SHA to modify or repair the timer for the crosswalks and traffic lights on the square.

Motion by Commissioner Buckman, second by Commissioner Sweeney

**Vote 4-0 in favor**

Commissioner Blanchard Absent

Commissioner O'Donnell: Asked the Mayor to speak with Town Staff to direct the deputies to enhance the monitoring of the traffic issues in Town.

**Consent Agenda** – no items

**Treasurer's Report:** Presented by Ms. Willets in Commissioner Blanchard's absence. She reported on the November 2016 cash activity. (Exhibit attached).

**Planning Commission Report:** Commissioner Sweeney stated that the initial sketch plan of the Seton Center project was reviewed by The Planning Commission and he is glad the Seton Center is building in Emmitsburg.

Ms. Cipperly added they will be returning to the Planning Commission in January or February 2017 with their storm water plans. The Planning Commission suggested a pedestrian access from the building to the existing walkway. They would like the width of the driveway to accommodate two-way traffic. They are planning to educate people through their outreach program that it would be best to use Federal Avenue to access the site.

## **II. Agenda Items**

### **Amendment to section 8.04 Abandoned Property for discussion and possible Consideration:**

Ms. Cipperly reviewed the amendment to the existing ordinance. She mentioned the difficulties in the existing ordinance. One example was that owners were moving the same unlicensed vehicles back and forth on different properties. This ordinance would make it a continuous offense. This ordinance also applies to household appliances, part of appliances, machinery, scrap metal, and construction items not being used.

Commissioner Buckman: Questioned why an unlicensed vehicle could not be on private property?

Ms. Cipperly: Stated that under the existing ordinance it must be in a garage.

Discussion was had concerning car covers and if these would be acceptable.

Ms. Willets: Thought that they could be used.

Commissioner O'Donnell: The intent is supposed to prevent clunkers from being eyesores.

Ms. Willets: The purpose of this ordinance is keeping your repeat offenders from constantly moving unlicensed cars from one property to another.

This item was tabled to a future meeting-consensus of the Board.

### **Dog Park Location:**

Ms. Willets: Mentioned the location would be the wooded area behind the tennis courts. She mentioned the money is available from the grant.

Commissioner Buckman: Mentioned many people she has talked to like this location.

Ms. Cipperly: In Gettysburg and Biglerville dog parks all the amenities are donated by businesses in the area. She thought it may be possible to get some residents to volunteer for the fundraising efforts.

Commissioner O'Donnell: Questioned the location as far as the hardwood trees in that location.

Ms. Willets: Said it's a lot of brush, weedy vegetation, some hardwood. It is mostly evergreen. We are going to keep the tree barrier around it for shade and to reduce noise.

Commissioner Ritz III: Asked what the height of the proposed fence was?

Ms. Cipperly: Said it is four feet in the Gettysburg Dog Park, five feet may be recommended.

Commissioner Buckman: Mentioned several ideas for the dog park fundraising. Training classes, getting the local veterinarians involved, meet and greet days and dog shows.

Commissioner O'Donnell: Said he did have some concerns about the tree buffer and loitering and mischief concerns. He thought that perhaps in the future the area may need to be thinned out of brush.

**Motion:** To accept the staff's recommendation for the dog park permanent site.  
Motion by Commissioner Sweeney, second by Commissioner Buckman

**Vote 4-0 in favor**

Commissioner Blanchard absent

**Park Pavilion deposit request:**

Ms. Willets: Mentioned the Community Park and the Memorial Park were rented 68 times in 2016. She said the town currently charges \$125.00 to rent the pavilion and the restrooms. If everything is in order you get the entire fee returned.

We did research on similar parks and similar size municipalities. The only Town that returns any part of the fee is Walkersville. Ms. Willets reviewed a chart showing the parks in the area and what the charge is for residents vs. non-residents. The staff proposed a charge of \$75.00 for both residents and non-residents with a non-refundable deposit of \$25.00 for residents and \$35.00 for non-residents. The non-refundable deposits would stay in the park fund for funding of maintenance of pavilions and purchasing of bathroom supplies.

Commissioner O'Donnell and Commissioner Sweeney had a discussion concerning the resident and non-resident fees for the parks. Commissioner Ritz III would like to see an increased fee for the non-residents.

Mayor Briggs: Mentioned that we need to challenge the costs going up every year with revenue coming in.

**Motion:** To accept Ordinance 16-16 the suggested amendment to Title 12 Streets, Sidewalks and Public Places, which directs all fees to Policy #16-04.

Motion by Commissioner Sweeney, second by Commissioner Buckman

**Vote: 4-0 in favor**

Commissioner Blanchard absent

**Motion:** To accept the Policy No. P16-04 Park Pavilion Reservation Deposit stating rental fee for residents will be \$75.00 fee with \$25.00 returned to the resident if the pavilion and bathroom are in good condition and non-residents will be charged a \$125.00 fee with \$25.00 returned to the non-resident if the pavilion and bathroom are in good condition.

Motion by Commissioner Sweeney, second by Commissioner Ritz III

**Vote 4-0 in favor**

Commissioner Blanchard absent

**Recommend hiring of Madeline Shaw for the position of Town Clerk:**

Ms. Willets discussed the hiring procedures of the Town Clerk position. She stated there were over seventy candidates. She said our HR consultant Amanda Haddaway conducted the whole process.

She mentioned Ms. Shaw is currently in the banking industry and is working towards her bachelor's degree in Business Administration. She is very knowledgeable in the area of IT and has a web design background.

**Motion:** To hire Madeline Shaw for the position of Town Clerk.

Motion by Commissioner Buckman, second by Commissioner Sweeney

**Vote 4-0 in favor**

Glenn Blanchard absent

**Position change for Amy Naill from Parking Enforcement to Parking & Code Enforcement Officer:**

Ms. Willets explained there would be added zoning duties such as town wide inspections, assist with violation letters and assist the Town Planner with permit files, etc. Ms. Naill would go from a grade five, step 5 to a grade six, step three. This would involve an increase of about \$2.00 an hour.

**Motion:** To accept the position change for Amy Naill from Parking Enforcement Officer to Parking and Code Enforcement Officer.

Motion by Commissioner Buckman, second by Commissioner Ritz III

**Vote 4-0 in favor**

Commissioner Blanchard Absent

**Position change for Terri Ray from receptionist to Office Manager effective January 1, 2017:**

Ms Willets explained that Ms. Ray already performs duties above and beyond that of a receptionist and that the job description is being revised. She mentioned Ms. Ray would go from a grade four, step five to a grade five step six. This would involve an increase of about \$3.00 an hour.

**Set Agenda Items for January 3, 2017 Town Meeting**

1. New technology for Rainbow Lake and Water Plant
2. Amendment to Section 8.04 abandoned property for discussion and possible consideration.
3. Life insurance for the elected officials of the Town

**IV SIGN APPROVED TEXT AMENDMENTS AND/OR RESOLUTIONS**

**IV Adjournment**

With no further business, the December 6, 2016 Town Meeting was adjourned at 10:13 p.m.

Respectfully submitted,

Amy Naill, Recording Secretary

Approved: January 3, 2017