

**MINUTES  
TOWN MEETING  
MAY 1, 2023  
TOWN OFFICE – 300A SOUTH SETON AVENUE**

**Present:** *Elected Officials* - Mayor Donald Briggs; Commissioners: Timothy O'Donnell, President; Joseph Ritz III, Vice President; Clifford Sweeney, Treasurer, Frank Davis; and Amy Boehman-Pollitt. *Staff Present* - Cathy Willets, Town Manager; Madeline Shaw, Grant Administrator; Sabrina King, Town Clerk; Cole Tabler, Accounting Supervisor; Jessica Housaman Recorder. *Others Present* – Deputy Barthalow.

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**I. Call to Order**

A quorum being present, Commissioner Timothy O'Donnell, President of the Board of Commissioners, called the May 1, 2023 Town meeting to order at 7:00 p.m. Pledge of Allegiance was recited. Upcoming meetings were announced.

**Approval of Minutes**

Commissioner Boehman-Pollitt motioned to accept the April 3, 2023 Town meeting minutes as presented; second by Commissioner Sweeney. Yeas – 5; Nays – 0. The motion was accepted.

**Police Report:**

Deputy Barthalow presented the police report from April 2023 (exhibit attached).

**Town Managers Report:**

Cathy Willets, Town Manager, presented the Town Manager's Report from March 2023 (exhibit in agenda packet). Ms. Willets highlighted key points in her report and noted that the time of the report, Rainbow Lake was 16.6' feet at the spillway level. She noted the Town produced an average of 227,896 GPD and the amount consumed an average of 242,754 GPD, and the amount of Backwash Water in the month of March is (12.7%). Ms. Willets added for Wastewater the Town treated an average of 485,430 GPD and consumed 242,754 GPD which means that 49.99% of the wastewater treated this month was "wild water".

**Town Planners Report:**

Ms. Willets presented the Town Planner's Report from March 2023 (exhibit in agenda packet). Ms. Willets highlighted related to MS-4, that Ms. Ahsan is still working on the Silo Hill SWM basin retrofit and tree planting project management and completed the progress report for one of the grants. Ms. Willets noted that Ms. Ahsan processed three zoning permits, one street closure and five cross connections. She highlighted that the Planning Commission did meet on April 24<sup>th</sup> and provided conditional approval for the Richard Lindsay plat and discussed a floating zone, which will be discussed at the next Planning Commission meeting on May 22nd.

**Commissioner Comments:**

- Commissioner Ritz III: He expressed how encouraging it is to see everyone using the bus stop for Transit at North Seton Avenue every day and taking advantage of it.
- Commissioner Davis: He announced that the Town will be very busy this month due to multiple events. He asked that the Town residents be friendly and help the visitors.
- Commissioner Sweeney: No comment.
- Commissioner Amy Boehman-Pollitt: She spoke highly about Earth Day on April 22<sup>nd</sup> and how there were over 30 volunteers that participated in the Clean-Up Day. She also noted the Earth Day festivities Jess and Sabrina had for the Town with planting activities for the children along with free ice cream and pizza. Commissioner Boehman-Pollitt also noted the Community Garden began that afternoon with Jack Deatherage. She also explained that the CAC is looking for anyone who wants to sponsor or have a table for children at the Farmer's Market. She also noted that she received an email from an employee with FCPS having concerns about enrollment being low for Pre-K and acknowledges that it could be higher if there was an aftercare program. The Principal of the Emmitsburg Elementary School, Ms. Madigan, did speak on behalf of Commissioner Boehman-Pollitt's comments. She briefly explained the Elementary School and how many students attend Pre-K. She expressed that if there were an after-care program for

the children there would be an increase in student enrollment. Commissioner O'Donnell spoke and explained that this can be brought back as an agenda item.

- **Commissioner O'Donnell:** He announced that he received an email from Commissioner Carter Mason who is with the County Council and regrets that he could not attend tonight's meeting but will attend the June 5<sup>th</sup>. He explained what the two had spoken about from a Town resident perspective. Commissioner O'Donnell also mentioned that Girls Riding Together; the youth mountain biking program, came to Emmitsburg over the weekend. He also attended the green festival down in Thurmont, and on the 16<sup>th</sup> had a very successful Trail Day with 15 volunteers and those included were the Daughter's of Charity.

#### **Mayor's Comments:**

Mayor Briggs attended numerous meetings in April 2023. He congratulated Commissioner O'Donnell for getting Mother Seton involved in using their classrooms for the biking club. He also congratulated Commissioner Boehman-Pollitt with everything that she has done this week and helping with the Farmer's Market. He mentioned the Community Garden and thanked the Staff on what they did for Earth Day. Mayor Briggs announced that he signed a beam on behalf of Code Science Building expansion at Mount St. Mary's. Mayor Briggs had the honor in honoring the family and guest at the 42<sup>nd</sup> Annual Fallen Fire Fighters Memorial and will be attending the Catocin High School graduation. He explained how the Mount has funding to hopefully look into having a trail from the Mount St. Mary's college to the Town of Emmitsburg.

#### **Public Comments:**

*Conrad Weaver, Emmitsburg MD* – He began with speaking highly of first responders and how he has traveled across the Country working with them. He expressed how many suffer from PTSD and how the feelings get pushed aside. He explained that no matter where he has traveled to the Town of Emmitsburg is on the Fire Fighter map. Mr. Weaver explained that he will be traveling from Astoria Oregon through Emmitsburg on July 13<sup>th</sup>. He thanked everyone who has been able to help make this happen and thanked Commissioner Davis for being on his advisory team for his film and coordinating the finale down in Ocean City, MD.

#### **Administrative Business:**

- (A). For consideration, FredRock Disc Golf request for a location to place a storage shed in E. Eugene Myers Community Park. Eric Boger who is with the Disc Golf club and expressed how he would like to have a 10x10 shed placed out near the Disc Golf course to have easy access for supplies. Ms. Willets gave staff recommendations on location 1 due to aesthetics purposes. And said that it would require a Town permit at a no cost permit. *Motion:* Commissioner Davis motioned to accept FredRock Disc Golf for location 1; second by Commissioner Ritz III. Yeas – 5; Nays – 0. The motion was adopted/rejected.
- (B). For discussion, tree replacements near parking lot in E. Eugene Myers Park. She explained that a resident contacted her expressing concerns that privacy has decreased over the years and most recently since staff removed dead trees and branches from the E. Eugene Myers Park. Commissioner Boehman-Pollitt also asked if there could be something done about the parking lot. Ms. Willets added that the Town could plant trees there for Arbor Day next year and will talk to Jimmy about the parking lot barrier.

#### **Consent Agenda: (NONE)**

#### **Treasurer's Report:**

Commissioner Sweeney presented the Treasurer's Report for April 2023 (exhibit in agenda packet).

#### **Planning Commission Report:**

Commissioner Ritz III explained that Ms. Willets touched base on what he was going to discuss.

## **II. Agenda Items**

Agenda #1 – For consideration, approval of bid construct the Creamery Road Pump Station. Ms. Willets briefly explained the Creamery Road Pump Station project began in 2018 with a bid to hire an engineer and USDA

funding was secured in 2020. The USDA is funding this through a series of loans, grants and there is a town match funded through sewer funds. Ms. Shaw briefly explained the Town started advertising the bid for a pump station construction company on February 2, 2023 as required by the town code. An optional pre-bid meeting was held February 16 and the bids were due March 22. Seven total bids were received and publicly opened as required by the USDA on March 23 at 11:00 a.m. in the Town Office and via Zoom. The total project cost is \$5,244,300 and includes \$1,987,000 USDA loan, \$1,862,300 in USDA grants and a Town match of \$1,395,000. Town staff and the project engineer recommended Conewago Enterprises, Inc. with a total bid amount of \$4,391,422. Jeff Grow, Project Engineer with RK&K engineering, joined the meeting via Zoom and confirmed the recommendation on Conewago Enterprises, Inc. *Motion:* Commissioner Ritz III motioned to accept the authority of the Mayor to sign a contract authorizing execution of this agreement with Conewago Enterprises Inc. in the sum of \$4,391,422.00 for the construction of the Creamery Road Pump Station; second by Commissioner Sweeney. Yeas – 5; Nays – 0. The motion was adopted.

Agenda #2 – For consideration, approval of engineering change order amendment #4 with RK&K for the Creamery Road Pump Station. Ms. Shaw explained that this would replace amendment #3 that was presented at the February Town meeting, which was incorrect. The total amendment amount is \$267,058.75 and includes full-time construction inspection services by a resident project representative for \$251,660.75 and \$15,398 to cover additional engineering construction administration and post-construction administration for the new 450 day construction period. The total engineering amount would be \$509,981.75. *Motion:* Commissioner Davis motioned to accept the approval agreement amendment #4 to replace agreement amendment #3 with RK&K for the Creamery Road Pump Station; second by Commissioner Ritz III. Yeas – 5; Nays – 0. The motion was adopted.

Agenda #3 – For consideration, approval of engineering change order amendment #5 with RK&K for the Creamery Road Pump Station. Ms. Shaw briefly explained if approved the total amendment would be \$13,704.00 to add additional engineering construction and post-construction administration services to support the Build America, Buy America requirements the USDA has recently added to this project. The new total engineering amount would be \$523,685.75. *Motion:* Commissioner Sweeney motioned to accept the approval agreement of engineering change order amendment #5 with RK&K for the Creamery Road Pump Station; second by Commissioner Boehman-Pollitt. Yeas – 5; Nays – 0. The motion was adopted.

Agenda #4- For consideration, approval of supplemental Resolution 2023-02R to replace the terms of the Creamery Road Pump Station. Ms. Shaw explained the Board approved Resolution 20-12R on November 2, 2020, which authorized the Town to pursue interim financing with CoBank. She explained since then the terms have become outdated and need to be reapproved since the project is now ready to proceed to construction. Resolution 2023-02R would approve the updated interim financing terms. *Motion:* Commissioner Boehman-Pollitt motioned to accept the approval of supplemental Resolution 2023-02R to replace the terms of the Creamery Road Pump Station; second by Commissioner Boehman-Pollitt. Yeas – 5; Nays – 0. The motion was adopted.

Ms. Shaw left the meeting at 8:03pm.

Mr. Tabler sat at the podium at 8:04pm.

Agenda #5- Initial presentation of Fiscal Year 2024 budget. Mayor Briggs gave his thanks to staff for all their hard work over the past five years on the Wastewater Treatment Plant. He briefly went over the FY24 budget summary from the general fund, enterprise funds, Towns staff COLA and expenses. Mayor Briggs announced to the residents that there will be a meeting on May 15<sup>th</sup> to discuss the FY24 Budget and will be available for any questions.

Ms. Willets added that she and Mr. Tabler are available to answer any questions or hold a meeting with the board if anyone has questions. She noted that the budget must be adopted by the end of June per State Law requirements.

Agenda #6- For consideration, FY22 budget transfers to the capital projects for consideration. Ms. Willets explained that due to the completion of the fiscal year 22 audit the Town of Emmitsburg had additional revenues of \$357,977 over expenses in the general fund which solely pertains to the general fund. She went on to read the breakdown of where staff recommended the transfers, if approved by the board, would be to the general fund and the capital fund (exhibit in the agenda packet).

Commissioner Davis asked if we received the grant for the new streetlights, and Ms. Willets informed him that yes, the Town did, and they will be for East Main, West Main, and South Seton.

Commissioner Boehman-Pollitt asked for more information regarding the curbs, gutters, sidewalks, and roads. Ms. Willets explained each in detail and how they are for upcoming and future projects for the Town.

*Motion:* Commissioner Sweeney motioned to accept FY22 budget transfers to the capital projects as presented; second by Commissioner Ritz III. Yeas – 5; Nays – 0. The motion was adopted.

Cole Tabler stepped down at 8:24pm

Agenda Item #7- For consideration, approval of policy P23-01 adding one month and one-year options to the parking permits. Ms. Willets informed the board this will replace the previous policy P18-03 and read the proposed changes. She explained the changes were recommended by Kadeem Brim who is the Parking Code Enforcement Officer. Ms. Willets noted that these changes were based off suggestions made by residents with parking permits and Kadeem listening to the residents. *Motion:* Commissioner Ritz III motioned to accept policy P23-01 adding one month and one-year options to the parking permits; second by Commissioner Boehman-Pollitt. Yeas – 4; Nays – 0; Abstain – Davis. The motion was adopted.

Ms. Schaefer spoke on behalf of the County Executive's Office and thanked the board for coming to two legislative sessions ago with an idea to extend the time that towns, local governments, and municipalities to use the funding in the forest conservation fund from two years to five years. She explained how the process has changed and how it does help small municipalities like the Town of Emmitsburg but also helps the County.

#### **Set Agenda Items for May 15, 2023 Town Meeting**

*Agenda Items:* (1.) Presentation and review of FY24 Town of Emmitsburg budget for consideration. (2.) For consideration, approval of ordinance 23-07, update to Chapter 2.50.30 salary structure for FY24.

#### **Set Agenda Items for June 5, 2023 Town Meeting**

*Agenda Items* (1.) Presentation and review of FY24 Town of Emmitsburg budget for consideration. (2.) For consideration, approval of ordinance 23-07, update to Chapter 2.50.30 salary structure for FY24. (3.) For consideration, approval of engineering improvement plan and design bid for North Seton Ave. waterline and Green Street project. *Administrative Business: (NONE) Consent Items:* (1.) Approval of free pool day on Community Heritage Day 2023 for consideration. (2.) Filing of the 2022 Planning Commission Annual Report. (3.) Appointment of Patricia Galloway as an alternative to the Planning Commission with a term of 06/05/2023 to 03/01/2023.

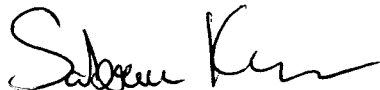
*Motion:* Commissioner Ritz III motioned to accept the May 15, 2023 and June 5, 2023 town meeting agenda as presented; second by Commissioner Sweeney. Yeas –5; Nays – 0. The motion was adopted.

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

**IV. Adjournment**

With no further business, Commissioner Ritz III motioned to adjourn the May 1, 2023 town meeting at 8:40 p.m.; second by Commissioner Boehman-Pollitt. Yeas – 5; Nays - 0. The motion was adopted.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sabrina King". The signature is fluid and cursive, with the first name "Sabrina" written in a larger, more prominent script than the last name "King".

Sabrina King, Town Clerk

Minutes Approved On: