



Town of Emmitsburg

Mayor Donald N. Briggs

Board of Commissioners
Timothy O'Donnell, *President*
Clifford Sweeney, *Vice President*
Glenn Blanchard, *Treasurer*
Joseph Ritz III
Elizabeth Buckman

Town Manager
Cathy Willets

Town Clerk
Madeline Shaw

TOWN MEETING AGENDA **Monday, February 6, 2017 – 7:30 p.m.**

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. FUTURE MEETINGS

Town Council Meeting March 6th @ 7:30pm

Parks Committee Meeting February 21st 2017 @ 7:30pm

Planning Commission Meeting February 27th @ 7:30pm

4. MEETING ITEMS

- A. **APPROVE MINUTES:** January 3, 2017 Town Meeting
- B. **POLICE REPORT**
- C. **TOWN MANAGER'S REPORT**
- D. **TOWN PLANNER'S REPORT**
- E. **COMMISSIONER COMMENTS**
- F. **MAYOR COMMENTS**
- G. **PUBLIC COMMENTS**
- H. **ADMINISTRATIVE BUSINESS (please see attached)**
- I. **CONSENT AGENDA (please see attached)**
- J. **TREASURER REPORT**
- K. **PLANNING COMMISSION REPORT**
- L. **AGENDA ITEMS**
- M. **SET AGENDA FOR NEXT MEETING:** March 6, 2017 Town Meeting

5. SIGN APPROVED TEXT AMMENDMENTS AND/OR RESOLUTIONS

6. ADJOURN

A. APPROVE MINUTES: January 3, 2017

**MINUTES
TOWN MEETING
January 3, 2017
Emmitsburg Town Office**

Present: Mayor Donald Briggs; Commissioners: Glenn Blanchard, Elizabeth Buckman, and Tim O'Donnell, President.

Staff Present: Sue Cipperly, Town Planner; Dan Fissel, Water/Sewer Superintendent; and Amy Naill, Recording Secretary.

Absent: Ms. Willets, Town Manager with prior notice. Commissioner Joseph Ritz III with prior notice. Commissioner Sweeney arrived at 7:46 PM with prior notice.

I. Call to Order

Commissioner Tim O'Donnell, President of the Board of Commissioners, called the January 3, 2017 Town Meeting to order at 7:30 p.m. Pledge of Allegiance was recited.

Commissioner O'Donnell: Mentioned upcoming Town Council Meeting February 6, 2017.

Approval of Minutes: The minutes of the December 6, 2016 Town Meeting were approved as presented. Motion by Commissioner Buckman, Second by Glenn Blanchard

Police Report: Deputy Mostoller presented the police report from December (exhibit attached).

Town Manager's Report: Presented by Mayor Briggs. Mayor Briggs stressed the continuing need for voluntary water restrictions. He mentioned a new water meter that was installed at the Community Pool.

Commissioner O'Donnell: Asked for an update from Town staff concerning the pool renovations. He also asked for the Town to convey their gratitude to the USDA for the loan opportunity and the follow-up related to the pipe valve issue. He would also like to hear about the Bike Feasibility Grant at a future meeting.

Town Planner's Report: For November 2016 presented by Sue Cipperly. She has been working with SHA concerning the square revitalization project.

She discussed the status of the Bikeways Grant. She stated that during January an RFP needs to be developed. She said that the RFP needs to be approved by MDOT before it is sent out.

Commissioner O'Donnell: Asked if the Town approaches property owners concerning the façade grant or they approach us.

Ms. Cipperly: Stated she normally puts out a notice advising the Town is accepting applications for the program. She said the town has not been in the practice of soliciting particular properties.

Commissioner Comments:

Commissioner O'Donnell: He thanked the Town Staff for painting the fire hydrants. He mentioned a resident having concerns related to the brightness of the lights in Brookfield.

Commissioner Sweeney: Mentioned February is "Make a difference Month" for the Emmitsburg Lions Club. They would like to set up collection boxes for hats, coats, scarves and gloves. They would be distributed at the Emmitsburg Elementary School at the end of February. He would like to have a collection box on the second floor near the library.

Ms. Cipperly: Said Frederick County would need to be asked and she would check into it.

Mayor's Comments:

He mentioned Jim Click and thanked him for his volunteer work with the Vigilant Hose Company. He mentioned a fire on East Main Street, just before Christmas. He said the family was displaced from their home, but the churches in the area were able to donate \$1,000.00 to get the family on their feet.

He would like to have a meeting in the early spring with SHA concerning the square project.

He mentioned it was the first day for the newly hired Town Clerk, Madeline Shaw. He mentioned her husband is employed at FEMA. Also that she is close to getting her degree at the University of Maryland.

Administrative Business:

Mayor Briggs mentioned that Gary Casteel would like to do a statue of John Armstrong, the maker of the Kentucky long rifle. He would like to have a display of the long rifles somewhere in the area. He said they were trying to find a location and the Route 15 Visitor Center was chosen. That will take place this spring. Mr. Casteel will also have an operating sculpture studio located there.

The Mayor mentioned that Mr. Casteel would like to do a Civil War Memorial in this area. He and the landowner have agreed in a letter of intent to locate it on the east side of Town on a 200 acre property. The Mayor feels that it could potentially launch commercial development on that side of Town. Mr. Casteel feels it could bring a million visitors to the Emmitsburg Area.

Ms. Cipperly: Said she spoke to Mr. Casteel and he has a draft agreement with the landowner but it still needs negotiated. Ms. Cipperly is going to contact the landowner with a letter detailing the steps that would be involved in the project.

Commissioner O'Donnell: Asked Ms. Cipperly if an email could be sent to the Commissioners with an overview of the project.

Ms. Cipperly: Said she would do that.

Commissioner O'Donnell: Would like to follow-up with Ms. Cipperly concerning the cycling groups that have previously used the pavilions.

Consent Agenda – no items

Treasurer's Report: Presented by Commissioner Blanchard. He reported the December 2016 cash activity. (Exhibit attached).

II. Agenda Items

New technology for Rainbow Lake and water plant – Presentation by Staff and Kershner Environmental Technologies.

The power point presentation was made by Bill Kramer, District Sales Engineer for Kershner Environmental Services, LLC. Mr. Kershner presented a proposal from LG Sonic concerning an ultrasonic algae control system. He went on to explain this is technology to destroy algae with ultrasonic soundwaves. He said this is a very effective way to destroy algae in the water supply.

He explained that the E-line system or Chameleon system with two transmitters would be appropriate for the Town. The controls would be on the shore of the lake and the transmitters are located on the lake. The company would do a twelve month study before the algae gets blooming.

The cost would be \$2,900.00 per month. This amount could vary if solar is used. The Town of Emmitsburg would own the units. The cost of web monitoring and maintenance is \$1,250.00 a year. The company would set up criteria for success before the Town agreed to spend a dime. If the system does not meet the targets we would refund the Town \$15,000.00.

The Cameleon system does not have an on board data system. We could do the buoy system if needed, one unit would suffice. The buoy would probably be about \$5,000.00 a month.

Commissioner Sweeney: Would this eliminate a clarifier?

Mr. Fissel: No. this would likely reduce the size of the clarifier because you would not have the algae to remove. We are hoping this system would reduce algae treatments that we perform, filter runs, and overtime. It should be of great benefit.

Commissioner O'Donnell: You are endorsing this product based on the dollar price?

Mr. Fissel: Correct.

Commissioner Sweeney: How quickly can this be installed?

Mr. Kramer: This should be installed by the springtime ahead of the algae bloom.

Commissioner O'Donnell: Would you have a hard wire or solar preference?

Mr. Fissel: Solar is preferred. There is a high power line running by the lake. This would add about \$10,000.00 to the cost of the project.

Commissioner O'Donnell: Asked about the buoy system vs. the E-Line system, any recommendation?

Mr. Fissel: We were talking about the buoys, but if the E-Line will handle the job that would be fine.

Commissioner O'Donnell: Asked Town Staff to contact American Water to get their feedback on the system.

Mayor Briggs: Staff has already been instructed to do that.

Mr. Fissel: Efforts have been made to get in contact with them for a few weeks.

Commissioner O'Donnell: Is there a lease option available or does it have to be purchased?

Mr. Kramer: We can work something out.

Commissioner O'Donnell: I think everyone is in agreement and the board would support you in pursuit of this but I think we need something in writing concerning the savings to the Town. I would also like to get some positive feedback from American Water.

I think the board would give this consideration in February.

Amendment to Section 8.04 Abandoned Property for discussion and possible consideration – Withdrawn by Mayor and Staff.

Life insurance for the elected officials of the Town- Hand out given at meeting

This item was tabled for the February 6, 2017 meeting.

Set Agenda Items for February 6, 2017 Town Meeting

1. Audit Presentation and budget overview.
2. New Technology for Rainbow Lake and water plant related to LG-Sonic.
3. Life Insurance for Elected Officials of the Town.

IV. SIGN APPROVED TEXT AMENDMENTS AND/OR RESOLUTION

Adjournment: With no further business, the January 3, 2017 Town Meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Amy Nail, Recording Secretary

Approved:

B. POLICE REPORT: Presentation by deputies at the meeting.

C. TOWN MANAGER'S REPORT

**Town Manager's Report
December 2017
Prepared by Cathy Willets**

Streets:

- Put Christmas decorations up on trees, street lights, etc.
- Schools came & decorated Christmas tree. Square & Community Center.
- Repaired/replaced some street signs & post.
- Contractor blacktopped Stoner Lane.
- Contractor put striping back down on Irishtown Rd.
- Repaired some street lights.
- Romano Construction dug up & repaired curb box at 205 & 309 North Seton Ave.
- Cleaned/swept streets for holidays.
- Repaired/replaced some green reflector post along East Lincoln Ave.
- Staff & Contractor plow & salt streets - 2 small storms.

Water:

- Rainbow Lake is now 2.7 feet below the spillway level (normal is 16.6 feet).
- The roughing filters are being backwashed nine times a day and the DE filters are being done three to four times per week.
- Our wells are now on average 42' below their May 2011 levels
- Water production and consumption. We produced an average of 292, 809 GPD. We consumed an average of 260,889 GPD.

The difference is "Backwash Water" ... (17.4%).

We purchased 766,250 gallons of water from MSM this month.

- 40.2% of this water came from wells.
- 7.8% of this water came from Mt. St. Mary's.
- 52.0% of this water came from Rainbow Lake.

Wastewater:

- We received about 3.0" of precipitation this month (the average is 3.35").
 - We have a precipitation **DEFICIT** of 4.66" over the last six months. The average precipitation for the period from July 1 through December 31 is 21.66". We have received 17.0" for that period.
- Wastewater Treatment:
 - We treated an average of 457,000 GPD (consumed 260,889 GPD) which means that 43% of the wastewater treated this month was "wild water".
 - We had no spills of untreated sewerage in the month of December.
 - We did exceed the plant's design capacity on two days in the month of December:

12/06/16	957,000gpd	12/18/16	771,000gpd
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Trash: Trash pickup will remain Mondays for the remainder of the month of February.

Meetings I Attended:

- 12/05 Met with Mayor about USDA closing on new WWTP financing
- 12/05 Attended tree lighting in Town
- 12/06 Met with Mayor about agenda
- 12/06 Met with Staff regarding water levels
- 12/06 Attended Town Meeting
- 12/07 Met with Mayor
- 12/07 Attended MML Legislative Dinner
- 12/12 Met with Mayor
- 12/13 Met with Mayor
- 12/15 Met with Staff and LG Sonic about algae control for Rainbow Lake
- 12/16 Met with Mayor and John Clapp
- 12/16 Met with Mayor and MSM basketball representatives
- 12/19 Met with Mayor and HR consultant
- 12/22-01/04 Time off for holiday

PARKING ENFORCEMENT REPORT

Date: DECEMBER 2016

- **Overtime Parking:** 51
- **Restricted Parking Zone:** 1
- **24 Hour Consecutive Parking:**
- **Parked in Crosswalk:**
- **Parked on Sidewalk:**
- **Parked Blocking Road:** 1
- **Parked by Fire Hydrant:**
- **Parked on Highway:**
- **Failure to Park between Lines:**
- **Other Violation:**
- **Left Side Parking:**
- **Street Sweeping:**
- **Meter Money:** \$ 796.12 of which (\$408.03) was divided between the Emmitsburg Food Bank & Lions Club Fireworks.
- **Parking Permits:**
- **Meter Bag Rental:** \$8.00
- **Parking Ticket Money:** \$ 460.00
- **Funerals:**

Total: 1,264.12

D. TOWN PLANNER'S REPORT

Town Planner's Report
December 2017
Prepared by Sue Cipperly

1. Attended Town Meeting on December 6, 2016 & attended project/issues meetings with Mayor Briggs and Cathy Willets, Town Manager.
2. **Enforcement:**
 - Sent reminders re grease trap cleaning reports due Jan 10, 2017.
 - Conferred with town attorney regarding enforcement issues, e.g. leaning building.
 - Sent letters to property owners where there are abandoned property issues.
 - Coordinated with A. Naill on enforcement inspections, letters and tracking.
3. **State Highway Administration:**
 - Flat Run Bridge
 - Continued coordination with State Highway representatives, including notification of upcoming shoulder closure/flaggers via Ch.99 and website.
 - Square revitalization project
 - Coordinated with SHA and town departments re square elements, electrical plans, landscape plans, financial aspects, etc.
 - Received notice from DHCD that the town received \$75,000 toward town's share of square revitalization costs.
 - Provided updates to SHA address list for needed right-of-entry contacts.

Traffic signal concerns: Prepared letter to SHA at the request of the Board, concerning dissatisfaction with how the crossing signal at the square is currently programmed.
4. **Community Legacy grants:**
 - Processed local project reimbursement requests with DHCD.
 - Kept track of progress for existing projects.
 - Provided information to potential grantees.
 - Received announcement from DHCD that the town received \$50,000 for the Facade/Restoration program.
 - Provided before/after photos of 1-3 E Main to DHCD, SHA, and MDP contacts.
5. **MD Heritage Areas Grant:** Continued coordination with Richard Hughes of MD Heritage Areas Authority regarding change of use for existing MHAA grant, to pay for brick paving.
6. **Dog Park:** Researched costs of equipment items and prepared draft list of items/costs.
7. **Permits:** processed permits and/or provided information regarding requirements- signs, building, etc.
8. Planning Commission meeting Nov. 28 considered initial site plan for Seton Center location off E. Lincoln Ave. Prepared follow-up memo to George Brenton, DOC, re follow-up elements.
9. Followed up with County permits for accessory installations at the WWTP.

E. COMMISSIONER COMMENTS

F. MAYOR COMMENTS

G. PUBLIC COMMENTS

H. ADMINISTRATIVE BUSINESS

- i. **Update on pool repair and renovation:** Presentation by staff and the contractor, Make N⁷ Waves, at the meeting.

I. CONSENT AGENDA

- i. **Planning Commission (5-year term)**
Reappointment of Joyce Rosensteel to the Planning Commission.
Term: 1/18/2017 - 1/18/2022

- ii. **Board of Appeals (3-year term)**
Reappointment of Dianne Walbrecker to Board of Appeals.
Term: 12/15/2016 - 12/15/2019.

- iii. **Appointment of Ronald Lind to Board of Appeals.**
Term 2/17/2017 - 2/17/2020.
Note: Mr. Lind will replace Larry Pavek, who has resigned from the Bd. of Appeals after many years of service. Mr. Lind has been the alternate on the Board of Appeals for several years.

J. TREASURER REPORT

**TOWN OF EMMITSBURG
 CASH ACTIVITY as of January 31, 2017**

\$4,601,423	Cash Balance January 1, 2017
536,505	Deposits
<u>-331,582</u>	Withdrawals
\$4,806,346	Operating Balance Forward

Check Amount	Vendor Name	Description	Check Date	Check Number
\$184,472	PNC	Dec 16 PNC Loan Payoff	12.22.16	wire
136,385	M&T Bank	Jan 17 MDE Loan Payments	01.04.17	wire
68,027	Treasurer of Frederick County	2Q FY17 Law Enforcement	01.18.17	36686
49,350	Frederick County Paving Inc	Paving - Timbermill, Irishtown, add'l patches	12.21.16	36601
24,255	Comptroller of Maryland	4Q CY16 Bay Restoration Fee	01.12.17	36679
21,433	Irelan	Community Legacy 1-3 East Main	01.11.17	36675
20,914	MD Dept of Budget & Management	Dec 16 Health Insurance	01.04.17	36643
17,700	Make N Waves Inc	Draw #1 - Pool	01.11.17	36668
11,003	Kelco Plumbing & Backhoe Services LLC	Boiler for headworks heat	01.25.17	36711
9,250	Whiteford, Taylor, & Person LLP	USDA Bond Financing - Professional Services	12.21.16	36621

Ck dates 12.21.16 to 01.31.17

Comptroller of Maryland Statewide Revenue Misallocation

In late 2015, the Office of the Comptroller became aware that it had misallocated local income tax revenues statewide due to error in processing of tax returns including software issues associated with old technology.

The Town of Emmitsburg's portion of this misallocation in total is \$14,368 and was incorrectly distributed to our jurisdiction for the tax years of 2010 through 2014.

To ensure that all entities are satisfied with the thoroughness of the internal review, ASR Analytics was employed to audit the conclusions of the review. They will also be utilized going forward on a biennial basis to do a third party audit.

The Office of the Comptroller said it understood the burden this would place on local taxing districts and that the burden of the above amount would not be required to be repaid until 2024, at which time a ten-year, interest-free repayment period would be initiated at \$1,436.80 per year.

K. PLANNING COMMISSION REPORT: Presentation at the meeting.

L. AGENDA ITEMS:

- i. Audit presentation and budget process presentation:** Presentation at meeting by Michelle Mills.

AGENDA ITEMS CONTINUED:

- ii. New technology for Rainbow Lake and Water Plant related to LG Sonic:**
Presentation by staff and Kershner Environmental Technologies LLC

AGENDA ITEMS CONTINUED:

- iii. **Discussion on life insurance for the elected officials of the Town**

M. SET AGENDA FOR NEXT MEETING: MARCH 6, 2017 @ 7:30 p.m.

- 1.
- 2.
- 3.
- 4.