

# Town of Emmitsburg

300 A South Seton Avenue • Emmitsburg, MD 21727

Office: 301-600-6300 • Fax: 301-600-6313

www.emmitsburgmd.gov

## TOWN MEETING AGENDA

TOWN OFFICE – 300A SOUTH SETON AVENUE

MONDAY, JUNE 5, 2023

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. FUTURE MEETINGS

*Board of Commissioners Meeting: July 10, 2023 at 7:00 pm (Town Office & Zoom)*

### MEETING ITEMS

- A. APPROVE MINUTES: May 1, 2023 and May 15, 2023
- B. POLICE REPORT
- C. TOWN MANAGER'S REPORT
- D. TOWN PLANNER'S REPORT
- E. COMMISSIONER COMMENTS
- F. MAYOR'S COMMENTS
- G. PUBLIC COMMENTS
- H. ADMINSTRATIVE BUSINESS (NONE)
- I. CONSENT AGENDA
  1. Approval of free pool day on Community Heritage Day 2023 for consideration.
  2. ~~Filing of the 2022 Planning Commission Annual Report.~~ **POST PONED UNTIL JULY 10, 2023 TOWN MEETING.**
  3. Appointment of Patricia Galloway as an alternative to the Planning Commission with a term of 06/05/2023 to 03/01/2023.
  4. Reappoint Tricia Sheppard to the Citizens Advisory Committee with a term of 06/05/2023 to 07/15/2025.
  5. Reappoint Will Sheppard to the Citizens Advisory Committee with a term of 06/05/2023 to 07/15/2025.
- J. TREASUERER'S REPORT
- K. PLANNING COMMISSION REPORT
- L. AGENDA ITEMS (DETAILS ATTACHED)
  1. For consideration, approval of engineering improvement plan and design bid for North Seton Ave. waterline and Green Street project.
  2. Community Development Block Grant (CDBG) public hearing for the purpose of seeking public input on: local community development, economic development, housing needs, proposed CDBG project activity – DePaul Street waterline replacement, and other community needs as-needed.

3. Approval of Resolution 23-03R, Community Development Block Grant (CDBG) submittal authorization, for consideration.
4. Review of Stormwater Utility Fee moratorium and approval of Resolution 23-04R for consideration.
5. Presentation and review of FY24 Town of Emmitsburg budget for consideration.
6. For consideration, approval of ordinance 23-07, update to Chapter 2.50.30 salary structure for FY24.

M. SET AGENDA FOR NEXT MEETING: July 10, 2023

4. **SIGN APPROVED TEXT AMENDMENTS AND/OR RESOLUTIONS**
5. **ADJOURN**

**Zoom Link:**

**Hi there,**

**You are invited to a Zoom meeting.**

**When: Jun 5, 2023 07:00 PM Eastern Time (US and Canada)**

**Register in advance for this meeting:**

**[https://us02web.zoom.us/join/tZEucOusrTgqEtSprzUCsakFirCIIJde\\_7q](https://us02web.zoom.us/join/tZEucOusrTgqEtSprzUCsakFirCIIJde_7q)**

**After registering, you will receive a confirmation email containing information about joining the meeting.**

**A. APPROVE MINUTES**

**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; Sabrina King, Town Clerk; Madeline Shaw, Grant Administrator; Cole Tabler, Accounting Supervisor; Jessica Housaman Recorder. *Others Present* – *Deputy Bartholow*.

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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 Bartholow resented 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 Catoctin 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

Sabrina King, Town Clerk  
Minutes Approved On:





**MINUTES  
TOWN MEETING  
MAY 15, 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; Sabrina King, Town Clerk; Cole Tabler, Accounting Supervisor; Jessica Housaman Recorder. *Others Present* – Deputy Honaker

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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 15, 2023 town meeting to order at 7:00 p.m. Pledge of Allegiance was recited. Upcoming meetings were announced and noted that Commissioner Sweeney would be arriving late to the meeting with prior approval.

**Commissioner Comments:**

- Commissioner Davis: He thanked staff for answering all his questions and getting back to him.
- Commissioner Sweeney: Not in attendance.
- Commissioner Ritz III: He also thanked staff for answering all his questions.
- Commissioner Amy Boehman-Pollitt: She also thanked staff for answering her questions and noted that the Community Garden is expanding nicely. She also mentioned that the Farmer's Market is still looking for activities for children if anyone is interested.
- Commissioner O'Donnell: He thanked staff for the preparation for this presentation and all the hard work that was put into this meeting.

**Mayor's Comments:**

Mayor Briggs honored the Fallen Fire Fighters over the weekend by attending the Ceremony.

**II. Agenda Items**

Agenda #1 – Presentation and review of FY24 Town of Emmitsburg budget for consideration: Mr. Tabler began with an introduction on how the staff and supervisors worked together to come up with FY24 budget. He also thanked Sabrina King for putting the power point together. Ms. Willets added that the Town staff has been working on the FY24 budget for the past four months. She explained how the supervisors in charge of each of their respected departments gave their proposed line items for FY24. Ms. Willets also explained that the revenue is budgeted low and revenue expenses are budgeted high. Mr. Tabler and Ms. Willets presented the agenda item and gave a summary of revenue and was given for the general fund, water fund, and sewer fund. Each line item of the FY24 budget was reviewed and a PowerPoint highlighting the breakdown of various line items for specific departments was presented. Future infrastructure projects and grant funding were discussed. Capital improvement cost and growth projects were presented. Storm water management, water line replacement, and road repair schedules were reviewed. The board agreed to move the agenda item to the June 5<sup>th</sup> meeting.

Commissioner Sweeney took his seat at 7:55pm

Agenda #2 – For consideration, approval of ordinance 23-07, update to Chapter 2.50.30 salary structure for FY24. Ms. Willets presented the item. She explained the Town of Emmitsburg Salary Structure for FY24 for July 1, 2023 with 4% COLA. Ms. Willets briefly went over the process of the performance evaluation she conducts with each employee and supervisor of each department. After further discussion, the agenda item was moved to the June 5<sup>th</sup> meeting.

**Public Comments:**

*Valerie Turnquist, Emmitsburg MD-* She asked that the presentation be posted onto the website. She had questions regarding multiple items from the presentation related to budget FY24.

**Set Agenda Items for June 5<sup>th</sup> Town Meeting**

**Agenda Items:** (1.) For consideration, approval of engineering improvement plan and design bid for North Seton Ave. waterline and Green Street project. (2.) Community Development Block Grant (CDBG) public hearing for the purpose of seeking public input on local community development, economic development, housing needs, proposed CDBG project activity – DePaul Street waterline replacement, and other community needs as-needed. (3.) Approval of Resolution 23-03R, Community Development Block Grant (CDBG) submittal authorization, for consideration. (4.) Review of Stormwater Utility Fee and moratorium for consideration. (5.) Presentation and review of FY24 Town of Emmitsburg budget for consideration. (6.) For consideration, approval of Ordinance 23-07, update to Chapter 2.50.30 salary structure for FY24. **Consent Items:** (1.) Approval of free pool day on Community Heritage Day 2023 for consideration. (2.) Filling of 2022 Planning Commission Annual Report. (3.) Appointment of Patricia Galloway as an alternate to the Planning Commission with a term of 06/05/2023 to 03/01/2023. (4.) Reappointment of Tricia Sheppard to the Citizen’s Advisory Committee with a term of 07/15/2023 to 07/15/2025. (5.) Reappointment of Will Sheppard to the Citizen’s Advisory Committee with a term of 07/15/2023 to 07/15/2025.

*Motion:* Commissioner Ritz III motioned to accept the May 15, 2023, Town meeting agenda as presented; second by Commissioner Boehman-Pollitt. Yeas – 5; Nays – 0. The motion was adopted/rejected.

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

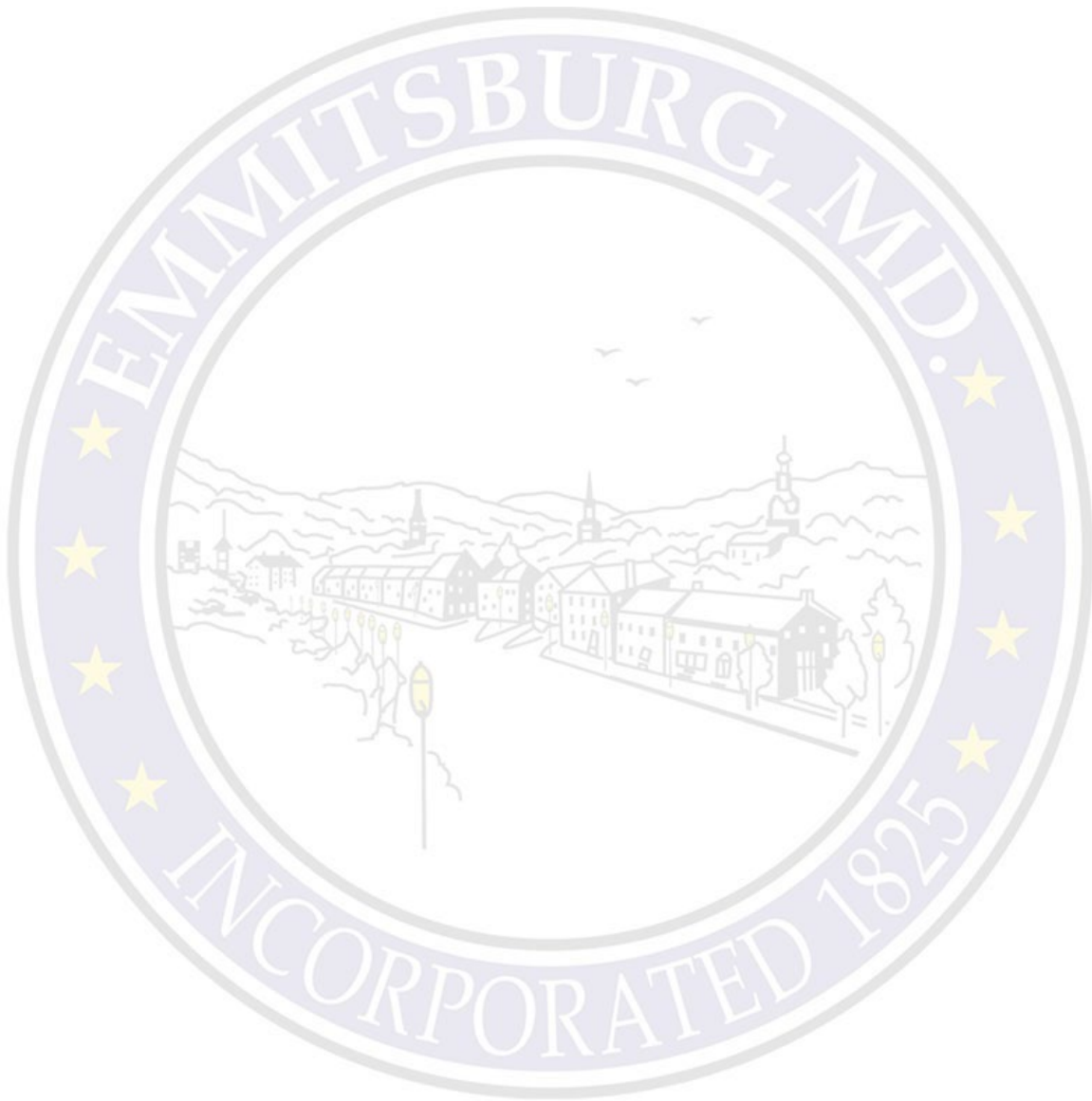
**IV. Adjournment**

With no further business, Commissioner O’Donnell motioned to adjourn the May 15, 2023 Town meeting at 9:40 p.m.; Yeas – 5; Nays - 0. The motion was adopted/rejected.

Respectfully submitted,

Sabrina King, Town Clerk  
Minutes Approved On:

**B. POLICE REPORT**





## C. TOWN MANAGER'S REPORT

### Town Manager's Report

April 2023

Prepared by Cathy Willets

#### Streets:

- Staff replaced and repaired some street signs around town.
- Staff conducted monthly street sweeping.
- Staff repaired streetlights.
- Staff conducted monthly storm drain inlet cleaning.
- Staff cold patched sewer line ditch on 1<sup>st</sup> Ave.
- Staff marked sewer and water lines on DePaul St. for the new waterline project.
- Staff assisted with collection of parking meter money.
- Staff worked with contractor on installation of conduit on Main St. for camera project.

#### Parks:

- Staff conducted daily park checks – trash cans, cameras, dog waste stations, restrooms.
- Staff mowed, trimmed, weed killed in parks.
- Staff power washed pavilions and painted some picnic tables in Memorial Park.
- Staff filled in ruts along park road to ballfield #3. Seeded and mulched also.
- Staff pulled weeds and weed killed along pool fence and in the parking lot island.
- Staff worked at the pool putting sinks, urinals, toilets, etc. back together prior to inspection.
- Staff put rain barrel, hose and filled barrel at Community Park garden plots.

#### Water:

- A. Rainbow Lake is at the spillway level (16.6 feet).
- B. The roughing filters are being backwashed three times a day. The DE filters are getting one week runs.
- C. Well levels (optimum level was determined to be May 2011).

	<u>May 2011</u>	<u>April</u>	<u>Change</u>
1) Well #1:	35'	40'	-5'
2) Well #2:	8'	12'	-4'
3) Well #3:	12'	33'	-21'
4) Well #4:	108'	OFF'	N/A
5) Well #5:	10'	OFF'	N/A

D. Water production and consumption. We produced an average of 259,555 GPD. We consumed an average of 272,150 GPD (finish water + MSM). The amount of Backwash Water in the month of April is ... (14.03%).

1. 43.23% of this water came from wells.
2. 3.91% of this water came from Mt. St. Mary's.
3. 52.86% of this water came from Rainbow Lake.

We purchased 352,500 gallons of water from MSM this month.

Wastewater:

- A. We treated an average of 432,733 gpd (consumed 272,150 GPD) which means that 37.11% of the wastewater treated this month was "wild water".
- B. We had no spills of untreated sewage in the month of March.
- C. We did exceed the plant's design capacity three (3) times time in the month of April.  
1,147,000gpd 04/28    1,025,000gpd 04/29    1,313,000gpd 04/30
- D. We received about 5.49" of precipitation this month (the average is 3.91"). We have a precipitation **SURPLUS of 3.16"** over the last six months. The average precipitation for the period from November through April 30 is 20.78". We have received 23.94" for that period.

**Trash:** Trash pickup will remain on Mondays in the month of June.

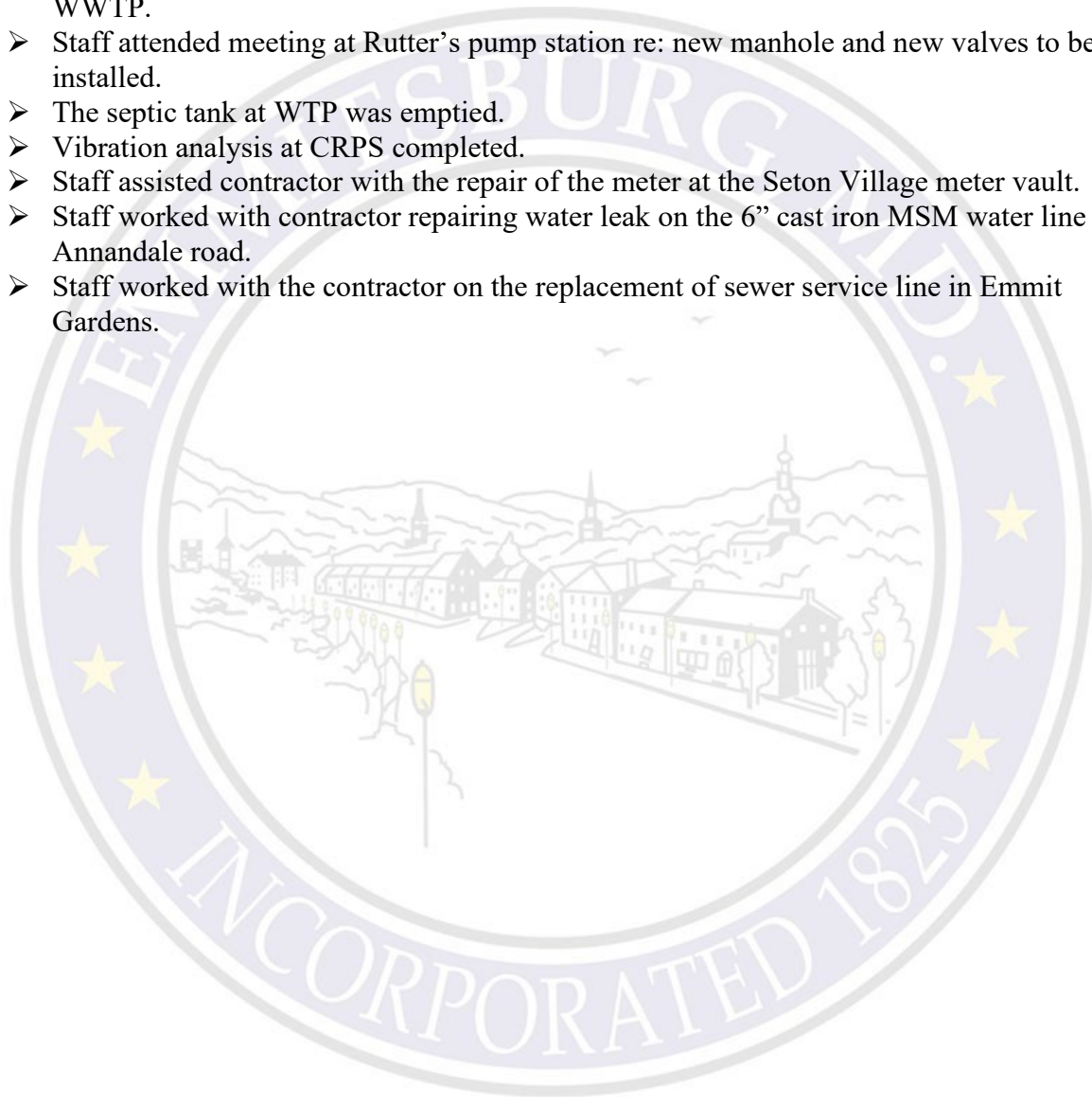
**Meetings Attended:**

- 04/03 Met with Mayor.
- 04/03 Attended Town Meeting
- 04/10 Conference Call with Town Attorney, Mayor, Chris Jakubiak and Town Planner regarding several projects
- 04/12 Met with Town Planner
- 04/13 Conference Call with Grants Administrator and Bond Counsel re: Creamery Road Pump Station project
- 04/14 Watched County Executive budget presentation
- 04/17 Zoom meeting with RK&K, Chris Jakubiak and Town Planner re: development project.
- 04/17 Met with Mayor
- 04/20 Attended department head meeting
- 04/20 Attended support staff meeting
- 04/21 Attended webinar for ARPA reporting guideline
- 04/24 Attended final staff FY24 budget review
- 04/25 Attended meeting with solicitor re: upgrades to water meters

**Noteworthy:**

- Staff pumps holding tank every 10 days at 8533 Hampton Valley Rd.
- Staff worked the yard waste dumpster twice in March.
- Staff conducted monthly equipment and fire extinguisher maintenance.

- Staff did some water meter upgrades.
- Staff flushed hydrants around Town. No discolored water complaints.
- Staff and Contractor located and repaired a large leak on the MSM main water line. Estimated loss of 945,993 gallons.
- Contractor replaced LG Sonic sensors and prepared unit to be placed into the Lake.
- Staff attended a storage tank and water meter upgrade meeting.
- Water & Sewer staff (Wayne and Jared) attended cyber security class for WTP and WWTP.
- Staff attended meeting at Rutter's pump station re: new manhole and new valves to be installed.
- The septic tank at WTP was emptied.
- Vibration analysis at CRPS completed.
- Staff assisted contractor with the repair of the meter at the Seton Village meter vault.
- Staff worked with contractor repairing water leak on the 6" cast iron MSM water line on Annandale road.
- Staff worked with the contractor on the replacement of sewer service line in Emmit Gardens.





**PARKING ENFORCEMENT REPORT**

**PARKING ENFORCEMENT REPORT**

**May 2023**

<i>Overtime Parking</i>	56			
<i>Restricted Parking Zone</i>	8			
<i>Parked in Crosswalk</i>				
<i>Parked on Sidewalk/Curb</i>				
<i>Parked by Fire Hydrant</i>				
<i>Parked Blocking Street</i>				
<i>Parked Blocking Driveway</i>				
<i>Failure to Park between Lines</i>	2			
<i>Left Side Parking</i>				
<i>Parked in Handicapped Space</i>				
<i>48 Consecutive Hours</i>	1			
<i>Total Tickets - Warnings</i>	68	15		
<i>Meter Money</i>	\$1496.20			
<i>Meter Reservations</i>	Daily Reservations: 1 \$10		Funeral Home Reservations: 1	
<i>Parking Permits by Type</i>	1M: 3	3M: 2	6M: 0	1Y: 0
<i>Parking Permits Money</i>	\$184			
<i>Violation Cost</i>	\$560			
<i>Late Fees Assessed</i>	\$165			
<i>Payment Received</i>	\$290			
<i>Dues Forward</i>	\$405			
<b><i>Totals May:</i></b>	<b><i>Made</i></b> <b>\$1970.20</b>		<b><i>Due</i></b> <b>\$405</b>	
<b><i>Totals 2023</i></b>	<b><i>Violations Paid</i></b> <b>\$2545</b>	<b><i>Outstanding Bal.</i></b> <b>\$1410</b>	<b><i>Meter Money</i></b> <b>\$5956.55</b>	<b><i>Permit Revenue</i></b> <b>\$1284</b>

\*All information accurate as of May 30<sup>th</sup> includes violations starting April 20<sup>th</sup> Meter Money was pulled and counted May 25<sup>th</sup> to May 26<sup>th</sup>.

\* I realized my error in a simply adding the amounts for violation paid and outstanding balance month to month from the reports and instead have pulled and will continue to pull a separate report for the year for year totals.

## GRANT ADMINISTRATOR REPORT

As of May 31, 2023

### Grants Administrator Report

Prepared By: Madeline Shaw, Grants Administrator

#### **ACTIVE GRANTS/PROJECTS (20 TOTAL)**

##### **#22-1, USDA New Public Works Equipment for \$168,900 (match of \$128,500)**

- For purchase of a 4x4 work truck, backhoe loader, multi-user tractor, WWTP SCADA.
- Status – Backhoe, multi-use tractor, and 4x4 truck delivered. SCADA 98% completed. Waiting on final equipment to arrive for SCADA. Once all invoices are received final report will be submitted.

##### **#22-6, POS New Bathroom/Concession Stand for \$147,980 (\$89,000 match)**

##### **#22-7, LPPI New Bathroom/Concession Stand for \$62,290 (no match)**

- For construction of a new bathroom/concession stand combo building in Community Park.
- Status – Electrical conduit installed in May. Need to advertise RFP for project manager. Need to order pre-fabricated building.

##### **USDA Creamery Road Pump Station Replacement \$1,862,300 grant, \$1,987,000 loan, \$1,395,000 Town**

- For replacement of Creamery Road Pump Station will new sewage pump station.
- Status – Continuing to submit monthly reports to USDA. Planning to break ground in next month or so hopefully.

##### **Maryland Dept. of General Services, Water Treatment Plant Clarifier \$1,000,000 bond**

- Status – Assisting with management of this project starting April 25, 2023.

##### **#23-2, TRIPP Emmitsburg Advertising for \$2,963 (\$1,481 match)**

- For advertising Emmitsburg in Celebrate Gettysburg, Visit Frederick and Montgomery Magazine.
- Status – ads placed in Celebrate Gettysburg (March/April, May/June) and Visit Frederick (2023), and Montgomery Magazine (April/May, May/June) so far.

##### **#23-3, DHCD Community Legacy Façade Improvements FY2023 for \$50,000**

- Provide property owners in sustainable community's district with 50/50 funds to fix-up property
- Status – Waiting on property owners to finish work, then submit for reimbursement.

##### **#23-4, CP&P Silo Hill Playground Improvements for \$146,263 (no match)**

- To replace old swing set and playground tower and install half basketball court.
- Status – Installation finished. Need to submit final report and reimbursement request.

##### **#23-5, POS Rainbow Lake Parking Lot for \$70,000 (\$37,500 match)**

##### **#23-13, LPPI Rainbow Lake Parking Lot for \$44,500**

- For SWM plan and to pave a 10 to 12 space parking lot at Rainbow Lake.
- Status – State approved Feb. 15. Engineer signed contract for design May 24. Project to go to bid for construction in December 2023.

##### **#23-6, POS Community Park Cornhole for \$6,000 (\$2,00 match)**

- For installing two pairs of permanent concrete cornhole boards in Community Park.
- Status – State approved on Jan. 25. Cornhole boards ordered April 18. There is a 16 week lead time with production/shipping. Planning to install mid-August once they arrive.

##### **#23-7, POS Outdoor Storybook Trail for \$8,250 (\$2,750 match)**

- For installation of 20 single pedestal exhibits that would display exchangeable storybook pages.

- Status – State approved on Jan. 25. Equipment ordered Mar. 13 with a one-month lead time. Anticipated installation around late-May or early June.

**#23-8, MEA Streetlight & Outdoor Lighting Efficiency Pilot for \$27,500 (15% of total project match)**

**#23-10, USDA Downtown Streetlight Replacement for \$75,000**

**#23-11, USDA Downtown Streetlight Replacement for \$50,000**

**#23-17, DHCD Operating Assistance Grant – Main Street Improvement Grant for \$10,000**

- Replace 102 streetlights along Main Street / Seton Avenue with new LED dimmable cutoff lights.
- Status – RFP needs to be advertised for the purchase and installation of the lights in June. RFP to come before the Board in August 2023 for approval.

**#23-12, DHCD Business District and Neighborhood Safety Grant for \$85,000 (no match)**

1. Purchase two portable radar speed trailers and two surveillance cameras for town square.
2. Status – Speed trailers delivered, cameras installed. Public Works staff need training on trailer usage then project is complete.

**#23-14, LPPI Community Park Pavilion Improvements for \$30,500**

- For new pavilion roof, repair rotting wood, pressure wash, sand/stain, replace 10 picnic tables.
- Status – collecting three estimates for work, need to order tables.

**#23-15, LPPI Memorial Park Pavilion Improvements for \$22,000**

- To repair pavilion rotting wood, pressure wash, sand/stain, replace 11 picnic tables.
- Status – work scheduled with contractor, need to order tables.

**#23-16, LPPI Baseball Field Bat/Helmet Racks for \$3,000**

- To purchase bat/helmet racks for remaining three ballfield dugouts (fields #5, #4 and #2).
- Status – Bat/helmet racks ordered on March 31. Arrived in May and now need installed by DPW.

**NEWLY AWARDED:**

**TRIPP Advertising Grant for \$7,333.32, submitted 03/31/2023**

- Advertising of Emmitsburg as a tourism destination via three billboards in the Gettysburg area and two annual print publications (Destination Gettysburg and Visit Frederick guide).

**FCTC, Main Street Cooperative Fund for \$10,000, submitted on 04/01/2023**

- New welcome to Emmitsburg signs (estimated \$5,000).
- Remaining money to aid in parking meter purchase.

**NOT AWARDED:**

**DNR Community Parks and Playgrounds FY2024 – 2 Totaling \$120,686 submitted 08/24/22**

1. Install half basketball court in Memorial Park \$15,000
2. Install playground addition via Timber Stacks play equipment in Memorial Park \$105,686

**PENDING GRANTS (WAITING FOR ANNOUNCEMENT) (8 TOTAL)**

**MWIFA Drinking Water Revolving Loan and/or Water Supply Grant for \$2,255,552 submitted 01/31/22**

1. North Seton Avenue waterline replacement \$1,145,552
2. DePaul Street waterline replacement \$1,110,000

**MWIFA Emmitsburg Transmission Main Replacement, submitted 01/31/2023**

3. To replace 10-inch mountain main into Town with 16-inch to improve water quality and fire flow.

**Operating Assistance Grant – Main Street Improvement grant, due April 28, 2023**

4. Town Square directional wayfinding signage, 4 total signs

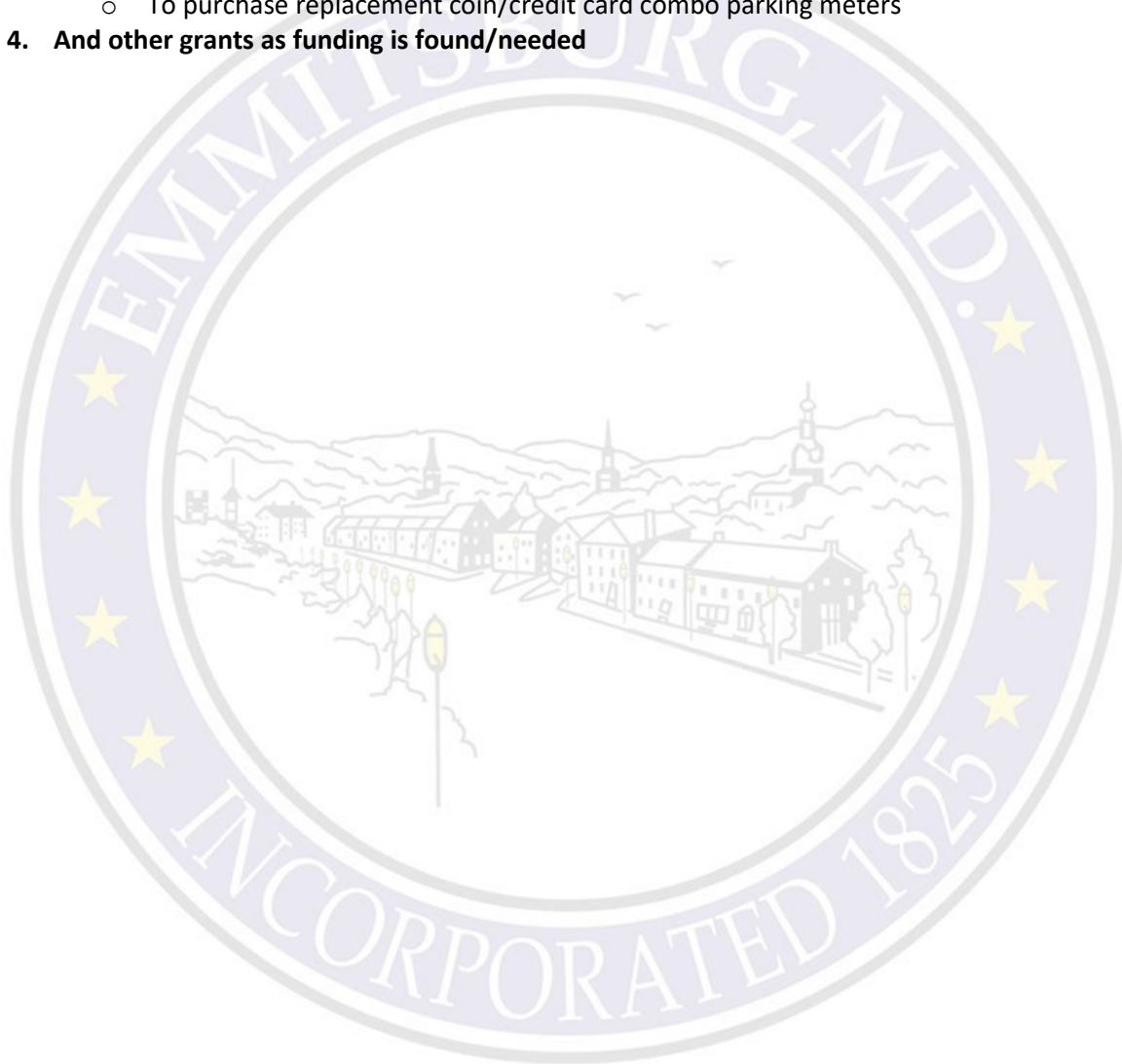
**Program Open Space FY24, submitted May 5, 2023**



5. Rainbow Lake Trail Improvements, \$85,950 to update and redesign red trail
6. Myers Community Park Improvements, \$38,700 to construct two picnic shelters near playground
7. Memorial Park Improvements, \$111,600 to add ½ basketball court and more playground equip.

**UPCOMING GRANTS (TO APPLY FOR)**

1. **Community Development Block Grant, due around June 2023**
2. **Community Legacy grant, due around July 1, 2023**
3. **USDA Community Facility grant, rolling deadline first-come first-served**
  - To purchase replacement coin/credit card combo parking meters
4. **And other grants as funding is found/needed**



## D. TOWN PLANNER'S REPORT



### *Memo*

April 2023 Planner Report

Prepared by: Najila Ahsan

### **Municipal Separate Storm Sewer System (MS4)**

- Silo Hill SWM basin retrofit project management
- Met with President of Flat Run Community Association about maintenance
- In the process of taking over maintenance activities for the next five years

### **Code Enforcement & Permits**

- Processed the following permit applications:
  - 7 Zoning
    - 1 – Swimming Pool; 4000 Carrick Ct.
    - 1 – Drive-thru Lane; 517 E Main St. (McDonald's)
    - 1 – Fence replacement; 4 Provincial Pkwy
    - 1 – Deck and swimming pool; 42 Robindale Dr.
    - 1 – Deck; 17498 Irishtown Rd.
    - 1 – Sign Permit; 17750 Creamery Rd., B7
    - 1 – Shed; 207 W Lincoln Ave
  - 1 Back Yard Chicken
    - 1 -- Permit for a coup and 4 chickens
  - 2 Street Closure
    - UGI
      - May 31, 2023: Chesapeake Ave. between E Main St. and E North Ave.
      - June 1, 2023: Lincoln Ave. between South Seton Ave and Chesapeake Ave.
  - 11 Cross Connection
    - High hazard
      - a. 300 South Seton Ave.
      - b. 25 W Main (3)
      - c. 177701 Creamery Rd. (2)
    - Low hazard
      - a. 1 William Ct.
      - b. 38 Provincial Pkwy
      - c. 6 Heritage Ln.
      - d. 217 E. Main St.
      - e. 4120 Carrick Ct.

## Planning Commission (PC)

- May 22, 2023
  - Discussion: Comprehensive Plan
- Next Meeting: June 27, 2023

### Development Updates

- Federal Stone
  - Site Plan and Improvement Plans complete
  - reviewing estimates for Payment and Performance bonds.
- Village Liquors & Plaza Inn
  - Improvement Plat approved by SCD
  - Site Plan to be submitted to County
  - Pending: Payment and Performance bonds
- MSM “E” Wing
  - Site plan under review—received May 26, 2023

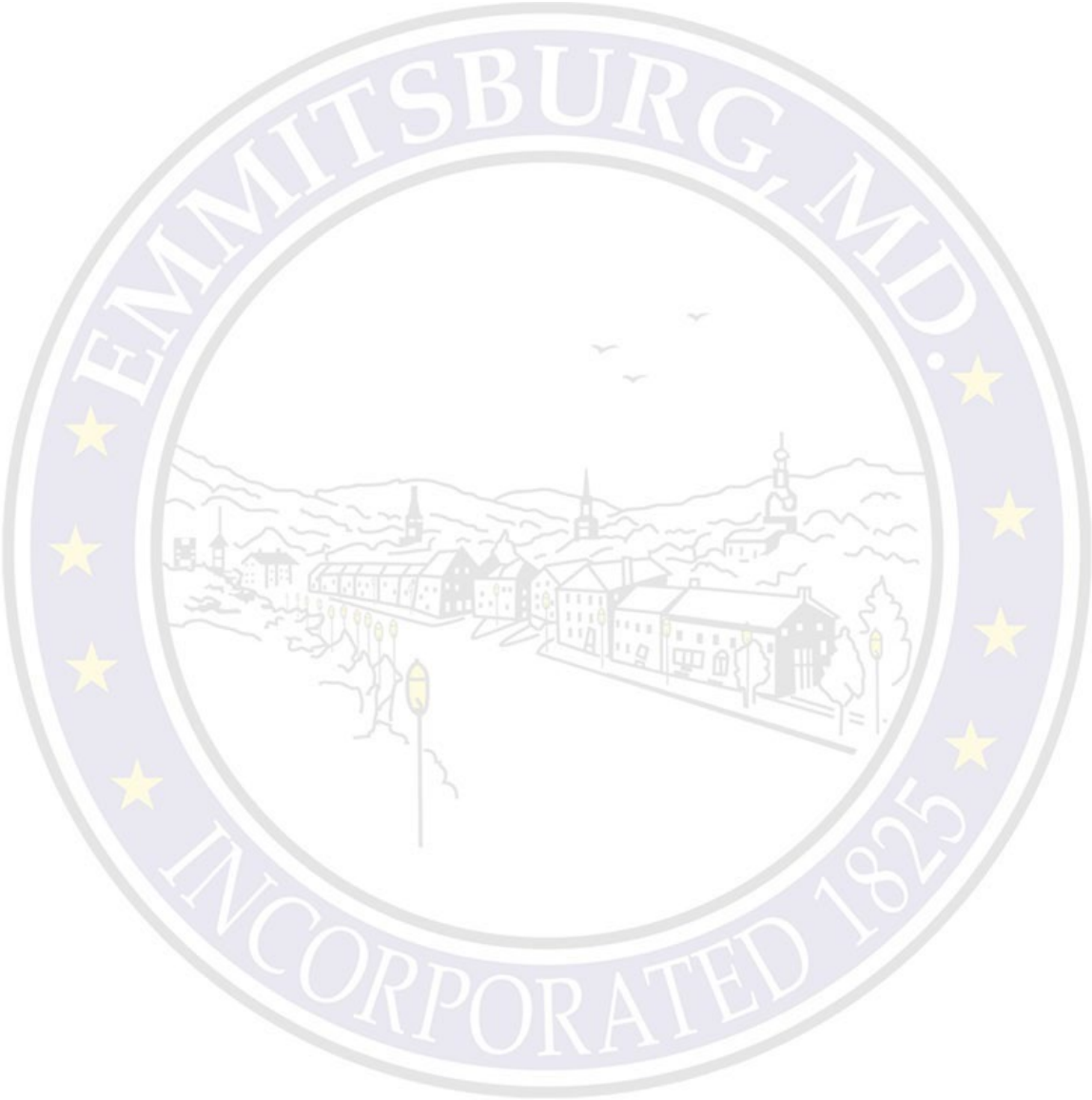
### Comprehensive Plan

- Dashboard for Town Website
- Frederick News Post article
- Planning public engagement activities

### Text Amendment

- Review and edit “Economic Development Flex District (EDFD), Floating Zone”

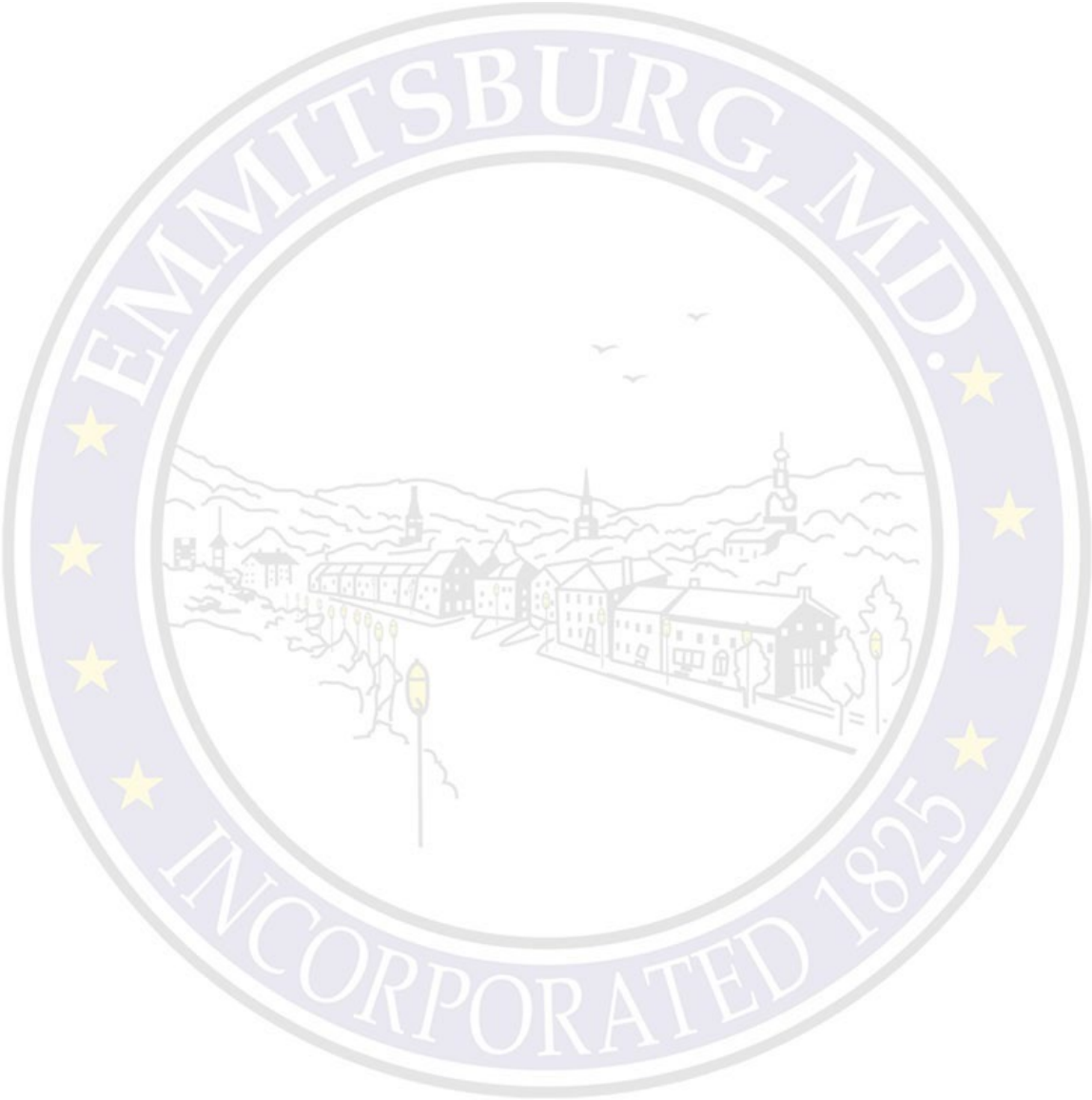
**E. COMMISSIONERS COMMENTS**



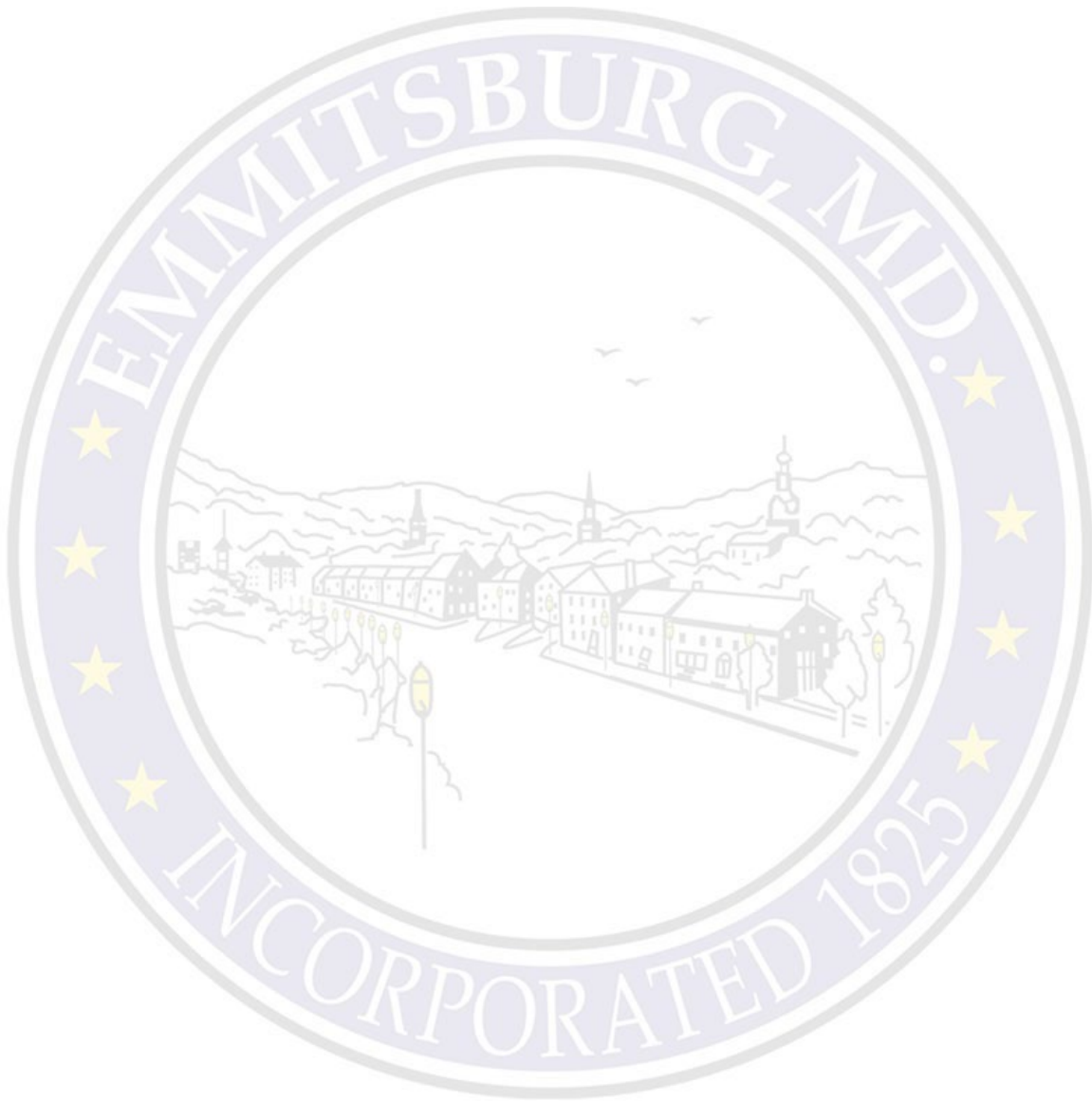


**F. MAYORS COMMENTS**

*Presentation at the meeting.*



**G. PUBLIC COMMENTS**



## H. ADMINSTRATIVE BUSINESS (NONE)

## I. CONSENT AGENDA

1. Approval of free pool day on Community Heritage Day 2023 for consideration.
2. ~~Filing of the 2022 Planning Commission Annual Report.~~ **POST PONED UNTIL JULY 10, 2023 TOWN MEETING.**
3. Appointment of Patricia Galloway as an alternative to the Planning Commission with a term of 06/05/2023 to 03/01/2023.
4. Reappoint Tricia Sheppard to the Citizens Advisory Committee with a term of 07/15/2023 to 07/15/2025.
5. Reappoint Will Sheppard to the Citizens Advisory Committee with a term of 07/15/2023 to 07/15/2025.

**J. TREASURER'S REPORT**

**TOWN OF EMMITSBURG  
CASH ACTIVITY AS OF May 30, 2023**

**\$8,670,323**                      **Cash Balance May 1, 2023**

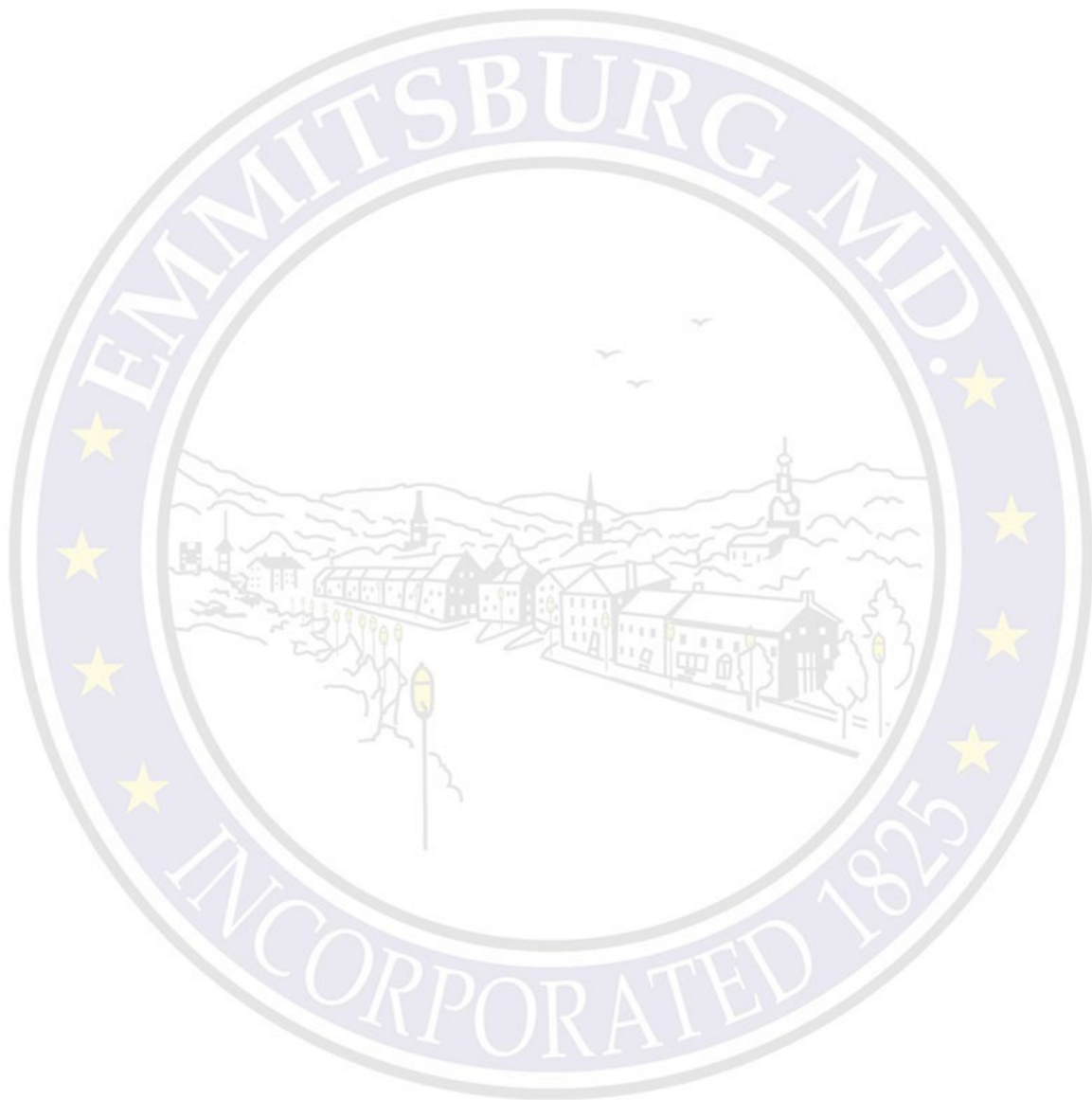
<b>360,816</b>	<b>Deposits</b>
<b><u>-333,094</u></b>	<b>Withdrawals</b>
<b>\$8,698,045</b>	<b>Operating Balance Forward</b>

<b>Check Amount</b>	<b>Vendor Name</b>	<b>Description</b>	<b>Check Date</b>	<b>Check Number</b>
\$22,595	Mid-Atlantic Utilities	Annadale Road Waterline Repair	05.23.23	45077
\$22,472	MD Dept of Budget & Mgmt	Apr 23 Health Insurance	04.26.23	44974
\$17,362	All Traffic Solutions	Speed Alert-Grant #23-12	05.10.23	45012
\$12,183	UGI Energy Services	Mar 23 Solar Field #1	05.10.23	45036
\$11,659	UGI Energy Services	Mar 23 Solar Field #2	05.10.23	45036
\$11,308	RSV Pools	Jun 23 Swimming Pool Mgmt	05.10.23	45034
\$7,549	Republic Services	May 23 Tipping Fees	05.10.23	45028
\$7,350	Frederick County Paving	Frederick County Paving	05.17.23	45049
\$6,100	Donna Elwell	Community Legacy- 106 East Main Street	04.26.23	44968
\$5,068	Alpha Space Control	Painting Lines	05.17.23	45041



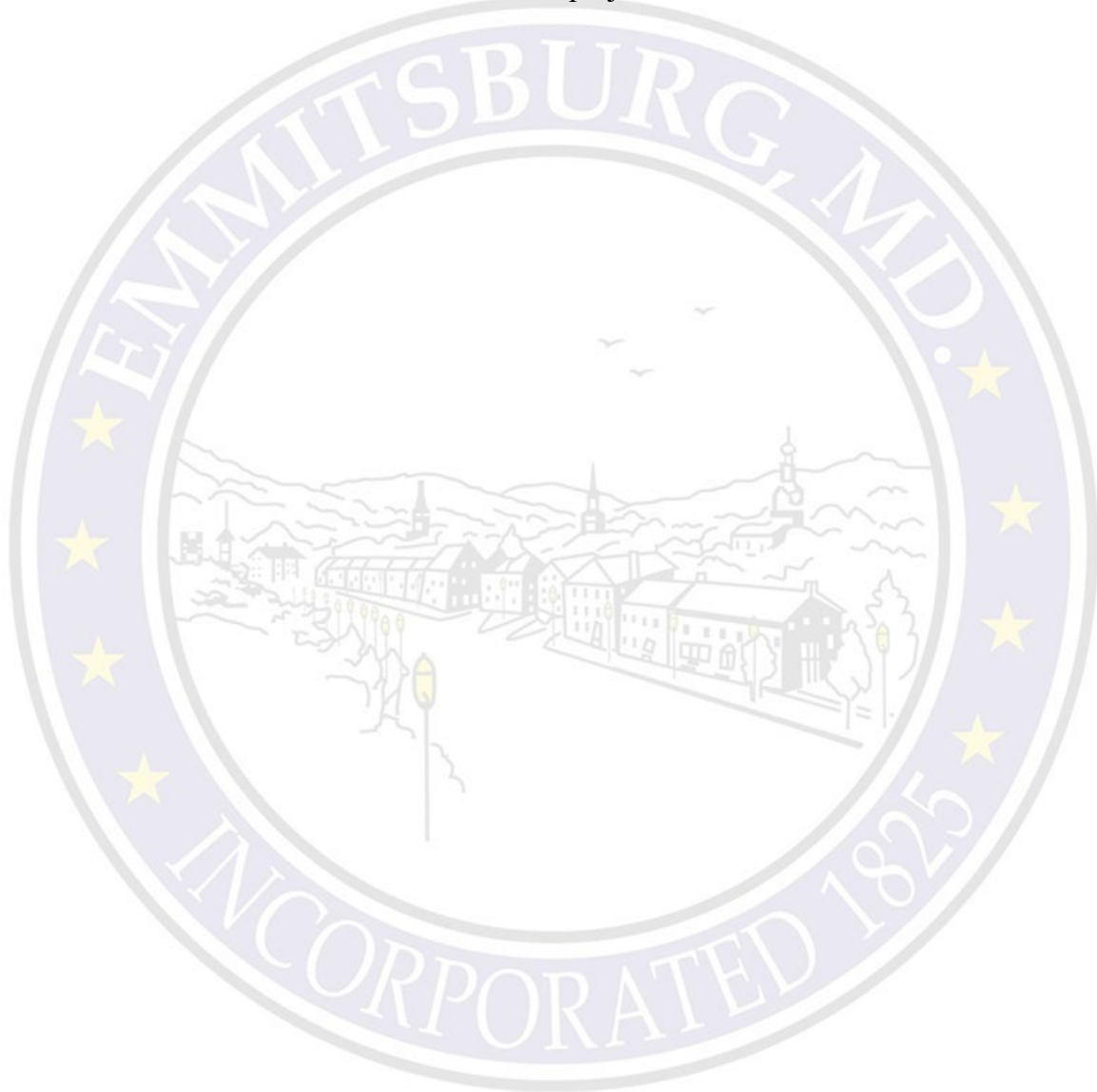
**K. PLANNING COMMISSION REPORT**

*Presentation at the Town meeting.*



**L. AGENDA ITEMS**

AGENDA ITEM #1: For consideration, approval of engineering improvement plan and design bid for North Seton Ave. waterline and Green Street project.



**NORTH SETON AVENUE WATERLINE REPLACEMENT  
& GREEN STREET UPGRADE ENGINEERING**

**TIMELINE:**

Thurs. April 6, 2023	RFP published on eMMA, MML, Town website and Facebook.
Fri. May 12, 2023	<b>DEADLINE: Bids due by 4:00 p.m.</b>
June 5, 2023	Bid review/approval by the Board of Commissioners.
June 6, 2023	Award notice made, project to begin.
May 15, 2024	Requested date for engineer to have all plans approved, permits obtained, construction bid documents ready to go.
July 1, 2024	Construction to begin (estimated 18-month timeframe).
December 31, 2025	Requested project completion date.

**RFP ADVERTISEMENT:**

- Public Notice Under RFP Tab on Town’s Website: 04/06/2023 – 05/12/2023
- Notice on MML Classifieds: 04/06/2023 – 05/12/2023
- RFP Published on eMaryland Marketplace: 04/06/2023
- Public Notice on Town Facebook Page 04/06, 04/13, 04/20, 04/27, 05/04 & 05/12
- Email sent to potential contractors (3 companies): 04/06/2023

**PROJECT FUNDING:**

MWIFA Grant: \$286,388  
 MWIFA Loan: \$859,164  
 Total estimated cost: \$1,145,552

**BIDS RECEIVED (ALPHABETICAL ORDER):**

<b>Contractor:</b>	<b>Amount:</b>	<b>Notes:</b>
CNC Civil Services, LLC	\$287,817.50	Washington, DC
Fox and Associates, Inc.	\$251,056.00	Frederick, MD
Wilson T. Ballard Company	\$448,639.83	Owings Mills, MD

**STAFF RECOMMENDATION:**

Town staff recommends the approval of Fox & Associates, Inc. bid for \$251,056.

- Fox and Associates is the lowest bidder.
- Fox and Associates references were all favorable.
- Fox and Associates Inc. is familiar with the Town.
- Fox and Associates Inc. completed the Green Street Concept Plan in 2021.

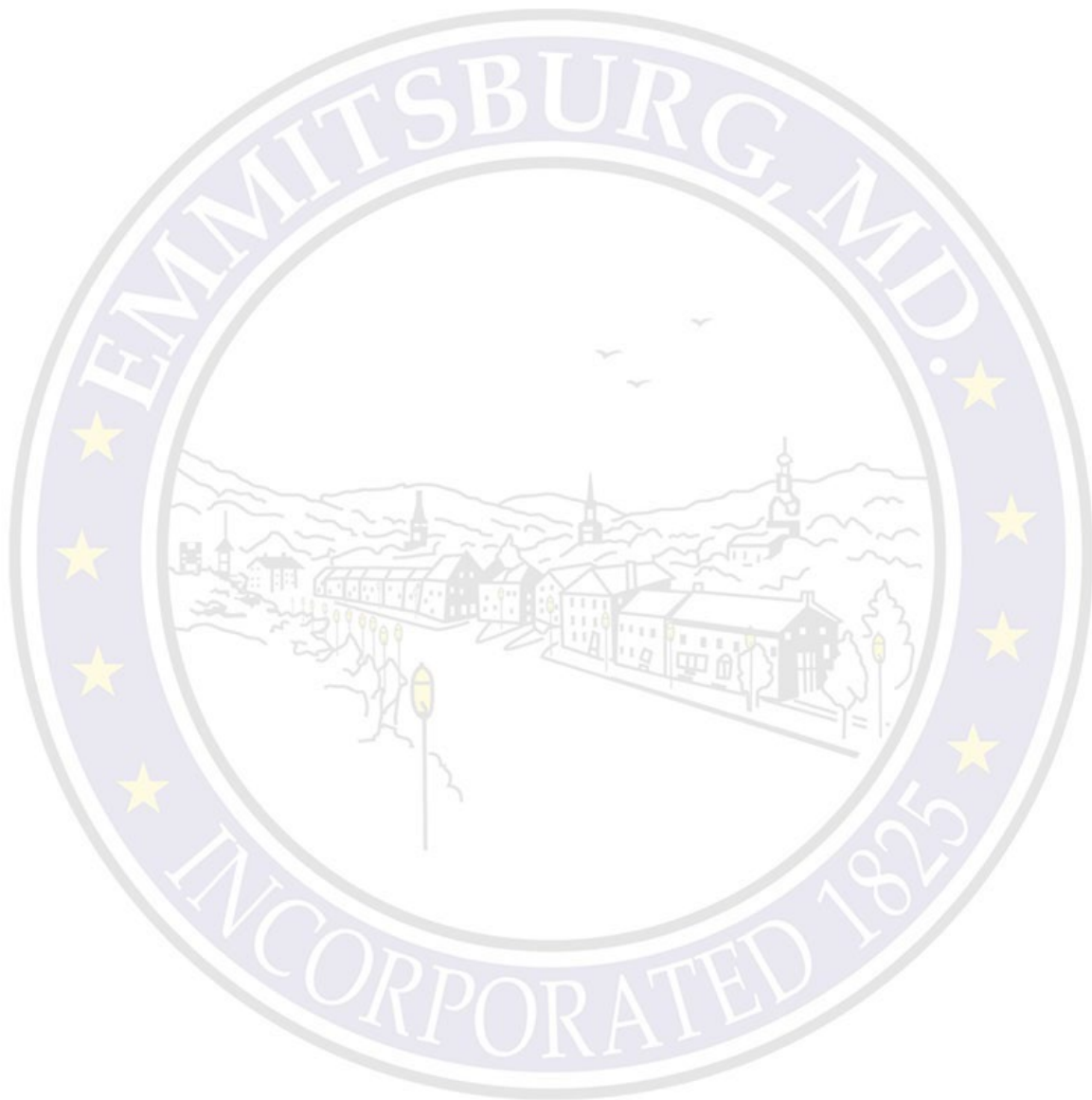
AGENDA ITEM #2: Community Development Block Grant (CDBG) public hearing for the purpose of seeking public input on: local community development, economic development, housing needs, proposed CDBG project activity DePaul Street waterline replacement, and other community needs as-needed.

*Presentation at the Town meeting by staff.*





AGENDA ITEM #3: Approval of Resolution 23-03R, Community Development Block Grant (CDBG) submittal authorization, for consideration.



RESOLUTION: 2023  
RESOLUTION NO. 23-03R

Page 31 of 46

A RESOLUTION AUTHORIZING THE  
SUBMITTAL OF AN APPLICATION FOR  
COMMUNITY DEVELOPMENT BLOCK GRANT  
FUNDS FOR THE TOWN OF EMMITSBURG

draft

\*\*\*\*\*

**WHEREAS**, State of Maryland through the Department of Housing and Community Development has solicited applications from eligible jurisdictions to apply for funding under the Maryland Community Development Block Grant Program; and

**WHEREAS**, the Town of Emmitsburg is eligible to apply for funds from the Maryland Community Development Block Grant program through the Maryland Department of Housing and Community Development; and

**WHEREAS**, the Mayor and Board of Commissioners have held the required public hearing related to the formulation of the Town of Emmitsburg’s Block Grant Application; and

**WHEREAS**, the Mayor and Board of Commissioner’s understand and acknowledge that they would be responsible for completion of grant activities and any corrective actions including the repayment of funds if necessary;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Board of Commissioners hereby adopt this Resolution and authorize the submittal of an application for Community Development Block Grant funds in the amount up to \$552,500.00 this 5<sup>th</sup> day of June, 2023 for the following project:

DePaul Street Waterline Replacement

**BE IT FURTHER RESOLVED**, that the Mayor and Town Manager are authorized and empowered to execute any and all documents required for the submission of the application. This Resolution shall be effective on the date that the Mayor approves the Resolution after approval by the Board of Commissioners or the date on which the Board of Commissioners pass the Resolution over the veto of the Mayor.

RESOLUTION: 2023  
RESOLUTION NO. 23-03R

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**PASSED** this 5th day of June, 2023 by a vote of:

<b>Commissioners:</b>	<b>For</b>	<b>Against</b>	<b>Absent</b>	<b>Abstain</b>
O'Donnell				
Sweeney				
Ritz III				
Davis				
Boehman-Pollitt				
<b>TOTAL:</b>				

ATTEST:

EMMITSBURG BOARD OF COMMISSIONERS:

\_\_\_\_\_  
Sabrina King, Town Clerk

\_\_\_\_\_  
Timothy J. Donnell, President

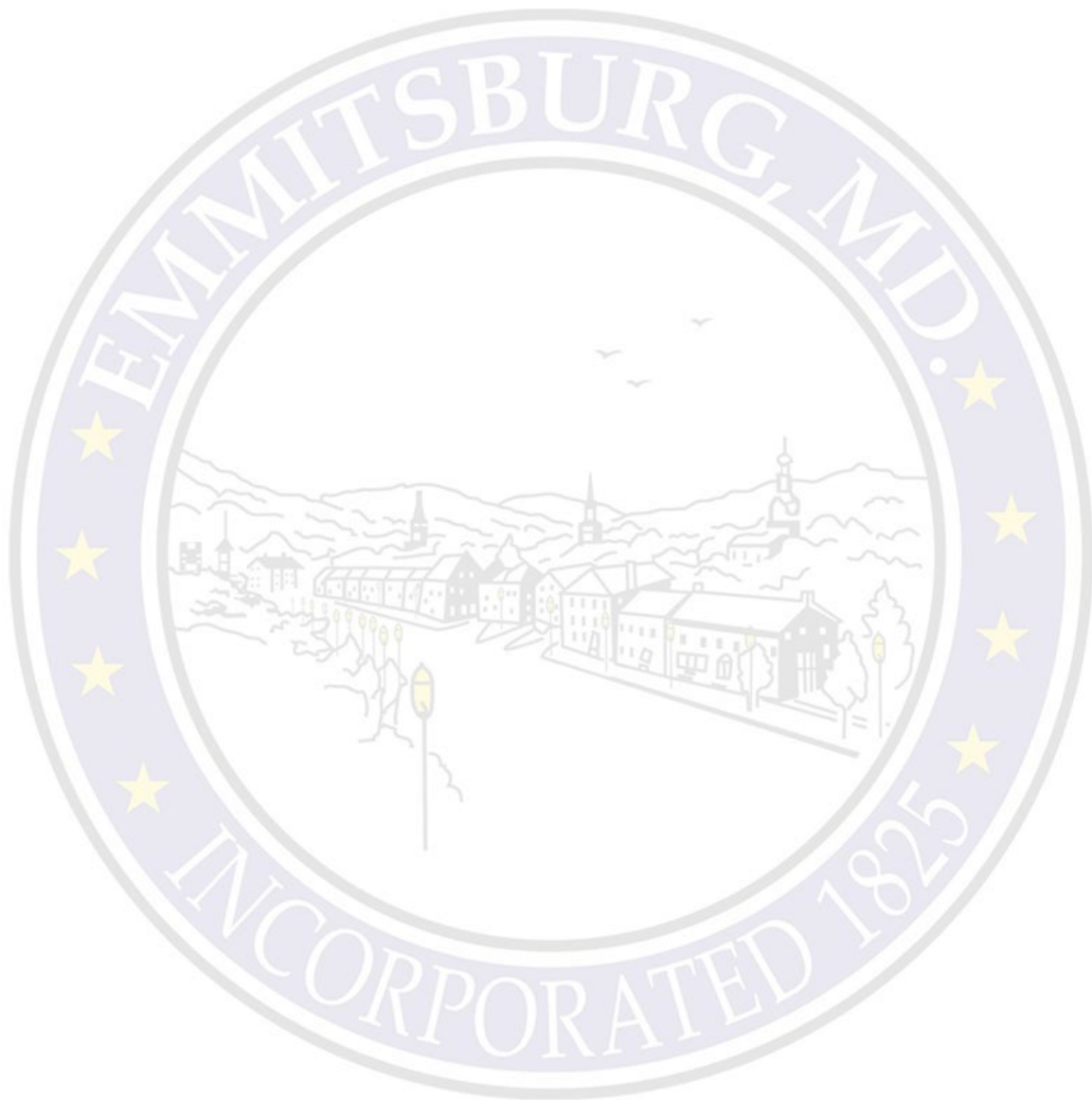
\_\_\_\_\_  
APPROVED

\_\_\_\_\_  
VETOED

this 5th day of June, 2023

\_\_\_\_\_  
Donald N. Briggs, Mayor

AGENDA ITEM #4: Review of Stormwater Utility Fee moratorium and approval of Resolution 23-04R for consideration.





RESOLUTION: 2023  
RESOLUTION NO. 23-04R

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**A RESOLUTION  
APPROVING THE MORATORIUM OF  
IMPLEMENTATION OF THE STORMWATER UTILITY FEE**

\*\*\*\*\*

**BE IT RESOLVED, ENACTED AND ORDAINED**, this \_\_\_\_\_ day of \_\_\_\_\_, 2023, by the Mayor and Board of Commissioners of the Town of Emmitsburg, Maryland, pursuant to the authority granted to them by the laws of Maryland and the Charter of the Town of Emmitsburg, do place a one-year moratorium on the implementation of Ordinance 22-05 which created the stormwater utility fee to fund stormwater management, storm drainage, and water resources programs and services. Ordinance 22-05 will go into effect July 1, 2024.

**NOW, THEREFORE, BE IT HEREBY** enacted this \_\_\_\_\_ day of \_\_\_\_\_, 2023 by the Mayor and Board of Commissioners, that Resolution Number 2023-04R is true, correct, and duly adopted by the Mayor and Board of Commissioners of the Town of Emmitsburg.

**PASSED** this \_\_\_\_ day of \_\_\_\_\_, 2023 by a vote of:

<b>Commissioners:</b>	<b>For</b>	<b>Against</b>	<b>Absent</b>	<b>Abstain</b>
O'Donnell				
Sweeney				
Ritz III				
Davis				
Boehman-Pollitt				
<b>TOTAL:</b>				

ATTEST:

EMMITSBURG BOARD OF COMMISSIONERS:

\_\_\_\_\_  
Sabrina King, Town Clerk

\_\_\_\_\_  
Timothy J. O'Donnell, President

\_\_\_\_\_ APPROVED \_\_\_\_\_ VETOED

this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Donald N. Briggs, Mayor

ORDINANCE SERIES: 2022  
ORD. NO: 22 - 05

Page 1 of 6

AN ORDINANCE TO AMEND  
TITLE 13  
OF THE CODE OF EMMITSBURG  
ENTITLED  
PUBLIC SERVICES

\*\*\*\*\*

**BE IT RESOLVED, ENACTED AND ORDAINED** by the Mayor and Board of Commissioners of the Town of Emmitsburg, Maryland, pursuant to the authority granted to them by the laws of Maryland and the Charter of the Town of Emmitsburg, that Title 13, Public Services, of the Emmitsburg Municipal Code, be amended as follows:

**Chapter 13.10 – Stormwater Management Utility Fee.**

**Chapter 13.10.010 - General Provisions.**

**A. Authority.**

This chapter is enacted pursuant to the Annotated Code of Maryland, Environment Article, § 4-204(d), which authorizes municipalities to adopt a system of charges to fund the implementation of stormwater management programs.

**B. Purpose.**

To protect the public health, safety, and welfare, the Town’s stormwater management, storm drainage, and water quality programs must be financially supported. All real property in the Town benefits from these Town programs and services. Those with higher amounts of impervious surface area contribute greater amounts of stormwater or pollutants to the Town’s stormwater management facilities, storm drains, and streams, and therefore should carry a proportionate burden of the cost. The Town has determined that it is in the interest of the public to enact a stormwater management utility fee that allocates program costs to all property owners based on impervious surface area measurement.

**C. Definitions.**

For the purposes of this chapter, the following terms have the meanings given:

1. "2000 Design Standards" means the standards established in the 2000 Maryland Stormwater Design Manual and as it may be updated from time to time.
2. "ERU" means an Equivalent Residential Unit which is the standard unit of measure to equate non-residential or multi-family residential properties to the average impervious surface area of a single family residential property in the Town. One ERU equals 2,932 square feet of impervious surface area.
3. "Impervious surface" means a surface that does not allow stormwater to infiltrate into the ground, for example, surfaced streets, roofs, sidewalks, patios, driveways, parking lots, and other oiled, graveled, graded, compacted or similar surface that impedes the natural infiltration of surface water.
4. "Impervious surface area" means the number of square feet of horizontal surface covered by buildings and other impervious surfaces.
5. "Real Property" means all real property within the Town limits excluding Town owned real property.
6. "Structural management facilities" include facilities that include recharge storage as a portion of the full water quality treatment volume if they are subject to routine structural maintenance.
7. "Town Property" means any parcel that is owned by the Town.

ORDINANCE SERIES: 2022  
ORD. NO: 22 - 05

Page 2 of 6

**Chapter 13.10.020 - Stormwater Management Fund.**

**A. Establishment.**

The Town's Stormwater Management Fund is a dedicated enterprise fund. It will be used only to fund stormwater management, storm drainage, and water resources programs and services.

**B. Revenue.**

The following revenue will be deposited into the Stormwater Management Fund:

1. All fees established by the Town to cover the cost of administering the provisions of the Town's Stormwater Management Ordinance, including but not limited to application and permit fees and fines and waiver fees;
2. All revenue collected from the imposition of the utility fee pursuant to this chapter;
3. All interest from deposits in the Stormwater Management Fund; and
4. Any other revenue as may be determined by the Town including but not limited to grants and special appropriations.

**C. Expenses.**

The Town may use the Stormwater Management Fund only for the following expenses:

1. Regulatory review and inspection of stormwater management, sediment control, and storm drainage for development permits;
2. Watershed, stormwater management, floodplain, and storm drainage conveyance studies and planning;
3. The study, design, purchase, construction, expansion, retrofit, repair, maintenance, landscaping, operation or inspection of stormwater management facilities, storm drainage, and other watershed improvements;
4. Land acquisition (including easements and rights-of-way) for stormwater management facilities or storm drainage;
5. Water quality programs related to State or Federal laws, including requirements for the Town's National Pollution Discharge Elimination System permits;
6. Water quality monitoring, inspection, and enforcement activities, including illicit discharge and illicit connection investigations;
7. Water quality and pollution prevention education and outreach activities;
8. Program administration and implementation, including reasonable operating and capital reserves to meet unanticipated or emergency requirements for stormwater management, storm drainage and water quality; and
9. Other stormwater management, storm drainage, and water quality programs that are reasonably required to protect public safety or meet applicable regulatory requirements.

**Chapter 13.10.030 - Applicability.**

Except as otherwise provided in this chapter, this chapter applies to all improved real property in the Town, including real property that is tax exempt from property tax pursuant to Title 7 of the Tax Property Article of the Annotated Code of Maryland.

**Chapter 13.10.040 - Utility fees.**

**A. Establishment.**

ORDINANCE SERIES: 2022  
ORD. NO: 22 - 05

Page 3 of 6

The Town shall charge an annual stormwater management utility fee on all Real Property based on the amount of impervious surface area on each property and the cost of implementing the Town's stormwater management, storm drainage, and water quality programs. Except as otherwise provided in this chapter, the owner of each lot is responsible for paying the stormwater management utility fee imposed for that lot. Any real property added to the State assessment role after July 1 or annexed into the Town after July 1 will be assessed a prorated year charge.

**B. Fee.**

The stormwater management utility fee for all Real Property will be calculated in accordance with this subsection.

1. One ERU is defined as 2,932 square feet of impervious surface on a recorded lot.
2. If the impervious area on a lot is more than 100 square feet but less than or equal to 1,466 square feet, the lot is assigned a value of 0.5 ERU.
3. No fee is assessed if the impervious area is less than or equal to 100 square feet.
4. If the impervious area on a lot is greater than 1,466 square feet and less than or equal to 4,398 square feet, the lot is assigned a value of one ERU.
5. A fee of \$20.00 is assessed per ERU.
6. If the impervious area on a lot is greater than 4,398 square feet, the stormwater management utility fee is calculated as follows:

Impervious Surface Area of the lot in sf/2,932sf x \$20.

**C. Exclusion.**

The Town does not assess a stormwater management utility fee on Town Properties.

**D. Roads and Other Rights-of-way.**

The Town will not charge a stormwater utility fee for public roads or other property located within a public right of way. The Town will charge a stormwater utility fee to owners of private rights of way, meaning those rights of way that have not been dedicated to public use.

**Chapter 13.10.050 - Impervious surface area measurements.**

The Town Planner shall calculate impervious surface area measurements using one of the following methods:

1. Geographic information systems analysis of aerial photography;
2. Measurement from approved as-built engineering drawings; or
3. At the option of a property owner and at the property owner's sole expense, a field survey signed and sealed by a Maryland professional land surveyor.

**Chapter 13.10.060 - Credits.**

**A. Generally.**

The stormwater management utility fee for lots may be reduced through the use of credits when an investment in on-site stormwater management system results in a reduced impact on the public stormwater management system. Residential lots as defined in the Emmitsburg Zoning code (for example, single family dwellings, duplexes, townhouse dwellings, multifamily dwellings, and condominiums) are not eligible for credits.

ORDINANCE SERIES: 2022  
ORD. NO: 22 - 05

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**B. Amount of Credit.**

An eligible structural management facility that meets or exceeds the 2000 Design Standards, including subsequent amendments thereto, and has been permitted through the Town and Frederick County, may be eligible to receive a credit of twenty percent (20%) of the stormwater management utility fee.

**C. Application.**

A property owner seeking credits against the stormwater management utility fee shall submit an application, including an administrative fee as established by the Town, in accordance with the fee schedule that may be adopted by the Town from time to time.

**Chapter 13.10.070 - Collection.**

**A. Means of Collection.**

The stormwater management utility fee for owners of Real Property connected to the Town's water or sewer service will be billed and collected quarterly as part of the water and sewer bill for that property. The fee will be included as a separate line item on the water and sewer bill for Real Property subject to the fee. The stormwater management utility fee for an owner of Real Property that is not connected to the Town's water or sewer service will be billed and collected on an annual basis.

**B. Delinquency.**

Unpaid stormwater management utility fees may be collected in any manner permissible under Maryland law, including but not limited to the methods specified in this section.

1. Upon the failure of a property owner who is using the Town's water service to pay the stormwater management utility fee within thirty (30) days after it is due, the Accounting Department will issue a written notice to the property owner, stating that if the fee is not paid within fifteen (15) days, water service to the property will be discontinued and suit may be instituted to recover the amount of the fee. In addition, a charge of one percent per month will be added to any stormwater management utility fee not paid thirty (30) days after it is due.
2. The Department of Public Works shall discontinue water service to the Real Property until the owner pays the amount due, plus a reconnection charge as established by the Town. Once discontinued, water service will be restored only after payment in full of the stormwater management utility fee, accrued interest the reconnection fee, and any other outstanding water charges.
3. Any unpaid stormwater management utility fee will constitute a lien against the Real Property to be collected in the same manner as municipal taxes are collected.

**Chapter 13.10.080 - Adjustments.**

**A. Submission of Request.**

Within thirty (30) days after the date of the initial bill assessing the stormwater management utility fee to the Real Property owner, the owner may request an adjustment of the stormwater management utility fee. A request for an adjustment must be submitted to the Town Planner in writing, stating the grounds for the request.



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The Town Planner may adjust the utility fee if:

1. The impervious surface area was measured incorrectly;
2. There is a mathematical error in calculating the stormwater management utility fee;
3. A credit was not properly applied; or
4. The property owner invoiced for the fee was identified in error.

**B. Appeals.**

The written decision of the Town Planner on a request for adjustment of the stormwater management utility fee is a final decision from which an aggrieved party may appeal.

1. The appeal stating the bases therefor, shall be submitted in writing within thirty (30) days after the date of the Town Planner's written decision.
2. The appeal shall be submitted to the Board of Appeals which is granted authority to consider appeals from decisions of the Town Planner pursuant to State Law.
3. The Board of Appeals shall hear the appeal within sixty (60) days at a public hearing during which the petitioner may submit additional evidence. A written decision shall be issued by the Board of Appeals no later thirty (30) days thereafter.
4. A decision of the Board of Appeals may be appealed by an aggrieved party to the Circuit Court for Frederick County, Maryland within thirty (30) days of the written decision of the Board of Appeals pursuant to Title 7 of the Maryland Rules.



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**BE IT FURTHER RESOLVED, ENACTED AND ORDAINED** that this Ordinance shall take effect on the date on which the Mayor approves the Ordinance after passing by the Board of Commissioners or on the date on which the Board of Commissioners passes the Ordinance over the veto of the Mayor.

**PASSED** this 12<sup>th</sup> day of September, 2022 by a vote of

Commissioners:	For	Against	Absent	Abstain
O'Donnell	X			
Sweeney	X			
Ritz III		X		
Burns	X			
Davis	X			
<b>TOTAL:</b>	<b>4</b>	<b>1</b>		

ATTEST:

BOARD OF COMMISSIONERS:

  
Cathy Willets, Town Manager

  
Timothy J. O'Donnell, President

MAYOR

APPROVED  VETOED

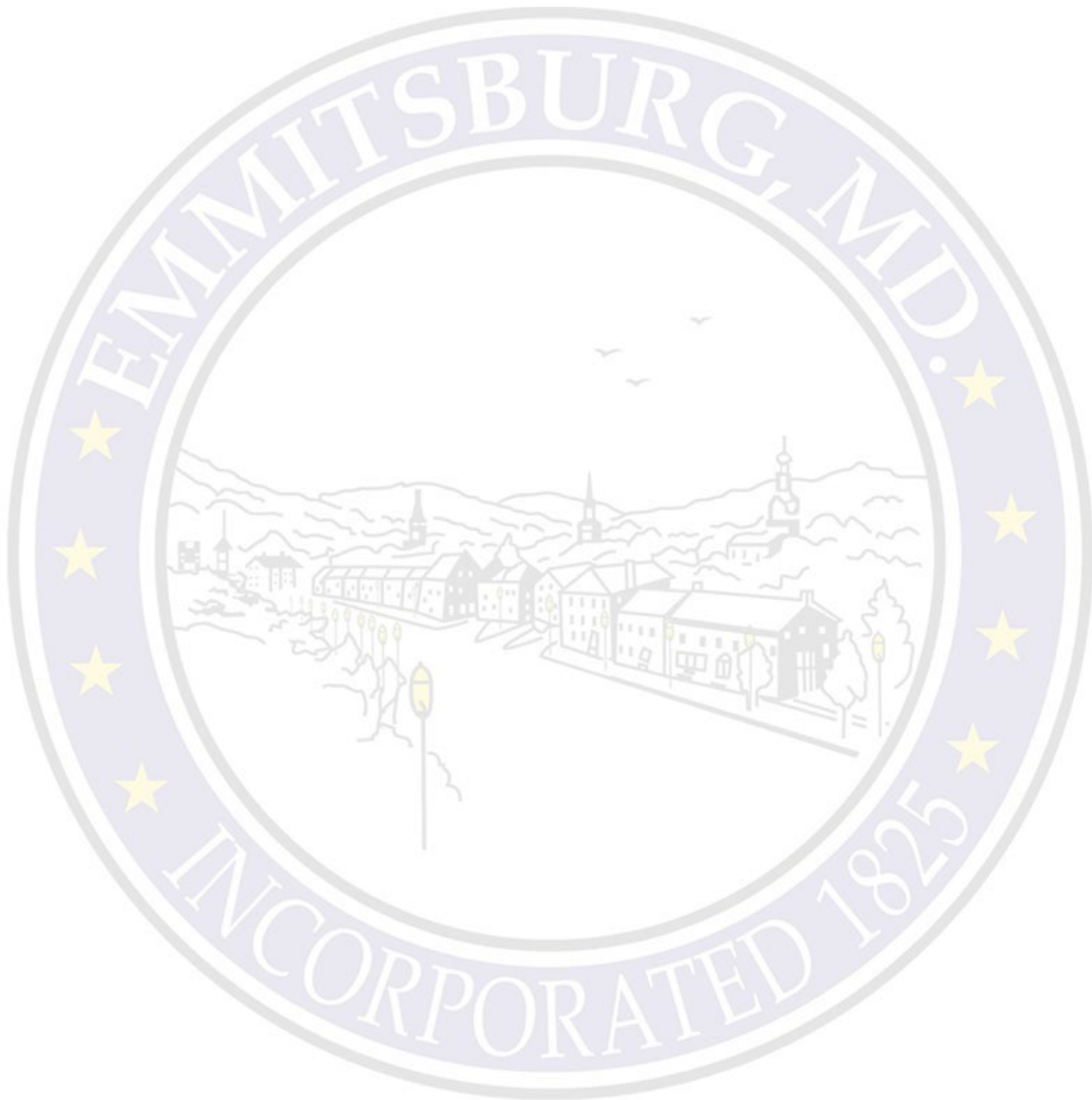


I hereby certify that the foregoing Ordinance has been posted as required by Chapter 2.04 of the Emmitsburg Municipal Code.

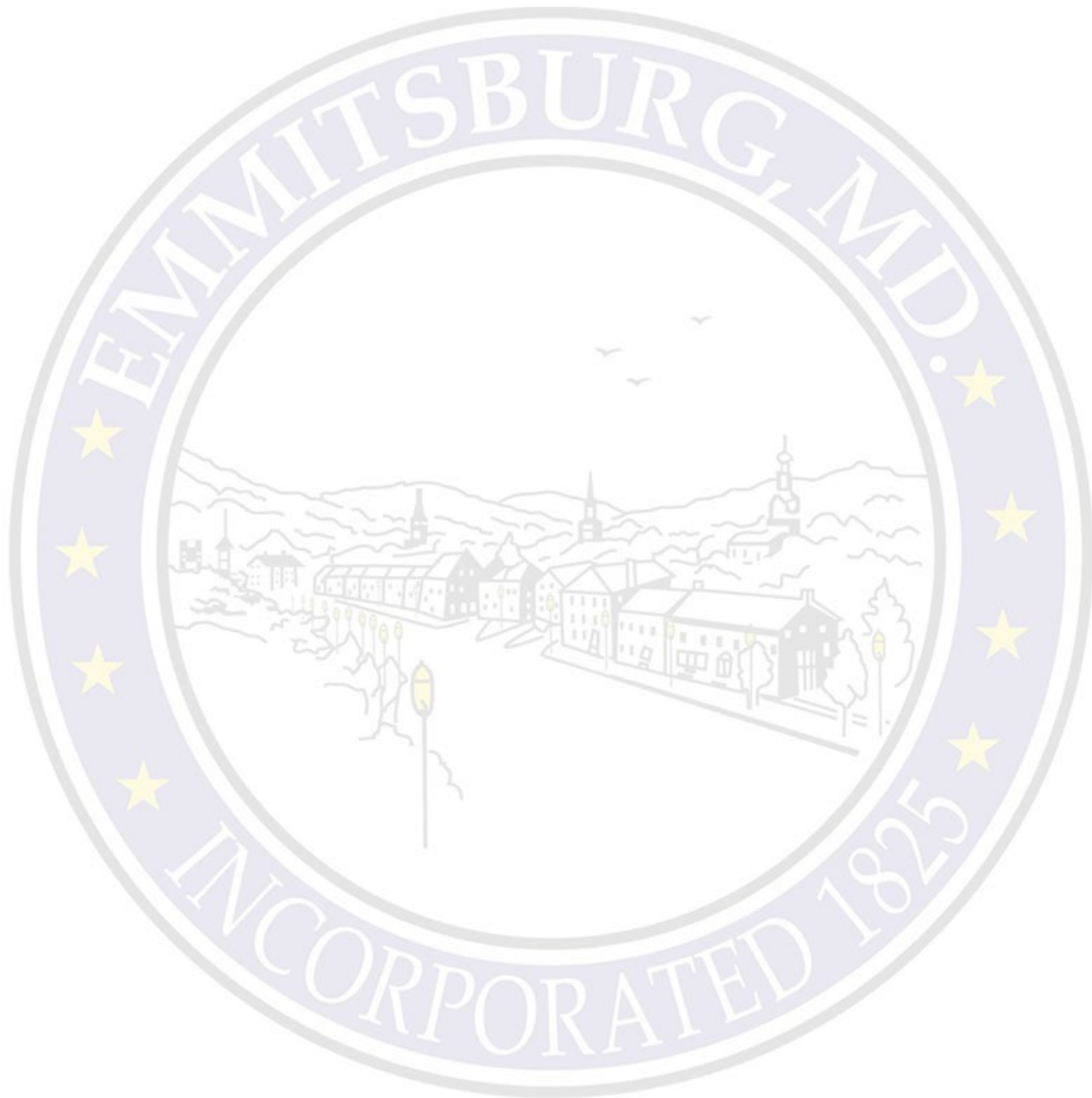
Cathy Willets, Town Manager  
Date: 9/12/2022

AGENDA ITEM #5: Presentation and review of FY24 Town of Emmitsburg budget for consideration.

*Presentation at the Town meeting by staff.*



AGENDA ITEM #6: For consideration, approval of ordinance 23-07, update to Chapter 2.50.30 salary structure for FY24.



AN ORDINANCE TO AMEND  
TITLE 2  
OF THE CODE OF EMMITSBURG  
ENTITLED  
ADMINISTRATION AND PERSONNEL

draft

\*\*\*\*\*

**BE IT RESOLVED, ENACTED AND ORDAINED** by the Mayor and Board of Commissioners of the Town of Emmitsburg, Maryland, pursuant to the authority granted to them by the laws of Maryland and the Charter of the Town of Emmitsburg, that Title 2, Administration and Personnel, of the Emmitsburg Municipal Code, be amended as follows:

New language is indicated by being in **BOLD, CAPITAL LETTERS**, and deleted language is designated by being in ~~[brackets and strike out]~~.

**2.50.020 - Employee salary chart.**

- A. The town does adopt the twelve (12) grade salary chart with salary ranges. The salary chart will be adjusted July 1 of each year. It will be adjusted to offset the effects of inflation and/or the cost of living increase. From time to time, inflation adjustments will be set by the town council. Every employee will have a performance evaluation assessment by the town manager each year (between January and April). That performance evaluation will assess a number of performance standards and has a maximum score of forty (40). Employees receiving a score between twenty-four to twenty-eight will receive a 1% merit increase. An employee with a score between twenty-nine (29) to thirty-five (35) will receive a 2% merit increase. Finally, an employee with a score between thirty-six (36) to forty (40) will receive a 3% merit increase. These increases will take effect July 1 of each year if budget funds are available. Employees scoring twenty-four (24) or below will not receive a compensation increase.
- B. Employees permanently assigned new duties and/or responsibilities may be promoted at any time during the year if recommended by the town manager and approved by the mayor.
- C. Except for temporary employees, employee pay will be based upon the town salary chart.
- D. The salary of a temporary employee shall be determined on a case-by-case basis and approved by the mayor.
- E. New employees who are in their three-month introductory period on July 1 are not eligible for the annual July 1 step increase.
- F. Employees who are placed on probation (due to poor job performance) during the salary year are not eligible for July 1 step increases.
- ~~G. Only the town manager, the town accountant, and the town planner will be compensated via "comp time" for overtime hours worked. All "comp time" hours must be first approved by the town manager and the mayor.~~



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ORD. NO: 23 - 07

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CHAPTER 2.50.30 SALARY STRUCTURE

Town of Emmitsburg Salary Structure - Fiscal Year 2024  
for July 1, 2023 with 4% COLA

*draft*

<b>Town of Emmitsburg Salary Structure - Fiscal Year 2024 for July 1, 2023 with 4% COLA Proposed Alternative Salary Range (Minimums, Midpoints, Maximums)</b>				
<b>GRADE LEVEL</b>	<b>PROPOSED PERCENTAGE DIFFERENTIAL</b>	<b>PROPOSED SALARY RANGE MINIMUM</b>	<b>PROPOSED SALARY RANGE MIDPOINT</b>	<b>PROPOSED SALARY RANGE MAXIMUM</b>
	<b>MINIMUM/MAXIMUM</b>			
12	50 percent	\$86,561	\$108,202	\$129,842
11	50 percent	\$75,274	\$94,093	\$112,912
10	50 percent	\$65,515	\$81,894	\$98,273
9	40 percent	\$56,930	\$68,316	\$79,702
8	40 percent	\$51,802	\$62,163	\$72,522
7	40 percent	\$47,117	\$56,541	\$65,965
6	40 percent	\$42,874	\$51,449	\$60,025
5	30 percent	\$40,680	\$46,781	\$52,883
4	30 percent	\$36,990	\$42,538	\$48,088
3	30 percent	\$33,669	\$38,719	\$43,769
2	30 percent	\$32,101	\$36,916	\$41,731
1	30 percent	\$30,625	\$35,219	\$39,813

- Executive/Managerial/Professional (Grades 10-12)
- Professional/Para-Professional/Skilled Trades (Grades 6-9)
- Skilled & Semi-Skilled Trades (Grades 1-5)

Biweekly salary is calculated by dividing the annual salary by twenty-six (26) pays.

Annual salary is the hourly rate multiplied by two thousand eighty (2,080) hours.

Part-time employee's annual and biweekly salary will be different than chart shows.

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ORD. NO: 23 - 07

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**BE IT FURTHER RESOLVED, ENACTED AND ORDAINED** that this Ordinance shall take effect on the date on which the Mayor approves the Ordinance after passing by the Board of Commissioners or on the date on which the Board of Commissioners passes the Ordinance over the veto of the Mayor.

**PASSED** this \_\_\_ day of \_\_\_\_\_, 2023 by a vote of

<b>Commissioners:</b>	<b>For</b>	<b>Against</b>	<b>Absent</b>	<b>Abstain</b>
O'Donnell				
Ritz III				
Sweeney				
Davis				
Boehman-Pollitt				
<b>TOTAL:</b>				

ATTEST:

BOARD OF COMMISSIONERS:

\_\_\_\_\_  
Sabrina King, Town Clerk

\_\_\_\_\_  
Timothy J. O'Donnell, President

**MAYOR**

\_\_\_\_\_ APPROVED \_\_\_\_\_ VETOED

this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Donald N. Briggs, Mayor

I hereby certify that the foregoing Ordinance has been posted as required by Chapter 2.04 of the Emmitsburg Municipal Code.

Sabrina King, Town Clerk

Date:

**M. SET AGENDA FOR NEXT MEETING: July 10, 2023**

- 1.
- 2.
- 3.
- 4.
- 5.

Administrative Business:

- A.
- B.
- C.

