

# 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, NOVEMBER 6, 2023

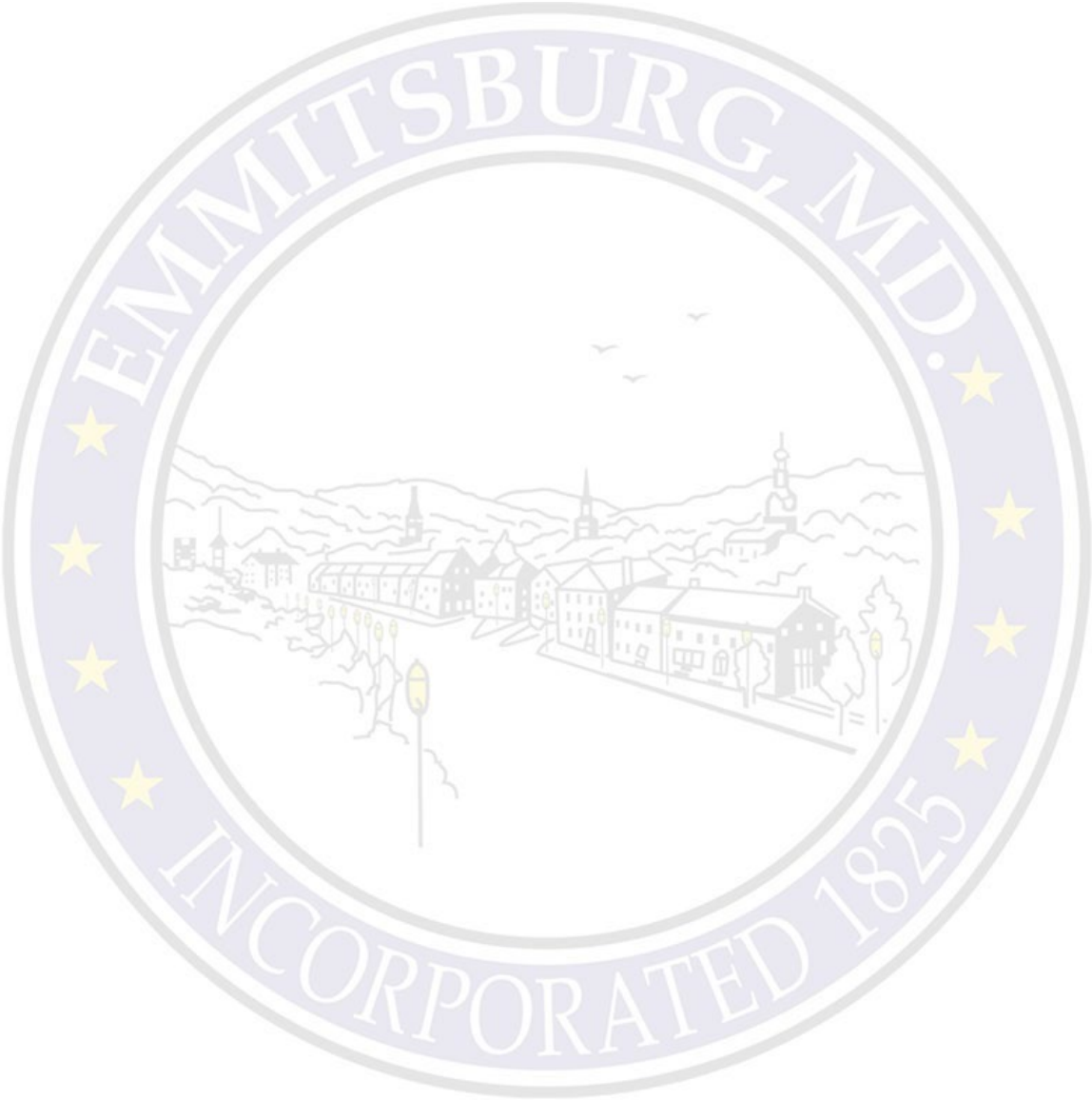
1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. FUTURE MEETINGS

*Park's Committee Meeting: Tuesday, November 21, 2023 at 7:30 pm (Town Office)*  
*Christmas Tree Lighting, December 4, 2023 6:00 pm (Infront of Community Center)*  
*Board of Commissioners Meeting: December 5, 2023 pm (Town Office & Zoom)*

### MEETING ITEMS

- A. APPROVE MINUTES: October 2, 2023 and October 18, 2023
  - B. POLICE REPORT
  - C. TOWN MANAGER'S REPORT
  - D. TOWN PLANNER'S REPORT
    1. GRANT ADMINISTRATOR'S REPORT
    2. PARKING ENFORCEMENT REPORT
  - E. COMMISSIONER COMMENTS
  - F. MAYOR COMMENTS
  - G. PUBLIC COMMENTS
  - H. ADMINSTRATIVE BUSINESS (NONE)
  - I. CONSENT AGENDA
    1. Appoint Patricia Galloway as a full member of the Planning Commission with a term of November 6, 2023 to March 1, 2026.
  - J. TREASURER'S REPORT
  - K. PLANNING COMMISSION REPORT
  - L. AGENDA ITEMS (DETAILS ATTACHED)
    1. For consideration, approval of new Commissioner
    2. Swearing in of new Commissioner.
    3. For consideration, reorganization of the Board of Commissioners.
    4. For consideration, Proclamation for MML Municipal Government Works Month.
    5. For consideration, standard operating procedures for the Community Legacy Façade Grant.
    6. For consideration, authorizing \$300,000 of American Rescue Plan Act (ARPA) money for the FY 24 water fund operating budget.
    7. Discussion and presentation by Shentel/Glo Fiber.
  - M. SET AGENDA FOR NEXT MEETING: December 5, 2023
4. SIGN APPROVED TEXT AMENDMENTS AND/OR RESOLUTIONS
  5. ADJOURN

**A. MINUTES**



**MINUTES  
TOWN MEETING  
OCTOBER 2, 2023  
TOWN OFFICE – 300A SOUTH SETON AVENUE**

draft

**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; newly elected Valerie Turnquist. *Staff Present* - Cathy Willets, Town Manager; Sabrina King, Town Clerk; Najila Ahsan, Town Planer; Jessica Housaman Recorder. *Others Present* – Deputy Barthalow, Clark Adams, Town Attorney.

---

**I. Call to Order**

A quorum being present, Commissioner Timothy O'Donnell, President of the Board of Commissioners, called the October 2, 2023 Town meeting to order at 7:00 p.m. Pledge of Allegiance was recited. Upcoming meetings were announced.

**Approval of Minutes**

Commissioner Sweeney motioned to accept the September 11, 2023 Town meeting minutes as presented; second by Commissioner Boehman-Pollitt. Yeas – 5; Nays – 0. The motion was accepted.

**Police Report:**

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

**Town Managers Report:**

Ms. Willets, Town Manager, presented the Manager's Report from August 2023 (exhibit in agenda packet). Ms. Willets highlighted key points in her report and noted as of today October 2<sup>nd</sup>, Rainbow Lake was 14.9 feet at the spillway level. Ms. Willets added that she did speak with Mayor Briggs and Mayor-elect Davis regarding the possibility of needing to move past phase I of voluntary water restrictions to phase II, mandatory water restrictions.

**Grant Administrative Report:**

Ms. Shaw, Grant Administrative, presented the Grants Administrative Report (exhibit in the agenda packet). She briefly noted the grants for the month of September and highlighted that there are a total of 21 active grants.

**Town Planners Report:**

Najila Ahsan, Town Planner presented the Town Planner's Report from June 2023 (exhibit in agenda packet). Ms. Ahsan highlighted that she processed five zoning permits and one cross connection, and she provided updates on the development projects.

**Commissioner Comments:**

- Commissioner Sweeney: He congratulated the winners of the Town election; Mayor-elect Davis and Commissioner-elect Turnquist.
- Commissioner Amy Boehman-Pollitt: She congratulated Mayor-elect Davis and Commissioner-elect Turnquist on winning elections and gave thanks to those who did run. Commissioner Boehman-Pollitt also thanked staff who helped with the Farmer's Market. She thanked Commissioner Ritz III for his years of service and dedication. Commissioner Boehman-Pollitt also thanked Mayor Briggs for the many years of service here and knows that his heart is with the Town. She hopes to see him still involved in the community.
- Commissioner Ritz III: He announced that two young ladies in Town are on the Inaugural Catoctin girls football team, Jeanie Ann Smith, and Naomi Tipton. He thanked his wife, Jamie and his three sons Garrett, Edwin, and Davis for all their support and patience these past nine years. He congratulated Mayor-elect Davis and knows Emmitsburg will be in good hands. Commissioner Ritz III congratulated Commissioner-elect Turnquist on her winning and her willingness to serve. He also thanked those that did run during the election this year. Commissioner Ritz III thanked Mayor Briggs, Town Council, Town Staff that have worked with him these past years and that it has been a pleasure serving and working with all.

Emmitsburg Town Meeting  
October 2, 2023 Minutes

Page 2 of 4

- **Commissioner O'Donnell:** He thanked everybody that voted, and the participation level was very strong. He mentioned that he has respect for those that are going to be serving and he thanked Commissioner Ritz III and Mayor Briggs for serving.
- **Commissioner Davis:** He announced that the parks were packed this weekend and thanked Town staff for keeping the parks looking great as he received multiple compliments on how they looked. He also added that the fields are reserved for next year already.

**Mayor's Comments:**

Mayor Briggs announced that tonight is about Mayor-elect Davis and Commissioner-elect Turnquist. He thanked Commissioner O'Donnell for running and everyone else that did. He added that everyone on the Board has done tremendous work for the Town and that it is a special place because people take care of each other. Mayor Briggs said that it has been an honor to serve and thanked his wife Libby for all her support. He added how much he loves the Town and knows that the Board members do as well. Mayor Briggs again thanked everyone who allowed him to serve. He added that the ARPA money can be used for operating expenses in the FY24 water fund in the amount of \$300,000. Mayor Briggs noted that this will be brought back to the Board as an agenda item in the future.

**Public Comments:**

*Dale Sharrer, Emmitsburg MD-* He congratulated Mayor-elect Davis and Commissioner-elect Turnquist on the elections. He thanked Commissioner Ritz III and Mayor Briggs for their years of service. He briefly noted the total of residents registered to vote in Emmitsburg and the lack of participation. Mr. Sharrer said that people need to understand the water more and respect it. He was glad he was able to put his name in to run as Commissioner this year and others should always try to help.

**Administrative Business:**

- (A) Commissioner O'Donnell read the Proclamation for Commissioner Ritz III that was voted and passed at the September 11, 2023 Town meeting.
- (B) For consideration, Proclamation honoring Mayor Donald N. Briggs. All five Commissioners signed the Proclamation honoring Mayor Donald N. Briggs.

**Consent Agenda: (NONE)**

**Treasurer's Report:**

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

**Planning Commission Report:**

Commissioner Ritz III informed the Board that Ms. Ahsan covered everything during her Town Planner's Report. He did note that the Planning Commission did meet on Monday, October 25<sup>th</sup> to discuss Chapter's 2-3 to discuss ideas and they scheduled dates for the Comprehensive Plan.

Commissioner Ritz III stepped down at 7:30 pm.

**II. Agenda Items**

Agenda #1 – Swearing in of Mayor. Ms. Sandra Dalton, Clerk of the Circuit Court for Frederick County MD, swore in Mayor-elect Davis.

Mayor Briggs stepped down at 7:30 pm.

Mayor Davis took his seat at 7:36 pm.

Mayor Davis thanked his family for all their support during the election. He said to staff and the Board that this will be a great ride and is excited to see future projects. Mayor Davis announced that there will be a staff meeting and understands that Commissioners cannot attend. He explained that it will be recorded for them to see later. He thanked Commissioner Ritz III for teaching him to govern the Town and explained that his work ethic

is second to none. Mayor Davis thanked the citizens for the overwhelming support and promised he will work for them, listen to them, and make the best decisions for the future of the Town. He thanked Mayor Briggs for all he has done for the Town and knows that it will be seen for many more years. Mayor Davis added that he has enjoyed his and Mayor Briggs discussions over the past four years. Mayor Davis thanked Mrs. Briggs for sharing her husband with the Town over the past 12 years and thanked everyone for their time.

Mayor Davis presented a plaque for the years of service and dedication to Mayor Briggs.

Agenda #2 -Swearing in of Commissioner. Mayor Davis swore in Commissioner-elect Valerie Turnquist.

Commissioner Turnquist took her seat at 7:45 pm.

Commissioner Turnquist thanked Commissioner O'Donnell, Mr. Blanchard, and Mr. Sharrer for all stepping up and running for office. She hopes that everyone can move forward and work together. She also thanked Ms. Dottie for introducing herself at the beginning with a warm welcome. Commissioner Turnquist also thanked her family for standing by her and thanked Mayor Briggs for nominating her to be on the Planning Commission Committee.

Agenda #3 - Proclamation declaring October 2023 Breast Cancer Awareness Month. *Motion:* Commissioner Boehman-Pollitt motioned to accept; second by Commissioner Turnquist. Yeas – 4; Nays – 0. The motion was adopted.

Agenda #4 – For consideration, response to request by Peter Koutsos to initiate the annexation of the Rodney McNair property. Mr. Clark Adams, who is with Powell Associates, briefly explained that the property owner is interested in annexing into the Town. He added that what is to be voted on is if the Town should be the party initiating the petition or rather the property owner. Ms. Ahsan briefly described the property of 17381 North Seton Avenue and the boundaries of the property (exhibit in the agenda packet). Mr. Clark explained how annexation typically works and how the property owner initiates the petition, but in this scenario the property owner wrote a letter asking the Town to begin the process. Mr. Clark added that his office's recommendation would be that the Town does not, and the property owner should submit the petition on their own. *Motion:* Commissioner Sweeney motioned to decline the pending property owners request to have the Town make the application for annexation; second by Commissioner Boehman-Pollitt. Yeas – 4; Nays – 0. The motion was accepted.

~~Agenda #6 – Approval of Rules of Procedures for Community Legacy Grant Program for the Sustainable Communities Work Group for consideration.~~

#### **Set Agenda Items for November 6, 2023 Town Meeting**

**Agenda Items:** (1.) Swearing in of new Commissioner. (2.) For consideration, reorganization of Board of Commissioners. (3.) For consideration, Proclamation for MML Municipal Government Works Month. (4.) For consideration, standard operating procedures for the Community Legacy Façade Grant. (5.) For consideration, authorizing \$300,000 of American Rescue Plan Act (ARPA) money for FY24 water fund operating budget.

**Administrative Business: (NONE) Consent Items:** Appoint Patricia Galloway as a full member of the Planning Commission with a term of November 6, 2023 to March 1, 2026.

*Motion:* Commissioner Turnquist motioned to accept the November 6, 2023 Town meeting agenda as presented; second by Commissioner Boehman-Pollitt. Yeas – 4; Nays – 0. The motion was adopted.

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

**IV. Adjournment**

With no further business, Commissioner Sweeney motioned to adjourn the October 2, 2023 Town meeting at 8:10 p.m.; second by Commissioner Boehman-Pollitt. Yeas – ; Nays - 0. The motion was adopted.

Respectfully submitted,

Sabrina King, Town Clerk  
Minutes Approved On:

draft

**MINUTES  
TOWN MEETING  
OCTOBER 18, 2023  
TOWN OFFICE – 300A SOUTH SETON AVENUE**

draft

**Present:** *Elected Officials* - Commissioners: Timothy O'Donnell, President; Clifford Sweeney, Treasurer; Amy Boehman-Pollitt and Valerie Turnquist. *Staff Present* - Cathy Willets, Town Manager; Sabrina King, Town Clerk; Jessica Housaman Recorder.

---

**I. Call to Order**

A quorum being present, Commissioner Timothy O'Donnell, President of the Board of Commissioners, called the October 18, 2023 Town meeting to order at 7:00 p.m. Pledge of Allegiance was recited. Commissioner O'Donnell explained the process of agenda item #1 and briefly noted that the public meeting will end, and the public meeting will not reconvene. He added the Board will move into a closed executive session to discuss a personnel matter and will discuss in further detail at that time. Upcoming meetings were announced.

**Commissioner Comments:**

- Commissioner Turnquist: She thanked the applicants for submitting an application for the open Commissioner seat.
- Commissioner Sweeney: No comment.
- Commissioner Amy Boehman-Pollitt: She thanked all the applicants for applying for the Commissioner seat and wished them the best. She announced that there will be a Planning Commission meeting that will discuss the first phase of the comprehensive plan.
- Commissioner O'Donnell: He announced that Mayor Davis will not be at tonight's meeting due to attending the County Executive meeting with the Town Planner, Najila Ahsan. He also thanked those for applying for the Commissioner seat.

**Public Comments:** No comment.

**II. Agenda Items**

Agenda #1 – Board of Commissioners host interviews for open Commissioner position. Ms. Willets announced the candidates by the order of who submitted the candidacy application which was, Kevin Hagan, Glen Blanchard, Jim Hoover, and Scott Frager. Commissioner O'Donnell announced that each candidate had a total of 20 minutes with four minutes per question. He added follow-up questions are permitted as long as there is time, and it is closely aligned with the original question topic. Each Commissioner had a chance to ask one of the five questions.

Question #1 - What do you hope to accomplish as Commissioner and how does your unique experience and skill set assist you with these goals?

Question #2 - What steps should the Board of Commissioners take to ensure transparency and accountability?

Question #3 - At the April Town Board meeting, the Board approved, on a 4 to 1 vote, an ordinance to increase water rates by 36% per year for the next five years and thereafter an annual increase of 3%. If fully implemented, the five years of increases will increase the cost of water to residents by 363%. Would you have voted for or against this ordinance? Please explain your answer.

Question #4 - Tell me about a time when you had to deal with a complicated or detailed conflict. How did you go about navigating and resolving that situation? Please share your general thoughts on communication skills and conflict resolution.

Question #5 - What will you do to help Emmitsburg prepare for the future?

**Set Agenda Items for November 6, 2023 Town Meeting**

**Agenda Items:** (1.) For consideration, approval of new Commissioner. (2.) Swearing in of new Commissioner. (3.) For consideration, reorganization of Board of Commissioners. (4.) For consideration, Proclamation for MML Municipal Government Works Month. (5.) For consideration, standard operating procedures for the Community Legacy Façade Grant. (5) For consideration, authorizing \$300,000 of American Rescue Plan Act (ARPA) money for the FY24 water fund operating budget. (7.) Discussion and presentation by Shentel/Glo

Emmitsburg Town Meeting  
October 18, 2023 Minutes

Page 2 of 2

Fiber. **Administrative Business: (NONE) Consent Items:** (1.) Appoint Patricia Galloway as a full member of the Planning Commissioner with a term of November 6, 2023 to March 1, 2026.

*Motion:* Commissioner Boehman-Pollitt motioned to accept the November 6, 2023 Town meeting agenda as presented; second by Commissioner Sweeney. Yeas – 4; Nays – 0. The motion was adopted.

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

#### **IV. Adjournment**

Commissioner O'Donnell announced that there will be a closed executive meeting. He announced at the close of the October 18, 2023 Town meeting, the Emmitsburg Mayor and Board of Commissioner intend to meet in closed session for the purpose to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals.

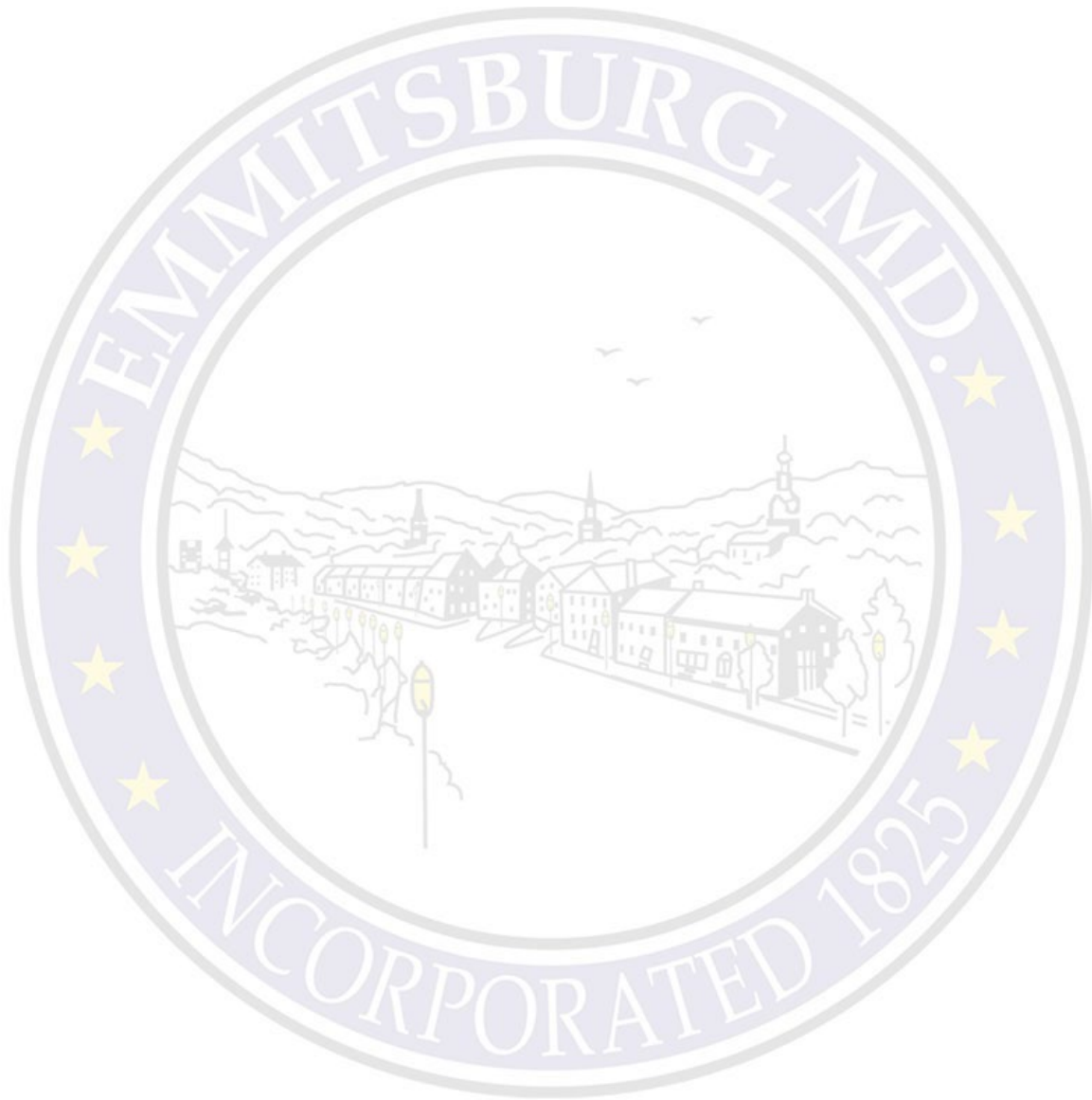
*Motion:* Commissioner O'Donnell motioned to close the meeting for a closed executive meeting at 8:21 pm; second by Commissioner Turnquist. Yeas - 4 Nays - 0.

Respectfully submitted,

Sabrina King, Town Clerk  
Minutes Approved On:



**B. POLICE REPORT**



## C. TOWN MANAGER'S REPORT

### Town Manager's Report

September 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 weed ate/weed killed around signs, streetlights, street light control box on Silo Hill Parkway
- Staff weed ate/weed killed on East and West Lincoln Ave.
- Staff put together and installed new wayside sign in flower bed by 2 East Main St.

#### Parks:

- Staff conducted daily park checks – trash cans, cameras, dog waste stations, restrooms.
- Staff mowed, trimmed, weed killed in parks.
- Staff installed four concrete corn hole board in E. Eugene Myers Park.
- Contractor completed the rehab project at the Memorial Park Pavilion.
- Staff put together and installed new picnic tables in Memorial park and E. Eugene Myers Park big pavilion. (10 each)

#### Water:

- Rainbow Lake is 1.7' below the spillway level (16.6 feet). The water quality at the lake is deteriorating.
- The roughing filters are being backwashed four times a day. The DE filters are getting two week runs.
- Well levels (optimum level was determined to be May 2011).

	<u>May 2011</u>	<u>September</u>	<u>Change</u>
○ Well #1:	35'	41'	-6'
○ Well #2:	8'	25'	-17'
○ Well #3:	12'	42'	-30'
○ Well #4:	108'	126'	-18
○ Well #5:	10'	34'	-24

- Water production and consumption. We produced an average of 285,828 GPD. We consumed an average of 285,427 GPD (finish water + MSM). The amount of Backwash

Water in the month of September is ... (13.67%).

- 60.66% of this water came from wells.
- 0.00% of this water came from Mt. St. Mary's.
- 39.34% of this water came from Rainbow Lake.

We purchased 0 gallons of water from MSM this month.

\*\*Due to PFAs at MSM, the Town halted obtaining water from MSM until further notice.

Wastewater:

- We treated an average of 368,699 GPD (consumed 285,427 GPD) which means that 22.59% of the wastewater treated this month was "wild water".
- We had no spills of untreated sewage in the month of September.
- We did exceed the plant's design capacity four times in the month of September.
  - 08/23 790,0000 gpd
  - 08/24 944,000 gpd
  - 08/25 796,000 gpd
- We received about 5.72" of precipitation this month (the average is 4.24"). We have had a precipitation **DEFICIT of 2.25"** over the last six months. The average precipitation for the period from April through September is 23.46". We received 21.21" for that period.

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

**Meetings Attended:**

- 09/05 Met with Mayor
- 09/05 Met with Town Attorney, Town Planner and Code Enforcement regarding a code enforcement/zoning issue on West Main St.
- 09/06 Zoom call with traffic consultant re: Frailey Farm annexation/development.
- 09/06 Zoom call with Town Attorney, Bond Counsel, Grant Administrator regarding: interim financing for pump station project.
- 09/07 Met with Town Planner and engineer for the Seton Village project.
- 09/11 Attended Town Meeting
- 09/11 Met with Town Planner re: community legacy grant, permits and annexation.
- 09/12 Met with Mayor
- 09/12 Met with Code/Parking Enforcement Office re: chili cook-off.
- 09/13 Met with Code/Parking Enforcement Office re: code violations on East Main St.
- 09/13 Zoom call with auditors and Town Accountant re: use of ARPA money
- 09/18 Zoom call with RK&K, USDA, and Grants Administrator re: BABA requirements and pump station project
- 09/18 Met with Town Planner re: comprehensive plan.
- 09/19 Attended department head meeting.
- 09/19 Attended support staff meeting.
- 09/19 Attended Zoom call with Bond Counsel and Grant Administrator regarding: interim financing for pump station project.

- 09/19 County Executive Press Conference re: land use and schools
- 09/20 Attended staff meeting to review the DePaul St. waterline project.
- 09/21 Met with Mayor
- 09/21 Meeting with staff and contractor re: streetlight project
- 09/21 Meeting with staff and contractor re: bathroom/concession stand project.
- 09/21 Meeting at PNC Bank re: wire transfer for interim financing (pump station)
- 09/25 Attended Planning Commission meeting.
- 09/26 Met with Mayor
- 09/27 Call with DCHD re: community legacy grant
- 09/28 Met with Mayor-elect Davis.
- 09/29 Meeting with HR consultant

**Noteworthy:**

- Staff pumps holding tank every 10 days at 8533 Hampton Valley Rd.
- Staff worked the yard waste dumpster twice in September.
- Staff conducted monthly equipment and fire extinguisher maintenance.
- Staff did some water meter upgrades.
- 08/01/2023 – Phase 1 water restrictions implemented.
- Staff continue to work with contractor regarding GIS and mapping of water/sewer.
- Staff had to turn on Wells 4 and 5 due to the poor water quality from the lake. For this reason, staff had to go to four backwashes.
- Staff trimmed back grass and weeds from lake well depth posts.
- Staff replaced upper check valve on body feed pump.
- Staff worked with contractor to remove solids out of backwash pond. It is currently down three feet of clear water. This is an ongoing project.
- Well #1 flow meter broke. New parts ordered and repairs have been made.
- Staff met with the State Department of Forestry in regard to large trees around storage tank and water plant.
- Contractor scheduled to calibrate meters at WTP and WWTP.
- Contractor installed explosion proof conduit at the centrifuge grinder.
- Staff working with Conewago on the pump station project.
- Staff is taking inventory of broken sewer cleanouts in Twon. Will be sending letters to property owners to make the necessary repairs.
- Staff worked with contractors on finding a water leak at 1 Welty Ave.
- Staff assisted with setting up for election.
- Staff assisted deputies with search for missing student.
- Staff repaired #7 fire hydrant on West North Ave @ Hayes Lane.

## 1. GRANT ADMINSTRATOR REPORT

### As of October 30, 2023 Grants Administrator Report

Prepared By: Madeline Shaw, Grants Administrator

#### COMPLETED GRANTS

##### **#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 – Project done. Reimbursement and final report submitted to state 10/17/23.

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

- To repair pavilion rotting wood, pressure wash, sand/stain, replace 10 picnic tables.
- Status – Project done. Reimbursement and final report submitted to state 10/17/23.

#### ACTIVE GRANTS (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 installation. 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. Staff met with Fox & Associates 09/21 about doing project management services. More site prep needed. Anticipate installing building around April/May 2024.

##### **#24-4, USDA CR Pump Station Replacement \$1,862,300 grant, \$1,987,000 loan, \$1,395,000 Town**

- For replacement of Creamery Road Pump Station with new sewage pump station.
- Status – Continuing to submit monthly USDA reports. Conewago is working with engineer to get materials ordered for project. Anticipate site work starting in November.

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

- To construct water treatment plant clarifier near the Town's existing water plant.
- Status – In design phase. Waiting on permit approval then project will go to bid for construction.

##### **#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.

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

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

- For stormwater management 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. Currently in design phase. Project to go to bid for construction sometime 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 – Cornhole boards were installed Sep. 20. Staff installed lock box for bags in October. Final grant report and reimbursement will be submitted in November.

##### **#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 97 streetlights along Main Street / Seton Avenue with new LED dimmable cutoff lights.
- Status – Board voted on a winning bidder for the purchase of the lights Sep. 11. Currently collecting three written estimates for installation/removal. Anticipate installation occurring Feb. 2024.

**#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. There is extra grant money leftover the town is allocating towards the purchase of streetlights on Main Street. Waiting for streetlight installation to occur before submitting final grant report and closing project.

**#23-18, FY24 MWIFA Water Supply Assistance Grant, DePaul Street Waterline Replacement, for \$277,500**

**#24-3, FY24 DHCD Community Development Block Grant for \$552,500**

- To replace the 1,850 LF of deteriorating waterline along DePaul Street with a new line.
- Status – Project currently in design phase. Construction estimated to occur Jan. 2024 – Oct. 2024.

**#23-19, FY24 MWIFA Water Supply Assistance Grant, N. Seton Ave. Waterline Replacement, for \$286,388**

- To replace the 1,850 LF of deteriorating waterline along N. Seton Ave. with a new line.
- Status – Project currently in design phase. Construction estimated to occur Jul. 2024 – Dec. 2025.

**#23-20, FCTC Main Street Cooperative Fund for \$10,000**

- To help purchase new Welcome to Emmitsburg signs.
- Status – Waiting to finish obtaining estimates for signs to determine if additional funding needed.

**#24-1, FY24 TRIPP Advertising Grant for \$3,335**

- To advertise Emmitsburg as a tourism destination in two annual print publications (Destination Gettysburg and Visit Frederick guide).
- Status – Waiting until January 2024 to run the ads. Contractor finished designing ads.

**#24-5, USDA Parking Meter Replacement Project for \$31,100 (\$33,900 Town match)**

- To replace 125 parking meters with 80 new dual payment (coin & card) meters on Main Street and 3 new multi-space meters for Community Pool.
- Status – Request for proposal published for purchase/installation of the meters on Oct. 24 with a due date of Nov. 17. Board to vote on winning bidder at Dec. 5<sup>th</sup> town meeting.

**NEWLY AWARDED:**

None.

**PENDING GRANTS (WAITING FOR ANNOUNCEMENT) (6 TOTAL)**

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

1. To replace 10-inch mountain main into Town with 16-inch to improve water quality and fire flow. Cost of project is \$5,840,000.

**Operating Assistance Grant – Main Street Improvement grant, submitted 04/28/2023**

2. Town Square directional wayfinding signage, 4 total signs, \$10,000

**Program Open Space FY24, info form submitted 05/05/2023, full application submitted 08/28/2023**

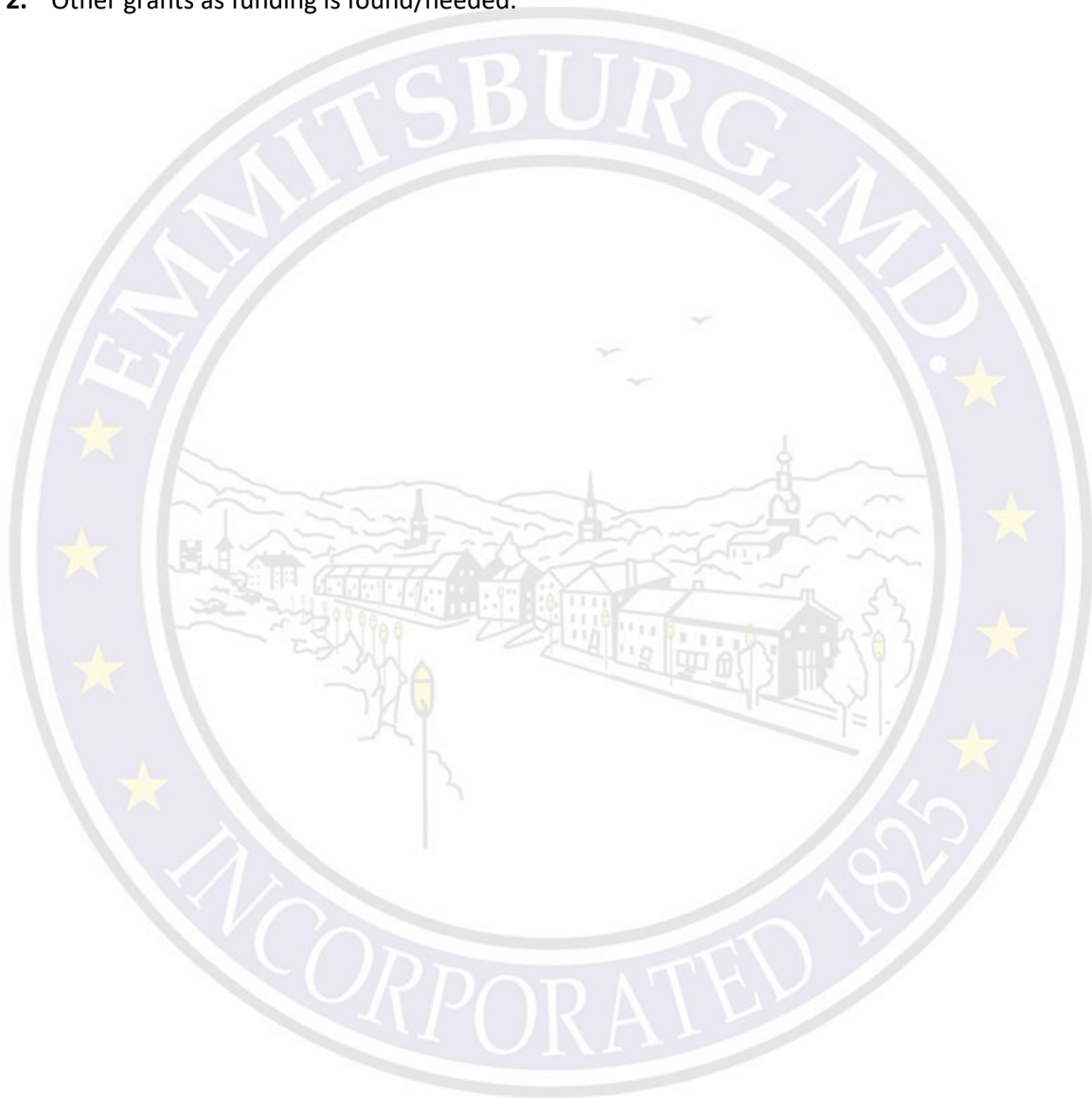
1. Rainbow Lake Trail Improvements, \$85,950 to update and redesign red trail

2. Myers Community Park Improvements, \$20,000 to construct one picnic shelter near playground  
**FY25 Community Parks & Playground Grant, submitted 08/23/2023**

1. To purchase three public bike repair stations for each park (Community, Memorial and Rainbow Lake), \$13,000.

**UPCOMING GRANTS (TO APPLY FOR)**

1. State Aid for Police Protection – NOFA hasn't released yet but anticipate a December due date.
2. Other grants as funding is found/needed.



**2. PARKING ENFORCEMENT REPORT**

**PARKING ENFORCEMENT REPORT**

**October 2023**

<i>Overtime Parking</i>	34			
<i>Restricted Parking Zone</i>	9			
<i>Parked in Crosswalk</i>				
<i>Parked on Sidewalk/Curb</i>				
<i>Parked by Fire Hydrant</i>				
<i>Parked Blocking Street</i>	1			
<i>Parked Blocking Driveway</i>				
<i>Failure to Park between Lines</i>				
<i>Left Side Parking</i>	3			
<i>Parked in Handicapped Space</i>				
<i>48 Consecutive Hours</i>				
<i>Total Tickets – Warnings - Dismissed</i>	47	17	0	
<i>Meter Money</i>	\$1518.45			
<i>Meter Reservations</i>	Daily Reservations: 3 \$80		Funeral Home Reservations: 0	
<i>Parking Permits by Type</i>	1M: 1	3M: 12	6M: 1	1Y: 2
<i>Parking Permits Money</i>	\$673			
<i>Violation Cost</i>	\$335			
<i>Late Fees Assessed</i>	\$135			
<i>Payment Received</i>	\$140			
<i>Dues Forward</i>	\$330			
<i>Totals Jun:</i>	<b>Made</b> <b>\$2331.45</b>		<b>Due</b> <b>\$330</b>	
<i>Totals 2023</i>	<b>Violations Paid</b> <b>\$3920</b>	<b>Outstanding Bal.</b> <b>\$1940</b>	<b>Meter Money</b> <b>\$13,510.62</b>	<b>Permit Revenue</b> <b>\$3469</b>

\*Meter Money was pulled and counted on Oct. 30<sup>th</sup>.



## D. TOWN PLANNER'S REPORT



### *Planner's Report*

**October 2023**

Prepared by: Najila Ahsan

#### **Permits & Code Enforcement**

1. Processed the following permit applications:

- 7 Zoning Permits

902 Frailey Rd	Backyard Chicken
322 S Seton Ave	Landing- addition to principal structure
321 E Main St.	Addition to existing shed
400 Timbermill Run	Fence
4030 Carrick Ct.	Shed
502 W Main St	Fence
130 S Seton Ave	Barber shop

#### **Development Updates**

- Ongoing Developments
  - Federal Stone
    - Preconstruction meeting 10.18.2023
  - Silo Hill Plaza (fka. Village Liquors)
    - Pending: Preconstruction meeting
  - Seton Village
    - Subdivision application received
    - Awaiting Forest Conservation application
  - Emmitsburg Distillery- East Emmitsburg Industrial Park II Lot 4
    - Site Plan and Improvement Plan application received
- Development Pipeline/ Applicant Interest
  - Frailey Property Annexation
    - Use: Single family homes/ duplexes
    - Done: Meeting with potential traffic engineer
  - Emmit Ridge
    - Interest in developing 48 single-family homes
  - Rodney McNair Property Annexation
    - Use: Residential and Neighborhood Commercial

### Stormwater Management

- NPDES general permit for MS4
  - Permit term extended
  - Progress report submitted 10.26.23
- Silo Hill Basin Retrofit
  - Pending: Maintenance Contract with EOS
  - Pending: Modification contract for IIJA Grant

### Comprehensive Plan

- In Progress:  
Existing conditions chapters
- Past Event:
  - In-person Public Visioning Workshop – 10.30.2023
- Upcoming Events:

In-person Public Visioning Workshops

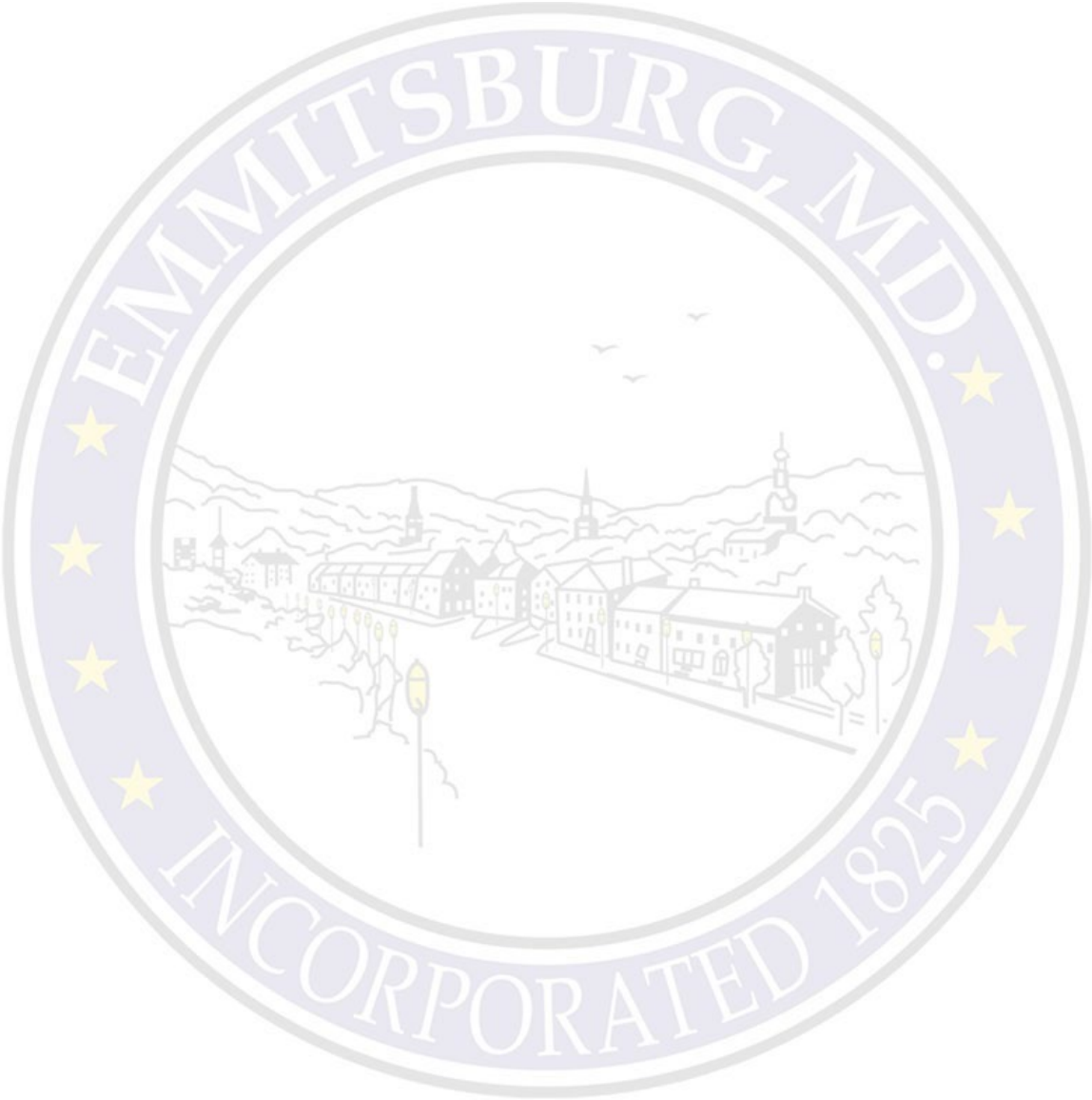
- Part 2: 1.29.2023
- Part 3: 2.26.2023
- Part 4: 3.25.2023

### Grants

- Current Grant
  - DNR IIJA for Silo Hill Basin Maintenance
- Future Grant
  - Keep Maryland Beautiful—application to be submitted 11.15.2023

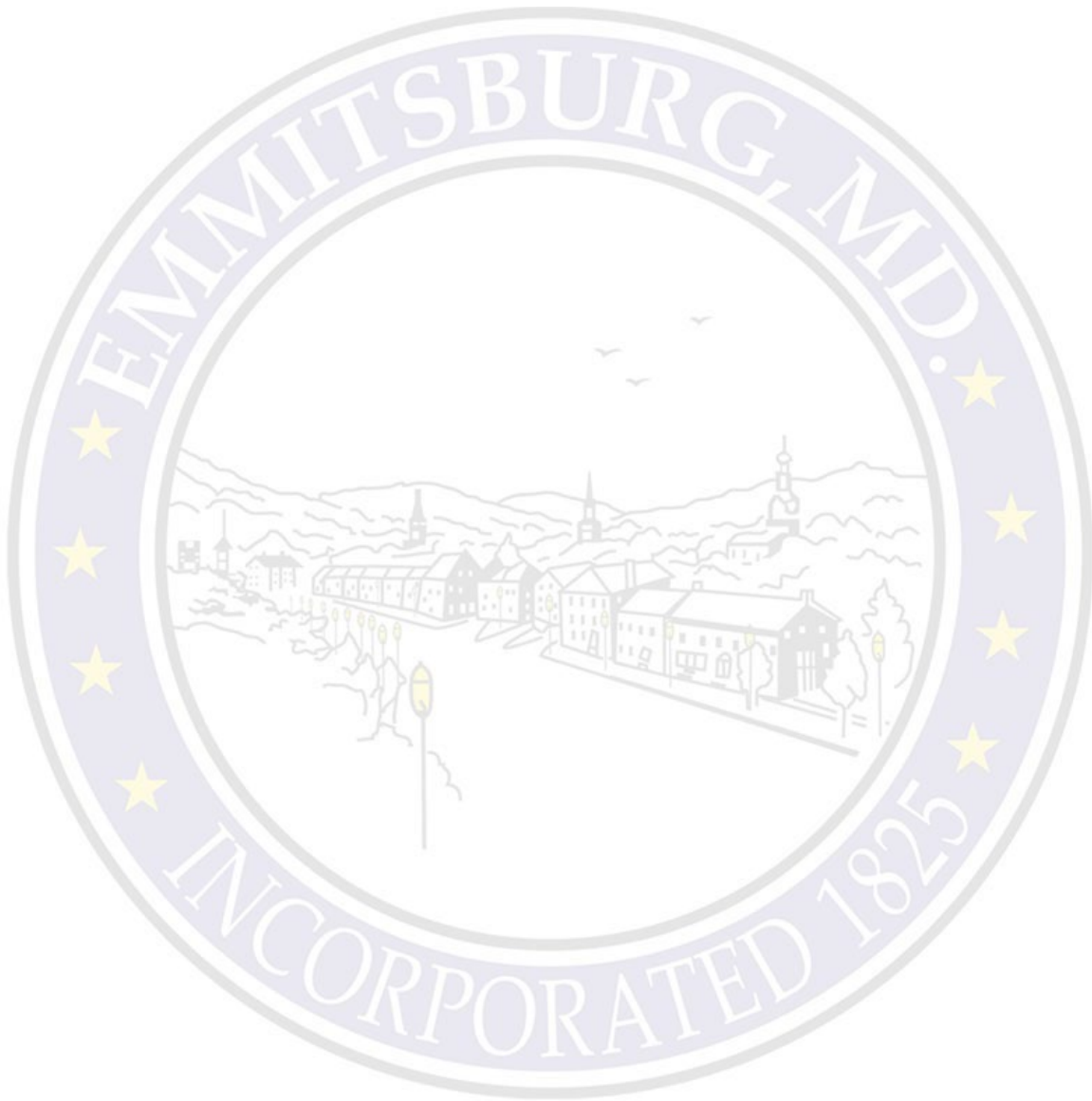
Date	Meeting
10/4/2023	Staff Meeting with Mayor Davis
10/10/2023	Pump Station Preconstruction Meeting
10/10/2023	EPA Meeting- Water Utilities
10/10/2023	Comp Plan Check-in with Town Manager
10/11/2023	Pre-application meeting with applicants of Emmitsburg Distillery
10/18/2023	Grand History Trail Meeting
10/18/2023	Federal Stone Preconstruction Meeting
10/18/2023	County Mayor Meeting with Planners- APFO
10/19/2023	Meeting with Mayor and Town Manager- Community Legacy SOP
10/20/2023	Cross Connection
10/25/2023	Meeting with Owner of 101 -103 W Main St
10/25/2023	Meeting with EOS for Silo Hill Maintenance
10/30/2023	Comprehensive Plan Public Workshop

**E. COMMISSIONERS COMMENTS**

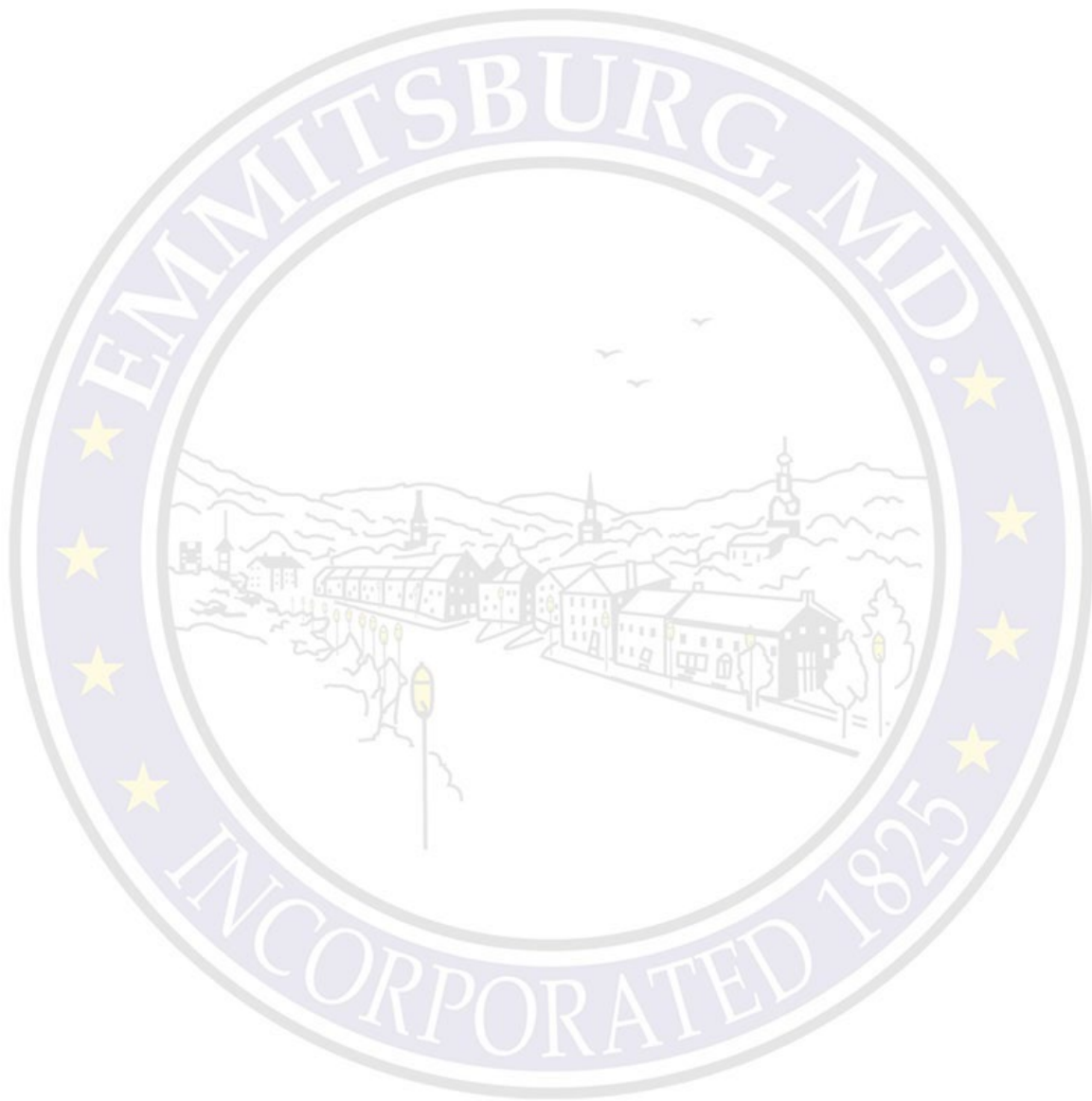


**F. MAYORS COMMENTS**

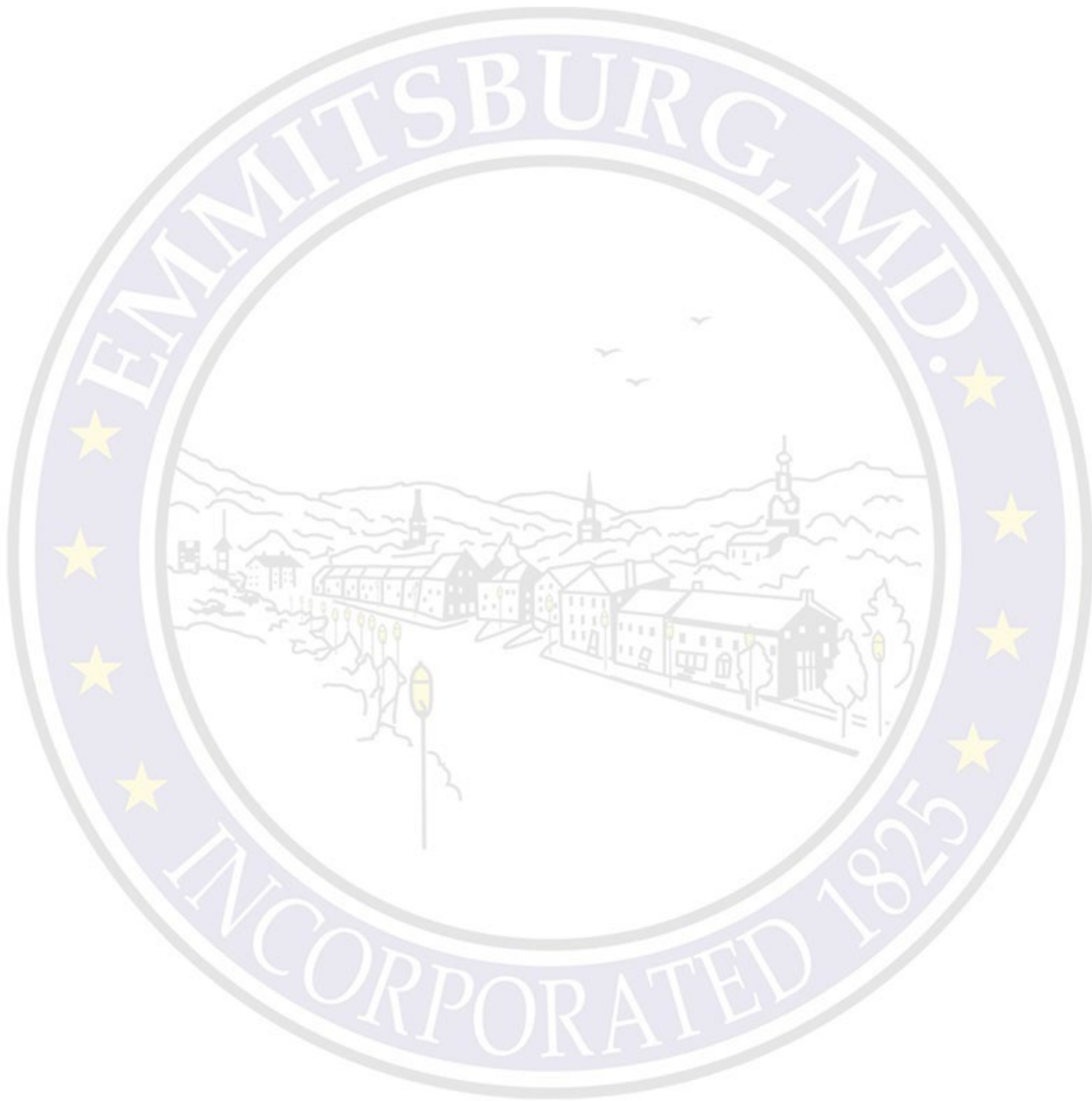
*Presentation at the Town meeting.*



**G. PUBLIC COMMENTS**

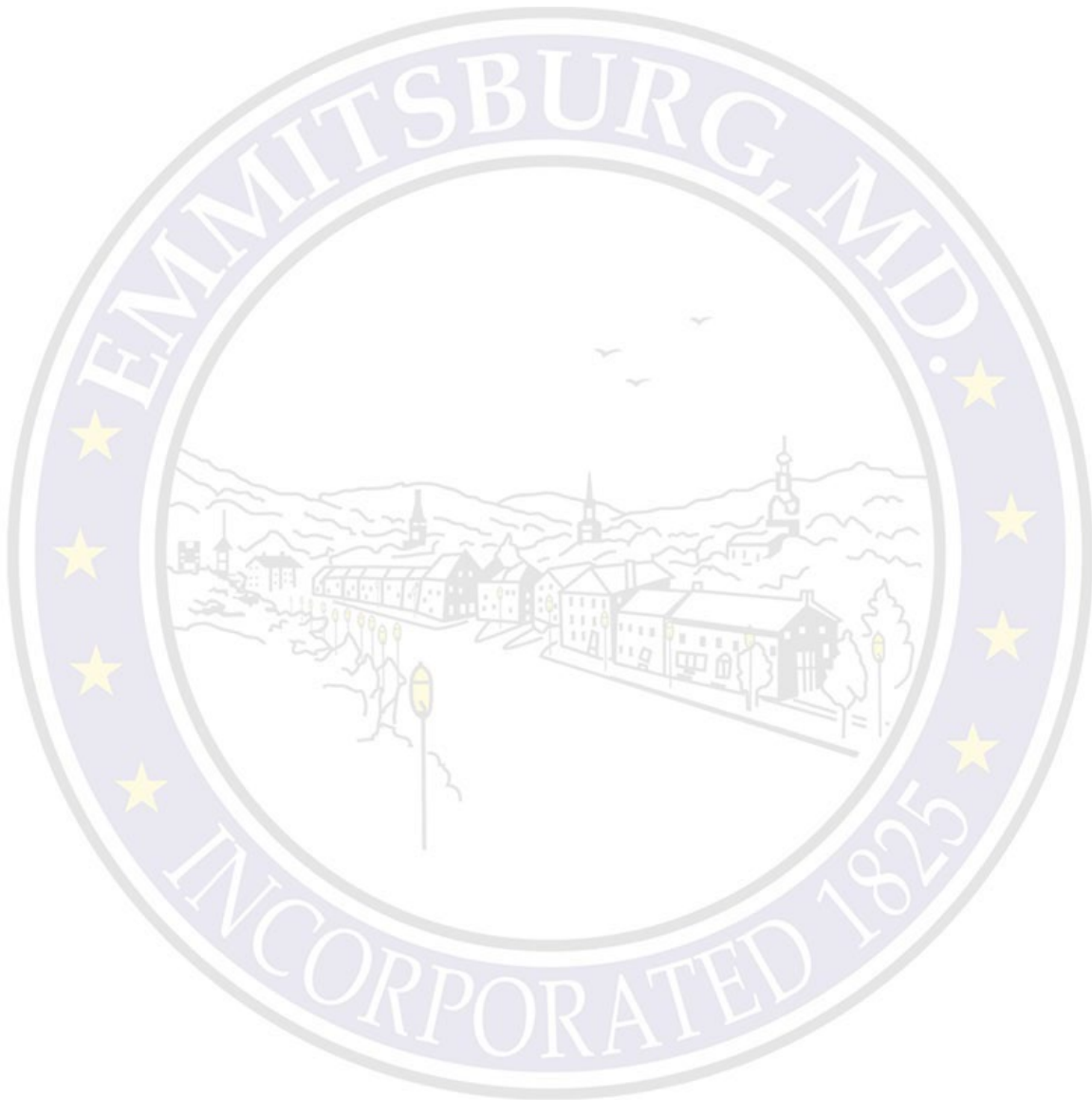


**H. ADMINSTRATIVE BUSINESS (NONE)**



**I. CONSENT AGENDA**

1. Appoint Patricia Galloway a full member of the Planning Commission with a term of November 6, 2023 to March 1, 2026.



**J. TREASURER’S REPORT**

**TOWN OF EMMITSBURG  
CASH ACTIVITY AS OF October 31, 2023**

**\$8,927,419**                      **Cash Balance October 1, 2023**

<b>408,350</b>	<b>Deposits</b>
<b><u>-340,559</u></b>	<b>Withdrawals</b>
<b>\$8,995,210</b>	<b>Operating Balance Forward</b>

**Cash Balances**

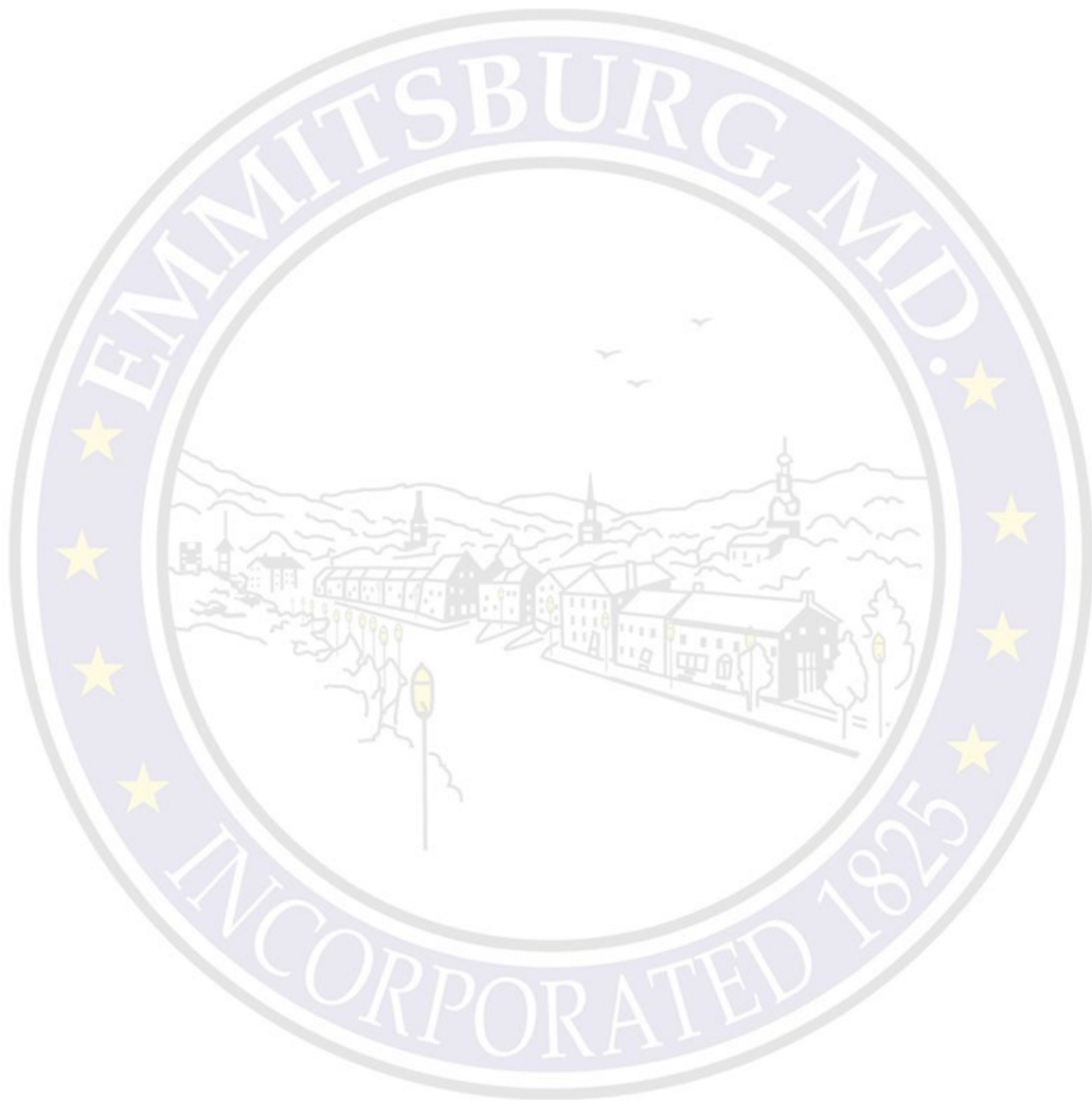
<b>Gen Fund</b>	<b>\$2.2M</b>
<b>Cap Fund</b>	<b>\$200K</b>
<b>Water Fund</b>	<b>\$0</b>
<b>Sewer Fund</b>	<b>\$3.6M</b>
<b>ARPA Funding</b>	<b><u>\$3.0M</u></b>
<b>Total</b>	<b>\$9M</b>

<b>Check Amount</b>	<b>Vendor Name</b>	<b>Description</b>	<b>Check Date</b>	<b>Check Number</b>
\$74,782	Treasurer of Frederick County	1Q FY24 Law Enforcement Services	10.11.23	45583
\$34,650	White Pine Paving	Paving-Heritage Lane & University Drive	09.27.23	45531
\$23,426	Comptroller of Maryland	1Q FY24 Bay Restoration Fee	10.11.23	45587
\$22,472	MD Dept of Budget & Mgmt	Oct 23 Health Insurance	10.25.23	45630
\$22,472	MD Dept of Budget & Mgmt	Sept 23 Health Insurance	10.04.23	45545
\$20,710	Conewago Enterprises	Creamery Road Pump Station	10.04.23	45534
\$19,686	White Pine Paving	Paving-Zanella Drive to Reeney Circle	09.27.23	45530
\$12,852	Denali Water Solutions	Backwash Pond Solids Removal	10.04.23	45537
\$12,605	UGI Energy Services	Aug 23 Solar Field #2	10.04.23	45567
\$11,819	UGI Energy Services	Aug 23 Solar Field #1	10.04.23	45567



**K. PLANNING COMMISSION REPORT**

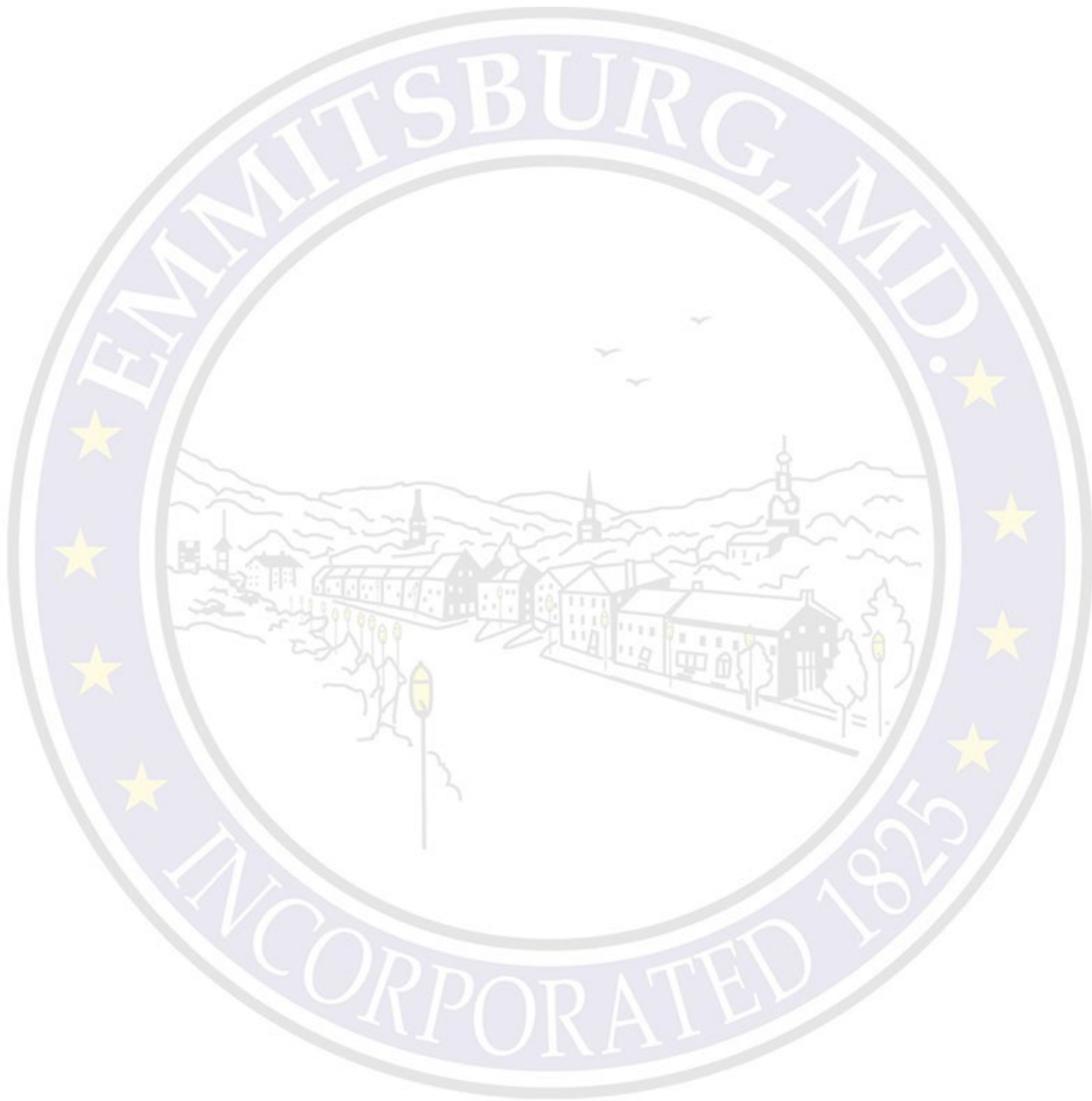
*Presentation at the Town meeting.*



**L. AGENDA ITEMS**

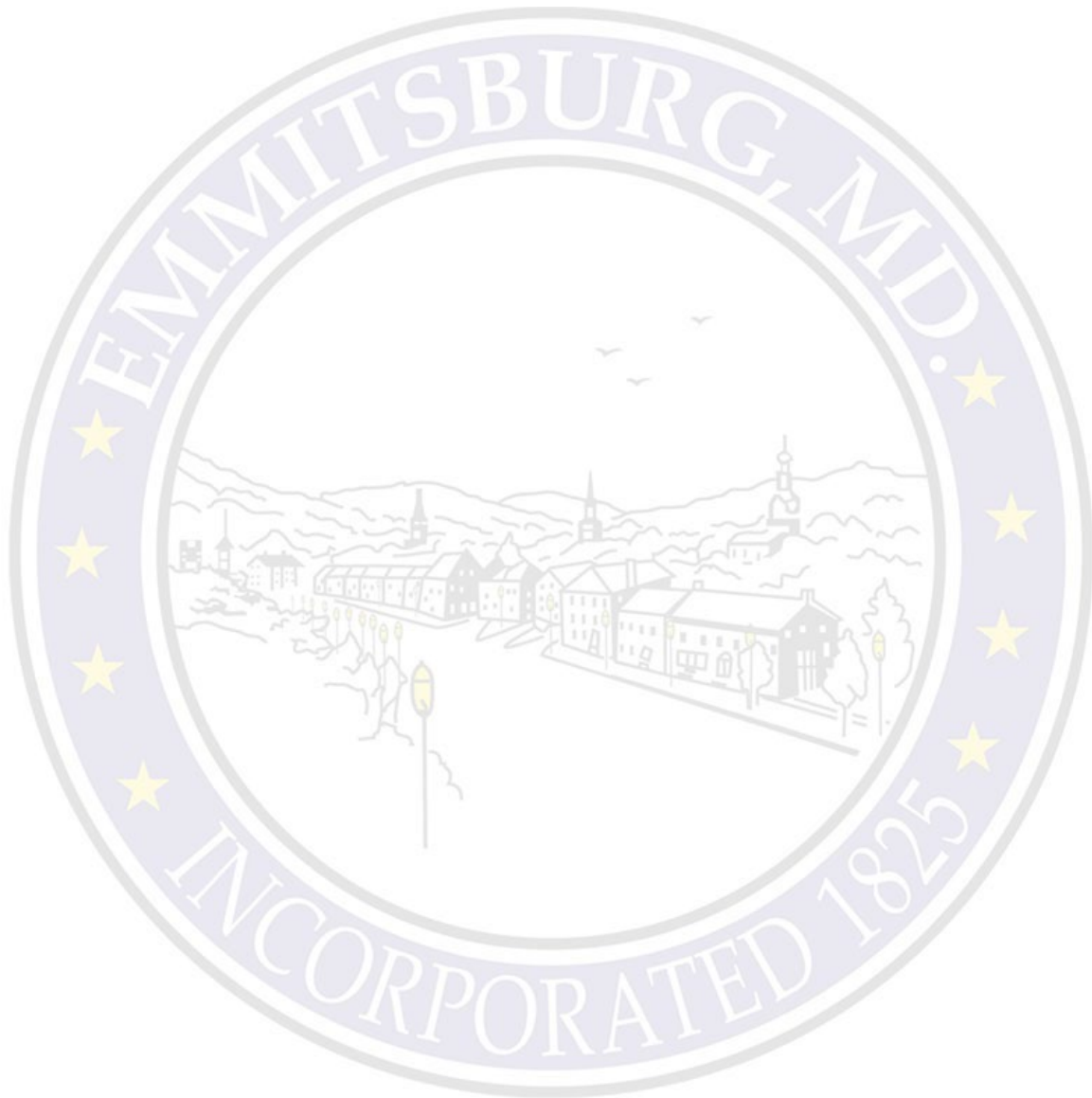
AGENDA ITEM #1: For consideration, approval of new Commissioner.

*Presentation at the Town meeting.*



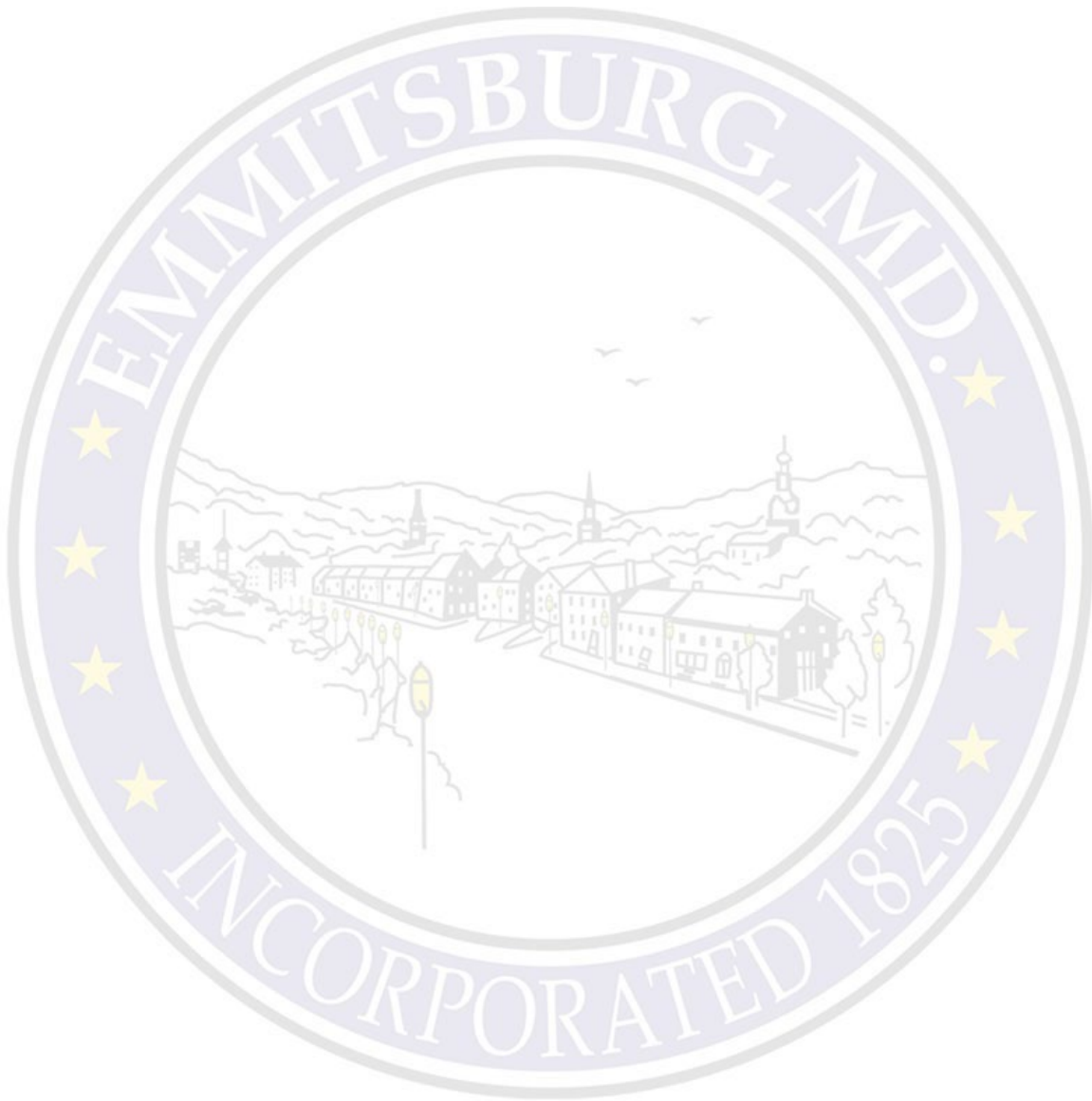
AGENDA ITEM #2: Swearing in of new Commissioner.

*Presentation at the Town meeting.*

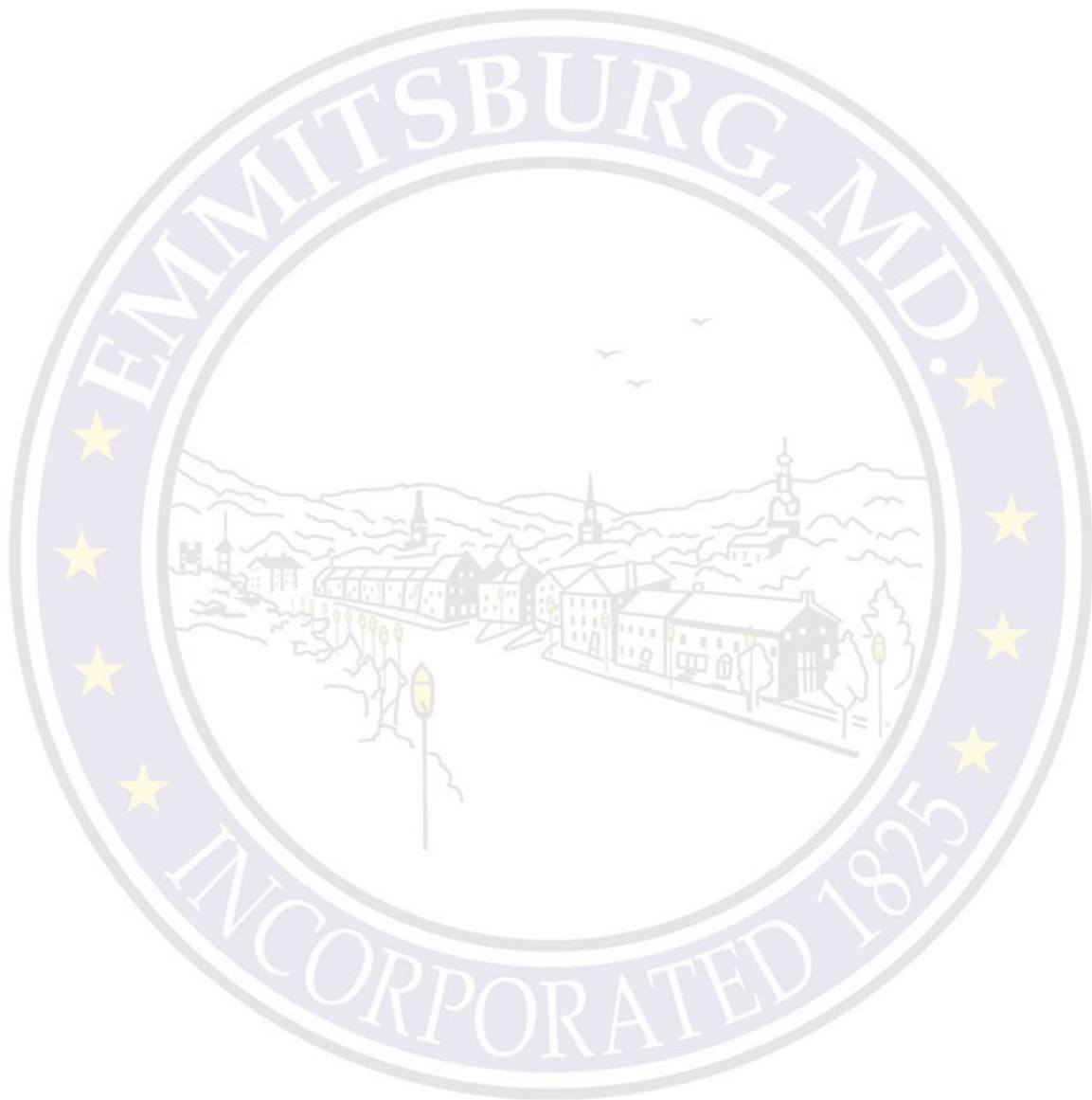


AGENDA ITEM #3: For consideration, reorganization of Board of Commissioners.

*Presentation at the Town meeting.*



AGENDA ITEM #4: For consideration, Proclamation for MML Municipal Government Works month.





# *Proclamation*

## **MUNICIPAL GOVERNMENT WORKS MONTH NOVEMBER 2023**

The Mayor and Board of Commissioners of the Town of Emmitsburg proclaim November 2023 to be Municipal Government Works Month.

WHEREAS, the Town was established in 1785; and

WHEREAS, Maryland is home to 156 other municipalities; and

WHEREAS, municipal government represents the most responsive level of government, allowing citizens to have direct access to elected officials; and

WHEREAS, in an effort to educate citizens about municipal government and the importance of their participation, the Town of Emmitsburg is proud to promote municipal government awareness; and

WHEREAS, municipalities have enhanced the quality of life for their respective residents maintaining natural and historic sites and structures and helping to make Maryland a great place to live, work, play and explore.

NOW, THEREFORE, BE IT PROCLAIMED, that the Mayor and Board of Commissioners of the Town of Emmitsburg, Maryland do hereby join the Maryland Municipal League in declaring November 2023 to be Municipal Government Works Month in Emmitsburg.

ADOPTED this 6<sup>th</sup> day of November, 2023

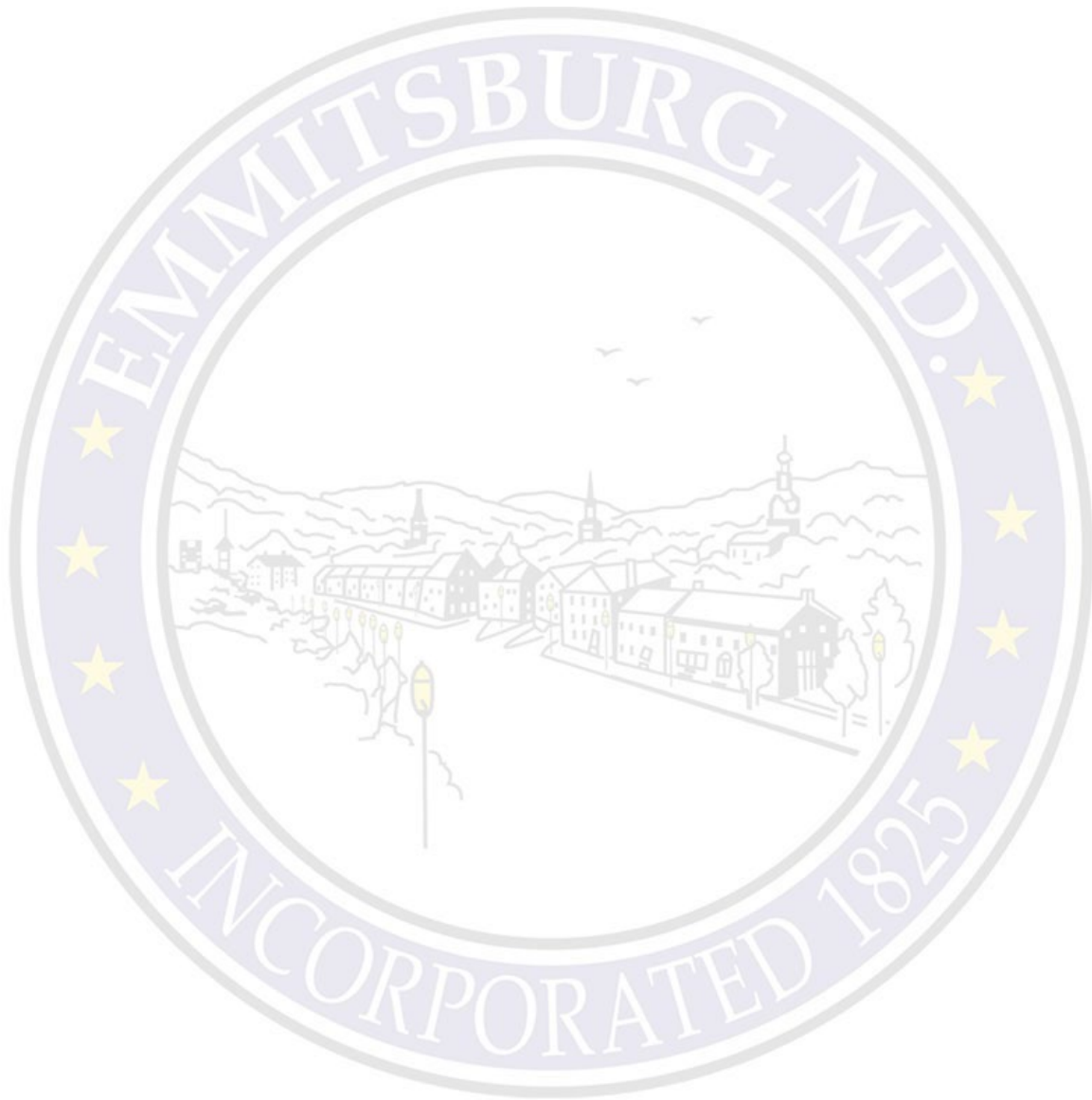
---

Frank Davis  
Mayor

---

Timothy J. O'Donnell, President  
Board of Commissioners

AGENDA ITEM #5: For consideration, standard operating procedures for the Community Legacy Façade Grant.



## Emmitsburg Façade Restoration Program Community Legacy Grant Standard Operating Procedures

### Applications

1. Applications are due by ~~December~~ **JANUARY** 31 each year.
2. The Town should advertise that applications are now being accepted on Facebook, the Town website, channel 99 and by placing yard signs on/near the Town square.
3. All applications received by the Town Office should be stamped with date of receipt.
4. A folder shall be created for each application/address.
5. The grant manager should confirm each application is complete as specified in the *Community Legacy Grant Application* document and shall contain specified attachments (e.g.,-cost estimates, drawings, or photos, etc.).
6. **APPLICANTS WILL BE REQUIRED TO OBTAIN AT LEAST ONE (1) ESTIMATE FROM A LICENSED CONTRACTOR FOR THE PROJECT.**
7. **APPLICANTS WILL BE REQUIRED TO DEMONSTRATE HOW THEIR PROPOSALS ALIGN WITH THE GRANT'S OBJECTIVES BY STATING HOW THE PROJECTS LEAD TO THE PRESERVATION AND REHABILITATION OF PROPERTY EXTERIORS. THEY SHOULD ALSO SHOW HOW THEIR PROJECTS LEAD TO THE ENHANCEMENT OF ECONOMIC SUSTAINABILITY AND VISUAL APPEAL WITHIN THE DESIGNATED SUSTAINABLE COMMUNITY AREAS.**
8. If an application is incomplete, the grant manager shall contact the property owner and request additional information.
9. The grant manager shall confirm the property resides in the Sustainable Communities District (SCD) by searching the address here: <https://portal.dhcd.state.md.us/GIS/revitalize/index.html>. All projects must be in the SCD. Proof the property is in this district shall be printed and placed with the application folder. This will be needed later when a request for payment is submitted to Maryland Dept. of Housing and Community Development (DHCD).
10. Once applications are received and ready, the grant manager should contact the Sustainable Communities Work Group (SCWG) and schedule a public meeting to review the applications. The meeting should occur in ~~January~~ February once the Town has received notice from DHCD of the amount of funding available for the fiscal year. **THE MEETING WILL BE SCHEDULED FOR 7PM ON A DATE TO BE DETERMINED.**
11. The grant manager should submit all applications to the Maryland Historical Trust (MHT) for review. To initiate the review, the grant manager should send the following information to the DHCD Project Manager in an email with the project address in the subject line. **MARYLAND HISTORICAL TRUST REVIEW CAN TAKE UP TO 30 DAYS.**



SOP: Community Legacy- Emmitsburg

Page 2 of 5

- a. DHCD award number
- b. Project address
- c. Photographs (including interior if scope involves interior features)
- d. Scope of work (e.g., narrative description, contract, estimate, etc.)
- e. Any relevant plans or product specifications, cutsheets, etc.

~~12. Note: Maryland Historical Trust review can take up to 30 days. A response is not needed for the SCWG to meet.~~

### Sustainable Communities Work Group (SCWG)

1. The SCWG must consist of five (5) members. **THE SCWG MUST CONSIST OF NO MORE THAN FIVE (5) MEMBERS AND NO LESS THAN THREE (3) MEMBERS TO ACHIEVE A QUORUM.**
2. ~~Members of the SCWG shall be appointed by the Mayor and be approved by the Board of Commissioners.~~ **ANYONE INTERESTED IN SERVING AS A MEMBER OF SCWG CAN APPLY AND SHALL BE SUBJECT TO BOARD APPROVAL.**
3. ~~There is no term limit for the SCWG.~~ **THE TERM LIMIT FOR SCWG MEMBERS WILL BE FIVE (5) YEARS.**
4. The members of the SCWG must reside in Town.
5. **THE ROLE OF SCWG IS TO SOLELY PROVIDE RECOMMENDATIONS WHICH GET FORWARDED TO THE MHT TO ENSURE THAT THE CHOSEN APPLICATIONS MEET THE ELIGIBILITY CRITERIA. FUNDING IS ONLY AWARDED ONCE THE APPLICATION IS REVIEWED AND APPROVED BY THE MHT.**
6. All SCWG meetings shall be public, and the meeting notice should be given on the Town website, channel 99 and Facebook.
7. One week before the meeting the project manager should make copies of all the applications and provide copies to the members of the SCWG members along with a meeting agenda. The agenda template is on the I Drive > Planning Department > Grants > Community Legacy > Sustainable Communities Work Group.
8. An agenda should be made for the meeting and copies should be printed for the public. Copies of the applications should *not* be made available to the public due to the personal information provided in the application. **ADDRESS, NAME/DESCRIPTION OF PROJECT, AND AMOUNT OF FUNDS AWARDED WILL BE POSTED ON THE WEBSITE ON THE PAGE DESIGNATED FOR COMMUNITY LEGACY PROGRAM.**
9. A sign-in sheet for public comment should be printed for the meeting.
10. Minutes should be taken of all meetings and approved by the SCWG at the next meeting.

At the meetings, the SCWG should start by reading the “Legacy Program Background” (found on the I Drive > Planning Department > Grants > Community Legacy > Sustainable Communities Work Group). A summary of the number of applications received, total

11. amount of funds requested, and available funding shall be given. The SCWG should then publicly allocate the available funding.
- ~~12. During the review of the applications, the SCWG should consider the following questions as a guideline for allocating funds:
  - a. Does the application address a structure that constitutes a major visual or structural component within the Sustainable Communities area?
  - b. Does the project preserve the distinguished original qualities and character of the building? Removal of distinctive and historical architectural features may be a contributing factor for disqualification.
  - c. Are deteriorated architectural features being repaired rather than replaced?
  - d. If replacement is necessary, do the new materials match the materials being replaced in color, texture, design, or other visual qualities?
  - e. If installing contemporary design to existing properties, do the alterations destroy significant historical, architectural, and cultural materials? Are these alternations compatible with the existing size, scale, color, material, and property of adjacent and/or surrounding buildings?
  - f. prioritize new applicants. The SCWG should also prioritize projects that address safety issues. An example of such a project is a rotting porch with a compromised structural integrity and/or pest infestation that could lead to unexpected falls and accidents.~~

*\*\*\*Note: the ~~striketrough~~ text above will be included in the SCWG guidelines.*

### Availability of Funds

1. Due to the limited amount of funds available through the Community Legacy program **AND THE NUMBER OF APPLICATIONS**, the SCWG ~~cannot~~ **MAY NOT BE ABLE TO** provide funding to every single applicant.
2. Under the program, participants will receive **UP TO** a 50% match for the cost of exterior facade and other improvements, with the owner responsible for the remaining 50%. It's important to note that this 50% match is capped at \$12,500. As a result, if a project costs more than \$25,000, the applicant will only be eligible to receive up to \$12,500 in funding.

### Grant Agreements

Once the SCWG determines funding allotment for the applications, the grant manager should draft approval/denial letters to all the applicants with the amount awarded. A grant agreement should be attached to the letter and will need to be signed and

1. returned before any work can begin. Draft letters and the grant agreement are available on the I Drive > Planning Department > Grants > Community Legacy > \_Master Forms.
2. Notification letters and grant agreements should be mailed to the property owners.
3. The deadline for work completion is May 15<sup>th</sup> of the following year. Property owners have about a year to get the work done.
4. No work can begin until the Town has received the signed grant agreement back from the property owner with a witness signature.
5. A copy of the fully executed/signed grant agreement should be emailed to the property owner.

### **Property Owner Reimbursement**

1. Following completion of the project and satisfaction of all federal and state program requirements, the applicant will provide the Town with a canceled check or debit/credit card receipt, invoices, and photos of the completed work.
2. Following the verification of these expenditures and work completed, the grant manager will submit a request to the DHCD for the grant funds.
3. The grant manager should notify the town accountant that funds are anticipated. The notification should include the amount, property address, property owner name and town assigned grant number.
4. Upon receipt of the funds from DHCD, the Town will issue a check for the agreed-upon amount to the property owner. A check request will be submitted to accounting with proof of receipt of funds from DHCD (Town Accountant to provide) and a copy of the property owner grant agreement showing the authorized amount.
5. All checks shall be mailed to the property owner via the address provided in the initial application.
6. Approximately 2-weeks from the check being issued to the property owner, the grant manager should request the canceled check from the accounting office and submit a copy to the DHCD project manager. A copy should also be placed in the property folder.

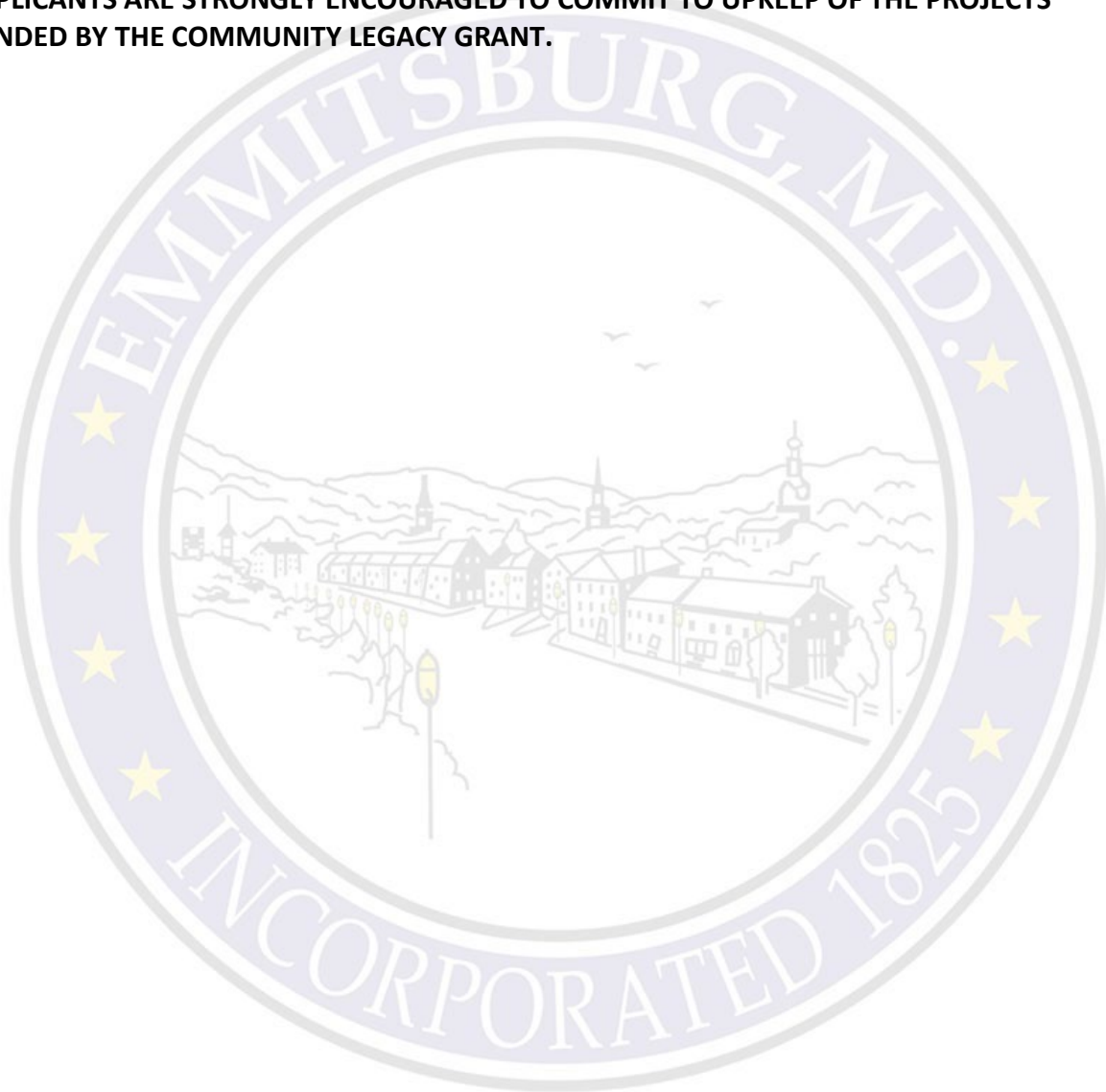
### **Maintenance of Improvements**

~~As part of the grant closing process, the applicant will be required to provide written agreement to maintain all improvements made according to the approved plans in their completed state for five (5) years after the façade restoration project's completion date. In the event that changes are implemented to the structure for which improvements were financed by the grant, the applicant is obligated to reimburse the Town of Emmitsburg the allocated funds. Throughout this 5-year period, any changes to the façade must receive approval from the Sustainable Communities Work Group, and the Town staff will closely monitor such activities.~~

### **MAINTENANCE OF IMPROVEMENTS IS**

Revised: November 2023

**OF PARAMOUNT IMPORTANCE IN ACHIEVING THE GOALS OF THE EMMITSBURG FAÇADE RESTORATION PROGRAM. SUSTAINING THE IMPROVEMENTS WILL CONTRIBUTE TO THE OVERALL VISUAL AND FUNCTIONAL QUALITY OF THE COMMUNITY. IT WILL ENHANCE THE VISUAL CHARM AND FOSTER A SENSE OF PRIDE AMONG RESIDENTS. THEREFORE, APPLICANTS ARE STRONGLY ENCOURAGED TO COMMIT TO UPKEEP OF THE PROJECTS FUNDED BY THE COMMUNITY LEGACY GRANT.**



**CLEAN VERSION**  
**Emmitsburg Façade Restoration Program**  
**Community Legacy Grant**  
**Standard Operating Procedures**

**Applications**

1. Applications are due by January 31 each year.
2. The Town should advertise that applications are now being accepted on Facebook, the Town website, channel 99 and by placing yard signs on/near the Town square.
3. All applications received by the Town Office should be stamped with date of receipt.
4. A folder shall be created for each application/address.
5. The grant manager should confirm each application is complete as specified in the *Community Legacy Grant Application* document and shall contain specified attachments (e.g.,-cost estimates, drawings, or photos, etc.).
6. Applicants will be required to obtain at least one (1) estimate from a licensed contractor for the project.
7. Applicants will be required to demonstrate how their proposals align with the grant's objectives by stating how the projects lead to the preservation and rehabilitation of property exteriors. They should also show how their projects lead to the enhancement of economic sustainability and visual appeal within the designated sustainable community areas.
8. If an application is incomplete, the grant manager shall contact the property owner and request additional information.
9. The grant manager shall confirm the property resides in the Sustainable Communities District (SCD) by searching the address here: <https://portal.dhcd.state.md.us/GIS/revitalize/index.html>. All projects must be in the SCD. Proof the property is in this district shall be printed and placed with the application folder. This will be needed later when a request for payment is submitted to Maryland Dept. of Housing and Community Development (DHCD).
10. Once applications are received and ready, the grant manager should contact the Sustainable Communities Work Group (SCWG) and schedule a public meeting to review the applications. The meeting should occur in February once the Town has received notice from DHCD of the amount of funding available for the fiscal year. The meeting will be scheduled for 7pm on a date to be determined.
11. The grant manager should submit all applications to the Maryland Historical Trust (MHT) for review. To initiate the review, the grant manager should send the following information to the DHCD Project Manager in an email with the project address in the subject line. MHT review can take up to 30 days.
  - a. DHCD award number

- a. Project address
- b. Photographs (including interior if scope involves interior features)
- c. Scope of work (e.g., narrative description, contract, estimate, etc.)
- d. Any relevant plans or product specifications, cutsheets, etc.

### **Sustainable Communities Work Group (SCWG)**

13. The SCWG must consist of five (5) members. The SCWG must consist of no more than five (5) members and no less than three (3) members to achieve a quorum.
14. Anyone interested in serving as a member of SCWG can apply and shall be subject to Board approval.
15. The term limit for SCWG members will be five (5) years.
16. The members of the SCWG must reside in Town.
17. The role of SCWG is to solely provide recommendations which get forwarded to the MHT to ensure that the chosen applications meet the eligibility criteria. Funding is only awarded once the application is reviewed and approved by the MHT.
18. All SCWG meetings shall be public, and the meeting notice should be given on the Town website, channel 99 and Facebook.
19. One week before the meeting the project manager should make copies of all the applications and provide copies to the members of the SCWG members along with a meeting agenda. The agenda template is on the I Drive > Planning Department > Grants > Community Legacy > Sustainable Communities Work Group.
20. An agenda should be made for the meeting and copies should be printed for the public. Copies of the applications should **not** be made available to the public due to the personal information provided in the application. Address, name/description of project, and amount of funds awarded will be posted on the website on the page designated for Community Legacy Program.
21. A sign-in sheet for public comment should be printed for the meeting.
22. Minutes should be taken of all meetings and approved by the SCWG at the next meeting.
23. At the meetings, the SCWG should start by reading the "Legacy Program Background" (found on the I Drive > Planning Department > Grants > Community Legacy > Sustainable Communities Work Group). A summary of the number of applications received, total amount of funds requested, and available funding shall be given. The SCWG should then publicly allocate the available funding.

### **Availability of Funds**

3. Due to the limited amount of funds available through the Community Legacy program and the number of applications, the SCWG may not be able to provide funding to every single applicant.
4. Under the program, participants will receive up to a 50% match for the cost of exterior facade and other improvements, with the owner responsible for the remaining 50%. It's important to note that this 50% match is capped at \$12,500. As a result, if a project costs more than \$25,000, the applicant will only be eligible to receive up to \$12,500 in funding.

### **Grant Agreements**

6. Once the SCWG determines funding allotment for the applications, the grant manager should draft approval/denial letters to all the applicants with the amount awarded. A grant agreement should be attached to the letter and will need to be signed and returned before any work can begin. Draft letters and the grant agreement are available on the I Drive > Planning Department > Grants > Community Legacy > \_Master Forms.
7. Notification letters and grant agreements should be mailed to the property owners.
8. The deadline for work completion is May 15<sup>th</sup> of the following year. Property owners have about a year to get the work done.
9. No work can begin until the Town has received the signed grant agreement back from the property owner with a witness signature.
10. A copy of the fully executed/signed grant agreement should be emailed to the property owner.

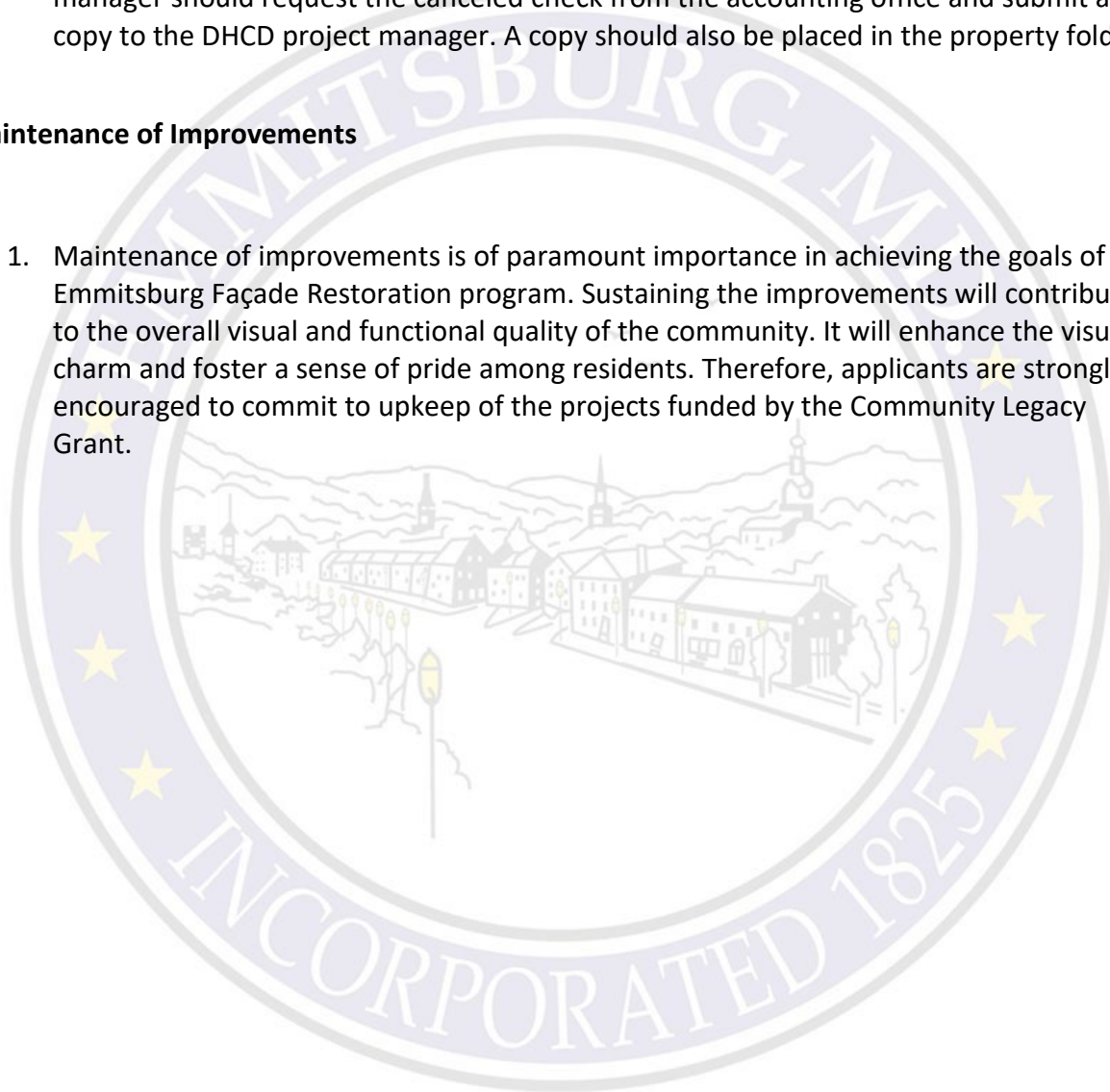
### **Property Owner Reimbursement**

7. Following completion of the project and satisfaction of all federal and state program requirements, the applicant will provide the Town with a canceled check or debit/credit card receipt, invoices, and photos of the completed work.
8. Following the verification of these expenditures and work completed, the grant manager will submit a request to the DHCD for the grant funds.
9. The grant manager should notify the town accountant that funds are anticipated. The notification should include the amount, property address, property owner name and town assigned grant number.
10. Upon receipt of the funds from DHCD, the Town will issue a check for the agreed-upon amount to the property owner. A check request will be submitted to accounting with proof of receipt of funds from DHCD (Town Accountant to provide) and a copy of the property owner grant agreement showing the authorized amount.

1. All checks shall be mailed to the property owner via the address provided in the initial application.
2. Approximately 2-weeks from the check being issued to the property owner, the grant manager should request the canceled check from the accounting office and submit a copy to the DHCD project manager. A copy should also be placed in the property folder.

### **Maintenance of Improvements**

1. Maintenance of improvements is of paramount importance in achieving the goals of the Emmitsburg Façade Restoration program. Sustaining the improvements will contribute to the overall visual and functional quality of the community. It will enhance the visual charm and foster a sense of pride among residents. Therefore, applicants are strongly encouraged to commit to upkeep of the projects funded by the Community Legacy Grant.





AGENDA ITEM #6: For consideration, authorizing \$300,000 of American Rescue Plan Act (ARPA) money for the FY 24 water fund operating budget.

*Presentation at the Town meeting.*

The Town of Emmitsburg, Maryland received payments from the American Rescue Plan Act in the amount of \$3,152,038.92. The amount was received through two payments. The first in July 2021 in the amount of \$1,575,429.93. The second payment was received in August 2022 in the amount of \$1,576,608.99.

FY24 American Rescue Plan Act Designation

Town staff purposes designating \$300,000 of the \$3,152,038.92 towards the Water Fund to address revenues that were diminished in prior fiscal years due to the Covid-19 pandemic. An analysis was done on one of the Town's largest water consumers, FEMA, and found that roughly \$300,000 was lost in revenue overall the 3 years at the on-set of the Covid-19 restrictions, in the Spring of 2020, as compared to the 3 years prior to that time.

This purposed designation of \$300,000 would be applied directly to cover all normal FY24 water fund operating expenses that are non-payroll in nature.

## ARPA OVERVIEW

### PER DEPARTMENT OF TREASUREY

<https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/state-and-local-fiscal-recovery-funds>

1. 2022 Final Rule describes how recipients may use SLFRF funds to:
  - a. **Replace lost public sector revenue**, using this funding to provide government services up to the amount of revenue lost due to the pandemic.
  - b. **Respond to the far-reaching public health and negative economic impacts of the pandemic**, by supporting the health of communities, and helping households, small businesses, impacted industries, nonprofits, and the public sector recover from economic impacts
  - c. **Provide premium pay for essential workers**, offering additional support to those who have and will bear the greatest health risks because of their service in critical sectors
  - d. **Invest in water, sewer, and broadband infrastructure**, making necessary investments to improve access to clean drinking water, to support vital wastewater and stormwater infrastructure, and to expand affordable access to broadband internet.
2. Restrictions on use:
  - a. Offset a reduction in net tax revenue
  - b. Deposits in pension funds
  - c. No debt service or replenishing financial services
  - d. No satisfaction of settlements and judgements
  - e. Cannot be used for projects that undermine COVID-19 mitigation practices
3. Timeline for use of fund:
  - a. Under the SLFRF, funds must be used for costs incurred on or after March 3, 2021. Further, costs must be obligated by December 31, 2024, and expended by December 31, 2026.

**Question [Cathy Willets– Emmitsburg, MD]**

*So, the Town of Emmitsburg is considering using some of its ARPA monies for the loss of revenue during COVID since several of our large users of water significantly decreased the amount they used. Our water fund is currently showing a loss since that happened. Is this something that we could use ARPA money for?*

**Response**

The U.S. Department of Treasury (“Treasury”) allows for Coronavirus Local Fiscal Recovery Funds (“CLFRF”) to be used for the provision of government services, up to the amount of funds attributable to the recipient’s revenue loss.<sup>1</sup> Treasury states that, in general, any services provided by the recipient government will be considered “government services” under the Final Rule.<sup>2</sup> Government services is the most flexible eligible use category under the SLFRF program, and funds are subject to streamlined reporting and compliance requirements.

The Water Department for the Town of Emmitsburg would not need to show a loss in revenue in order to use “Revenue Loss” funds. If the Town calculates loss in revenue, or is taking the \$10 million Standard Allowance option, the Town’s allocation may be used in its entirety for government services – including use by the Water Department.

It is important to note that while the funding can be allocated to the Water Department, it must be used for expenses related to the provision of government services.<sup>3</sup> Since CLFRF funds are intended to be used prospectively, recipients may NOT use CLFRF funds for replenishing financial reserves (e.g., rainy day funds). Additionally, costs must be obligated by December 31, 2024, and expended by December 31, 2026.<sup>4</sup>

---

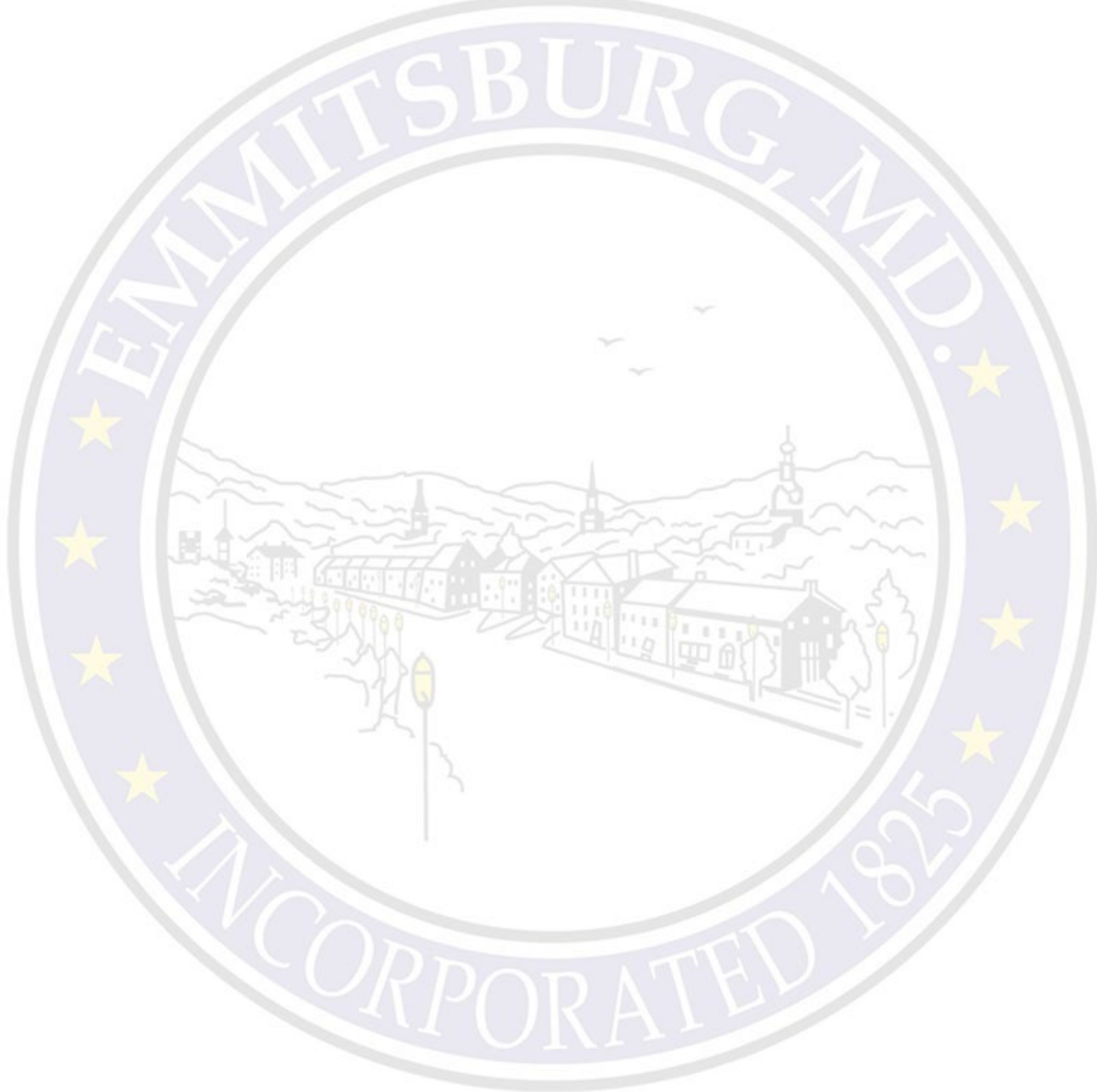
<sup>1</sup> U.S. Department of Treasury, “Coronavirus State and Local Fiscal Recovery Funds Final Rule,” page 5, available at: <https://home.treasury.gov/system/files/136/SLFRF-Final-Rule.pdf>

<sup>2</sup> *Id.*, at 259.

<sup>3</sup> U.S. Department of Treasury, “Coronavirus State and Local Fiscal Recovery Funds: 2022 Overview of the Final Rule,” page 11, available at: <https://home.treasury.gov/system/files/136/SLFRF-Final-Rule-Overview.pdf>

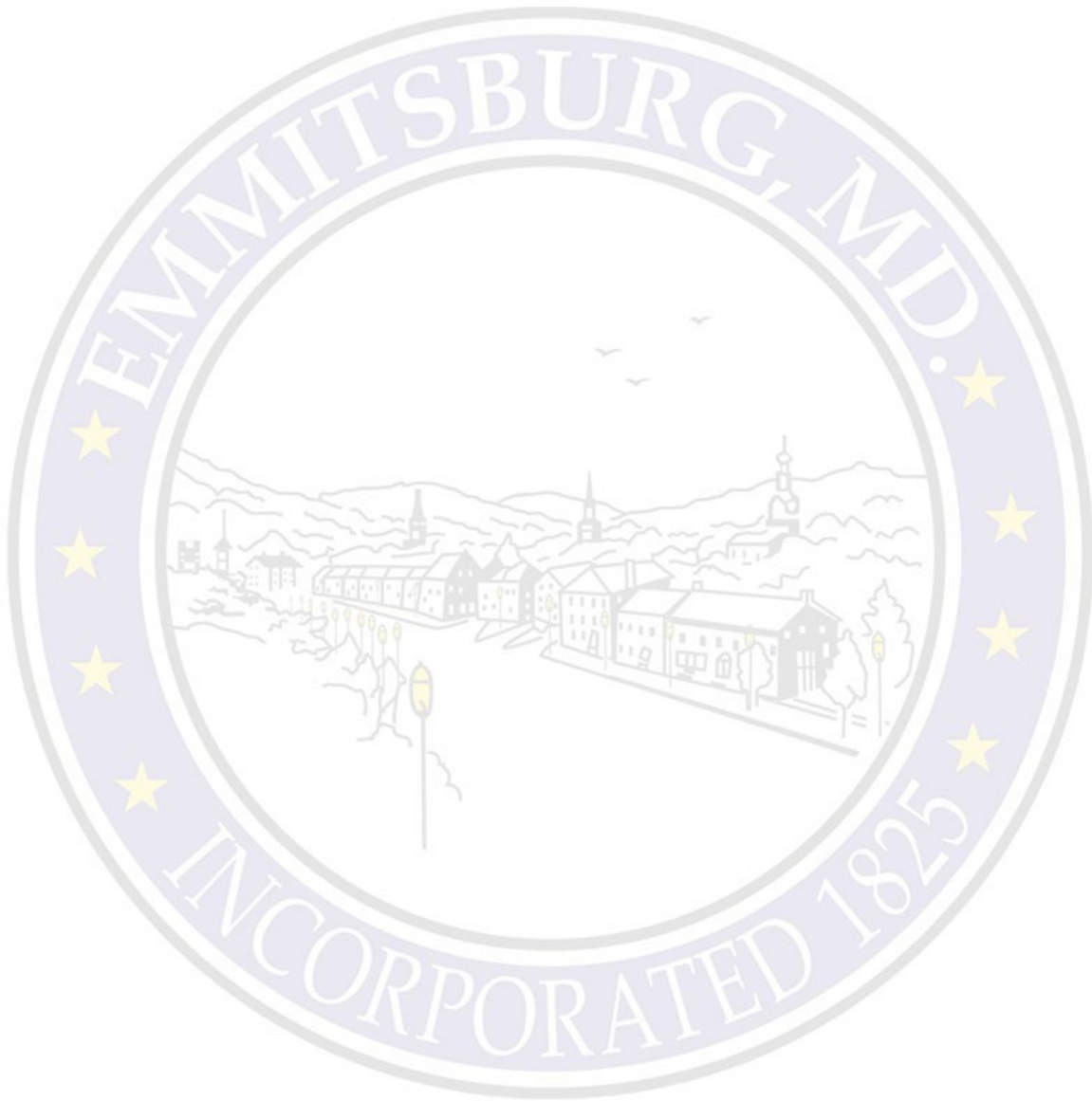
<sup>4</sup> *Id.*, at 43.

*Responses are based on current U.S. Treasury and Federal agency-specific guidance, which is subject to change. Response does not constitute a determination of eligibility from the State of Maryland or Hagerty Consulting. As a recipient of Federal funds, each unit of government is responsible for the administration and compliance of fiscal recovery funds and federal funding.*



AGENDA ITEM #7: Discussion and presentation by Shentel/Glo Fiber.

*Presentation at the Town meeting.*



**M. SET AGENDA FOR NEXT MEETING: DECEMBER 5, 2023**

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

Administrative Business:

- A.
- B.
- C.

