

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

TUESDAY, DECEMBER 5, 2023

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. FUTURE MEETINGS

Planning Commission Meeting: December 11, 2023 7:00 pm (Town Office & Zoom)

Board of Commissioners Meeting: January 8, 2024, 7:00 pm (Town Office & Zoom)

MEETING ITEMS

A. APPROVE MINUTES: November 6, 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

1. Free Holiday metered parking for consideration.

2. For consideration, ordinance 23-12 which would amend Town of Emmitsburg Code 2.80.020 changing the start time of the Citizen's Advisory Committee meetings.

I. CONSENT AGENDA

1. Re-appointment of Shannon Cool to the Park's Committee with a term of 12/5/23 to 12/5/25.

2. Re-appointment of Sandy Umbel to the Park's Committee with a term of 12/5/23 to 12/5/25.

3. Re-appointment of Amanda Ryder to the Park's Committee with a term of 12/5/23 to 12/5/25.

4. Appoint Dale Sharrer to the Planning Commission as an alternate with a term of 12/5/23 to 12/5/28.

J. TREASURER'S REPORT

K. PLANNING COMMISSION REPORT

L. AGENDA ITEMS (DETAILS ATTACHED)

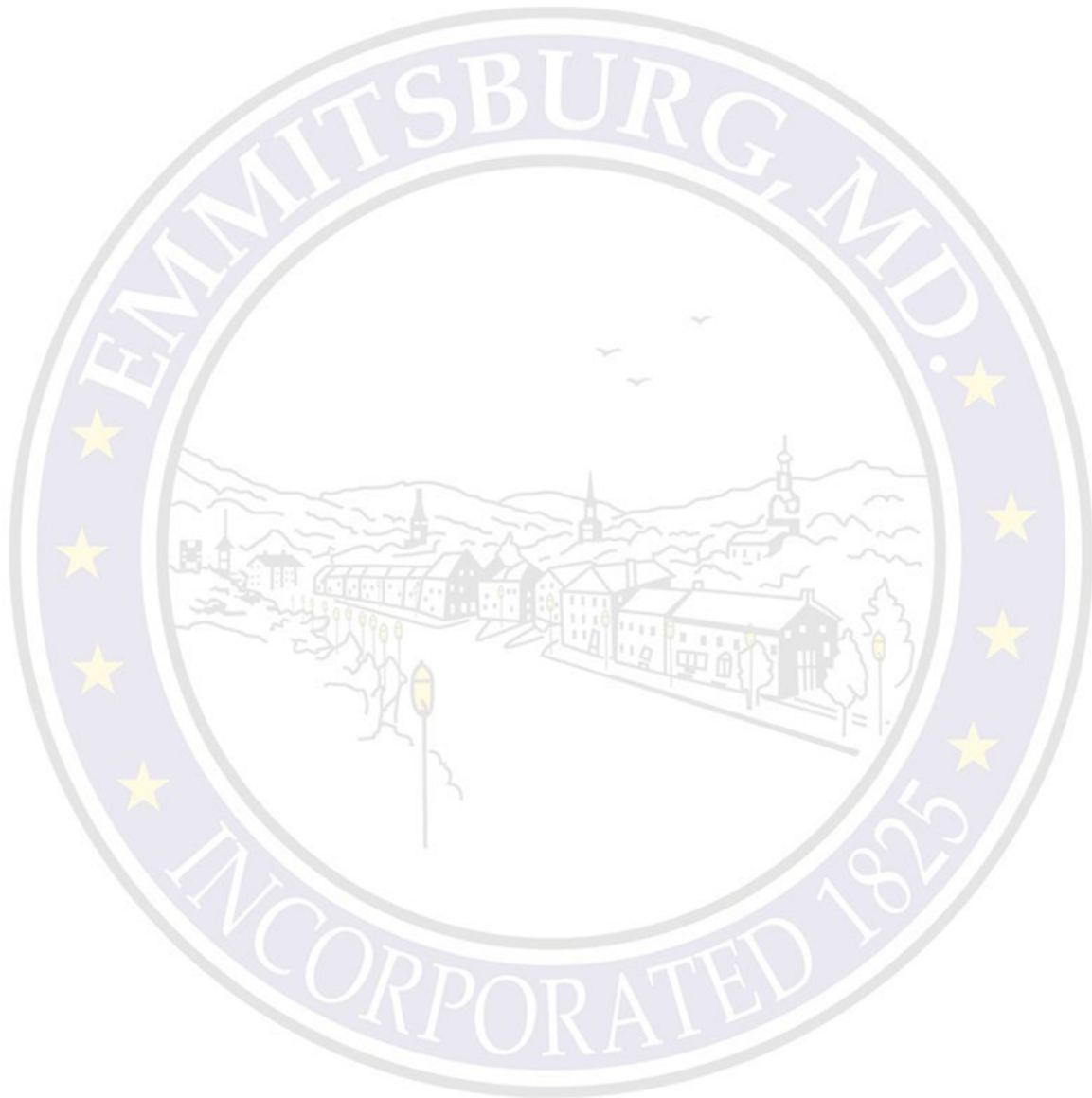
1. Approval of Resolution 23-07R, Community Development Block Grant Program Fair Housing and Equal Opportunity Plan, for consideration.

2. Approval of Resolution 23-08R, Community Development Block Grant Program Minority Business Plan, for consideration.

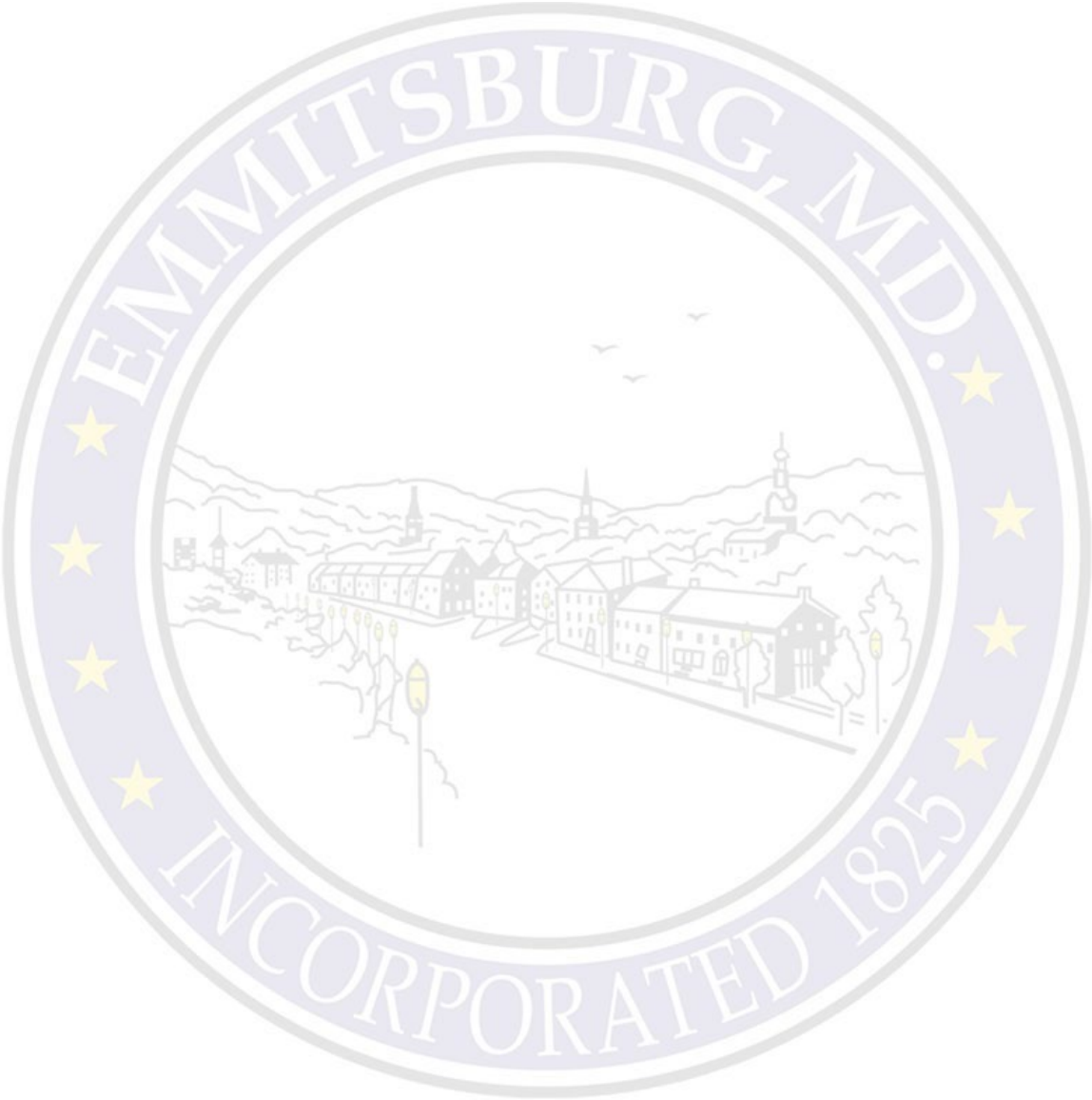
3. Approval of bid for the purchase and installation of smart parking meters downtown for consideration.
4. Discussion related to franchise agreement with GloFiber/Shentel.
5. Discussion of water rates and overall financial status of the Town.

M. SET AGENDA FOR NEXT MEETING: January 8, 2024

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



A. MINUTES



**MINUTES
TOWN MEETING
NOVEMBER 6, 2023
TOWN OFFICE – 300A SOUTH SETON AVENUE**

draft

Present: *Elected Officials* - Mayor Frank Davis; Commissioners: Amy Boehman-Pollitt, President; Jim Hoover, Vice President; Valerie Turnquist, Treasurer, Clifford Sweeney; and Timothy O'Donnell. *Staff Present* - Cathy Willets, Town Manager; Sabrina King, Town Clerk; Najila Ahsan, Town Planer; Jessica Housaman Recorder. *Others Present* – Deputy Honaker.

I. Call to Order

A quorum being present, Commissioner Timothy O'Donnell, President of the Board of Commissioners, called the November 6, 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 October 2, 2023 Town meeting minutes as presented; second by Commissioner Sweeney. Yeas – 4; Nays – 0. The motion was accepted.

Commissioner Sweeney motioned to accept the October 18, 2023 Town meeting minutes as presented; second by Commissioner Turnquist. Yeas – 4; Nays – 0. The motion was accepted.

Police Report:

Deputy Honaker presented the police report from October 2023 (exhibit attached).

Town Managers Report:

Ms. Willets, Town Manager, presented the Manager's Report from September 2023 (exhibit in agenda packet). Ms. Willets highlighted key points in her report and noted at the time of the report, Rainbow Lake was 1.7' feet below the spillway level and as of today it is now 2.2' feet below.

Town Planners Report:

Najila Ahsan, Town Planner presented the Town Planner's Report from October 2023 (exhibit in agenda packet). Ms. Ahsan highlighted that she processed seven zoning permits and recent updates on the development projects.

Commissioner Comments:

- Commissioner Turnquist: She expressed the gratitude she has for Mr. Deatherage and his wife for their instrumental work for the Community Garden. She also thanked Town staff for their support for the Community Garden.
- Commissioner Sweeney: He thanked everyone that helped with the Halloween parade, trick-or-treating, and the party after.
- Commissioner Amy Boehman-Pollitt: She thanked all the organizations that made Halloween a success. She also thanked the applicants that applied for the empty Commissioner seat. Commissioner Boehman-Pollitt thanked everyone who came out to participate with the comprehensive plan. She added a few updates that the Citizen's Advisory Committee had discussed during their meeting.
- Commissioner O'Donnell: He announced Turkey Trot will occur on Thanksgiving Day and has expanded this year and you may bring your dog with you.

Mayor's Comments:

Mayor Davis noted that it has been a very busy month and addressed how busy it is in the Town office and appreciates all the work Town staff puts in. He attended the construction meeting for Federal Stone and is excited about what the outcome will be for the Town. Mayor Davis addressed unsigned letters to the Town and noted the open-door policy and asked them to call and talk to him to help resolve those concerns.

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Public Comments:

Eric Sloane, Emmitsburg MD - He addressed public drunkenness in Town, and concerns of bonfires. He also proposed the idea of having a citizens' group to help with Town complaints.

Jack Weller, Emmitsburg MD - He addressed the article in the Frederick Newspaper about the water restrictions in the Town and asked why the Town doesn't use the Mount's water. He also asked if the Town can provide a porta pot at Rainbow Lake.

Kayla Delcid, Eagle Project - She proposed the idea of building tiny libraries in Town within the next year at Silo Hill Park and Community Park. Ms. Delcid said that she would be the one to build the two libraries.

Commissioner O'Donnell informed her that the Town staff has approved this project and asked her to list all the supplies that she will need. Commissioner Sweeney also added that there are other organizations that would be more than happy to assist with anything that she might need.

Jean Javor, Emmitsburg MD - She addressed concerns about the parking regulations from the water bill newsletter and noted that no one follows those rules on St. Josephs Lane and DePaul St. Ms. Willets informed Ms. Javor that she will follow-up with Kadeem Brim who is the Parking Enforcement Officer.

Bonnie Portiar, Emmitsburg MD - She expressed her concerns about residents taking responsibility for cleaning up after their animals while walking. She asked if there was a way to surveillance the areas so those can be held accountable. Dr. Portiar also mentioned that she was given bikes for kids, and they do need repaired and asked if anyone knows someone to help fix them or help distribute.

Dianne Walbrecker, Emmitsburg MD - She addressed the process of choosing a new Commissioner and would like the people to have the right to choose. She also said she enjoyed attending the last Planning Commission vision board and looks forward to the next meeting.

Administrative Business: NONE

Consent Agenda: Appoint Patricia Galloway as a full member of the Planning Commission with a term of November 6, 2023 to March 1, 2026. *Motion:* Commissioner Sweeney motioned to accept Patricia Galloway; second by Commissioner Turnquist. Yeas - 4; Nays - 0. The motion was adopted.

Treasurer's Report:

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

Planning Commission Report:

Ms. Ahsan announced that the Planning Commission met on September 25th and will meet again in December.

II. Agenda Items

Agenda #1 - For consideration, approval of new Commissioner. *Motion:* Commissioner Sweeney motioned to nominate Jim Hoover to fill the empty Commissioner seat; second by Commissioner Boehman-Pollitt. Yeas - 4; Nays - 0. The motion was adopted.

Agenda #2 - Swearing in of new Commissioner.

Mayor Davis swore in Commissioner Hoover, who then took his seat at 7:55 p.m.

Agenda #3 - For consideration, reorganization of Board of Commissioners. After a lengthy discussion between the Board of Commissioners, they had made a collaborated agreement on how to vote. Commissioner O'Donnell asked those all in favor for Commissioner Boehman-Pollitt as President, Yeas - 5; Nays - 0. Commissioner O'Donnell asked those all in favor for Commissioner Hoover as Vice President, Yeas - 5; Nays - 0. Commissioner O'Donnell asked all those in favor for Commissioner Sweeney as Treasurer, Yeas - 2; Nays - 3. Nays were Boehman-Pollitt, Turnquist and Hoover. Commissioner O' Donnell asked those in favor Commissioner Turnquist as Treasurer, Yeas - 3; Nays - 2. Nays were O'Donnell and Sweeney. Commissioner Sweeney asked to motion Commissioner O'Donnell for liaison for Parks and Rec. *Motion:* Commissioner

Turnquist motioned to accept Commissioner O'Donnell as liaison for Parks and Rec; second by Commissioner Boehman-Pollitt. Yeas – 5; Nays – 0. The motion was adopted. Commissioner O'Donnell asked all those in favor of Commissioner Turnquist for Planning and Zoning, Yeas – 5; Nays – 0. Commissioner O'Donnell asked all those in favor of Commissioner Hoover for liaison for Citizen's Advisory Committee, Yeas – 5; Nays – 0. The motion was adopted. Commissioner Hoover motioned to accept the board as reorganized; second by Turnquist. Yeas – 5; Nays – 0.

The Board of Commissioners rearranged and took their new seats at 8:09 p.m.

Agenda Item #4: For consideration, Proclamation for MML Municipal Government Works month. *Motion:* Commissioner Hoover motioned to accept the Proclamation for MML Municipal Government; second by Commissioner O'Donnell. Yeas – 5; Nays – 0. The motion was adopted.

Agenda Item #5: For consideration, standard operating procedures for the Community Legacy Façade Grant. Ms. Willets noted that Ms. Ahsan will present the agenda item with the updated changes and added that there is an edited version first, followed by the clean version. Ms. Ahsan explained the updated changes (exhibit in the agenda packet). After a lengthy discussion the board agreed to move forward to vote as modified and had additional items to discuss but tabled to a later time.

Motion: Commissioner O'Donnell motioned to accept the standard operating procedures for the Community Legacy Façade Grant as modified; second by Commissioner Sweeney. Yeas – 5; Nays – 0.

Agenda Item #6: For consideration, authorizing \$300,000 of American Rescue Plan Act (ARPA) money for the FY 24 water fund operating budget. Ms. Willets briefly explained background history and how 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. Ms. Willets added on page 42 of the agenda packet of the ARPA overview and page 43 of the questions and answers from the U. S. Department of Treasury (exhibit in the agenda packet). *Motion:* Commissioner O'Donnell motioned authorizing \$300,000 of American Rescue Plan Act (ARPA) money for the FY 24 water fund operating budget; second by Commissioner Hoover. Yeas – 5; Nays – 0. The motion was adopted.

Set Agenda Items for December 5, 2023 Town Meeting

Agenda Items: (1.) Approval of Resolution 23-07R, Community Development Block Grant Program Fair Housing and Equal Opportunity Plan, for consideration. (2.) Approval of Resolution 23-07R, Community Development Block Grant Program Minority Business Plan, for consideration. (3.) Approval of bid for the purchase and installation of smart parking meters downtown for consideration. (4.) Discussion related to franchise agreement with FloFiber/Shentel. **Administrative Business:** (1.) Free Holiday metered parking for consideration. (2.) For consideration, ordinance 2.80.020 changing the start time of the Citizen's Advisory Committee meetings. **Consent Items:** (1.) Re-appointment of Shannon Cool to the Park's Committee with a term of 12/5/23 to 12/5/25. (2.) Re-appointment of Sandy Umbel to the Park's Committee with a term of 12/5/23 to 12/5/25. (3.) Re-appointment of Steve Starliper to the Park's Committee with a term of 12/5/23 to 12/5/25. (4.) Re-appointment of Amanda Ryder to the Park's Committee with a term of 12/5/23 to 12/5/25. (5.) Appoint Dale Sharrer to the Planning Commission as an alternate with a term of 12/5/23 to 12/5/28.

Motion: Commissioner Hoover motioned to accept the December 5, 2023 Town meeting agenda as presented; second by Commissioner Sweeney. Yeas – 5; Nays – 0. The motion was adopted.

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III. Sign Approved Text Amendments and/or Resolutions

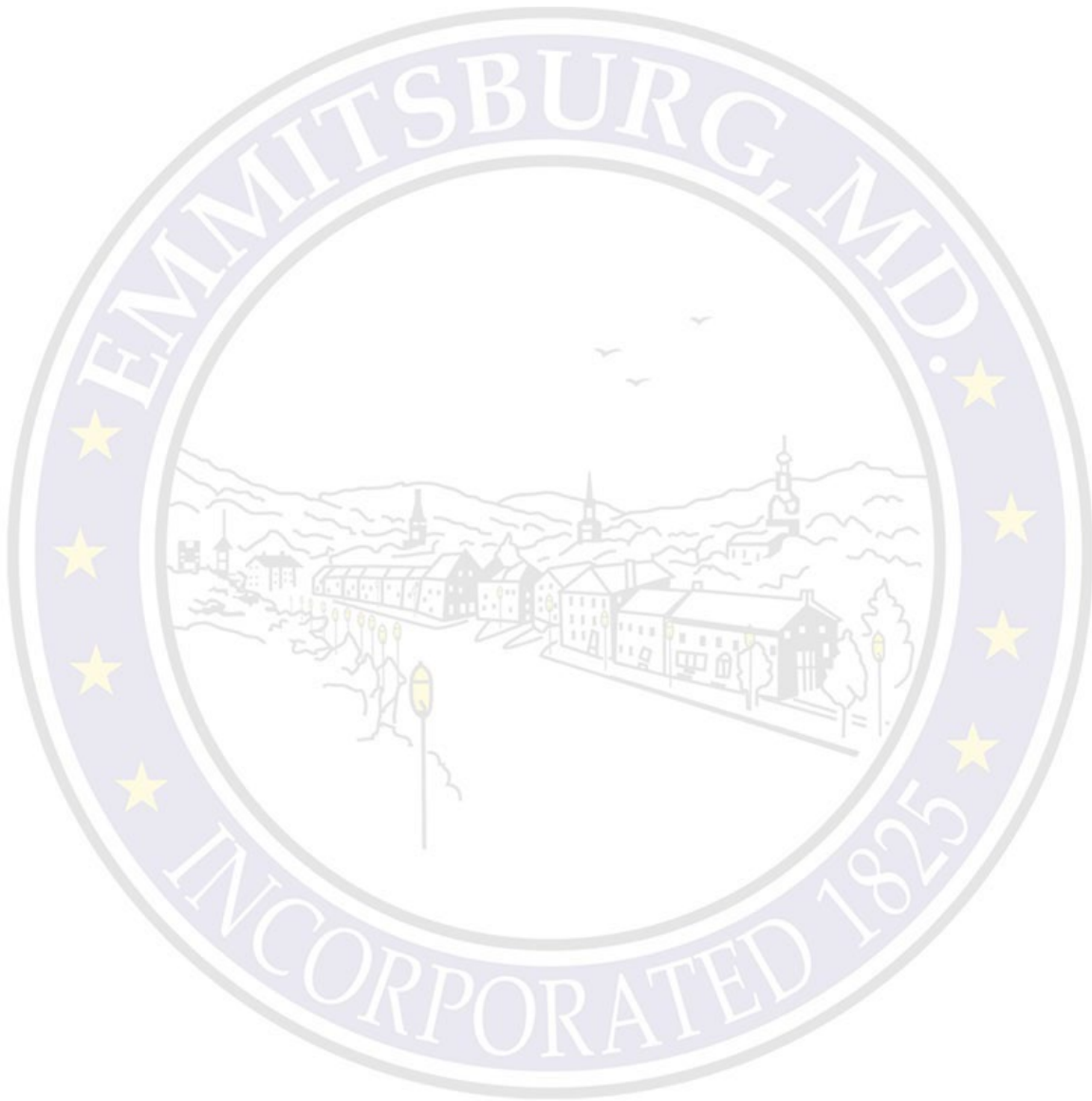
IV. Adjournment

With no further business, Commissioner Sweeney motioned to adjourn the November 6, 2023 Town meeting at 9:38 p.m.; second by Commissioner Turnquist. Yeas – 5; Nays - 0. The motion was adopted.

Respectfully submitted,

Sabrina King, Town Clerk
Minutes Approved On:

B. POLICE REPORT



C. TOWN MANAGER'S REPORT

Town Manager's Report

October 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 guardrails on Creamery Rd., end of Welty, Ave. and end of DePaul St.
- Staff picked up the damaged "Welcome to Emmitsburg" sign on South Seton Ave.
- Contractor replaced a section of sidewalk on Irishtown Ct.
- Staff straightened and repainted bollards on West Lincoln Ave. by sharp curve.
- Staff put down dirt, seeded and mulched around storm drain inlet on Cedar Ave.

Parks:

- Staff conducted daily park checks – trash cans, cameras, dog waste stations, restrooms.
- Staff mowed, trimmed, weed killed in parks.
- Staff repaired screen and louvers on the Memorial Park restroom building.
- Staff replaced dog waste station in Memorial Park.
- Staff fixed some gates at Dog Park.
- Staff winterized the pool.
- Staff repaired some equipment at the all-inclusive playground.
- Staff used a tar pot to seal cracks in the E. Eugene Myers Park walking trail.
- Staff installed a new storage bin on the E. Eugene Myers Park restroom building.

Water:

- Rainbow Lake is 2.2' below the spillway level (16.6 feet).
- The roughing filters are being backwashed four times a day. The DE filters are getting one week runs.
- Well levels (optimum level was determined to be May 2011).

	<u>May 2011</u>	<u>October</u>	<u>Change</u>
○ Well #1:	35'	48'	-13'
○ Well #2:	8'	29'	-21'
○ Well #3:	12'	51'	-39'

- Well #4: 108' 130' -22'
- Well #5: 10' 47' -37'

- Water production and consumption. We produced an average of 243,631 GPD. We consumed an average of 244,166 GPD (finish water + MSM). The amount of Backwash Water in the month of October is ... (17.78%).
 - 66.62% of this water came from wells.
 - 0.00% of this water came from Mt. St. Mary's.
 - 33.38% 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 273,368 GPD (consumed 244,166 GPD) which means that 10.68% of the wastewater treated this month was "wild water".
- We had no spills of untreated sewage in the month of October.
- We did not exceed the plant's design capacity at any time in the month of October.
- We received about 1.6" of precipitation this month (the average is 3.38"). We have had a precipitation **DEFICIT of 5.61"** over the last six months. The average precipitation for the period from May through October is 22.93". We received 17.32" for that period.

Trash: Trash pickup will be December 26th and January 2nd (Tuesdays).

Meetings Attended:

- 10/02 Met with Mayor-elect Davis.
- 10/02 Conference call with Town Attorney re: potential annexation
- 10/02 Attended Town Meeting
- 10/02 Met with Water and Sewer Superintendent
- 10/02 Met with Town Planner re: MS-4 permit.
- 10/03 Met with Mayor
- 10/04 Met with Staff re: potential sewer lateral policy.
- 10/04 Mayor Davis met with all staff.
- 10/05 Met with staff and contractor for smart manhole covers training.
- 10/10 Attended Zoom Call with staff re: Climate resiliency in water infrastructure.
- 10/10 Attended pre-construction meeting at pump station.
- 10/10 Met with Town Planner re: MS-4 permit and Comp Plan
- 10/10 Met with Mayor
- 10/11 Attended zoom call with engineer on the new Distillery.
- 10/15-17 Attended MML Fall Conference
- 10/18 Attended Town Meeting
- 10/19 Met with Mayor and Town Planner re: Community Legacy SOP

- 10/19 Met with staff re: Turkey Trot
- 10/19 Met with Town Planner re: stormwater projects.
- 10/20 Attended zoom call with Town Accountant and auditors re: FY23 audit.
- 10/25 Attended zoom call with Town Planner and consultant re: Silo Hill SW maintenance.
- 10/25 Attended meeting with staff and Town Attorney re: possible zoning violations.
- 10/26 Attended support staff meeting.
- 10/26 Attended webinar re: Water Utilities and Lead Line Inventory (MDE req)
- 10/26 Attended meeting with Mayor and PNC re: upgrades to our system and other products available to the Town.
- 10/27 Attended HR meeting with Mayor and staff.
- 10/30 Attended department head meeting.
- 10/30 Attended ARPA meeting with Grants Administrator and Town Accountant

Noteworthy:

- Staff pumps holding tank every 10 days at 8533 Hampton Valley Rd.
- Staff worked the yard waste dumpster twice in October.
- Staff conducted monthly equipment and fire extinguisher maintenance.
- Staff did some water meter upgrades.
- Staff and contractor working on SCADA upgrade project at WWTP.
- Contractor installed new smart manhole covers.
- Staff preparing for colder weather at WWTP e.g., reducing waste and running the centrifuge as much as possible.
- Contractor calibrated flow meters (WWTP).
- Power blip at pump station.
- Staff reviewing yearly numbers to maintain compliance with permit (WWTP).
- Staff installed a new well #1 flow meter.
- Staff met with contractor re: replacing catwalk at the lake out to the valve house.
- Lake water quality continues not to be good. Staff turned up flow from well #3.
- Staff met with MDE re: dam inspection.
- Staff and contractor repaired a leak by the cemetery which was about 60gpm.
- Staff, leak detection specialist and contractor identified a leak in Silo Hill.
- Staff repaired a broken pressure relief valve on the raw line at WTP.
- Staff continue working on GIS updates on water and sewer lines.
- Staff took down a dead tree and shrubs by the Town Office generator.
- Staff worked with Provincial House and contractor on the 10" water main leak.

1. GRANT ADMINSTRATOR REPORT

As of November 28, 2023

Grants Administrator Report

Prepared By: Madeline Shaw, Grants Administrator

COMPLETED GRANTS

None.

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 planning to have crew onsite starting December 4th and bypass ready by Dec. 18th.

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 last permit, 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 by May 2024, 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 early December once last check clears bank.

#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. We are currently in the process of signing contract for installation. 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 Feb. 2024 – Nov. 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 with an online publication as well (Destination Gettysburg and Visit Frederick guide).
- Status – Ads have been placed and will be run in January 2024. Final report due June 2024 once analytics collected from online print publications for a 6-month period.

#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. 5th town meeting.

NEWLY AWARDED:

#24-6, DHCD Operating Assistance Grant – Main Street Improvement Grant for \$10,000

- To purchase and install four directional wayfinding signs for downtown.
- Status – waiting for the grant agreement to be fully signed by the State before project can begin.

PENDING GRANTS (WAITING FOR ANNOUNCEMENT) (4 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.

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. FY2025 State Aid for Police Protection – due Dec. 15. To provide financial aid for contracted deputies.
2. FY2024 DHCD Community Safety Works Grant – to open by end of year (due date not yet known). Planning to submit for electricity services to be extended to farmers market area.
3. FFY24/SFY26 Maryland Water Infrastructure Financing Administration – due by Jan. 31. Planning to submit for water treatment plant backwash filter replacement.
4. Other grants as funding is found/needed.



2. PARKING ENFORCEMENT REPORT

PARKING ENFORCEMENT REPORT

November 2023

<i>Overtime Parking</i>	14			
<i>Restricted Parking Zone</i>	3			
<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>	2			
<i>Left Side Parking</i>	1			
<i>Parked in Handicapped Space</i>				
<i>48 Consecutive Hours</i>				
<i>Total Tickets – Warnings - Dismissed</i>	20	8	0	
<i>Meter Money</i>	\$983.10			
<i>Meter Reservations</i>	Daily Reservations: 0		Funeral Home Reservations: 0	
<i>Parking Permits by Type</i>	1M: 0	3M: 2	6M: 0	1Y: 0
<i>Parking Permits Money</i>	\$114			
<i>Violation Cost</i>	\$210			
<i>Late Fees Assessed</i>	\$75			
<i>Payment Received</i>	\$60			
<i>Dues Forward</i>	\$150			
<i>Totals November:</i>	Made \$1157.10		Due \$150	
<i>Totals 2023</i>	Violations Paid \$4110	Outstanding Bal. \$2065	Meter Money \$14493.72	Permit Revenue \$3583

Meter Money was pulled and counted on November 29th.

D. TOWN PLANNER'S REPORT



Planner's Report

November 2023

Permits & Code Enforcement

1. Processed the following permit applications:

- 7 Zoning Permits

590 Timbermill Ct	Fence- 5'
1308 Huntley Circle	Basement Renovation
9 Irishtown Court	Inground Pool (Revised)
6 Zanella Drive	Convert attached garage to living space with rec area, bathroom, and kitchenette (no appliances)
150 S Seton Ave	Sign
130 S Seton Ave	Sign

Development Updates

- Ongoing Developments
 - Federal Stone
 - Groundbreaking 12.8.23
 - Silo Hill Plaza (fka. Village Liquors)
 - Pending: Preconstruction meeting
 - Seton Village
 - Forest Conservation and Delineation applications received
 - Currently being reviewed by staff
 - Emmitsburg Distillery- East Emmitsburg Industrial Park II Lot 4
 - Site Plan and Improvement Plan reviewed
 - Pending: Applicant response to staff comments
 - Pending: Planning Commission review 12.11.23
- Development Pipeline/ Applicant Interest
 - Frailey Property Annexation
 - Interest in development—DRB Group
 - Use: Single family homes/ duplexes
 - Emmit Ridge
 - Interest in developing single-family homes—DRB Group
 - Rodney McNair Property Annexation

- Use: Residential and Neighborhood Commercial
- Pending: Annexation application

Stormwater Management

- Silo Hill Basin Retrofit
 - Pending: Maintenance Contract with EOS
 - Done: Modification contract for IIJA Grant to include funding for maintenance

Planning Commission

- Meeting
 - 12.11.23
 - Emmitsburg Distillery
 - Comprehensive Plan

Comprehensive Plan

- In Progress:
 - Existing conditions chapters
 - Incorporation of public input
 - Workshop planning
 - Survey Planning
- Past Event:
 - In-person Public Visioning Workshop – 10.30.23
 - Report available on Website
- Upcoming Events:

In-person Public Visioning Workshops

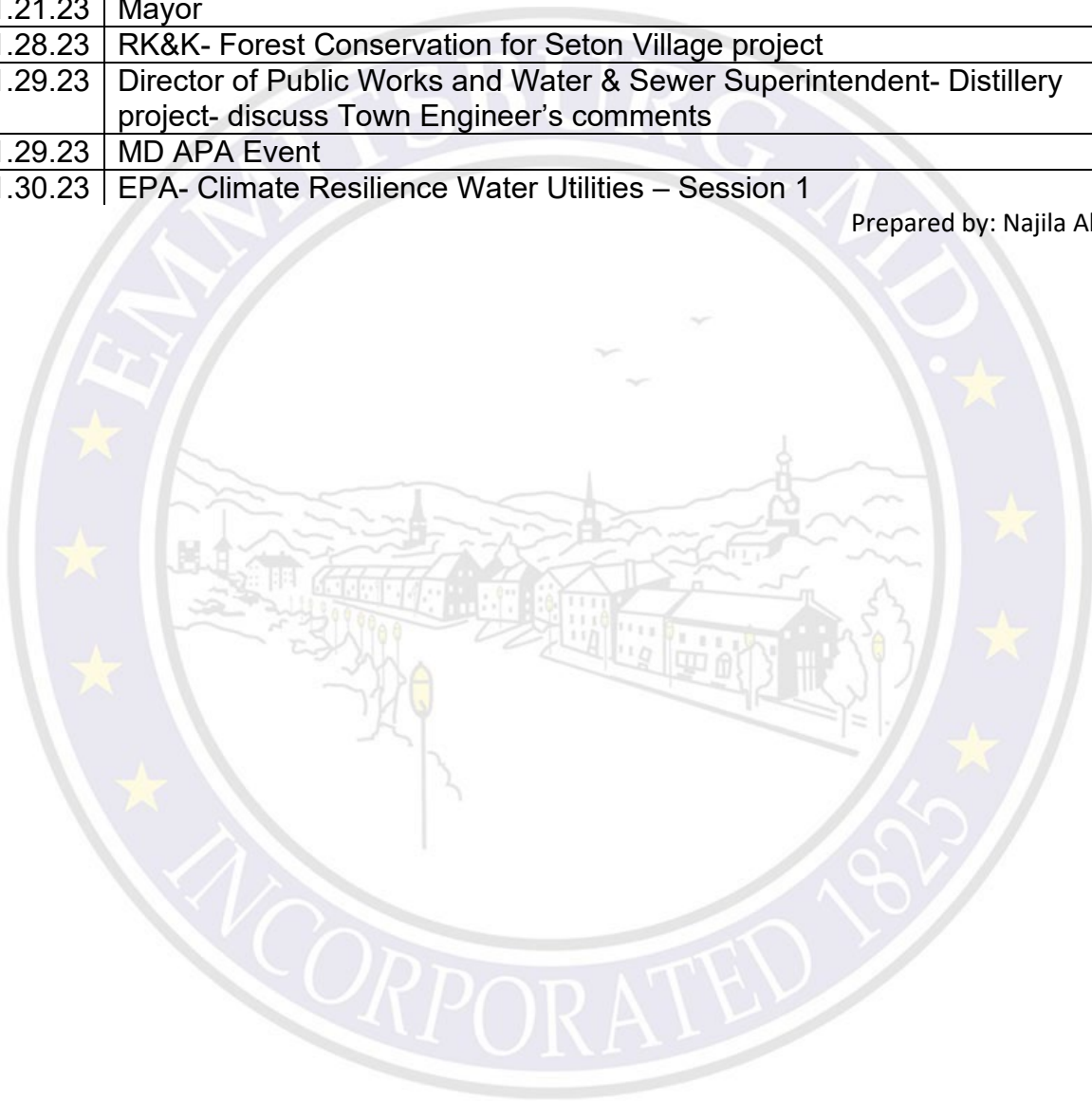
 - Part 2: 1.29.24
 - Part 3: 2.26.24
 - Part 4: 3.25.24

Grants

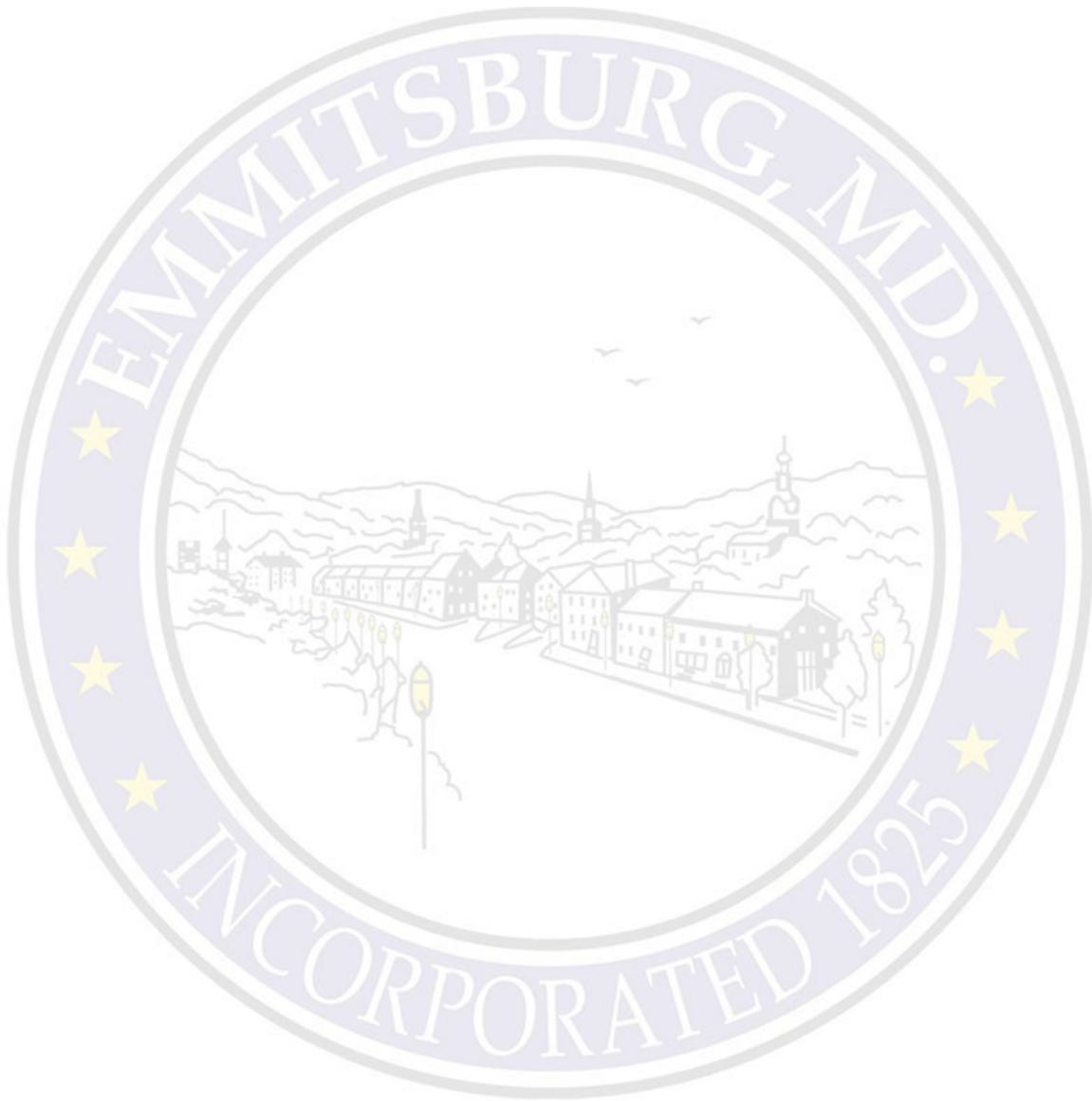
- Current Grant
 - DNR IIJA for Silo Hill Basin Maintenance

Date	Meetings Attended
11.7.23	CBT - Financial Worksheet for grant to fund the Silo Hill retrofit
11.9.23	DRB Group – Emmitt Ridge & Frailey Farm
11.13.23	EPA Climate Resilience Water Utilities Kick-Off
11.15.23	FY23 Year End Liabilities
11.21.23	Mayor
11.28.23	RK&K- Forest Conservation for Seton Village project
11.29.23	Director of Public Works and Water & Sewer Superintendent- Distillery project- discuss Town Engineer's comments
11.29.23	MD APA Event
11.30.23	EPA- Climate Resilience Water Utilities – Session 1

Prepared by: Najila Ahsan

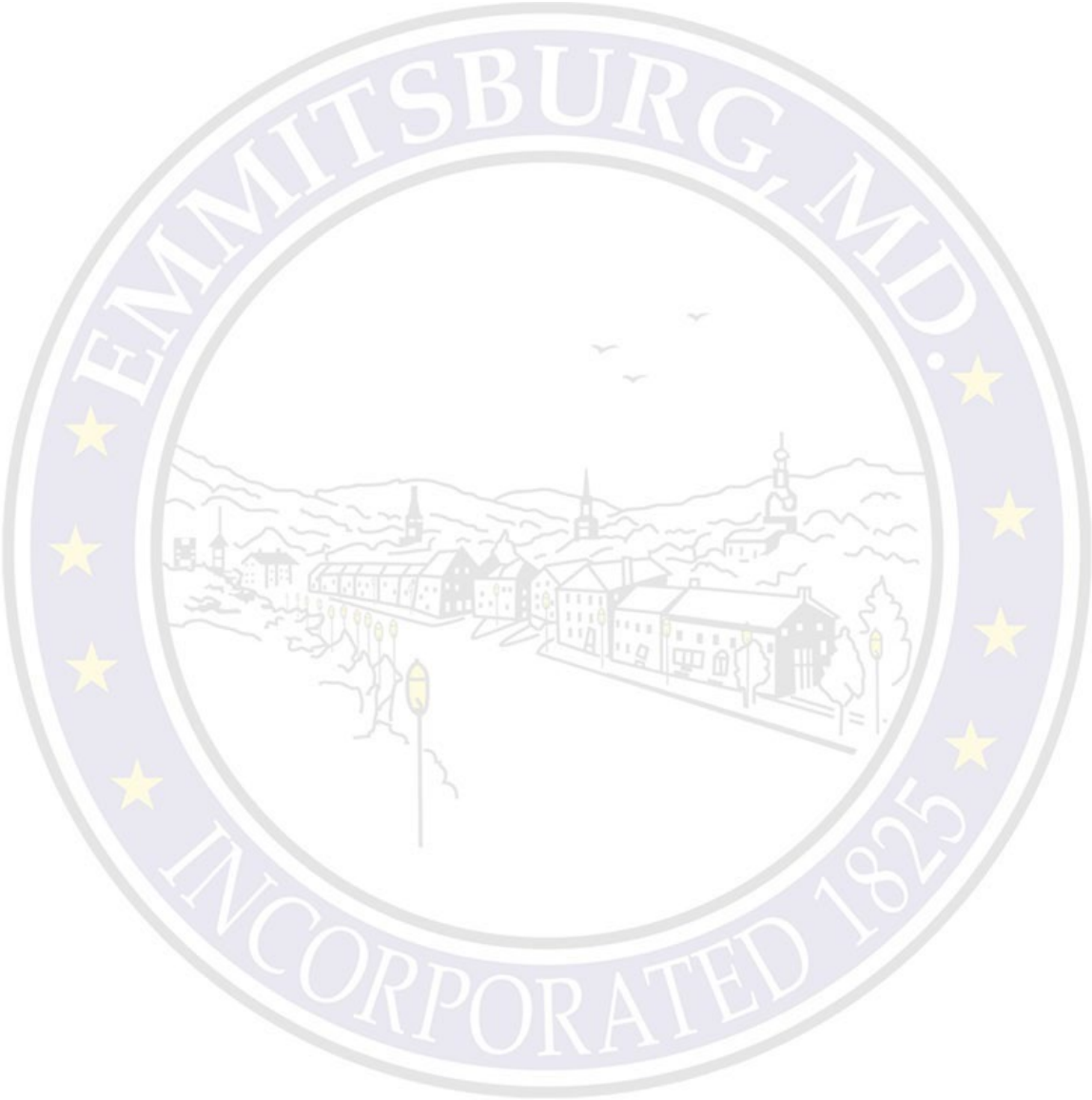


E. COMMISSIONERS COMMENTS

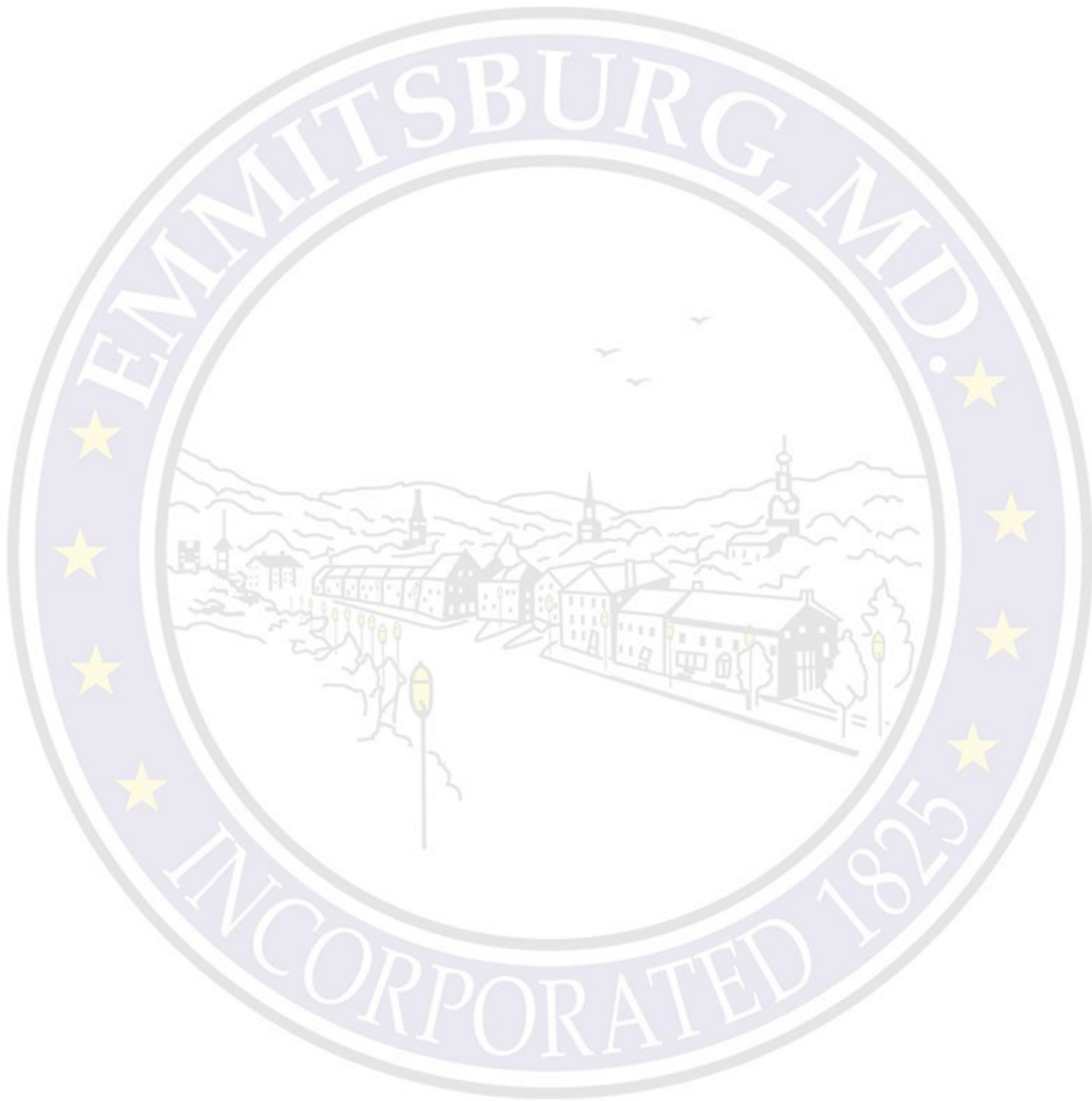


F. MAYOR’S COMMENTS

Presentation at the Town meeting.



G. PUBLIC COMMENTS



H. ADMINSTRATIVE BUSINESS

1. Mayor Davis and Town Staff Recommendation: For the Holiday Season, free metered parking from Friday, December 8, 2023 to January 3, 2024.
2. For consideration, ordinance 23-12 which would amend Town of Emmitsburg Code 2.80.020 changing the start time of the Citizen's Advisory Committee meetings.



ORDINANCE SERIES: 2023
ORD. NO: 23-12

Page 1 of 2

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

.....
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; Section 2.80.020 of the Emmitsburg Municipal Code, be amended as follows.

The amended section of this regulation reads as follows with new wording indicated in **BOLD, CAPITAL** letters and deleted words in ~~strike-out~~.

2.80.20 Administration and Personnel

E. Regular meetings shall be held at ~~7:30~~ **7:00** p.m. on the third Tuesday of January, April, July and October. Notice of the meeting shall be posted on the Town cable channel, on the Town website and other appropriate media outlets.

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 pass the Ordinance over the veto of the Mayor.

PASSED this _____ day of _____, 2023 by a vote of _____ for, _____ against, _____ absent, and _____ abstain.

Commissioners:	For	Against	Absent	Abstain
Boehman-Pollitt				
Hoover				
O'Donnell				
Sweeney				
Turnquist				
TOTAL:				

ORDINANCE SERIES: 2023
ORD. NO: 23-12

Page 2 of 2

ATTEST: EMMITSBURG BOARD OF COMMISSIONERS

By: _____
Sabrina King, Town Clerk

Amy Boehman-Pollitt, President

MAYOR

_____ APPROVED _____ VETOED

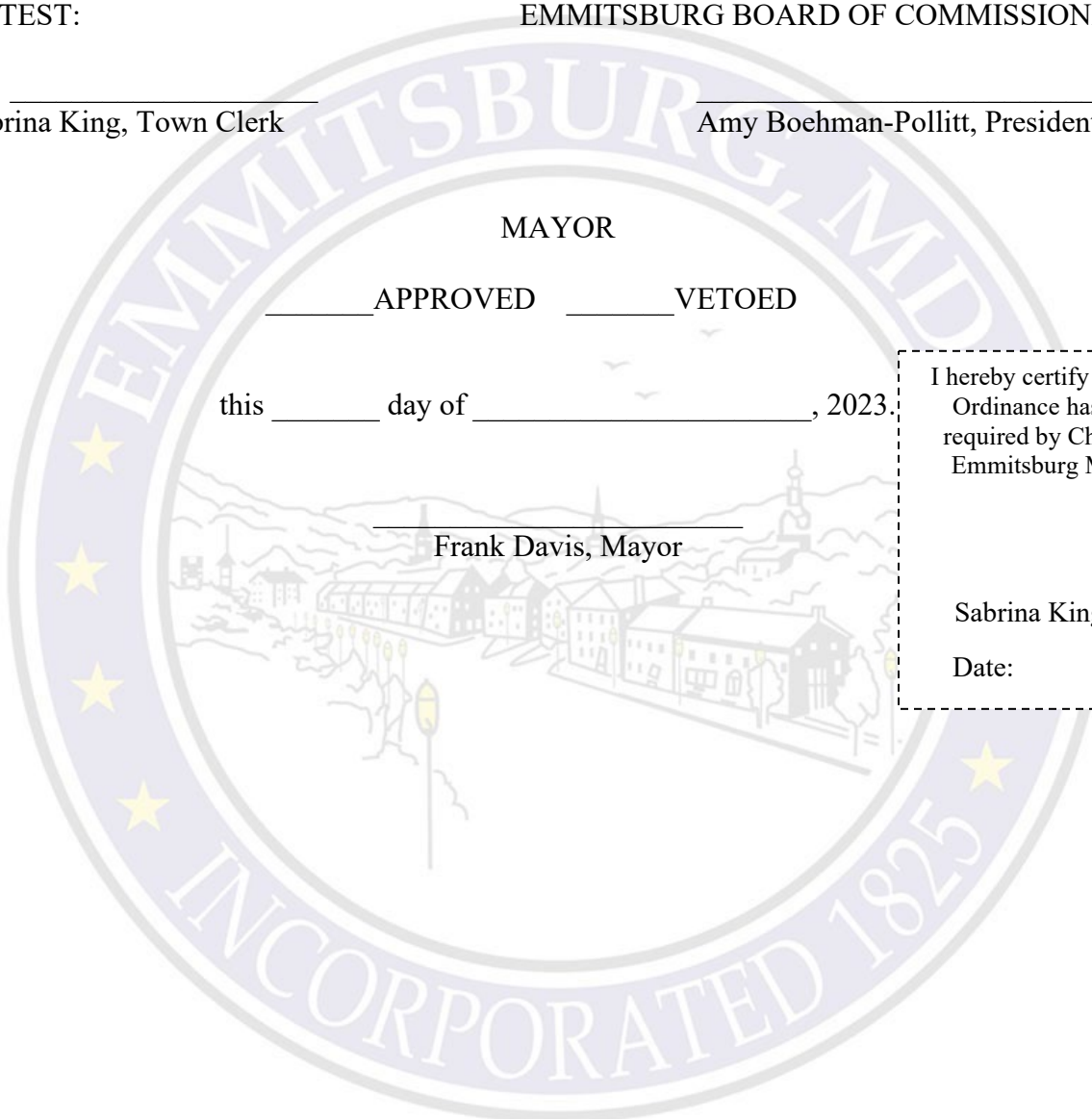
this _____ day of _____, 2023.

Frank Davis, Mayor

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

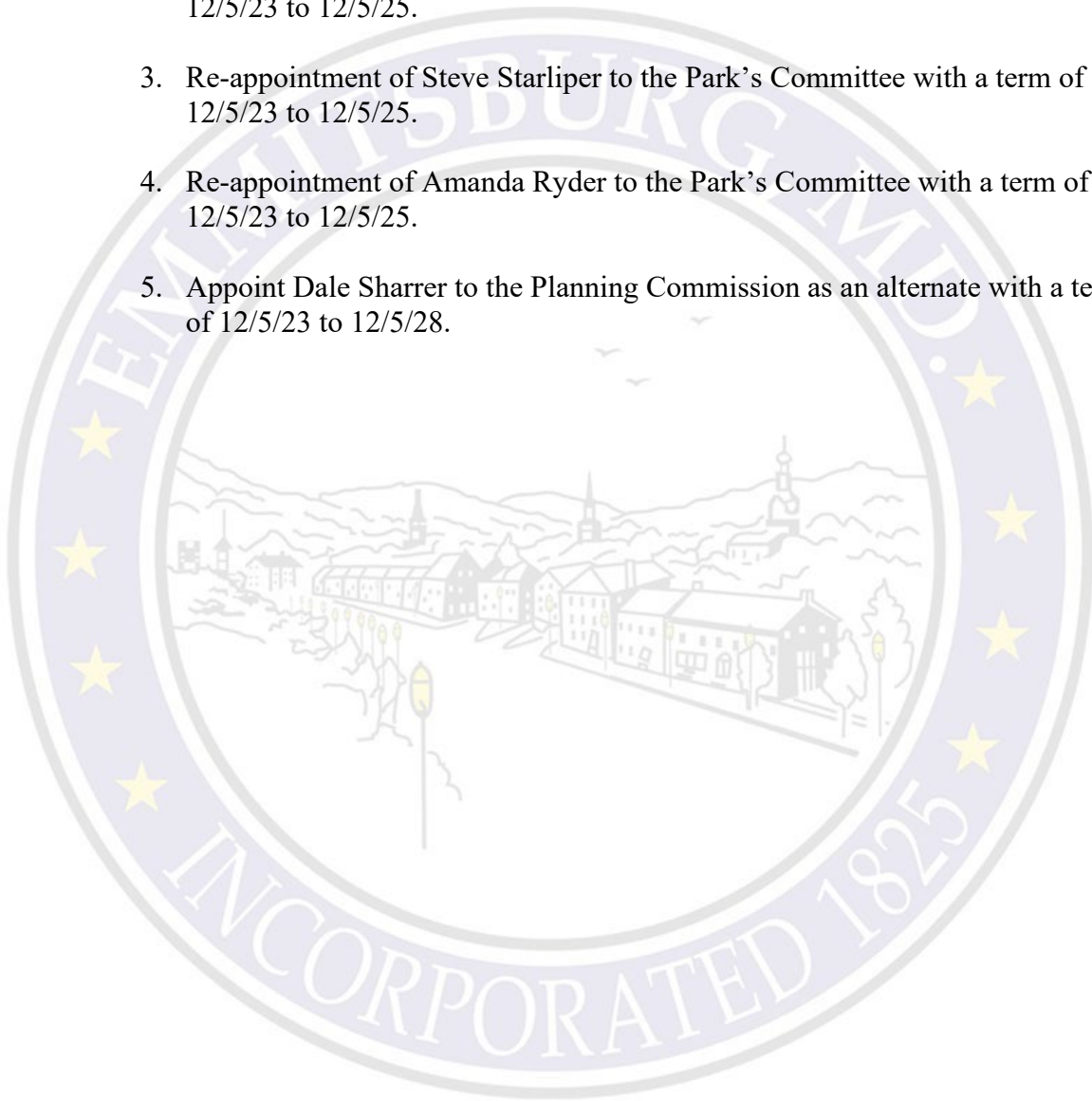
Sabrina King, Town Clerk

Date:



I. CONSENT AGENDA

1. Re-appointment of Shannon Cool to the Park's Committee with a term of 12/5/23 to 12/5/25.
2. Re-appointment of Sandy Umbel to the Park's Committee with a term of 12/5/23 to 12/5/25.
3. Re-appointment of Steve Starliper to the Park's Committee with a term of 12/5/23 to 12/5/25.
4. Re-appointment of Amanda Ryder to the Park's Committee with a term of 12/5/23 to 12/5/25.
5. Appoint Dale Sharrer to the Planning Commission as an alternate with a term of 12/5/23 to 12/5/28.



J. TREASURER’S REPORT

**TOWN OF EMMITSBURG
CASH ACTIVITY AS OF November 28, 2023**

\$9,061,890 **Cash Balance November 1, 2023**

<p>229,886 <u>-353,694</u> \$8,938,082</p>	<p>Deposits Withdrawals Operating Balance Forward</p>
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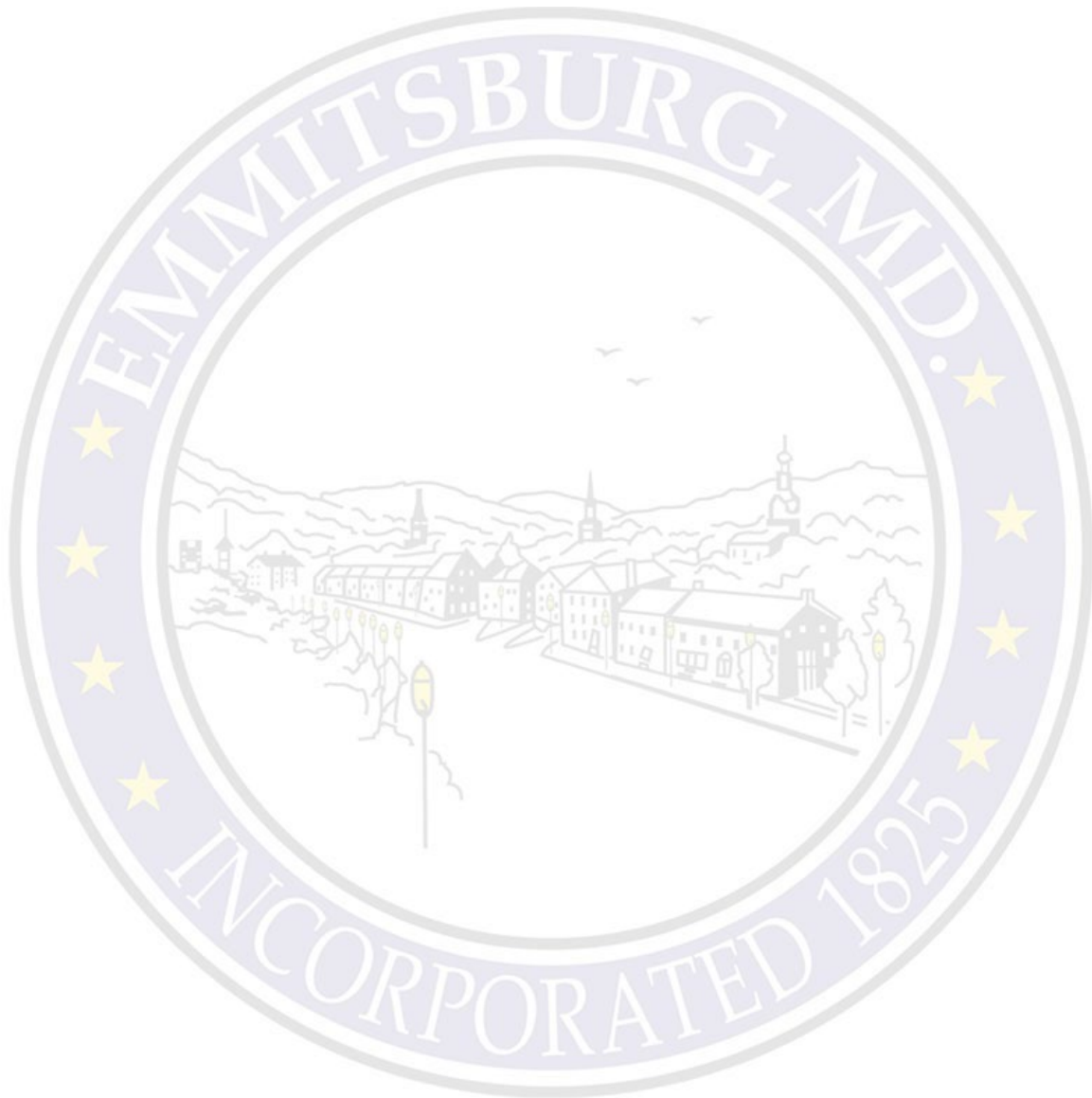
Cash Balances

Gen Fund	\$2.2M
Cap Fund	\$150K
Water Fund	\$300
Sewer Fund	\$3.6M
ARPA Funding	<u>\$2.65M</u>
Total	\$8.9M

Check Amount	Vendor Name	Description	Check Date	Check Number
\$35,000	Catoctin Lighting Service	Steetlighting	11.15.23	45705
\$32,224	Bearing Construction	Silo Hill Basin Project. Grant #23-21	11.08.23	45668
\$17,261	Whiteford, Taylor, & Preson	Creamery Road Pump Station	11.15.23	45717
\$14,535	Conewago Enterprises	Creamery Road Pump Station	11.08.23	45671
\$11,200	Deleon & Stang	FY23 Audit Services	11.08.23	45672
\$10,020	Fox Associates	North Seton Water Line. Grant #23-19	11.08.23	45674
\$7,555	Republic Services	Nov. 23 Refuse Services	11.08.23	45686
\$7,050	RK&K	Creamery Road Pump Station	11.08.23	45694
\$6,977	Frederick County DUSWM	Oct. 23 Tipping Fees	11.08.23	45673
\$5,635	Powell, LLC	Legal Services	11.08.23	45685

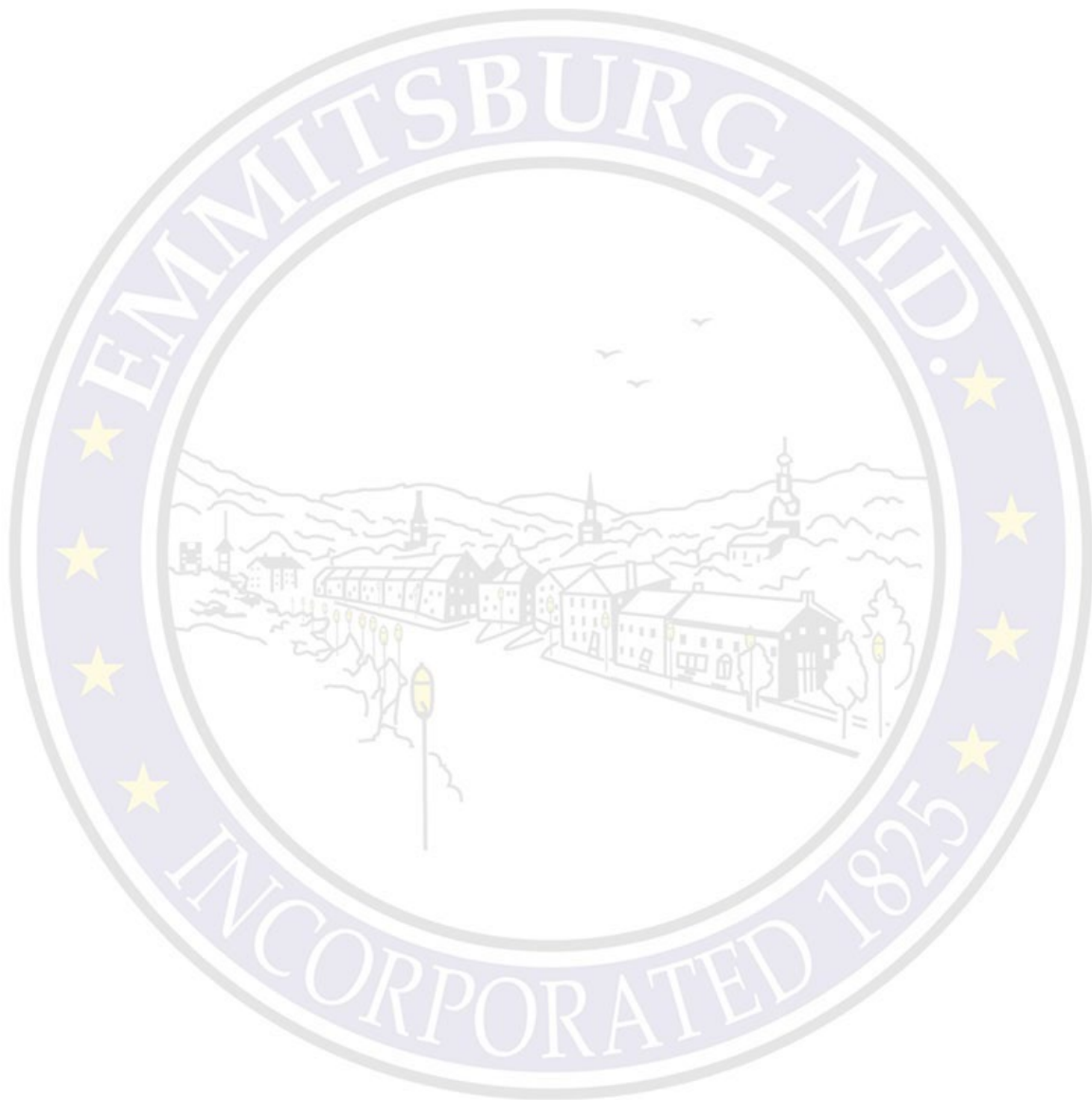
K. PLANNING COMMISSION REPORT

Presentation at the Town meeting.



L. AGENDA ITEMS

AGENDA ITEM #1: Approval of Resolution 23-07R, Community Development Block Grant Program Fair Housing and Equal Opportunity Plan, for consideration.



**A RESOLUTION APPROVING THE
MARYLAND COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
FAIR HOUSING AND EQUAL OPPORTUNITY PLAN
FOR THE TOWN OF EMMITSBURG**

As a recipient of federal Community Development Block Grant funds from the United States Department of Housing and Urban Development received through the State of Maryland, the Town of Emmitsburg is required to comply with all federal statutes, regulations and Executive Orders relating to civil rights, fair housing, non-discrimination and equal opportunity. The Town's compliance is not specific to the federally funded project or activity. The Town must ensure that its administrative practices, policies and laws meet the intent of the statutes, regulations and Executive Orders.

Therefore, the Town of Emmitsburg commits to create an environment for its citizens where no one is excluded from participation or benefit due to their race, color, national origin, ethnicity, gender, disability, familial status, marital status, age or religion. The denial of rights based on any of these protected classes is detrimental to the health, safety and welfare of the citizens and constitutes an unjust denial or deprivation of such inalienable rights which is within the power and the proper responsibility of government to prevent.

Fair Housing

In accordance with the federal Civil Rights Act of 1968 (as amended), the federal Housing and Community Development Act of 1974 (as amended), and the Fair Housing Act of 1988, the Town will promote through fair, orderly and lawful procedures, the opportunity for each person to obtain housing of such person's choice in this community without regard to race, color, national origin, ethnicity, gender, disability, familial status, marital status, age or religion.

To the best of our ability, the Town of Emmitsburg will promote and encourage fair housing choice for all its residents. The Town's administrative practices, policies and laws will attempt to prohibit:

- Discrimination in the Sale or Rental of Housing
- Discrimination in Housing Financing
- Discrimination in Providing Brokerage Services
- Unlawful Intimidation

The Town will accept complaints from any citizen that feels that they have been discriminated against in relation to their housing choice. The Town will make an initial investigation and refer the complaint to the state or the federal housing departments.

For housing projects developed or assisted with federal funds, the Town will ensure that its subrecipients and developers will comply with statutes, regulations and Executive Orders.

RESOLUTION: 2023
RESOLUTION NO. 23-07R

Page 30 of 41

Equal Opportunity

In accordance with the federal Civil Rights Act of 1964 (as amended), no person in the Town of Emmitsburg shall be excluded from participation in, denied benefits of, or subjected to discrimination under any program or activity receiving federal financial assistance.

The Town will ensure that it will not discriminate in its procurement practices. The Town's procurement policies allow for open and competitive bidding concerning all procured goods and services. When applicable, the Town will solicit bids from minority women owned businesses.

Affirmative Action Strategy

It is the policy of the Town of Emmitsburg not to discriminate against any employee or any applicant for employment because of race, color, national origin, ethnicity, gender, disability, familial status, marital status, age or religion. The Town will take affirmative action to insure that this policy includes but is not limited to the following: recruitment and employment, promotion, demotion, transfer, compensation, selection for training, layoff and termination. Additionally, the Town will ensure that our contractors and subcontractors will not discriminate against any employee or applicant for employment.

Affirmatively Furthering Fair Housing

The Town of Emmitsburg commits to affirmatively further fair housing in our community. Our programs will be administered in accordance with our efforts to provide a range of fair housing choices to our citizens.

The Town will undertake the following activities on an annual basis:

- Adopt a Fair Housing Proclamation and celebrate the month of April as Fair Housing Month.
- Develop and distribute a fair housing brochure informing our residents of their rights under state and federal laws. The brochure will be available at all public buildings and will be mailed with local utility bills.
- Review local zoning laws and building codes to determine if they impact fair housing choice.

Excessive Force

The National Affordable Housing Act (NAHA) of 1990 (as amended) requires recipients of federal Community Development Block Grant funds through the United States Department of Housing and Urban Development to protect individuals engaging in non-violent civil rights demonstrations. To that end, the Town is required to develop and maintain a policy of enforcing

RESOLUTION: 2023
RESOLUTION NO. 23-07R

Page 31 of 41

applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstrations.

The Town of Emmitsburg contracts deputies from the Frederick County Sheriff's Office for the safety of its citizens. The Town prohibits the use of excessive force against anyone engaged in non-violent civil rights demonstrations. This is more defined in the Frederick County Sheriff's Office "Use of Force" policy.

Limited English Proficiency

The Town of Emmitsburg recognizes that, as its population increases, its population now includes persons from other countries whose primary language is not English. To that end, the Town will make efforts to identify various populations and to provide information to them in a language they understand.

The most populous non-English spoken language in Frederick County, Maryland is Spanish with 2.35% of the total population according to the United States Department of Housing and Urban Development, Affirmatively Furthering Fair Housing Data and Mapping Tool.

The Town will undertake the following activities on an as needed basis:

- Update the Town's Limited English Proficiency Plan, P20 – 04, passed May 4, 2020.

Personnel Policies

The Town of Emmitsburg's personnel policies are in compliance with all federal and state equal opportunity requirements. They are updated as requirements change.

Specifically, employees are notified of their rights, responsibilities and requirements of their specific jobs and as a representative of this Town. The personnel policies provide information on compensation, leave, termination, grievances, benefits, sexual harassment, and employee reviews. The personnel policy also provides information about conflict-of-interest provisions related to contracting and procurement.

A full copy of the personnel policies may be obtained at the Town Hall during normal business hours.

RESOLUTION: 2023
RESOLUTION NO. 23-07R

BE IT RESOLVED that this Resolution & Minority Business Plan is hereby adopted and 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.

PASSED and ADOPTED this 5th day of December, 2023 by a vote as indicated below. It is effective for a 5-year period until December 5, 2028.

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

Commissioners:	For	Against	Absent	Abstain
Boehman-Pollitt				
Hoover				
O'Donnell				
Sweeney				
Turnquist				
TOTAL:				

ATTEST:

EMMITSBURG BOARD OF COMMISSIONERS:

Sabrina King, Town Clerk

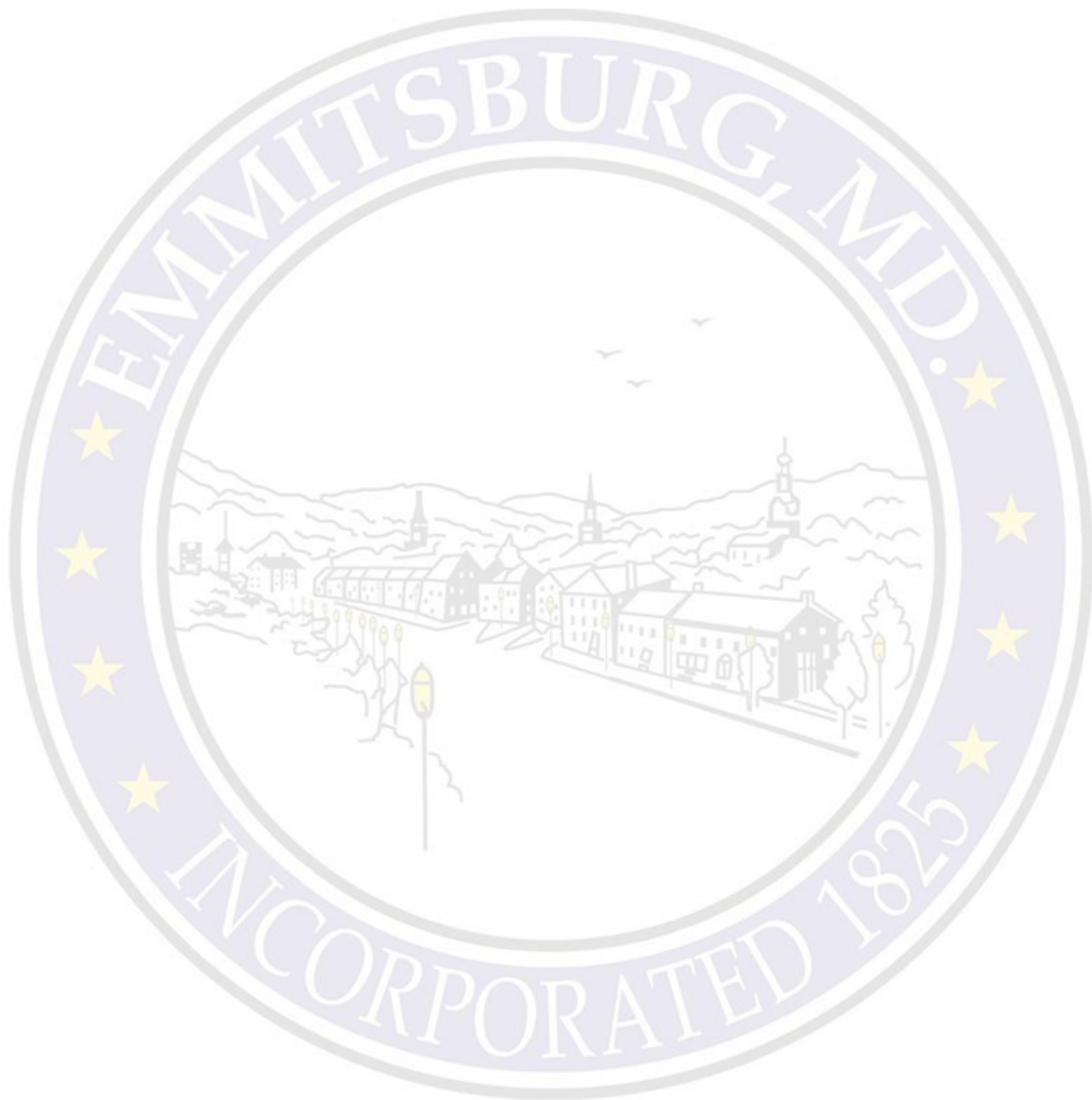
Amy Boehman-Pollitt, President

_____ APPROVED _____ VETOED

this 5th day of December, 2023.

Allen Frank Davis Jr., Mayor

AGENDA ITEM #2: Approval of Resolution 23-08R, Community Development Block Grant Program Minority Business Plan, for consideration.



RESOLUTION: 2023
RESOLUTION NO. 23-08R

draft

**A RESOLUTION APPROVING THE
MARYLAND COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
MINORITY BUSINESS PLAN FOR THE TOWN OF EMMITSBURG**

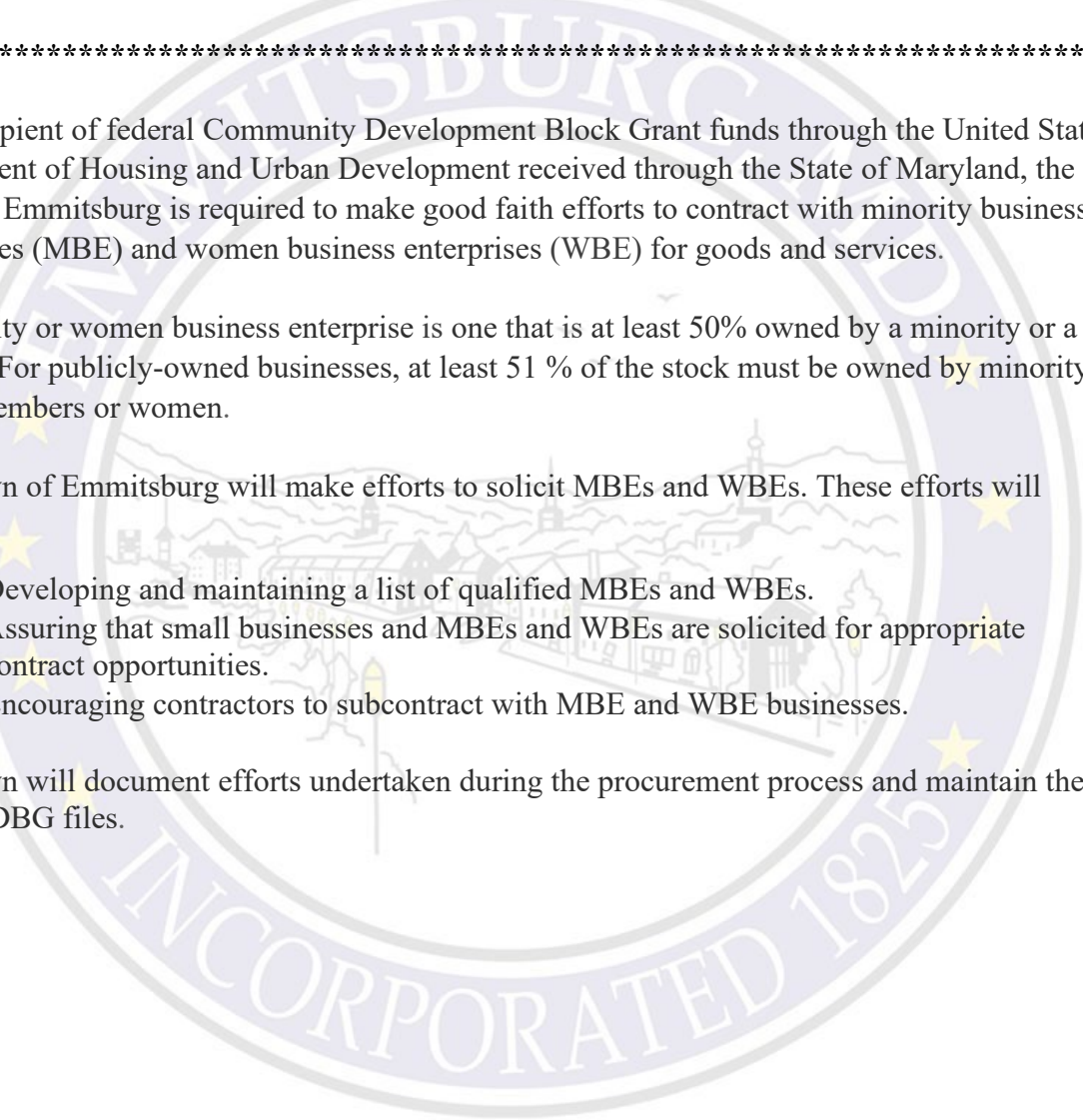
As a recipient of federal Community Development Block Grant funds through the United States Department of Housing and Urban Development received through the State of Maryland, the Town of Emmitsburg is required to make good faith efforts to contract with minority business enterprises (MBE) and women business enterprises (WBE) for goods and services.

A minority or women business enterprise is one that is at least 50% owned by a minority or a woman. For publicly-owned businesses, at least 51 % of the stock must be owned by minority group members or women.

The Town of Emmitsburg will make efforts to solicit MBEs and WBEs. These efforts will include:

- Developing and maintaining a list of qualified MBEs and WBEs.
- Assuring that small businesses and MBEs and WBEs are solicited for appropriate contract opportunities.
- Encouraging contractors to subcontract with MBE and WBE businesses.

The Town will document efforts undertaken during the procurement process and maintain them in the CDBG files.



RESOLUTION: 2023
RESOLUTION NO. 23-08R

draft

BE IT RESOLVED that this Resolution & Minority Business Plan is hereby adopted and 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.

PASSED and ADOPTED this 5th day of December, 2023 by a vote as indicated below. It is effective for a 5-year period until December 5, 2028.

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

Commissioners:	For	Against	Absent	Abstain
Boehman-Pollitt				
Hoover				
O'Donnell				
Sweeney				
Turnquist				
TOTAL:				

ATTEST:

EMMITSBURG BOARD OF COMMISSIONERS:

Sabrina King, Town Clerk

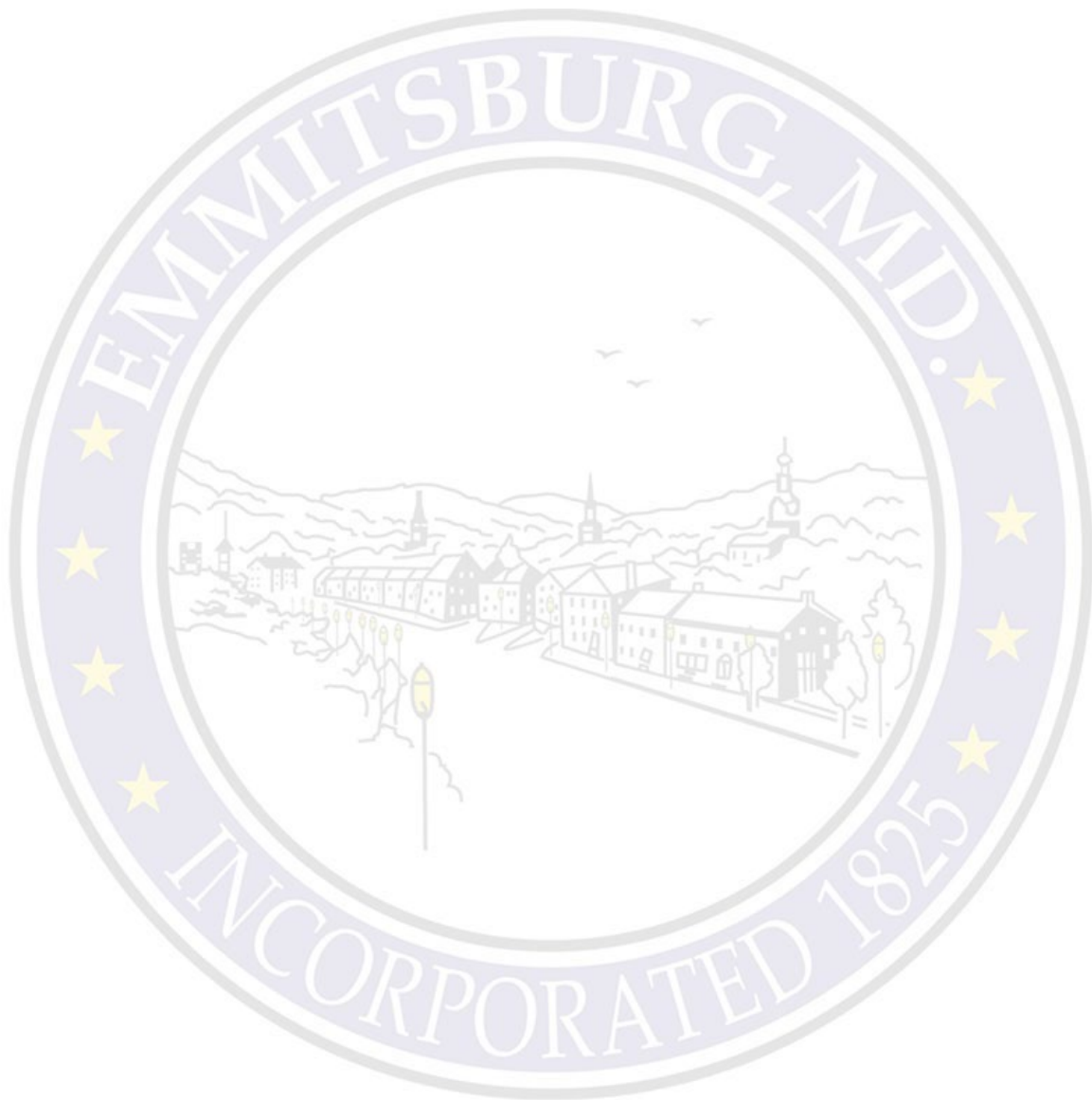
Amy Boehman-Pollitt, President

APPROVED VETOED

this 5th day of December, 2023.

Allen Frank Davis Jr., Mayor

AGENDA ITEM #3: Approval of bid for the purchase and installation of smart parking meters downtown for consideration.



PROJECT EXPLANATION:

The proposed project would replace the existing 125-coin only parking meters along Main Street and will add 20 new metered spots for a total of 65 dual space smart meters and 15 single space smart meters that accept both coin and card payments. The Town is also seeking multi-space smart meters for the Community Pool parking lot (located at 201 West Lincoln Avenue, Emmitsburg, Maryland 21727), which will provide public parking when the pool is not open September 15 – May 15 each year. The multi-space smart meters would also include coin and card payment options. The project scope shall encompass the meter purchase and installation as well as the training of town staff on how to use the new meters.

The new meters are needed because the Town’s existing coin meters are over 20 years old and many of them do not work anymore and parts can no longer be found to repair them. The new meters will give visitors the opportunity to use coins and card payments to pay for parking whereas the current meters are coin only. The new meters will also declutter Main Street by reducing the numbers of meters from 125 to 80 due to the ability to purchase double space meters.

TIMELINE – SMART PARKING METER PURCHASE AND INSTALLATION:

RFP published by Town	Tues. October 24, 2023
DEADLINE, bids due	Fri. November 17, 2023 by 4:00 p.m.
Bids opened	Mon. November 20, 2023 at 2:00 p.m. – Opened by Willets, Shaw, Brim, Click
Bid review by Board	Tues. December 5, 2023

RFP ADVERTISEMENT:

- Public Notice Under RFP Tab on Town’s Website: 10/24/2023 – 11/17/2023
- Notice on MML Classifieds: Currently unavailable during transition to new process for 2024
- RFP Published on eMaryland Marketplace: 10/24/2023
- Public Notice on Town Facebook Page 10/24/2023
- Email sent to potential contractors: 10/24/2023

PROJECT FUNDING:

USDA Community Facility Grant #24-5 (not to exceed 55%)	\$31,100.00
Town required match per USDA	\$27,957.90
TOTAL COST:	\$59,057.90

STAFF RECOMMENDATION:

Town staff recommends CiviSmart, Inc. for \$59,057.90.

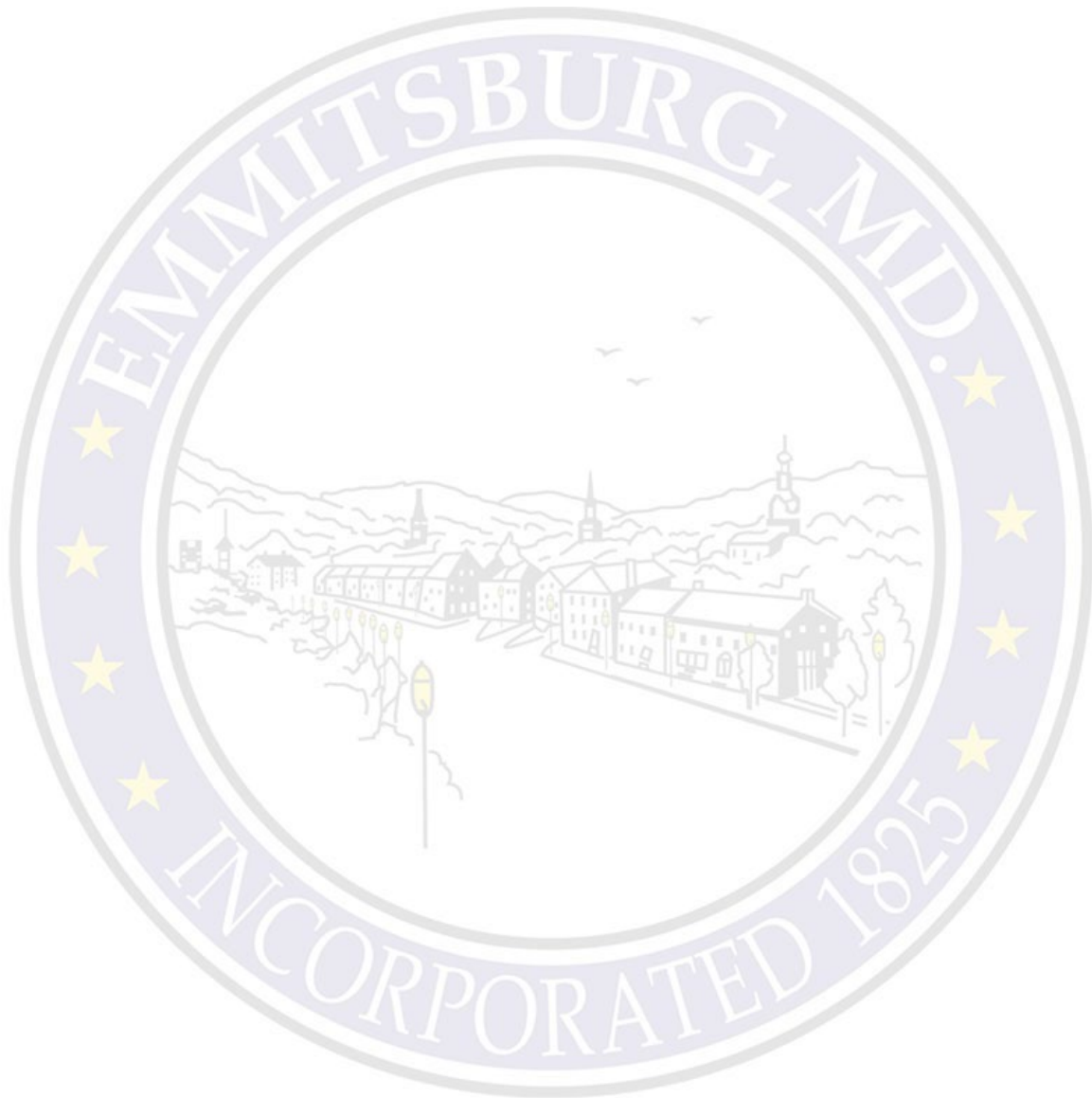
BIDS RECEIVED (IN ORDER OPENED):

**Note: the below prices do not include shipping in the price, except for ITS.*

Company:	Price:	Notes:
<p>CivicSmart, Inc. Gaithersburg, MD</p>	<p>\$59,057.90</p>	<p>Meter monthly fees: \$710 No credit card charge if we use their merchant processor. Shipping is \$2,324</p>
<p>Integrated Technical Systems, Inc. (ITS) Parsippany, NJ</p>	<p>\$118,770</p>	<p>Meter monthly fee: \$465 (*\$0.10 per credit card fee) Shipping is included and is not listed as a separate line item in bid submittal.</p>
<p>MacKay Meters, Inc. New Glasgow, Nova Scotia, Canada</p>	<p>\$87,600</p>	<p>Meter monthly fee: \$885 No credit card fee. Shipping is \$2,000</p>
<p>IPS Group, Inc. San Diego, CA</p>	<p>\$70,972</p>	<p>Meter monthly fee: \$1,102.50 (*\$0.13 per credit card fee) Shipping is \$8,683.97</p>

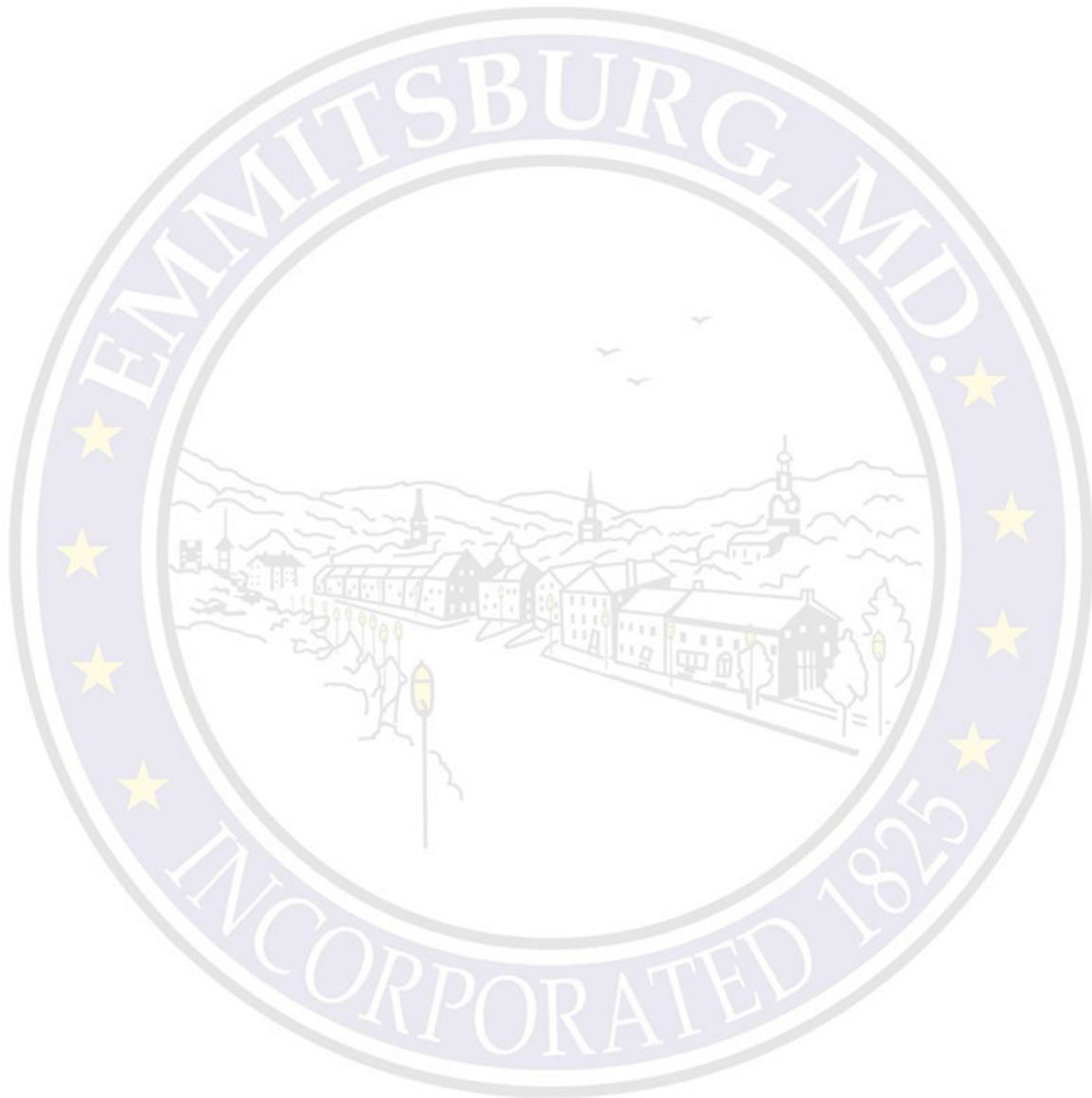
AGENDA ITEM #4: Discussion related to franchise agreement with Glo/Fiber Shentel.

Presentation at the Town Meeting.



AGENDA ITEM #5: Discussion of water rates and overall financial status of the Town.

Presentation at the Town meeting.



M. SET AGENDA FOR NEXT MEETING: JANUARY 8, 2024

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

Administrative Business:

- A.
- B.
- C.

