

**MINUTES  
TOWN MEETING  
March 7, 2016  
Emmitsburg Town Office**

**Present:** Mayor Donald Briggs; Commissioners Clifford Sweeney, Joseph Ritz III, Jennifer Mellor, Glenn Blanchard and Tim O'Donnell, President.  
Staff present were Cathy Willets, Town Clerk; Amy Naill, Recording Secretary; and Dave Haller, Town Manager.

**Absent:**

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**I. Call to Order**

Commissioner Tim O'Donnell, President of the Board of Commissioners, called the March 7, 2016 Town Meeting to order at 7:30 p.m. Pledge of Allegiance was recited.

**Announcement of a Closed Session**

President O'Donnell announced the need for a closed executive session following adjournment of the March 7, 2016 meeting as permitted by the *Annotated Code of Maryland, State Government Article: Section 10-508 (a) Closed Meetings* to discuss personnel matters and litigation surrounding last year's pool contract.

Commissioner O'Donnell mentioned upcoming meetings: April 4<sup>th</sup> Town Meeting, April 19<sup>th</sup> Citizens Advisory Committee and April 25<sup>th</sup> Planning Commission Meeting.

**Approval of Minutes**

The Minutes of the February 1, 2016 Town Meeting were approved as presented/corrected. Motion by Commissioner Ritz and seconded by Commissioner Mellor. Changes: Concerning the spelling of Lingg in the sentence "The Board will take comments from both Mr. Wood as well as Mr. Ling". Spelling of Lingg was corrected.

Motion by Commissioner Ritz Second by Commissioner Mellor  
Passed with changes 5-0.

**Police Report** – Deputy Rohrer presented the report from January and February. Deputy Rohrer mentioned that people are frequently using the prescription drug box in the Town Office lobby. He also mentioned IRS frauds are circulating in the area. He also noted that the new website will have contact information for the deputies. He said that the email address provided will go directly to the deputies and would be the best way to contact them.

Commissioner O'Donnell would like the deputies to be available for the Bicycle Rodeo on Community Heritage Day.

Deputy Rohrer mentioned that the deputies are trying to put together a rocket club to encourage the youth in the area to take interest and participate in a hobby.

**Reports:**

**Town Managers Report** – Mr. Haller commented that there was a good bit of rainfall. However, the way the WWTP is configured there were not any spills.

Commissioner Blanchard asked when the Doughboy Statue will be completed. Per Mayor Briggs the target date is March 16<sup>th</sup>. Mayor Briggs also mentioned a 99 year old that was at the first dedication may also be attending this one.

Commissioner O'Donnell also asked that the grassy area around the Doughboy Statue be spruced up.

**Town Planners Report** – Mr. Haller presented Ms. Cipperly’s planners report for the month of February. He discussed the Power-Star Program-power restriction use for the pump station. Next month they will be receiving bids to do grading work for the dog park.

Jerry Muir gave an update on Power-Star. Said it will save 8-10% on return of investment. Emmitsburg is the first municipality to do the Power-Star Program in the United States.

**Commissioner Comments**

Commissioner O’Donnell commented on Bike Maryland Symposium in Annapolis. He had a discussion with the Trail Conservancy about \$40,000.00 RTP Grant. There may be an “ask” coming to the Town perhaps \$2,500.00. Mr. Haller asked Commissioner O’Donnell to please let him know as the staff is working on the new budget.

Commissioner O’Donnell received a letter from a Town resident concerning the noise ordinance. He will submit the letter for the Town to have it on record and also email to each of the Commissioners. The citizen is concerned the ordinance is too forceful.

Commissioner O’Donnell congratulated the staff on the return process of the Doughboy Statue. Also wished best regards to the staffer that took ill today.

**Mayor’s Comments** – Mayor Briggs attended two solid waste meetings. Frederick County is running out of land fill space. Condolences to the Waybright family upon the death of Richard Waybright. He also mentioned the death of Mike Fitzgerald owner of the Shamrock Restaurant. He asked for support of Mount Saint Mary’s during this difficult time.

The SHA meeting for the MD 140 Main Street Urban Reconstruction Project is Wednesday, March 30<sup>th</sup> at 7-9PM. This meeting is about the sidewalk repair from Timbermill Run to East North Avenue. The Mayor would like everyone to attend. The cost will be explained along with the portion the Town will be responsible for. Phase I is the replacement of sidewalks along South Seton Avenue. There is between 7-8 million dollars of improvements going into downtown.

Mayor Briggs mentioned the MML Convention will be held from June 26<sup>th</sup> through June 29<sup>th</sup>.

The Tax Equity Sharing Program amount has increased from \$366,372 to 369,221. Congratulations were received from the Housing and Community Development Program concerning the Building Restoration Façade Program. We are now taking applications for 2016.

Stavros Pizza will be opening this weekend. Also there will be a replacement of trees by SHA in the Doughboy Statue area.

**Public Comments** – Ron Lind, 2 Irishtown Court, Emmitsburg, MD. Concerned about Northgate access road. He stated that after the last rainfall water was up to the bridge. He would like to know what the delay is.

Mayor Briggs: Said both the Department of Natural Resources and SHA cannot resolve this without spending 4 or 5 million dollars. They have tried in the past to contact the neighbor to the North to gain an easement.

Mr. Haller stated the owner Sunny Zahler does not have an interest in selling property or granting an easement. The property would have to be condemned and full market value

would have to be paid. This would take a long time. This decision only elected people can make.

Ron Lind: What if you are trapped what is the alternative?

Dave Haller: The Fire Company can get through.

Tim O'Donnell: He will formerly talk to the fire company concerning Northgate.

### **Administrative Business –**

- Tobacco Use Policy- Frederick County Policy is no tobacco use in vehicles, and equipment because of the residual smoke problem. Decision was moved to next meeting's agenda.
- Accessory Use Ordinance- Our ordinance did not treat Open Space as most government agencies. With this ordinance we are trying to conform to other parts of the County. We are already practicing this ordinance although it is not recorded.

Commissioner O'Donnell: this should be reviewed by the Planning Commission before it returns to the board.

Commissioner Ritz: Asked that there would be a public record comment once the ordinance is returned to the board and prior to the board voting on it.

Unanimous Consent from Board to send ordinance to the Planning Commission.

### **Consent Agenda –**

No Items

### **Reports:**

**Treasurer's Report** – Commissioners Blanchard reported on February 2016 cash activity. Comment made concerning the misspelling of solar in cash activity report.

### **Planning Commission Report –**

## **II. Agenda Items**

### **New Website Presentation**

Town Clerk, Cathy Willets introduced the Commissioners to the website showing areas of interest. The website is set to go live shortly. She asked for new pictures of Emmitsburg. She encouraged the Commissioners for corrections, comments and additions to the website. Attention was made to how alerts are generated, this feature will be used for water main breaks, road closures etc. Ms. Willets had asked the Commissioners to email their biographies for their webpage.

Commissioner Mellor: Asked about mobile and tablet version of the website and if we will be able to see or track analytics on the website. She also asked who would be able to make changes. Per Ms. Willets the changes will be made by Terri Ray or herself only.

Commissioner Ritz: Would like the temporary website address emailed to him. Per Cathy she will see all the Commissioners receive this information.

The Commissioners were impressed by the new website.

**POOL CONTRACT**

Jerry Muir presented new pool contract with RSV Pools Inc. Question was asked about letters of recommendation. Mr. Muir said he has a list of them. Commissioner Mellor asked how many companies were involved in the bid process he said "one". Mr. O'Donnell had three additions to the pool contract: Guards and staff must be in uniform, swimming lessons are offered and he would like them to hire locally.

All Commissioners concurred with the additions and Mr. Muir has direction to move forward with the contract.

**Potential Citizen's Advisory Committee recommendation related to nuisance ordinance**

Per Commissioner Ritz ordinance was tabled until the Citizens Advisory Committee can convene on April 19, 2016.

Commissioner O'Donnell: brought up water billing for low volume users a rate issue. He would like Commissioner Ritz to bring this back to the board for review.

**Set Agenda Items for 4/4/2016 Town Meeting**

- 1. Pool Contract for consideration**
- 2. Tobacco use policy 16-02 for consideration**
- 3. Demonstration of Town Geographic Information System capabilities**

**IV SIGN APPROVED TEXT AMENDMENTS AND/OR RESOLUTIONS**

**IV Adjournment**

With no further business, the March 7, 2016 Town Meeting was adjourned at 9:19p.m.

Respectfully submitted,

Cathy Willets, Town Clerk

Approved: April 4, 2016