



Town of Emmitsburg

Mayor Donald N. Briggs

Board of Commissioners
Timothy O'Donnell, *President*
Clifford Sweeney, *Vice President*
Glenn Blanchard, *Treasurer*
Jennifer Mellor
Joseph Ritz III
Town Manager (Interim)
Cathy Willets
Town Clerk
Cathy Willets

TOWN MEETING AGENDA September 6, 2016

- I) CALL MEETING TO ORDER (7:30PM)
 - A. PLEDGE OF ALLEGIANCE TO THE FLAG
 - B. NEXT MEETINGS:
Town Meeting October 3 @ 7:30pm
Planning Commission September 26 @ 7:30pm
 - C. APPROVE MINUTES FROM: August 1, 2016
 - D. POLICE REPORT
 - E. TOWN MANAGER'S REPORT
 - F. TOWN PLANNER'S REPORT
 - G. COMMISSIONER COMMENTS
 - H. MAYOR COMMENTS
 - I. PUBLIC COMMENTS
 - J. ADMINISTRATIVE BUSINESS (see attached)
 - K. CONSENT AGENDA

L. REPORTS

Treasurer's
Planning Commission

I) AGENDA ITEMS:

1. Streets, sidewalks, and public places ordinance 12.08.020 Amendment for consideration
2. Credit Card Terminal Fee Policy – P16-03
3. Ordinance 16-10 Town of Emmitsburg Salary Structure FY2017
4. Appointment of Election Judges
5. Discuss vendors licenses for door to door salesmen – Ord 16-14

II) SET AGENDA ITEMS FOR October 3, 2016 TOWN MEETING

III) SIGN APPROVED TEXT AMENDMENTS AND/OR RESOLUTIONS

ITEM C

MEETING MINUTES:

August 1, 2016

**MINUTES
TOWN MEETING
August 1, 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 Manager; Sue Cipperly, Town Planner; Cole Tabler, Town Accountant; and Amy Naill, Recording Secretary.

I. Call to Order

Commissioner Tim O'Donnell, President of the Board of Commissioners, called the August 1, 2016 Town Meeting to order at 7:30 p.m. Pledge of Allegiance was recited.

Announcement of a Closed Session (July 25, 2016): President O'Donnell announced the need for a closed executive session on July 25, 2016 as permitted General Provisions, Section 3-305(b) (1) Closed sessions 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; or any personnel matter that affects one or more specific individuals."

Approval by Commissioners for a closed executive meeting
Motion: by Commissioner Ritz III to have a closed session
Seconded by Commissioner Mellor
Vote 5-0 in Favor

Motion: by Commissioner Blanchard to affirm the Mayor's recommendation to terminate employee with the condition of a severance pay increase from thirty days to sixty days, effective immediately.
Seconded by Commissioner Mellor
Vote: 5-0 in Favor

Approval of Minutes:

The minutes of the July 5, 2016 Town Meeting were approved as presented.
Motion by Commissioner Sweeney, Second by Commissioner Mellor

Police Report: Deputy Rohrer presented the police report from July (Exhibit attached). He mentioned the third rocket club event was well attended. He encouraged people to use and check out the deputy section of the new Town website.

Commissioner O'Donnell: Had a request from a resident on the North side of Annandale Road. The resident feels like he is risking his life getting his mail during the morning commute.

Deputy Rohrer: Said this area is outside of Town but it could be monitored.

Commissioner O'Donnell: He said he would confer with the Mayor on this item.

Commissioner Comments:

Commissioner Sweeney: Mentioned the Lions Club would be holding a health fair for the Town at the ambulance building on September 24th.

Commissioner Blanchard: Thanked the Mayor for continuing the tradition of the pool parties.

Mayor's Comments –

Mayor Briggs: We are working on getting the Welcome to Emmitsburg sign back at the east side of town. It probably will be in the same location but with reinforced posts.

He said he reached out to Howard County and their emergency manager, Mr. Kittleman to extend our whole-hearted thoughts and prayers concerning the Ellicott City Flood.

He mentioned Town staff will be moving the trash can now located on the South East quadrant of the square because of an abuse of an apartment located there. We will only have three cans on the square.

Thanked the anonymous donor of the pool passes for their generosity.

Administrative Business –

- **Resolution 2016-02 R Community Legacy Grant**

Overview was presented by Cathy Willets. She explained that this is the second Community Legacy Grant related to the square project. We will need \$170,523.00. The Town will probably hear about the grant in November or December.

Commissioner Ritz III: For clarification, the town is not responsible for any matching funds is that correct?

Ms. Willets: Correct.

Commissioner Sweeney: Is the grant for the whole amount?

Ms. Willets: It is for the remaining amount that we don't already have money set aside for.

Commissioner O' Donnell: Mention was made of other grants that are being sought. Do we have other grant applications in at this time?

Ms. Willets: We currently have one that we have already been awarded for \$24,400.00; we are working on getting it amended so that we can use it for the construction of the square project.

Motion – To accept resolution 2016-02R as presented.

Motion by Commissioner Sweeney, second by Commissioner Blanchard

Vote: 5-0 in Favor

• **Discussion of Nuisance Ordinance-Commissioner Ritz III**

Commissioner Ritz III: The Citizens Advisory Committee did meet and there was an overwhelming consensus that the nuisance ordinance was not necessary. "If someone feels that another person or persons are causing a nuisance then they may contact law enforcement anyway that's just common sense". "If the purpose of the ordinance is to combat the drug use epidemic in town rather than fining individual's maybe we should consider getting help for them through counseling or social programs etc".

If the ordinance does pass the only suggestion for rewording was instead of the Mayor or Town Manager reviewing the police reports and violators reviewing their outcome it should go to an existing committee for review. For example: appeals, ethics, advisory or create a new committee specifically for that review.

Commissioner O'Donnell: He felt there was a utility for having the noise ordinance. We are some what a college town a number of months each year and there have been issues. I think we need to wait for the items to come back to the board after the Planner looks at the language.

• **Update on online bill pay-Discussion only**

Mr. Tabler: Handed out information on online bill pay. Mr. Tabler presented various options to the Commissioners concerning the residents paying their utility bills online.

He said he checked with PNC Bank. Invoice Cloud and CUSI. We recommend using our current software vendor CUSI. Accounting is updated automatically. The fee structure is \$3.95 or 2% of the customer balance. Customers can use a bank check elimination product that is \$.25 per transaction. You can also add future features to the product. To add this web portal to our current system would be free to the Town.

Discussion was had concerning the fees charged to the resident and the town. Mr. Tabler was asked by Commissioner O'Donnell if there was anything missing from their product or any disadvantage we would encounter with the company. He said he felt CUSI did a good job in the past on training and customer service.

Mr. Tabler was asked to check about upcoming fee changes and structure concerning CUSI.

• **Potomac Edison Easement-Flat Run Bridge**

Ms. Cipperly passed out handouts.

Ms. Willets: Basically what you have in front of you is Potomac Edison's right of way agreement. They are required to move two poles from the North side to the South side.

Ms. Cippery reviewed the drawing with the Commissioners.

Ms. Cippery: SHA is trying to get all the utility lines on the South side of the bridge you are granting an easement over Town property.

Ms. Willets: this has been reviewed by Fox and Associates and our attorney John Clapp. They are both okay with it.

Commissioner O'Donnell: Is there any risk to the Town by allowing this easement?

Ms. Cippery: No

Motion: To accept the Potomac Edison Easement-Flat Run Bridge to go forward.

Motion by Commissioner Blanchard, second by Commissioner Sweeney

Vote 5-0 in Favor

- **Appointment to Citizens Advisory Committee- Per Commissioner Joseph Ritz III**

Commissioner Ritz: This evening I am presenting to the board the appointment of Miss Brandy Malocha. She is one of the owners of Emmitsburg Tattoo. She has expressed interest in joining the Citizens Advisory Committee.

Motion: To accept the appointment of Brandy Malocha to the Citizen's Advisory Committee.

Motion by Commissioner Blanchard, second by Commissioner Mellor

Vote 5-0 in Favor

Consent Agenda- No items

Reports:

Town Manager's Report –Presented by Cathy Willets. On West Main Street six light poles were out, staff worked hard with a contractor to get those repaired. Rainbow Lake is at the spillway level unfortunately as of today it is below spillway about four-tenths of a foot below. That's of concern because there's been no rain.

Commissioner Ritz: Asked about the Irishtown Road- two way entrance into Brookfield. He asked about the next step in getting that completed.

Mayor Briggs: The next step is for the builder to start building down Irishtown Road on the South side and he needs to level out the crest of a hill. The site distance is not clear for two way traffic. It is part of their development plan.

Commissioner O'Donnell: The park sign in Memorial Park needs attention, it is overgrown. Also the new sidewalk at the entrance of Emmit Gardens has taken a pretty bad hit. It looks like the trailer of a tractor trailer rolled over it. SHA should be notified. Also is it possible to get a replacement stop sign near the pool here in Community Park on Cedar Lane?

Ms. Willets: Yes

Town Planner's Report-Presented by Sue Cipperly. She mentioned the continued work on the Community Legacy Program. Applications were prepared for the Town's funding.

She mentioned she contacted the State Highway Maintenance office concerning the curb at Emmit Garden that Commissioner O'Donnell asked about earlier. She said she will follow up with them.

Treasurer's Report -Commissioner Blanchard reported on July 2016 cash activity. (Exhibit attached).

II. Agenda Items

Proposed Dog Park –Presentation and discussion at meeting

Commissioner Mellor asked that the Proposed Dog Park agenda item be moved to first item because of the residents waiting to make public comments.

Commissioner O'Donnell complied with her request.

Ms. Willets: We visited numerous sites looked at numerous proposals. We were looking for ease of parking and ease of access for the residents. We have an aging community which may not be able to walk extra distances. We looked at ease of maintenance for staff. We looked at safety where you can see and be seen by others in the park. Also we looked at the proximately to the waterline. The site that met the most criteria was site one the original site proposed.

Ms. Cipperly: Gave a power point presentation. It was based on existing dog parks in the Gettysburg and Biglerville areas. The site that meets the most criteria for Emmitsburg would be right off the parking lot at the end of Cedar Avenue. It would be 150 feet long by 100 feet on the shorter side.

A lot of items were provided by donations. Community involvement is important.

Public Comments: Amy Boehman-Pollitt, 328 Mountaineers Way, Emmitsburg, MD.

Ms. Boehman-Pollitt was opposed to the dog park. Main reasons were location, safety to children, safety to pets, noise level, destruction of wildlife and smell. She would like it located away from a residential area.

Mike Breson, 342 Mountaineers Way, Emmitsburg MD. Mr. Breson echoed Ms. Boehman-Pollitts sentiments. He also thought it would be a further drain on law enforcement.

Wendy Walsh, 2009 Pembroke Court, Emmitsburg MD. Ms. Walsh is in favor of the dog park. She feels a dog park is an opportunity for dogs to socialize off leash. She thanked Ms. Cipperly for her power point presentation.

T.J. Burns, 321 Mountaineers Way, Emmitsburg MD. He is president of The Southgate Homeowners Association. He said he took a survey of the neighborhood and the majority of the residents are against the dog park.

Discussion was conducted by the Mayor and Commissioners concerning the proposed location and perhaps relocation to another area.

Commissioner O'Donnell: Asked that the conservation easement on Scott Road Farm be researched by Town Staff.

Streets, sidewalks, and public places ordinance 12.08.020 Amendment for consideration:

Ms. Cipperly: The ordinance that was in your packet appears to be the same version that was in your previous packet. I gave you a new one just now and I can just go over what was added per your discussion last time.

Commissioner O'Donnell: I'm looking at what we have in the packet and what you provided us, has anything been changed from what was in the packet to what was provided today?

Ms. Cipperly: Yes, it was available when the packet was done but somehow the wrong version got in the packet.

Commissioner O'Donnell: Was this posted online at the time?

Ms. Willets: I would guess, what's in your packet is what is online.

Commissioner O'Donnell: For due diligence and transparency, we need to come back to this as an agenda item in September.

Credit Card Terminal Fee Policy:

Mr. Tabler: Went over the advantages to having a credit card terminal at the front counter. He went over the proposed fees. The fixed fees would run around \$200.00 a year for the town. The convenience fee for the used would be 2.1% plus .25 cents. The cost to the town would be \$1,500.00 a year if fifty residents would use their credit cards, to pay for their water bills each quarter here at the office. We would charge a \$5.00 fee and that would recover 60%-70% of expense to the town.

Commissioner Mellor: Have you looked into what other town's of the same size do?

Mr. Tabler: I looked at ten different towns of the same size. Most do have a credit card option online and basically that's it.

Commissioner Mellor: I am not a fan of this at all. I would like additional time to check into it and do my own research, before I vote on this.

Ms. Willets: This was initiated by the volume of requests we get from people coming in with their credit card in hand.

The credit card terminal policy was tabled for the September 6th Town Meeting.

Approval of salary chart ordinance:

Ms. Willets: this is the ordinance that would approve the fiscal year 2017 salary chart with a 2% COLA factored in, attached to the ordinance is the current salary chart for fiscal year 2017.

Commissioner Mellor: The boards voted for the 15% increase over three years - last year, how does that increase reflect on this chart?

Ms. Willets: You would have seen the significant change in the salary chart last fiscal year.

Mr. Tabler: The adjustments based on the salary chart would be the adjustments made to the base level and each step. That's where the adjustments were made and it flows through the chart. The numbers from this year are based on what was approved last year.

There was a discussion by the Mayor and Commissioners concerning the salary chart.

Commissioner O'Donnell: Asked for a fundamental breakdown. We would like to see the base salary before the 15% change and the projection of five, five and five percent for the following three years. We are going to look for change overtime. We want to see the sequencing of the change.

Approval of the salary chart ordinance was tabled till the September 6th Town Meeting.

Set Agenda Items for August 1, 2016 Town Meeting

1. Streets, sidewalks, and public places ordinance 12.08.020 Amendment for consideration.
2. Credit card terminal fee policy
3. Ordinance 16.10 Town of Emmitsburg Salary Structure Fiscal Year 2017
4. Appointment of Election Judges
5. Discuss vendor licenses for door to door salesmen

IV. SIGN APPROVED TEXT AMENDMENTS AND/OR RESOLUTIONS

V. Adjournment

With no further business, the August 1, 2016 Town Meeting was adjourned at 10:05 p.m.

Respectfully submitted,

Amy Naill, Recording Secretary

Approved:

ITEM E

TOWN MANAGERS REPORT:

Town Manager's Report
JULY 2016
Prepared by Cathy Willets

Streets:

- Staff swept on East and West Main Street
- Staff repaired and conducted maintenance on street lights on Main St. and throughout Town
- Staff weed killed East Lincoln Ave., Frailey Rd., and Farmers Market
- Staff conducted preparations for the installation of the sidewalk on East Lincoln Ave.
- Staff mowed weed in curbs on Silo Hill, Northgate, Southgate, Irishtown Rd., Waycross Ct., Emmet Ct., and Brookfield

Water:

- Rainbow Lake is now .9 feet below the spillway level (normal is 16.6 feet)
- The roughing filters are being backwashed four times a day and the DE filters are being done twice per week
- Our wells are now on average 8.5' below their May 2011 levels
- Water production and consumption. We produced an average of 318,730 GPD. We consumed an average of 297,542 GPD

The difference is "Backwash Water" ... (6.6%). We purchased 393,150 gallons of water from MSM this month.

- 45.0% of this water came from wells
- 4.0% of this water came from Mt. St. Mary's
- 51.0% of this water came from Rainbow Lake

Wastewater:

- We received about 4.6" of precipitation this month (the average is 3.66").
 - We have a precipitation **SURPLUS** of 1.36" over the last six months. The average precipitation for the period from Jan. 1 thru June 30 is 22.14". We have received 23.5" for that period.
- Wastewater Treatment:
 - We treated an average of 431,355 GPD (consumed 297,542 GPD) which means that 31% of the wastewater treated this month was "wild water"
 - We had no spills of untreated sewerage in the month of July
 - We exceeded the plant's design capacity one day in the month of July
07/30/16 814,000

Trash: Trash pickup will remain Mondays for the remainder of the month of September

Parks:

- Staff mowed, trimmed & weed killed in all the parks
- Staff put mulch around playground equipment and swing sets in Memorial Park
- Staff repaired posts and cable in Community Park
- Staff conducted preparations in Memorial Park for the Cal Ripken State Tournament
- Staff worked at Babe Ruth parking lot: removed islands, straighten posts and cable
- Staff performed monthly maintenance in all parks (equipment, fences, dugouts, ball fields, bathrooms, etc.)
- Staff marked utilities in both parks in preparation of the installation of two new light poles

Meetings I attended:

- 07/05 Meeting with Mayor and Town Planner to review agenda
- 07/05 Attended Town Meeting
- 07/07 Conducted interview with new HR consultant; Mayor attended as well
- 07/07 Met with Director of Public Works to go over daily operations; site visits
- 07/08 Meeting with Mayor and SHA to discuss several projects: square, bridge and sidewalks
- 07/08 Met with deputies to discuss upcoming events
- 07/11 Met with Water/Sewer Superintendent to go over daily operations; WWTP pipe issue
- 07/13 Met with Mayor and Town Planner
- 07/14 Conference call with Mayor and Town Attorney - personnel issue
- 07/14 Meeting with Mayor, Town Planner and representatives from Frederick County about the Livable Frederick program
- 07/15 Conference call with Town Accountant and CUSI about online bill pay options
- 07/18 Met with entire staff to review evaluations
- 07/19 Met with Town Accountant to review budget; square project financials
- 07/22 Met with Mayor and Town Planner to discuss P&Z efforts and square project
- 07/25 Attended closed executive session
- 07/26 Met with maintenance staff and County building staff to discuss repairs of leaking water valves in basement
- 7/26 Met with Mayor and Town Planner to discuss dog park status
- 07/28 Met with Town Accountant and Michelle Mills (auditor) to discuss auditing and budgeting procedures
- 7/28 Met with Mayor and Town Planner to review agenda
- 07/29 Met with new supervisor of Community Deputy program to discuss contract, deputies and future plans

PARKING ENFORCEMENT REPORT

Date: July 2016

Overtime Parking: 67
Restricted Parking Zone: 6
24 Hour Consecutive Parking:
Parked in Crosswalk:
Parked on Sidewalk:
Parked Blocking Road:
Parked by Fire Hydrant:
Parked on Highway:
Failure to Park between Lines:
Other Violation:
Left Side Parking: 1
Street Sweeping:
Meter Money: \$ 1,162.03
Parking Permits:
Meter Bag Rental:
Parking Ticket Money: \$ 430.00
Funerals: 1

Total: 1,592.03

ITEM F

TOWN PLANNER'S REPORT:

Planner's Report

July 2016

Susan H. Cipperly, Town Planner

1. Attended Town Meeting 7/5/16 and 7/25/16.
Attended project/issues meetings with Mayor Briggs and Cathy Willets.
2. Met with Emmitsburg Tattoo owners and Cathy Willets regarding allowed signage and general welcome to town as a new business. Processed sign permit for neon signs.
3. Prepared and submitted the town's application to DHCD for FY2017 Community Legacy Façade and Restoration grant funds in the amount of \$75,000.
4. Prepared and submitted an application to DHCD for FY2017 Community Legacy revitalization grant funds in the amount of \$170,523 to secure remainder town's obligation for upgrades to Main Street.
5. Worked with Potomac Edison regarding easement needed for moving utility poles to south side of MD140/Flat Run bridge, where the land is owned by the town.
6. Geographic Information System (GIS)
 - Finalized agreement with ALWI regarding mapping of water/sewer lines.
 - Transferred ArcGIS license to town manager's computer from former zoning technician desk.
7. Community Legacy Program-- Continued coordination with DHCD regarding MD Historical Trust Reviews and reimbursement requests for projects.
8. Code Enforcement -
 - Contacted owner of Brookfield regarding mowing of "meadow" areas, in response to inquiries from Brookfield residents. Mowing is supposed to be twice annually and is now completed.
 - Sent reminder notices regarding the submittal of grease trap cleaning reports by July 10 each year.
 - Contacted Emmitsburg Elementary School about damaged chain link fence along School Lane. They were working with their insurance company, knew who damaged it, and will have it repaired asap.
 - Created computer chart for tracking enforcement actions.
9. Responded to questions from State regarding BikeWays grant application (\$12,000 for feasibility study re connecting Emmitsburg to PA routes and south to Mount St. Mary's and beyond.

For more information go to www.emmitsburgmd.gov

10. Worked with Joe Ceci, FOX Associates, Inc. and SHA staff regarding MD140/Flat Run bridge waterline issue, Potomac Edison easement, and the sidewalk/square revitalization project.
11. Created maps and started powerpoint re proposed dog park locations, for August 1 Town Meeting.
12. Created kiosk display using column about Emmitsburg from July 26th Frederick News Post.

ITEM J

ADMINISTRATIVE BUSINESS:

1. *Sheriff's Office Contract FY2017*
2. *Design and build multi-user trail for FY2017*
3. *Citizen Advisory Committee-potential new members and removal of members due to membership violation*
4. *Contract for Mr. Dave Haller for Consultant services to the Town of Emmitsburg*

ADMINISTRATIVE BUSINESS:

ITEM 1

Sheriff's Office Contract FY17 - handouts provided prior to meeting

ADMINISTRATIVE BUSINESS:

ITEM 2

Design and build multi-user trail for FY2017 - discussion at meeting

ADMINISTRATIVE BUSINESS:

ITEM 3

Citizens Advisory Committee - potential new members and removal of members due to membership violations

ADMINISTRATIVE BUSINESS:

ITEM 4

Contract for Mr. Dave Haller for consultant services to the Town of Emmitsburg

ITEM K

CONSENT AGENDA:

No items

ITEM L

REPORTS:

1. *Treasurer's Report*
2. *Planning Commission Report – to be given at the meeting*

Treasurer's Report:

TOWN OF EMMITSBURG
CASH ACTIVITY as of August 30, 2016

\$4,279,829	Cash Balance August 1, 2016
592,269	Deposits
<u>-200,375</u>	Withdrawals
\$4,671,723	Operating Balance Forward

<u>Check Amount</u>	<u>Vendor Name</u>	<u>Description</u>	<u>Check Date</u>	<u>Check Number</u>
\$40,593	Columbia Bank	Lincoln Ave Waterline GO Bond	07.27.16	36084
17,474	MD Dept of Bud & Mgmt	July 16 Health Insurance	07.27.16	36097
13,327	UGI Energy Services	July 16 Solar Field 1	08.17.16	36187
13,047	UGI Energy Services	June 16 Solar Field 2	07.27.16	36108
12,861	UGI Energy Services	July 16 Solar Field 2	08.17.16	36187
11,914	Dixie Electric	New LED section light	08.10.16	36143
7,838	RSV Pools	August 16 Pool Mgmt	08.03.16	36130
7,437	Republic Services	July 16 Refuse Services	08.10.16	36136
3,228	East Park Automotive	2002 Chevy Silverado Parts & Labor	08.17.16	36164
2,971	George S. Coyne Chemical	Chemicals	07.27.16	36085

Ck dates 07.27.16 to 08.30.16

Planning Commission Report:

Planning Commission Report – to be given at the meeting

AGENDA ITEMS:

ITEM 1

Streets, sidewalks, and public places ordinance 12.08.020 Amendment for consideration

ORDINANCE SERIES: 2016
ORD. NO. 16-12

PAGE 1 OF 2

AN ORDINANCE TO AMEND
TITLE 12
OF THE CODE OF EMMITSBURG
ENTITLED
STREETS, SIDEWALKS AND PUBLIC PLACES

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 including, but not limited to, Local Government Article, Section 5-217, Annotated Code of MD, and the Charter of the Town of Emmitsburg, that Title 12; Section 12.08.020 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~~:

12.08.020 – Sidewalks – Repair **and maintenance** by property owners and occupiers.

It shall be the duty of all owners and occupiers of land to keep the sidewalks and footways bounding thereon in good and proper repair and at all times free of nuisances, **litter, trash and debris, including, but not limited to, newspapers, smoking debris, trash and other types of litter. Upon observing an accumulation of debris, trash or other litter in violation of this section, the Town may send a written warning to the owner and/or occupier of the property adjoining the sidewalk in violation and inform that person of the requirements of this section and giving such person ten days to correct the violation. If the violation is not corrected within that time period, the violation shall constitute a municipal infraction punishable by a fine of twenty-five (\$25.00). A subsequent violation(s) at the same location within a ten day period shall be punishable by a fifty (\$50.00) fine.**

Whenever, in the opinion of the town staff and with the approval of the town manager, any sidewalk, or portion thereof, is out of repair and should be repaired or relaid, the mayor shall notify the owner by notice in writing to repair, or relay the same within twenty (20) days from the date of such notice. **Standards for sidewalks are found in §12.08.010, 12.08.050, and 12.08.060.**

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.

ORDINANCE SERIES: 2016
ORD. NO. 16-12

PAGE 2 OF 2

PASSED this _____ day of _____, 2016 by a vote of __ for, __ against, ___absent, and _____ abstain.

ATTEST: EMMITSBURG BOARD OF COMMISSIONERS

By: _____
Amy Naill, Recording Secretary

Timothy O'Donnell, President

_____ APPROVED _____ VETOED

this _____ day of September, 2016

Donald N. Briggs, Mayor

AGENDA ITEMS:

ITEM 2

Credit Card Terminal Fee Policy P16-03

POLICY SERIES: 2016
POLICY NO. P16-03

PAGE 1 OF 1

TOWN OF EMMITSBURG
Credit Card Processor

The Town of Emmitsburg will adopt the following policy for the credit card processor located at the front office of the Town Office:

The Town of Emmitsburg in an effort to expand services to residents is offering an additional choice to pay water/sewer bills, permit fees, park reservations, etc with a credit/debit card. A credit card processor will be located at the front desk for customers to use to pay their bills. The company that supplies the processor passes on a service fee for each transaction to the Town of Emmitsburg. A five dollar (\$5) flat convenience fee will be added to all credit card and debit card payments to offset the processing fee the Town of Emmitsburg must pay to the credit card processor. There will a limit of \$500 per transaction.

BE IT FURTHER RESOLVED, ENACTED AND ORDAINED, that this policy shall take effect on ____ day of _____, 2016.

PASSED THIS ____ DAY OF _____, 2016.

ATTEST:

EMMITSBURG BOARD OF COMMISSIONERS

Amy Naill, Recording Secretary

Timothy O'Donnell, President

____ APPROVED ____ VETOED

this ____ day of _____, 2016

Donald N. Briggs, Mayor

AGENDA ITEMS

ITEM 3

Ordinance 16-10 Town of Emmitsburg Salary Structure FY2017

ORDINANCE SERIES: 2016
ORD. NO. 16-10

PAGE 1 OF 4

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

BE IT RESOLVED, ENACTED AND ORDAINED BY THE Mayor and Board of Commissioners of the Town of Emmitsburg, Maryland that Chapters 2.50.030 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 [~~strikeout~~]

Chapter 2.50.30 Salary Structure Chart

Town of Emmitsburg Salary Structure - **FISCAL YEAR 2017 FOR JULY 1, 2016**
With 2% COLA factor approved

See next page

ORDINANCE SERIES: 2016
ORD. NO. 16-10

Town Of Emmitsburg Salary Structure - Fiscal Year 2017
 for July 1, 2016 w/ 2% COLA factor approved

Position	Grade	Base	Step											
			Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12
Labors (unskilled)	1	Annual Salary	\$24,523.74	\$26,149.53	\$26,927.84	\$27,466.39	\$28,016.72	\$28,435.96	\$28,862.50	\$29,794.86	\$30,180.89	\$30,633.60	\$31,093.10	
		Biweekly Salary	\$943.22	\$1,005.52	\$1,035.69	\$1,056.40	\$1,077.53	\$1,093.69	\$1,110.10	\$1,126.75	\$1,143.65	\$1,160.80	\$1,178.22	\$1,195.89
		Hourly Rate	\$11.79	\$12.57	\$12.95	\$13.20	\$13.47	\$13.67	\$13.88	\$14.08	\$14.30	\$14.51	\$14.73	\$14.95
Sewer/Water Trainee	2	Annual Salary	\$26,879.63	\$27,588.98	\$28,416.65	\$28,984.98	\$29,564.68	\$30,008.15	\$30,458.27	\$31,378.87	\$31,849.56	\$32,327.30	\$32,812.21	
		Biweekly Salary	\$995.37	\$1,061.11	\$1,092.95	\$1,114.81	\$1,137.10	\$1,154.16	\$1,171.47	\$1,206.88	\$1,224.98	\$1,243.36	\$1,262.01	
		Hourly Rate	\$12.44	\$13.26	\$13.66	\$13.84	\$14.21	\$14.43	\$14.64	\$14.86	\$15.09	\$15.31	\$15.54	\$15.78
Public Works Employee	3	Annual Salary	\$27,043.92	\$28,830.17	\$29,695.07	\$30,288.97	\$30,894.75	\$31,268.17	\$31,828.55	\$32,790.56	\$33,292.42	\$33,781.66	\$34,288.36	
		Biweekly Salary	\$1,040.15	\$1,108.65	\$1,142.12	\$1,164.96	\$1,188.26	\$1,206.08	\$1,224.17	\$1,242.54	\$1,281.18	\$1,299.29	\$1,318.78	
		Hourly Rate	\$13.00	\$13.86	\$14.28	\$14.56	\$14.85	\$15.08	\$15.30	\$15.53	\$15.76	\$16.00	\$16.24	\$16.48
Sewer/Water Operator	4	Annual Salary	\$29,475.65	\$31,422.52	\$32,365.20	\$33,012.50	\$33,672.75	\$34,177.84	\$34,690.51	\$35,710.87	\$36,275.12	\$36,819.24	\$37,371.63	
		Biweekly Salary	\$1,133.68	\$1,208.56	\$1,244.82	\$1,268.71	\$1,295.11	\$1,314.53	\$1,334.25	\$1,354.26	\$1,374.58	\$1,395.20	\$1,416.12	
		Hourly Rate	\$14.17	\$15.11	\$15.56	\$15.87	\$16.19	\$16.43	\$16.68	\$16.93	\$17.18	\$17.44	\$17.70	\$17.97
Receptionist	5	Annual Salary	\$33,300.11	\$35,499.56	\$36,564.57	\$37,295.86	\$38,041.78	\$38,612.41	\$39,191.59	\$39,779.47	\$40,376.16	\$40,981.80	\$41,596.53	
		Biweekly Salary	\$1,280.77	\$1,365.37	\$1,405.33	\$1,434.46	\$1,463.15	\$1,485.09	\$1,507.37	\$1,529.98	\$1,552.93	\$1,576.22	\$1,599.87	
		Hourly Rate	\$16.01	\$17.07	\$17.58	\$17.89	\$18.29	\$18.56	\$18.84	\$19.12	\$19.41	\$19.70	\$20.00	\$20.30
Maintenance	6	Annual Salary	\$38,170.97	\$40,692.16	\$41,912.93	\$42,751.19	\$43,606.21	\$44,280.31	\$44,924.21	\$45,998.07	\$46,282.04	\$46,976.27	\$47,680.82	
		Biweekly Salary	\$1,468.11	\$1,565.08	\$1,612.04	\$1,644.28	\$1,677.16	\$1,702.32	\$1,727.85	\$1,755.77	\$1,780.08	\$1,806.78	\$1,835.68	
		Hourly Rate	\$18.35	\$19.56	\$20.15	\$20.55	\$20.96	\$21.28	\$21.60	\$21.92	\$22.25	\$22.58	\$22.92	\$23.27
Sewer/Water Skilled Laborer	7	Annual Salary	\$39,035.24	\$41,634.84	\$42,883.88	\$43,741.56	\$44,616.39	\$45,285.64	\$45,964.92	\$46,854.39	\$47,354.21	\$48,064.52	\$48,785.49	
		Biweekly Salary	\$1,502.12	\$1,601.34	\$1,648.38	\$1,682.37	\$1,716.02	\$1,741.76	\$1,767.88	\$1,794.40	\$1,821.32	\$1,848.64	\$1,876.37	
		Hourly Rate	\$18.78	\$20.02	\$20.62	\$21.03	\$21.45	\$21.77	\$22.10	\$22.43	\$22.77	\$23.11	\$23.45	\$23.81

Town Meeting
September 6, 2016 Agenda
 Page 34 of 42

ORDINANCE SERIES: 2016
 ORD. NO. 16-10

Town Clerk Zoning Technician	8	Annual Salary	\$42,002.81	\$43,472.91	\$44,777.10	\$46,120.41	\$47,042.82	\$47,983.67	\$48,703.43	\$49,433.98	\$50,175.49	\$50,928.12	\$51,692.05	\$52,467.43	\$53,254.44
		Biweekly Salary	\$1,615.49	\$1,672.04	\$1,722.20	\$1,773.86	\$1,809.34	\$1,845.53	\$1,873.21	\$1,901.31	\$1,929.83	\$1,958.77	\$1,988.16	\$2,017.98	\$2,048.25
		Hourly Rate	\$20.19	\$20.90	\$21.53	\$22.17	\$22.62	\$23.07	\$23.42	\$23.77	\$24.12	\$24.48	\$24.85	\$25.22	\$25.60
Inspector	9	Annual Salary	\$44,960.36	\$46,523.64	\$47,919.35	\$49,356.93	\$50,344.07	\$51,350.96	\$52,121.21	\$52,903.03	\$53,696.56	\$54,502.02	\$55,319.55	\$56,148.35	\$56,991.59
		Biweekly Salary	\$1,728.86	\$1,789.37	\$1,843.05	\$1,898.34	\$1,936.31	\$1,975.04	\$2,004.66	\$2,034.73	\$2,065.25	\$2,096.23	\$2,127.88	\$2,159.59	\$2,191.99
		Hourly Rate	\$21.61	\$22.37	\$23.04	\$23.73	\$24.20	\$24.69	\$25.05	\$25.43	\$25.82	\$26.20	\$26.60	\$26.99	\$27.40
Planner/Accountant Water & Sewer Superintendent Public Works Superintendent	10	Annual Salary	\$47,666.97	\$49,335.31	\$50,915.37	\$52,339.83	\$53,386.63	\$54,454.36	\$55,271.17	\$56,100.24	\$56,941.75	\$57,795.87	\$58,662.81	\$59,542.75	\$60,435.89
		Biweekly Salary	\$1,833.34	\$1,897.51	\$1,954.44	\$2,013.07	\$2,063.33	\$2,094.40	\$2,125.81	\$2,157.70	\$2,190.07	\$2,222.92	\$2,256.26	\$2,290.11	\$2,324.46
		Hourly Rate	\$22.92	\$23.72	\$24.43	\$25.16	\$25.67	\$26.18	\$26.57	\$26.97	\$27.38	\$27.79	\$28.20	\$28.63	\$29.06
Town Manager	11	Annual Salary	\$52,385.96	\$54,219.49	\$55,848.07	\$57,521.45	\$58,671.88	\$59,845.32	\$60,743.00	\$61,654.15	\$62,576.96	\$63,517.64	\$64,470.41	\$65,437.46	\$66,419.02
		Biweekly Salary	\$2,014.85	\$2,085.36	\$2,147.93	\$2,212.36	\$2,256.61	\$2,301.74	\$2,336.27	\$2,371.31	\$2,406.88	\$2,442.99	\$2,479.63	\$2,516.83	\$2,554.58
		Hourly Rate	\$25.19	\$26.07	\$26.85	\$27.65	\$28.21	\$28.77	\$29.20	\$29.64	\$30.09	\$30.54	\$31.00	\$31.46	\$31.93
	12	Annual Salary	\$81,434.49	\$84,264.70	\$86,913.24	\$89,417.64	\$91,205.99	\$93,030.11	\$94,425.56	\$95,841.95	\$97,279.58	\$98,738.77	\$100,219.85	\$101,723.15	\$103,249.00
	Biweekly Salary	\$3,132.10	\$3,241.72	\$3,338.97	\$3,439.14	\$3,507.92	\$3,576.08	\$3,631.75	\$3,685.23	\$3,741.52	\$3,797.65	\$3,854.61	\$3,912.43	\$3,971.12	
	Hourly Rate	\$39.15	\$40.52	\$41.74	\$42.99	\$43.85	\$44.73	\$45.40	\$46.08	\$46.77	\$47.47	\$48.18	\$48.91	\$49.64	

Biweekly Salary is calculated by dividing the Annual Salary by 26 pays.

Annual Salary is The Hourly Rate (unrounded) Multiplied by 2080 Hours

Part Time Employees Annual and Biweekly Salary May be Different Than Chart Shows

proof: \$485,899.88
 \$18,688.07
 \$233.60

ORDINANCE SERIES: 2016
ORD. NO. 16-10

PAGE 4 OF 4

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 September, 2016, by a vote of _____ for, _____ against, _____ absent, and _____ abstain.

ATTEST: EMMITSBURG BOARD OF COMMISSIONERS

By: _____
Amy Naill, Recording Secretary Timothy O'Donnell, President

_____ APPROVED _____ VETOED

this _____ day of September, 2016

Donald N. Briggs, Mayor

AGENDA ITEMS

ITEM 4

Appointment of Election Judges

1. Appointment of Election Judges

- *Charlotte Mazaleski*
- *Sharon Hane*
- *Barbara Weedon*
- *Joan Tracy – Alternate*

2. Proposed pay increase

- *\$130.00 for judges*
- *\$150.00 for chair judge*

AGENDA ITEMS

ITEM 5

Discuss vendors licenses for door to door salesmen – Ord 16-14

ORDINANCE SERIES: 2016
ORD. NO. 16-14

PAGE 1 OF 2

AN ORDINANCE TO AMEND
TITLE 5
OF THE CODE OF EMMITSBURG
ENTITLED
BUSINESS LICENSES GENERALLY

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 5 ; Section 5.04.010 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~~.

5.04.10 Licenses required

It is unlawful for any person, partnership, corporation, solicitor, canvasser, magazine subscription salesman, vendor or deliverer or coal, fuel oil, gasoline, kerosene, bottled gas and other inflammable products, photographers, electric appliance salesmen, sellers of bottled, potable liquids and sellers of foods to sell, vend, or offer for sale at retail upon the streets of the town, or go from house to house for the purpose of selling, vending, or offering for sale any merchandise of any kind at retail within the corporate limits of Emmitsburg without first having obtained a license, as hereinafter provided, for such purpose. Each licensee shall be required to give the following information which shall be noted on the license issued: name, address, merchandise for sale, name and address of employer. Licensees shall carry licenses upon their persons at all times while conducting such business and shall exhibit the same upon demand to any officer of the town.

PERSONS DISTRIBUTING PRODUCTS OR MATERIALS AT NO COST OR CONDUCTING SURVEYS GOING HOUSE TO HOUSE MUST SECURE A LICENSE, WHICH WILL BE PROVIDED AT NO COST.

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.

ORDINANCE SERIES: 2016
ORD. NO. 16-14

PAGE 2 OF 2

PASSED this _____ day of _____, 2016 by a vote of
_____ for, _____ against, _____ absent, and _____ abstain.

ATTEST: EMMITSBURG BOARD OF COMMISSIONERS

By: _____
Amy Nail, Recording Secretary Timothy O'Donnell, President

_____ APPROVED _____ VETOED

this _____ day of _____, 2016

Donald N. Briggs, Mayor

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

Date: _____
Cathy Willets, Town Manager (interim)

IV) SET AGENDA ITEMS FOR: October 3, 2016 TOWN MEETING

1.

2.

3.

4.

**V) SIGN APPROVED TEXT AMENDMENTS AND/OR
RESOLUTIONS**