

***BURGESS AND COMMISSIONERS  
OF MIDDLETOWN MARYLAND***

**TOWN MEETING MINUTES**

**REGULAR MEETING**

**April 11, 2011**

The monthly meeting of the Burgess and Commissioners of Middletown was called to order on April 11, 2011, by Burgess John D. Miller at 7:00 p.m. in the Middletown Municipal Center, 31 W. Main Street, Middletown, Maryland. Present were: Burgess Miller, Commissioners Jennifer Falcinelli, Larry Bussard, Richard Dietrick, Vincent O'Reilly and Anthony Ventre.

**CONSENT AGENDA**

Paid Invoices

Minutes and Public Hearings – March 14, 2011 and March 28, 2011

Commissioner Bussard motioned to accept this consent agenda, seconded by Commissioner O'Reilly and passed unanimously.

**PERSONAL REQUEST FOR AGENDA:**

**Het Desai** – Het is from Troop 476 and is proposing to plant trees in North Pointe. He has ordered the trees from the State. Since this land is not a park, he does not have to go thru the Park Committee. By general consent, the Board agreed to go ahead with this project and provide in-kind service.

**UNFINISHED BUSINESS**

**Appointment of Tax Preservation Committee Members -**

Current members of the committee are Tony Ventre, Marcie Stutzman, Bob Smart and Jim Justice with their term expiring in May 2011. Larry Bussard expressed an interest in serving on this committee. Commissioner Falcinelli motioned to appoint Tony Ventre, Marcie Stutzman, Bob Smart, Jim Justice and Larry Bussard, seconded by Commissioner O'Reilly and passed unanimously. Mr. Ventre will be the Town Board liaison. The term for these members expires in May 2014.

**Community Deputy Contract** – The Town received the contract showing an increase of \$9,041.00 from FY 2011. Commissioner Falcinelli mentioned this is the Town's second highest cost. Commissioner Bussard motioned to approve the FY2012 contract in the amount of \$361,929.00, seconded by Commissioner Ventre and passed unanimously.

**FY 2012 Program Open Space (POS) Requests** - Late this afternoon, Commissioner Ventre received an e-mail regarding Senate Bill 421. Commissioner Ventre will talk to Mr. Dial, Frederick County Parks to find

out how this affects the county/municipalities. This was tabled until the April 25 meeting. Burgess Miller mentioned MVAA will cover 25% of granted POS funds for Remsberg Park up to \$36,000.00. The Parks and Recreation Committee recommend fencing at the Remsberg Park and Skatepark be considered when applying for applying for these funds.

**Public Information Utilization Policy** – Commissioner Ventre motioned to adopt the Public Information Utilization Policy as proposed, seconded by Commissioner Bussard and passed unanimously. Copy of this policy is attached.

**West Green Street Improvements** – Status Update – Mr. & Mrs. Kolb requested the bump out be moved to their driveway. Commissioner Bussard motioned to grant this request, seconded by Commissioner O’Reilly and passed unanimously. Originally Mr. & Mrs. Wiles requested a maple tree remain but on further consideration, they feel the tree should be removed.

## REPORTS OF COMMITTEES

**WATER & SEWER** – Commissioner Falcinelli reported:

**Water Status** – Usage for the month of March was 302,000 gallons, last year was 314,000.

**Spring Flow** – 130,000 last year was 142,000. As of today the flow was 140,000 gallons

**Committee meeting** items discussed;

Exploring monthly billing for water and sewer

Reviewing budget items to be presented to the Town Board

**Rain Barrels** – The Town has 50 barrels for sale at a cost of \$45.00 to Town residents. May 2 is the deadline for purchasing with the pick up date of May 11, 2011

**PUBLIC WORKS** – Commissioner Bussard reported:

**Snow Removal** – Total cost for snow removal was \$42,686.00, the amount budgeted was \$34,850.00

**Streets** – rebuilt snowblower, replaced street signs will do a review of streets conditions for upcoming repairs.

**Parks** – spread mulch, Town employees cut the end of tables at Memorial Park to make handicap accessible.

**SWM Ponds** – cleaned trash from all ponds

**PLANNING COMMISSION** – Commissioner Dietrick reported:

**Demolition Plan** – Approved the demolition of a metal/wood frame shed in order to install an underground propane tank.

**Restricted Vehicle Text Amendment** – Tabled until the Commission hears from State Highway.

**Special Exception for vehicle repair** – recommend approval of vehicle repair facility at Garage Drive.

**PARKS & RECREATION** – Commissioner Ventre reported:

**Eagle Scout Project** – Marc Diederick is proposing a walking trail for Wiles Branch Park North. Marc is currently working on obtaining funds for the mulch.

**Wiles Branch Park** – Mr. Ventre mentioned erosion is forming on the area of the creek that was cleared. 18 people (15 are town residents) have submitted applications/waivers. Pizza Garden preparation is scheduled for May 14.

**Memorial Park** – the bench near the climbing wall needs to be repaired or replaced. The public facilities are open.

**FINANCE** – Commissioner O’Reilly reported:

9 months into the fiscal year is on line.

**Highway User Fee** - The State has informed the Town that they will be receiving \$58,866.00 in funds. This is up from the \$9,000.00 has previously reported. Commissioner Falcinelli appreciates this increase but it is still a far cry from the \$250,000.00 the Town used to receive. Commissioner Bussard noted the State did have funds to install sign and light post in the amount of \$106,000.00.

**PUBLIC INFORMATION** – Commissioner Falcinelli reported:

**List Serve** – Residents are encouraged to sign up for this.

*Pam Dietrick*, 707 E. Main St. asked who is on the committee. Commissioner Falcinelli asked anyone interested in serving on this committee to contact her. She noted the Town Board helped with the drafting of the Public Information Utilization Policy.

**NEW BUSINESS**

**Walnut Street Bridge Design Proposals** – Whitmen, Requardt & Assoc. (WR&A) submitted a Consultant Proposal in the amount of \$48,897.75. Staff is recommending an additional \$25,000.00 for unknown conditions. The Town is waiting for verification from the State that could possibly classify this bridge as a culvert and the stream as drainage area. This could cut the cost. Commissioner Bussard motioned to accept WR&A proposal in the amount of \$48,897.75 and include the additional \$25,000.00 for a total of \$73,987.75, seconded by Commissioner Dietrick and passed unanimously.

**Water Model Design Proposal** - Tabled

**PUBLIC COMMENTS**

**Pam Dietrick**, Middletown Rec. Council, said the Easter Egg Hunt is scheduled for April 16 and invite the Board to attend.

**George C. Rudy**, 11 W. Crum Rd., Walkersville, MD – Mr. Rudy requesting access to the Town water system (residential-Commercial) database (old town) in support of “public health and safety. Mr. Rudy is working with various groups that have concerns with Fort Detrick. Commissioner Falcinelli voiced concerns and feels this is an invasion of privacy. *Bob Smart*, 7525 Coblentz Rd. said this is too big of an item to be brought up under *public comments*. *Pam Dietrick*, 707 E. Main Street agreed this should have been an agenda item. This was tabled until April 25, 2011

**MEETINGS FOR THE MONTH**

<i>Parks &amp; Recreation</i>	<i>Tuesday, April 19, 2011</i>	<i>7:00 p.m.</i>
<i>Planning Commission</i>	<i>Monday, April 18, 2011</i>	<i>7:00 p.m.</i>
<i>Main Street Board</i>	<i>Thursday, April 28, 2011</i>	<i>7:00 p.m.</i>
<i>Town Board Meeting</i>	<i>Monday, April 25, 2011</i>	<i>7:00 p.m.</i>

**ADJOURNMENT**

With no further business to come before the Board, the meeting adjourned at 8:30 p.m.

Respectfully submitted,

Christine H. Moore  
Administrative Assistant