

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

TOWN MEETING MINUTES

REGULAR MEETING

September 12, 2011

The monthly meeting of the Burgess and Commissioners of Middletown was called to order on September 12, 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 Larry Bussard, Richard Dietrick, Jennifer Falcinelli, Vincent O'Reilly and Anthony Ventre.

CONSENT AGENDA

August 22, 2011 Town Minutes

Commissioner O'Reilly motioned to accept the minutes as presented, seconded by Commissioner Bussard and passed 6 – 0.

PERSONAL REQUEST FOR AGENDA

Proclamation for Constitution Week – Devra Boushe a representative of the Daughters of the American Revolution (DAR) submitted a proclamation to the Burgess and Commissioners to proclaim September 17-23 as Constitution Week.

Anna Peterson also with DAR stated that Constitution week is Sept. 17-23, the theme this year is "Educate, Celebrate, and Commemorate." This year is the 224th anniversary of the signing of the Constitution and the 220th anniversary of the signing of the Bill of Rights.

At this time Burgess Miller presented Ms. Peterson with our Proclamation proclaiming Sept. 17-23 as Constitution Week.

UNFINISHED BUSINESS

Locust Court Waterline Cost Estimates – Burgess Miller stated that in front of us we have 3 different estimates and drawing of how to hopefully correct this problem. The estimates range in price from \$71,000 to \$78,000. It was discussed at our workshop to implement filters in these house until our hydraulic module is complete then we can determine what action we need to take to get these residents clean water.

Susan Kraus, 104 Locust Court - stated that a temporary solution is not an option, a neighbor of mine brought in a filter last month to show the Burgess and Commissioners, they are replacing that filter in less than a month, she doesn't think that the filters will stop the dirty water. Ms. Kraus stated that yes

the filters may help some but it's not a fix to the problem. Ms. Kraus stated that she is having to run water in her tub 2-3 times before getting clean water, she does not drink the water, it is ruining our clothes (she brought in samples of her white clothes that are now spotted), our water bills have increased because we have to run our water several times to get clean water and we have not received any financial relief from the Town. Ms. Kraus stated that this problem started when the Town did the interconnection from Locust Blvd to Broad Street.

Fred Grimm, 106 Locust Court – Thanked the Commissioners for their time and also thanked Commissioner O'Reilly for stating that everyone deserves clean water. Mr. Grimm stated that he and Drew walked all 3 proposals being presented tonight. Mr. Grimm stated that he has lived here for 14 years and never had a problem with dirty water until the Town made the interconnection from Locust Blvd. to Broad Street. Mr. Grimm realizes that the waterlines in town are old, the one that runs down Main Street is 100+ years old and the ones in the development where he lives is 50+ years old. This is a problem and it needs fixed.

Commissioner Falcinelli stated that the water & sewer fund currently does not have the money to fund this project. It was asked by both Ms. Kraus and Mr. Grimm doesn't the town have a rainy day fund or an emergency fund? Burgess Miller stated that yes the General fund does have a rainy day fund but the Water & sewer fund does not. Mr. Grimm asked if the General fund could give the Water & sewer the money to correct this problem? Burgess Miller explained that yes there are ways for that to happen but it's not typical how we operate, we keep the two funds separate.

Nancy Motherway, 110 Locust Court – asked if the Town could use what was in the Water & sewer fund, use the rainy day funds and budget for this project next yr?

After much discussion from the residents and the Commissioners, it was agreed to that the Town will contact a plumber and have filters installed in these residents houses for a temporary fix until the hydraulic module is complete and we can determine what we need to do to correct this problem. Once that is determined we will discuss options and how we will fund this project.

Main Street Middletown - Burgess Miller introduced Becky Reich the new Main Street Manager.

Staff Planner – gave her report

Solar Collection System Text Amendment – Cindy included in the Commissioners packets draft language that the Planning Commission is considering along with examples from Frederick County and the City of Brunswick. Cindy also had the City of Hagerstown's ordinance. It was agreed to that the Commissioners review this language and the examples given and if there is any other language they would like included to get that to Cindy for our next meeting.

REPORTS OF COMMITTEES

WATER & SEWER – Commissioner Falcinelli reported:

Water Status – 304,000 gallons, last year 347,000 gallons

Spring Flow –73,000 gallons, going up with all the rain

West WWTP – sludge removal permits have been received by MDE just waiting on the VA landfill permit

Committee Meeting – no meeting for September

Brookridge Iron & Manganese – finished plans, sent to MDE, hoping to start by 2nd week of October and should be completed by Thanksgiving.

Hydrant Flushing – Oct. 17-21, 2011

PUBLIC WORKS – Commissioner Bussard reported:

Street patching – is underway

Curb painting – town maintenance staff have been painting the curbs throughout town.

Bulk Trash Pick-up – Scheduled for October 22, 2011 – only 2 items may be placed out by 6:00 a.m.

PLANNING COMMISSION – Commissioner Dietrick reported:

No meeting in August.

PARKS & RECREATION – Commissioner Ventre reported:

Commissioner Ventre stated that at the POS meeting in July Middletown was granted \$15,717.00 out of the \$47,000 available. Commissioner Dietrick stated that we split that pot with Thurmont since Middletown has received allocations for the last 5 years. Commissioner Ventre stated that Bob Hicks from Frederick County was present and stated that there were several projects that were allocated money but had not moved up the chain therefore that money would come back into the kitty and be available this year. Since Thurmont received the majority of the money, initially Thurmont had submitted 5 projects that had not been moved up the chain. They had planned on discussing the POS allocations at the MML meeting last month hoping that Thurmont would've worked through their projects to determine if they had been completed or where they were with the expectations that that money would be available and allocated at that time. Commissioner Ventre stated that Thurmont was still looking at the status of their projects, they have pared down their list from 5 to 3 projects and the total amount is about \$40,000. We are to have a final answer from Thurmont next month to determine what amount of the money will be brought back into the kitty. Everyone understands that whatever is brought back into the kitty, Middletown will get their chunk to fully fund their project which is \$54,693.

The Park Comm., along with Burgess Miller met down at the Wiles Branch Park pond along with the representative from SCD to discuss the renovation project. Commissioner Ventre stated that the DNR representative was to attend this meeting as well but went to the wrong park. The SCD representative did do the engineering studies and provided those drawing to us. We just now need to meet with the DNR.

FINANCE – Commissioner O'Reilly reported:

We are 2 months into the fiscal year and we are on track as of now.

Audit – Drew stated that the Audit will be finished by the end of the month and wanted to know what if the Commissioners wanted to move the meeting with the Auditor up? It was agreed by the Commissioners to have the Auditor attend the October 24th meeting.

PUBLIC INFORMATION – Commissioner Falcinelli reported:

Quarterly Update – deadline to get information to Ann is Sept. 16, 2011.

NEW BUSINESS

School Zone Speed Cameras – Burgess Miller stated that this was talked about at the MML meeting and he wanted to get the Commissioners feelings on this if they would like to pursue this or not. It was agreed to have staff gather some information and costs.

Curfew Ordinance – Commissioner Bussard stated that he walked in on a meeting with one of our Deputies and Drew discussing that if the Town had a Curfew Ordinance they could enforce it and hopefully keep the kids off the streets. Included in the packets is a copy of Myersville's Ordinance. Burgess Miller asked the Commissioners to read the Ordinance and make any changes and bring back for the Sept. 26 meeting.

PUBLIC COMMENTS

Pam Dietrick, Middletown Rec. Council – thanked Chris Goodman for being the DJ at the Teen dances. Mrs. Dietrick stated that the May festival brought in \$2,200 in vendor fees and that \$1,100 was given to the Skate Spot.

Spaghetti dinner – Oct. 9 from 11am.-7pm. at the Middletown Fire Dept.

Commissioner Falcinelli – presented the 5th Christmas in the Valley Ornament. It's the bandwagon sitting in front of the Zion Church. Commissioner Falcinelli stated that the proceeds from the ornaments funds Christmas in the Valley. The ornaments will sell for \$25 this year.

Burgess Miller – stated that the County is offering to the Municipalities the ability to rent the recycling dumpsters with no tipping fees. We would have to pay for the rental of the dumpster and the pick-up fees. Staff will get more information on this and report back.

ANNOUNCEMENTS

Heritage Festival – September 24, 2011

ADJOURNMENT

With no further business to come before the Board, the meeting adjourned at 9:00 p.m.

The Burgess and Commissioners will convene into Executive Session.

Respectfully submitted,

Ann Barkdoll
Administrative Specialist