

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

**TOWN MEETING MINUTES**

**REGULAR MEETING**

**October 8, 2012**

The first monthly meeting of the Burgess and Commissioners of Middletown was called to order on October 8, 2012, 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, Anthony Ventre and Christopher Goodman.

**CONSENT AGENDA**

Schedule Snodgrass Meeting Room Dedication – Burgess Miller mentioned Staff is working with the family to set up a date.

September 24, 2012 Town Minutes

Commissioner Goodman motioned to accept this consent agenda, seconded by Commissioner Bussard and passed unanimously.

**PERSONAL REQUEST FOR AGENDA:**

**UNFINISHED BUSINESS**

**Ordinance 12-09-01** – Prohibition of Farm Animals within Town Limits – Burgess Miller mentioned there has been discussion of adding a grandfather clause on existing chickens. Commissioner Goodman motioned to approve Ordinance 12-09-01 with the addition of a Grandfather clause stating “All existing farm animals in Town will be allowed to keep their existing animals to live out their natural lives with a limit of five (5) years. Under no circumstances is any farm animal allowed to be replaced or acquired beyond those that existed at the time of the approval of this ordinance”, seconded by Commissioner Dietrick.

*Gregory VanSlyke*, 108 Broad Street, voiced concerns that this ordinance comes from a complaint that was initiated between a dispute of neighbors and has escalated to where we are today. The Yarmus had no complaints voiced against them but must comply should this ordinance pass.

*Commissioner Falcinelli* mentioned that it was the belief of the Board for over 20 years that farm animals in the Town Limit was prohibited. The Town Attorney’s review of the current ordinance said chickens were not mentioned.

*Commissioner Bussard* has concerns with lot size and the Town does not want to be the police for managing the keeping of chickens.

*Jennifer Hurt*, 1 Wiles Creek Cir. Had chickens but gave them back when this issue started and questioned the source for the number of chickens and was told the Board review several other town’s ordinances and their number seemed to be 4 or 5.

*Bob Smart*, 7525 Coblenz Road had no strong view either way but it bothers him that chickens can bring out this many people to town meetings but can't participate when water and sewer or other issues that will affect the town for 20 to 30 years.

*Pam Dietrick*, 707 E. Main St. asked if this number includes cows.

*Jack Rieser*, 14 Caroline Dr. is disturbed how this evolved and that they was no neighbor dispute. Burgess Miller stated that ordinance does not include subdivision covenants. The motion before the Board passed with 5 for and 1 (Commissioner Falcinelli) against.

**Review of Street Capital Improvement Plan** – Long Term Goals – Staff prepared a list of future roadway improvement projects (copy attached) for the Board's review

## REPORTS OF COMMITTEES

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

**Water Status** – Usage 309,000 gallons per day

**Spring Flow** – 78,000 gallons, per day

**Discharge** – East WWTP 159,000 gallons and West WWTP 133,000 gallons

**N. Jefferson Street** – completed the second phase of water line replacement at a cost of \$131,000.00 which was under budget by a couple of thousand.

No Committee meeting

**PUBLIC WORKS** – Commissioner Bussard reported:

Cold Patching throughout the Town

**Heritage Festival** – set up and tear down was done by Staff

**Street Signs** – Repaired

**Foxfield SWM Pond** – repaired fence

**Walnut Street Bridge** – received permits, will go out for bid in January and work to begin in the spring.

**October 27, 2012** – solid waste drop off at Reich Ford Road

**October 13, 2012** – Bulk trash pick-up, only two item may be placed out by 6:00 A.M.

**PLANNING COMMISSION** – Commissioner Goodman reported:

**405 W. Main St.** – approved plan for Dog Grooming business, open house is scheduled for October 20. The property owners will be notified to remove the current sign and pole as it does not conform with the existing sign regulations.

**Vehicle sales Test Amendment** - reviewed and agreed with the draft, the Town Board presented.

**Construction Dumpster** – Will discuss this with the Town Board at the November 5 joint meeting.

**St. Thomas More Academy** – have submitted a revised site plan

**October meeting** – Will be discussing The Main Cup revised plan, Amvets expansion plan, Newton property conception plan.

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

**Memorial Park** – The Board along with Pam Dietrick, member of the Park Committee discussed:

Walkway from children's park to the Maze

Maze too large and too close to the rest rooms

Concerns with interference with the softball games/practices

Commissioner Bussard doesn't like taking away from what Memorial Park was intended for. Carolyn Nair, 109 Ivy Hill Dr., works with the Middletown Primary and Elementary school's children's garden and the children enjoy these gardens.

The majority agreed with the proposal submitted by the Park Committee.

**FINANCE** – Commissioner Dietrick reported:

**Audit** – FY 13 audit is showing a surplus in the General Fund of \$291,000 and deficit of \$34,000 in the Water/Sewer Fund.

**PUBLIC INFORMATION** – Commissioner Falcinelli reported:

**Facebook page** – Account is being set up.

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

**NEW BUSINESS**

**Update on Concept for Town Seal** – Burgess Miller mentioned \$15,000 was budgeted for the South Mountain Susquicentennial and only \$500 was used. The remaining fund could be used for this project. The Board is asking the Graphic Artist to come up with a design based on the Bob Hasle’s picture of Middletown.

**Request from AT&T Cellular Lease Amendment** – AT&T would like to go from 6 to 9 antennas on the water tower.

**PUBLIC COMMENTS**

**Susan Mangiafico**, 5 Wiles Creek Circle asked the status of the construction of the sidewalk along W. Green St. and was told possible construction to begin in 2014.

**ANNOUNCEMENTS**

Scarecrow kits are still available. Finished scarecrows will be put along Main Street on October 20, 2012.  
October 20, 2012 – Grand opening for Maggy’s bakery and Main Street Groomers

**MEETINGS FOR THE MONTH**

<i>Planning Commission Workshop</i>	<i>Wednesday, October 10, 2012</i>	<i>7:00 p.m.</i>
<i>Planning Commission</i>	<i>Monday, October 15, 2012</i>	<i>7:00 p.m.</i>
<i>Parks &amp; Recreation</i>	<i>Tuesday, October 16, 2012</i>	<i>7:00 p.m.</i>
<i>Town Board Meeting</i>	<i>Monday, October 22, 2012</i>	<i>7:00 p.m.</i>
<i>Main Street Board</i>	<i>Thursday, October 25, 2012</i>	<i>7:00 p.m.</i>

**ADJOURNMENT**

With no further business to come before the Board, the meeting adjourned at 8:15 p.m.

Respectfully submitted,

Christine H. Moore  
Administrative Assistant