

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

TOWN MEETING MINUTES

REGULAR MEETING

May 9, 2011

The monthly meeting of the Burgess and Commissioners of Middletown was called to order on May 9, 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, Richard Dietrick, Vincent O'Reilly and Anthony Ventre.

CONSENT AGENDA

April 25, 2011 Minutes

Public Hearing Town Operating Budgets – Monday June 13, 2011 at 7:00 p.m.

Meeting with Coblentz Property – Thursday, June 2, 2011 at 7:00 p.m.

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

PERSONAL REQUEST FOR AGENDA:

Sheriff Charles A. Jenkins – Sheriff Jenkins mentioned Frederick County has had 20 burglaries 1 was in the Town and 2 just outside of the Town and investigation is ongoing.

Parking along Coblentz Road is being enforced. The Board expressed concerns with the 6 month clause in the contract. Sheriff Jenkins said this is strictly a budget tool, 3 months notice is good. School Resource deputies will be placed on weekend duty.

Junior Deputy Academy will be June 20 and 21, 2011.

Commissioner O'Reilly stated the Town is happy with the 3 deputies in Town,

Frederick County Commissioner Blaine Young and Assistant County Manager Dave Dunn stopped by to offer assistance. Commissioner Falcinelli appreciates the communication with the new Board.

Rebecca O'Keefe, 710 Glenbrook Drive – Request for installation of a 3-Way stop sign at Glenbrook Drive and Wagon Shed Lane. Also present from the neighborhood were Jerry Jones and Jackie Felton.

Mrs. O'Keefe mentioned this request is a safety issue and with the number of children in this section, the Board of Education created a new bus stop at this intersection (which has no stop sign). The Board suggests they talk to the property owners where the stop signs would be located as this would affect the

off street parking and sometimes there is objection to mowing around these signs. The Board will forward this request to the Public Works committee for recommendation and will act on this at the May 23 meeting.

UNFINISHED BUSINESS

FY 2012 Program Open Space (POS) Requests – Review of Fencing Proposal – By general consent, the Board agreed to request funds toward fencing at Remsberg Park at the May 26, 2011 meeting in Winchester Hall. Items discussed:

Using the Ball Safety Netting System

MVAA has committed to 25% up to \$36,000.00

Fields will not be used until spring of 2012

If approved, these funds could take 2 years before disbursement

Commissioner Ventre stated that through the sole efforts of the Middletown Valley Community Garden Association, Maryland National Resource approved a \$6,000.00 grant for the Children's Garden to be located at the Memorial Park. This is subject to funding by Bond; therefore reimbursement will be based on Board of Public Works approval.

MDE Consent Agreement Conditions Fulfilled – On April 29, 2011, MDE notified the Town of the fulfillment of the conditions of the Consent Agreement effective September 30, 2004 and the approval of 35 taps. (Copy of letter attached).

Community Parks & Playgrounds Grant Award – Children's Garden at Memorial Park – See FY 2012

REPORTS OF COMMITTEES

WATER & SEWER – Commissioner Falcinelli reported:

Water Status – usage for April was 307,000 gallons (hydrant flushing) – last year was 336,000 gallons – The Town Administrator mentioned the permit for average daily use is over 468 gallons per day.

Spring Flow for April was 141,000 gallons (completely recharged)

Discharge – East WWTP was 271,000 gallons and the West WWTP was 284,000 gallons

Rain Barrels – Completely sold out, pick up is scheduled for May 11, 2011 6:00 until 7:30 p.m.

Committee meeting – scheduled for May 18, 2011 at 7:00 p.m. Review of the Water Allocation Policy and Consent Order is on the agenda.

PUBLIC WORKS – No Report

PLANNING COMMISSION – Commissioner Dietrick reported:

Coblentz Grove – review/discussed the new Storm water Management plan with developer

South Mountain Collision – Approved

Asian Café – review new site plans – will need underground propane tank – they hope to open in 4 months

Burgess Miller mentioned the Town is working with the County on a Redevelop Tax Credit Program. The Town is also working with Washington Gas Co. Since the Town has easements, for the running of a line from Holter Road to Cone Branch Dr. is being discussed. The Board of Education and owners of Coblentz Property are interested in hooking up to this line.

PARKS & RECREATION – No Report

FINANCE – Commissioner O'Reilly reported:

General fund reserve balance as of May 4 was \$402,328 and water/sewer reserve is \$342,071.

Expenditures as of April 30 for the general fund was \$62,434 ahead and water/sewer was \$34,149 under (2 months remaining in this fiscal year.) Commissioner Falcinelli mentioned the water/sewer reserve is for sludge removal and I & I.

PUBLIC INFORMATION – Commissioner Falcinelli reported:

Working on developing an explanation/chart on the Town’s Budgeting process to go in with the July bills.

NEW BUSINESS

Discussion of Proposed Frederick County Special Events Ordinance – Tabled as the County withdrew this draft.

Request for Amendment/Clarification of Solid Waste Removal Contract –Key Sanitation Proposed addendum to the Refuse and Yard Waste collection contract is as follows:

“Company has the ability to request an increase in service costs due to uncontrollable circumstances such as fuel increases, insurance, workman’s compensation and overall operating expenses. Company must prove by written documentation the request for an increase with the Company and the Town agreeing to this increase. An increase or decrease in fuel of aa40 cents per gallon will result in a monthly increase or decrease of 2% of service fees based on current fuel cost of \$3.16. Fuel increases are based on increments of 40 cents-example-if fuel increases over \$3.16 per gallon increase would be 2%-increase over \$3.56 per gallon increase would be 4%-increase over \$3.96 per gallon increase would be 6%-increase over \$4.36 per gallon increase would be 8%-increase over \$4.76 per gallon increase would be 10%-increase over \$5.16 per gallon increase would be 12% and so on. Any such increase or decrease will be figured on a monthly basis.” Commissioner Ventre motioned to accept this addendum as written, seconded by Commissioner Falcinelli and passed unanimously. Bob Smart, 7525 Coblenz Rd. asked if this would be an automatic increase and was told yes.

Main Street Manager Position – This position is budgeted for 30 hours. Ruth Davis-Rogers has agreed to return as a Consultant to help with reports and the hiring process. The Main Street Board is recommending this position be advertised as a 20 hour position and re-evaluate after 1 year. Commissioner O’Reilly motioned to break this 30 hours budget item into 20 hours for the Main Street Manager and 10 hours for the Main Street Consultant, seconded by Commissioner Falcinelli. Chris Goodman, 320 S. Jefferson Street, asked if this is keeping within the budget and was told yes. The motioned before the Board passed unanimously.

PUBLIC COMMENTS – No Comments

ANNOUNCEMENTS

- Main Street design meeting – May 11, 2011 at 7:00 p.m.
- Joint Board and PZ workshop – June 6, 2011 at 6:30 p.m.
- Town Board Meeting on June 27, 2011 is cancelled
- Remsberg Park tour – May 10, 2011 at 6:15 p.m.

MEETINGS FOR THE MONTH

<i>Neighborhood Meeting</i>	<i>Tuesday, May 10, 2011</i>	<i>7:00 p.m.</i>
<i>Planning Commission</i>	<i>Monday, May 16, 2011</i>	<i>7:00 p.m.</i>
<i>Parks & Recreation</i>	<i>Tuesday, May 17, 2011</i>	<i>7:00 p.m.</i>
<i>Water & Sewer Committee</i>	<i>Wednesday, May 18, 2011</i>	<i>7:00 p.m.</i>
<i>Town Board Meeting</i>	<i>Monday, May 23, 2011</i>	<i>7:00 p.m.</i>
<i>Main Street Board</i>	<i>Thursday, May 26, 2011</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