



AGENDA FOR THE TOWN MEETING

August 25, 2014

7:00 p.m.

PLEDGE TO THE FLAG

CALL TO ORDER

CONSENT AGENDA

- Town Minutes
- [August 7, 2014 – Public Hearing](#)
- [August 11, 2014 – Town Meeting & Public Hearings](#)

Red Indicates – Action Item
Green Indicates – Ordinance Introduction
Blue Indicates – Link to Additional Information

PERSONAL REQUESTS FOR AGENDA:

Emerson C. Nerona - [Request for Reduction in Late Fee Charges – 13 Wagon Shed Lane](#)

UNFINISHED BUSINESS:

- Dog Park Project – Grant Funds Approved
- [Review of On-Call Procedures – Cost Analysis](#)

NEW BUSINESS:

- [Timeline for Glenbrook Survey & Recommendations – Monthly Billing](#)

PUBLIC COMMENTS:

Please state Name and Address for the Record

ANNOUNCEMENTS:

- *The Town asking for volunteers to serve on the Town's Ethics Commission. Please submit a letter of interest to the Town Office.*

ADJOURNMENT

BURGESS AND COMMISSIONERS OF MIDDLETOWN MARYLAND

TOWN MEETING MINUTES

PUBLIC HEARING

August 7, 2014

The Public Hearing of the Burgess and Commissioners of Middletown was called to order on August 7, 2014 by Burgess Miller at 7:00 p.m. in the Middletown Municipal Center, 31 W. Main Street, Middletown, Maryland. Present were: Commissioners Larry Bussard, Jennifer Falcinelli, Richard Dietrick, and Christopher Goodman.

PUBLIC HEARING – Ordinance 14-08-01 – Ordinance to amend Chapter 2.04 of the Middletown Municipal Code to increase the salaries of the Burgess and the Commissioners to be effective for the terms of office following the municipal election in April 2016; to provide for the payment of salaries in pro rated monthly installments; to provide for the continuation of the payment of salaries in the current amounts until such time as the increase becomes effective.

Bob Smart, 7525 Coblentz Road – Stated that he believe the increase to be appropriate based on the number of meeting and the length of time since the last time the salary was increased 20 years ago.

The Public Hearing adjourned at 7:15 p.m.

Respectfully submitted,

Andrew J. Bowen
Town Administrator

**BURGESS AND COMMISSIONERS
OF MIDDLETOWN MARYLAND**

TOWN MEETING MINUTES

REGULAR MEETING

August 11, 2014

The first monthly meeting of the Burgess and Commissioners of Middletown was called to order on August 11, 2014, by Burgess Miller at 7:00 p.m. in the Middletown Municipal Center, 31 W. Main Street, Middletown, Maryland. Present were: Commissioners Larry Bussard, Rick Dietrick, Jennifer Falcinelli, and Christopher Goodman.

PUBLIC HEARING

Capital Improvement Programs (CIP)

General Fund – Burgess Miller stated in front of the Board tonight is the CIP Budget for FY15.

Included in this budget is the West Green Street Improvements which we will pay cash for the majority of this project.

Water & Sewer Fund – Commissioner Falcinelli stated that this does assume approval of the proposed \$3 increase on the Capital Improvement Fee from \$33 currently to \$36 proposed. If that does not pass we will have to revise this budget. Commissioner Falcinelli also stated that the goal when we implemented the Capital Improvement Fee was by 2020 when the Debt Service Fee ends that the Capital Improvement Fee match that.

Ordinance 14-08-02 Water & Sewer Rate Increase – This ordinance proposes a 3% increase in the water & sewer rates and a \$3 increase on the Capital Improvement Fee.

Commissioner Falcinelli stated that the Water & Sewer fund had to get a \$100,000 grant from the General fund to make this budget work that is the reason for the 3% increase.

Public hearing adjourned at 7:13pm.

CONSENT AGENDA

Public Hearings scheduled for Thursday, September 4, 2014 at 7:00pm.

- *Ordinance 14-08-03 – Adult Entertainment Business*
- *Ordinance 14-08-04 – Active Adult Regulations & Cluster Developments*

Town Minutes – July 14, 2014 Regular meeting

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

PERSONAL REQUESTS FOR AGENDA:

- *State Delegate Kelly M. Schulz*
- *Susan Reeder Jessee, County Council at large candidate*
- *Jan Gardner, County Executive candidate*

Unfinished Business:

Ordinance 14-08-01 – Compensation of Elected Officials – Burgess Miller stated that this Ordinance is to increase the elected officials pay. The proposed increase is the Burgess be increased from \$6,000 to \$10,000 a year and the Commissioners be increased from \$2,400 to \$4,200 a year. This increase will take

affect after the next Election in 2016. Drew stated that the Public Hearing was held previously on this and that the last increase was 20 years ago.

Motion by Commissioner Falcinelli to approve Ordinance 14-08-01 as presented, seconded by Commissioner Goodman. Motion carried 5-0.

Ordinance 14-08-02 – Water & Sewer Rate Increase – Drew stated that this Ordinance is to increase the water & sewer rates by 3% and increase the Capital Improvement Fee by \$3. Drew stated that the budgets were prepared with a 3% increase in the previously approved operating budgets. Any decision by the Town Board to change this proposed rate increase would require the operating budgets to be amended. Motion by Commissioner Goodman to approve Ordinance 14-08-02 as presented with the 3% increase of water & sewer rates and the \$3 increase on the Capital Improvement Fee, seconded by Commissioner Dietrick. Motion carried 5-0.

Capital Improvement Program (CIP) – General Fund Budget – Motion by Commissioner Falcinelli to approve the CIP General Fund Budget as presented, seconded by Commissioner Bussard. Motion carried 5-0.

Capital Improvement Program (CIP) – Water & Sewer Budget – Motion by Commissioner Falcinelli to approve the CIP Water & Sewer Budget as presented, seconded by Commissioner Dietrick. Motion carried 5-0.

Review of On-Call Procedures – Drew stated that at the workshop it was the consensus of the Board to look at monetary options for staff that are on-call. Drew presented the Board with a few options showing the yearly cost from \$1.50/per hour to \$3.75/per hour. Burgess Miller stated that he would like to vote on this at the August 25th meeting. It was the consensus of the Board to start out with \$2-\$2.50. Staff will provide the data on this rate for the Board to review at the August 25th meeting.

Amendment to Personnel Policy – Burgess Miller stated that this amendment is due to a situation we encountered when Main Street held the Sesquicentennial event where the caterer left the alcohol that was for the event. Town employees removed the alcohol from the event site and placed it in the refrigerators on Town Property. Our current policy states that “Use, sale or possession of illegal drugs and/or alcohol on the job, on Town property, or in Town vehicles” results in immediate termination of employment. Burgess Miller is proposing to change letter C to “Use, sale, or possession of illegal drugs on the job, on Town property, or in Town vehicles and add letter D to say “Use, sale, or possession of alcohol on the job, on Town property, on in Town vehicles unless at a Town function authorized by the Burgess and Commissioners.

Motion by Commissioner Goodman to accept the proposed changes to the Personnel Policy as presented, seconded by Commissioner Bussard. Motion carried 5-0.

REPORTS OF COMMITTEES –

WATER & SEWER – Commissioner Falcinelli reported:

Spring flow: 98,000 gal., East WWTP 197,000 gal., and WWTP 166,000 gal.

Water & sewer committee meeting – August 20, 2014 at 7pm.

PUBLIC WORKS – Commissioner Bussard reported:

The maintenance guys have been busy – cut trees at reservoir, street sign repairs, power washed & stained the walking bridges, curb/inlet repair on Eastern Circle, made repairs to children play equipment at Wiles Branch Park, and replaced the waterline on Maple Street.

New dump truck is to arrive Aug. 17.

Reminder that school is about to begin and it is the property owners responsibility to cut back the trees/bushes to make the sidewalks clear for the kids to walk to/from school.

Bulk Trash pick-up scheduled for Oct. 25, 2014.

Patching contract – work should start August 12th but they are calling for rain.

PLANNING COMMISSION – Commissioner Goodman reported:

Cross Stone Commons Imp. Plan – were approved. Developer has applied for the grading permit, they should be moving dirt soon. CVS is scheduled to open late fall of 2015.

Verizon- small cell install – Planning Commission approved their request to install it on a light pole.

PARKS & RECREATION – no report

FINANCE – Commissioner Dietrick reported:

Auditor has been in the last 2 weeks and the preliminary looks good. Revenue is down \$29,000 and our expenses up approximately \$100,000 but that is from 2 CIP projects that we had to do in FY14. Final numbers should be ready sometime in October.

PUBLIC INFORMATION – Commissioner Falcinelli reported:

Now that the water & sewer rate increase has been approved we will add that to the community directory and go to print.

NEW BUSINESS:

Discussion of Location Restrictions of Gun sales near, churches, schools and playgrounds - Burgess Miller stated that a request came in for the Town to consider putting on similar restrictions to Gun sales near, churches, schools and playgrounds as we did with the Adult Entertainment Business.

Carolyn Spehr, 14 Gray Fox Court – stated that she is a mother of 2 young children and she would like to see the Burgess and Commissioners put these restrictions on to keep all the kids in Middletown safe.

The Board agreed to forward this to the Planning Commission.

PUBLIC COMMENT: None

ANNOUNCEMENTS:

The Town is asking for volunteers to serve on the Town's Ethics Commission. Please submit a letter of interest to the Town Office.

4.12.010 There is a Middletown Ethics Commission that consists of three (3) members who are appointed by the Burgess and confirmed by the Commissioners each to serve two years or until a successor takes office. Each member of the Ethics Commission shall be a resident of the Town of Middletown at all times during their term of office. The members of the Ethics Commission may be compensated for performing their duties at such rate as may be determined from time to time by resolution of the Burgess and Board of Commissioners. Volunteers cannot be members of any other committee with the Town.

ADJOURNMENT

Meeting adjourned at 8:24pm.

Respectfully submitted,

Ann Griffin
Office Manager



MEMORANDUM

DATE: July 29, 2014

TO: Burgess and Commissioners

FROM: Andrew J. Bowen, Town Administrator

SUBJECT: Request for Reduction in Late Fee Charges – 13 Wagon Shed Lane

ISSUE:

One of the property owners of 13 Wagon Shed Lane believes that Town should not have charges late fees to their water and sewer account because they did not receive any of the bills. The property is requesting a \$220.97 credit on their account.

BACKGROUND:

In 2009, the property at 13 Wagon Shed Lane was purchased by Emerson Nerona & Arthur Fisher. At the direction of the title company, the water and sewer bill was placed in the name of Arthur Fisher with a mailing address of 13 Wagon Shed Lane, Middletown, MD. In 2012, the Town received notice from the U.S. Post Office that an address change for the property was requested with the new mailing address to be P.O. Box 1024, Middletown, MD. The change was made to the account and the bill paid regularly until 2014.

According to Emerson Nerona, Arthur Fisher is his uncle and lived with them in the home at 13 Wagon Shed Lane until 2014 when he moved out of the home. The Town received no notice from either Emerson Nerona or Arthur Fisher regarding this change and continued to send bills to the P.O. Box until we received a call from the Nerona's after a water service disconnection in February 2014.

The property owner was informed by staff that it appears that this was a case of poor communication between multiple property owners and this is not the responsibility of the Town and rest solely on the property owner to inform the Town of billing address changes.



MEMORANDUM

DATE: August 11, 2014

TO: Burgess and Commissioners

FROM: Andrew J. Bowen, Town Administrator

SUBJECT: Rotational On-Call Program Policy

ISSUE:

Staff is recommending a formal policy for On-Call for emergency response. The policy would provide specific behavior, scheduling, and compensation for employees.

BACKGROUND:

The Burgess and Commissioners reviewed a draft of this proposed policy at the July 14, 2014 Town Meeting and asked staff to review direct monetary compensation rather than compensation via comp-time.

After a review of surrounding industries such as hospitals, water plants, and emergency responders, that provide 24 hour on-call services the average monetary compensation varies between \$3.00/hour – \$3.75/hour for on-call service. Many organizations use compensatory time, and other organizations require it as part of their position but these organizations are FLSA exempt positions, which is not the case with Middletown public works employees.

FISCAL IMPACT

The fiscal impact of using monetary compensation is outlined on the attached spreadsheet.



**Burgess and Commissioners
Middletown, Maryland**

On-Call Fiscal Impact
Updated wit October 1, 2014 Implementation Date

Hour of Call/Week	On-Call Rate/Hour	Number of Weeks	Number of Personnel	Yearly Cost
128	\$ 2.50	37	2	\$ 23,680.00
128	\$ 2.00	37	2	\$ 18,944.00
128	\$ 1.50	37	2	\$ 14,208.00

Budget Amendments To Fund On- Call Policy

Salary Increase Surplus \$ 5,179.00



MONTHLY BILLING

Proposed Timeline for Survey & Recommendation to the Burgess and Commissioners

- September 2, 2014 – Surveys included in monthly bills and notice sent out on list serve
- September 2 – October 3, 2014 - Survey Period
- October 2014 - Water & Sewer Committee Meeting
 - Review of Survey Results
 - Recommendation to Burgess and Commissioners
- November 2014 – Burgess and Commissioners to Make Decision on Billing
- December 2014 – Notification to Glenbrook Residents of Burgess and Commissioners Determination