

BURGESS AND COMMISSIONERS OF MIDDLETOWN MARYLAND

TOWN MEETING MINUTES

REGULAR MEETING

March 24, 2014

The second monthly meeting of the Burgess and Commissioners of Middletown was called to order on March 24, 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, Tony Ventre and Christopher Goodman.

PUBLIC HEARING

Ordinance 14-03-01 – An Ordinance to repeal and re-enact, with amendments, Title 17, Chapter 17.52 of the Middletown Municipal Code pertaining to the assessment and collection of fees for the submission and review of documents relating to various land use, planning and zoning matters; to establish a fee schedule for such fees, including the assessment of an electronic filing fee for certain submissions.

Town Planner Cindy Unangst stated that the Planning Commission and the Town Board have been discussing for some time the need to update the town's development review fees. The fees have not been updated since 2006 and upon review of the fees that other municipalities are charging, it has been apparent that our fees are lower than most. Included with the updated fees, the Planning Commission has recommended that an electronic filing fee be added in lieu of paper copies of plans for the Planning Commission and the town engineer.

Mike Tabor, 205 S. Church Street – asked what the definition of internal/external improvements entailed? Mr. Tabor felt like that should be spelled out.

The Burgess and Commissioners will vote on Ordinance 14-03-01 at their April 14, 2014 meeting.

CONSENT AGENDA

Town Minutes – March 10, 2014

Pam Dietrick, Middletown Rec. Council president stated that she asked for POS funds for the skate spot and that was not included in the minutes.

Commissioner Falcinelli motioned to accept this consent agenda with the correction to the minutes as stated, seconded by Commissioner Bussard and passed unanimously.

PERSONAL REQUEST FOR AGENDA:

Johnson Controls – Middletown Feasibility Presentation – Mr. Heston Crandon, Senior Account Executive presented the Burgess & Commissioners with his findings of saving the Town money on energy costs with proposed solutions that will reduce the budget. Johnson Controls asked the Board to execute the project development agreement (PDA). The executed PDA does not obligate the Town to pay the fee specified in the agreement, but instead is an acknowledgement by the Town that the fee shall be incorporated into JCI's project cost, in the event JCI and the Town execute an energy performance contract.

Unfinished Business:

Budget Workshop – Review of Operating Budgets – Drew stated that included in the packets is the first draft of FY2015 budget. Drew stated that the Water & Sewer budget shows a 3% increase as well as going monthly for the entire Town beginning Jan. 1, 2015.

Review of proposed text amendment on Active Adult & Cluster Developments – Cindy stated that the Planning Commission has reviewed the proposed Active Adult text amendment submitted by Memar Corporation which would establish that parcels of land less than 100 acres could be used in their entirety for active adult communities as long as the total density remained below two units per acre. By consensus the Planning Commission recommends approval of the proposed text amendment with a modification and the inclusion of the cluster development regulations within the active adult specific standards section of the code.

Cindy stated that she disagrees with the placement of the cluster development regulations as part of the active adult regulations and feels that they should be a separate section of the code, in line with Planned Unit Developments, in order to be able to address any potential types of cluster developments which could occur elsewhere in the future. This will be forwarded to the town's attorney for his review. A public hearing will be scheduled once the town's attorney has reviewed it.

POS Requests for FY 2015 – Commissioner Ventre submitted the Parks and Rec. Committee's requests for their consideration. The following is the list of proposed projects from Parks & Rec.: 1)walking path in Wiles Branch Park from the basketball court to the existing walking path at the location of the community garden; 2)repurposing Natelli field to tennis courts(subject to funding by Mr. Natelli); 3)small pavilion at Wiles Branch Park on the hill overlooking the ball field; 4)picnic tables in Wiles Branch Park at the southwestern end of the ball field near the treatment pond; 5)crossing bridge for the walking trail into Remsberg Park; 6)stone faced bench in Remsberg Park; and 7)benches along the walking trail in Remsberg Park (this is subject to whether the eagle scout candidate is intent on completing his eagle scout project).

Commissioner Ventre stated that there is \$345,000 available in POS which would be split between 12 Municipalities.

Bob Smart, 7525 Coblentz Road – asked if the County could get POS funding for the skate spot. Commissioner Ventre stated that he met with Paul Dial with Frederick County Parks about the skate spot. Mr. Dial stated that the County is very adamant about not including the skate spot as part of the master plan until 100% funding has been received. Mr. Dial stated that the County will not be funding any of this project. After much discussion the Board decided to allow wooden benches along the trail in Remsberg Park to allow the eagle scout project to be finished.

Discussion of Cross Stone Commons – Access off East Main Street (US Alt. 40) – Cindy stated that she met with State Highway on another project here in town and they spoke about this project. SHA has denied the right in only from Main Street (US Alt.40) for Cross Stone Commons. Cindy stated that if the developer does not get the right turn only access they will need to come back in with a revised site plan. Cindy stated that the developer would like to have a sit down meeting with SHA to discuss this as if they are unable to get the right turn only this will kill the deal with CVS. The Board agreed to have Burgess Miller send a letter to SHA endorsing the right turn lane for this project.

Review of Draft Ethics Ordinance – The State has reviewed our draft ethics ordinance and is acceptable. The Board will vote on at the April 28th meeting.

New Business:

Municipal Building Security Policy & Information – Drew provided the Board with Keycard Access frequently ask questions, building usage information sheet and key access form. The Board agreed to allow staff handle this as we see fit.

Discussion of Parking in Downtown – Burgess Miller stated that he had Drew include the original drawing from the Brenengan’s showing parking decks where the current fire department is located. Burgess Miller stated that we will revisit this at a later time.

Appointment of Election Judges – Burgess Miller stated that the following people have volunteered to serve as election judges for the upcoming election on April 7, 2014: Doris Keast, Linda Despeaux, Laura Lake, Jean Smart and Alex Kunderick.

Motion by Commissioner Bussard to approve the list of election judges, seconded by Commissioner Falcinelli. Motion carried 6-0.

Discussion of Wellness Program for Employees – Drew stated that since we are self insured one of the things that Benecon would like the Town to do is implement a wellness program for our employees. Drew is suggesting that we start with any of the employees get a yearly physical that we give them a \$75 gas card. By general consent the Board agreed and this program will start July 1, 2014.

ANNOUNCEMENTS

- *Public Hearing-South Jefferson Street traffic concerns –April 3, 2014 at 7pm.*
- *Public Hearing – Sandwich Board signs – April 3, 2014 7:25pm.*
- *Hydrant Flushing – April 14-18, 2014*

ADJOURNMENT

With no further business to come before the Board, the meeting adjourned at 9:15pm.

Respectfully submitted,

Ann Griffin
Office Manager