

BURGESS AND COMMISSIONERS OF MIDDLETOWN MARYLAND

TOWN MEETING MINUTES

REGULAR MEETING

November 23, 2015

The second monthly meeting of the Burgess and Commissioners of Middletown was called to order on November 23, 2015, 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, Rick Dietrick, Tony Ventre and Christopher Goodman.

CONSENT AGENDA

November 9, 2015 – Town Meeting Minutes.

Motion by Commissioner Bussard to approve the consent agenda as presented, seconded by Commissioner Ventre. Motion carried 6-0.

Personal Requests for Agenda:

Senator Michael J. Hough & Frederick County Councilman Jerry Donald – HB 1181 Rifle Zone Change – Middletown – Commissioner Goodman discovered a change to hunting laws for Middletown and questioned how this was changed with nobody knowing about. Commissioner Goodman contacted The Board of County Commissioners to inquire if they were aware of the change? Commissioner Goodman also spoke to Senator Hough as well as Delegate Afzali and no-one was aware of this change. Jerry Donald, Frederick County Councilman and Bud Otis, President of Frederick County both were in attendance and stated that this was not what was discussed at the Public Hearing that was held earlier in the year. Mr. Donald stated that the County Council received numerous emails and letters from people all of who were in opposition of this proposed change, still, the bill passed. Both the County Council and members of the State Delegation thought that the bill was about deer management on farms, and not a hunting bill. It was designed to allow farmers who were dealing with significant crop damage from deer to kill deer using a rifle.

Senator Hough stated that he too was surprised to see the zoning changes by the DNR (Department of Natural Resources) because the changes did not match what he thought was the intent of the bill. Senator Hough stated he contacted DNR after receiving the call from Commissioner Goodman. Senator Hough stated that the DNR worked with the Farm Bureau to get HB 1181 changed and approved. Senator Hough also stated that DNR has the authority to change the map zones and regulations. It was advertised in the MD Registry and they held a Public Hearing on. Of course no-one knew about because they advertised in the MD Registry that no-one reads on a daily basis. Senator Hough advised the Board that they can request to have the zone switched back to shot-gun only but it wouldn't go into effect for this hunting season. The request would need to be made in January.

Commissioner Goodman stated that he highly doubts that Middletown is the only Municipality that feels this way. Commissioner Goodman stated that it's been almost 20 years since it was changed to shot-gun only and to his knowledge there has not been an accident!

John King, Middletown Volunteer Fire Department – Mr. King requested a street light be installed at the intersection of Franklin Street & Fireman's Way. Mr. King stated that with the new Activities Building they have a lot more traffic in that area and that intersection is not lit and it's hard to see pedestrians walking as well as the signs letting people know that is where the Activities Building is

located. The Board didn't have a problem with this request. Burgess Miller stated that we would have our engineer look at this area and determine which pole is best for the light to be installed.

Unfinished Business:

Color for picnic tables at Remsberg Park – Drew provided the Board with a picture of what the tables will look like and the available colors. The Board agreed to go with hunter green.

Pathway Route for Walking Trail at Remsberg Park – Drew stated that the engineer has determined the safest route for the walking trail from Franklin Street to Remsberg Park. The path will start at the crosswalk on Franklin and go thru the floodplain area where a bridge will be installed for pedestrians to cross, then the path will continue to Remsberg Park. The Board was ok with this path and they also asked that this be reflected on the new trail maps. The Board also asked for the Linden to Main Street path to be also reflected on the trail map.

Walking Trail Maps – Drew showed the Board draft maps for their input. The Board liked the logo for the maps. The Board also thought it would be good to show the global system including where the paths meet the sidewalks. The Board would like to add the amenities to all maps where applicable.

Public Hearings on Thursday, December 3, 2015 at 7pm. –

- **Ordinance 15-12-01 – Subdivision Regulations**
- **Ordinance 15-12-02 – Board of Appeals**
- **Ordinance 15-12-03 – Signs**

NEW BUSINESS:

Discussion of Calculation Formula for Commercial Capacity – Tap Fees – Drew stated that this was brought before the Water & Sewer Committee last month. The Water & Sewer Committee felt that this was more of an economic development issue and wanted the Boards input. The developer of Cross Stone Commons brought to our attention that our tap fees are somewhat of a deterrent to businesses wanting to come to this area. Drew stated that back in 1998 the Board approved a method for calculating tap fee for commercial property. The Town allows one of two methods to be used, developer's choice; fixture unit count or equivalent meter and service ratio. At the time of approval, Frederick County used the same methods. In 2002, Frederick County modified their capacity calculation to include a capacity adjustment factor for commercial customers. This factor is derived by Frederick County based on historical usage for similar type structures and is evaluated and adjusted every three years according to historical demand. Burgess Miller asked Mark Crissman who was present tonight representing the Owners of this property who has turned you down due to tap fees. Mr. Crissman stated that he was unsure as he did not have that information, but the owner would.

Drew went over some options with the Board on how we currently charge the tap fees and what the County currently does.

PUBLIC COMMENT:

Bob Smart, 7527 Coblentz Road – Publicly thanked Commissioner Goodman for bringing the hunting issue to the Board & Residents.

ANNOUNCEMENTS:

Christmas in the Valley – Saturday, December 5, 2015

ADJOURNMENT

Meeting adjourned at 7:57pm.

Respectfully submitted,

Ann Griffin
Office Manager