

BURGESS AND COMMISSIONERS OF MIDDLETOWN MARYLAND

TOWN MEETING MINUTES

TOWN MEETING

November 14, 2022

The meeting of the Burgess and Commissioners of Middletown was called to order on November 14, 2022, by Burgess Miller at 7:00 p.m. Present were Commissioners Jennifer Falcinelli, Rick Dietrick, Kevin Stottlemeyer, and Christopher Goodman. Commissioner LaPadula attended via Lifesize until she made it to the meeting this evening.

PUBLIC COMMENT:

Brandy Feketis, 110 East Main Street, addressed the Town Board regarding crosswalk safety and students using the crosswalk located on the school complex. She sent an email to the Town which identified the safety issues of vehicles driving through the crosswalk while students were crossing. She has videos showing different times when students could have been hit by vehicles when they were using the crosswalk. She has contacted the schools and Frederick County Public Schools with her concerns and evidence but has received little response. The identified crosswalk does not meet the required standards for a crosswalk. The Town Administrator stated that the safety concerns are similar throughout town. Traffic has the right-of-way if pedestrians are standing on the sidewalk, but the pedestrian has the right-of-way as soon as they step into the crosswalk. He has also spoken with the Community Deputies to review this specific issue and to make more of a presence at the location so that drivers do slow down and are aware of pedestrians using the crosswalk.

Ruby Smith, 107 Manda Drive, asked if there could be more of a police presence around the back of the Safeway building. Her property backs up to that location and she has noticed that people have been behind that building doing questionable activities. The deputies will be notified, and the property owner will be contacted.

PERSONAL REQUESTS FOR AGENDA: None.

CONSENT AGENDA:

- **Schedule 2023 - Joint Meetings between the Town Board & Planning Commission** – The tentative schedule of the Joint Town Board/Planning Commission meetings for 2023 was reviewed.
- **Performance Award** - The DPW has submitted a performance award for Water & Sewer Operator Kurt Miller for his time working as part of a 2-man crew when Water & sewer was down 2 employees and handling a large majority of the on-call time during that period and during the train up of the new employees. This occurred during June, July, and August 2022.
- Town Meeting Minutes
 - **October 24, 2022 – Town Meeting**

Motion: Commissioner Dietrick motioned to approve all items on the consent agenda as presented. Seconded by Commissioner Goodman. Motion approved (6-0).

UNFINISHED BUSINESS:

Review of Public Meeting Regarding South Jefferson Street – A public meeting was held on November 3, 2022 to discuss the proposed traffic alternative for South Jefferson Street to address the issues of speeding, cut through traffic and limited parking. None of the residents present (in person or via Lifesize) were in favor of making any portion of the street one-way. Options offered to assist with the issues included painting the curb yellow on each side of all the driveways along South Jefferson Street to discourage parking so close to driveway entrances, painting parking spaces on South Jefferson Street, repainting the 25MPH signs in the street, placing “No Thru Traffic” signs at each end of South Jefferson Street, opening the alley behind the properties on the west side of South Jefferson so there is parking available to the property owners along that alley, placing a “No Left Turn” sign across from the rear entrance to the Church Street Business Center on Boileau Drive, speaking with SHA to reinstitute right-on-red at the square corner, and making the Boileau Alley from South Jefferson to Jefferson Village one way only. The Town Administrator will provide further information on this list for the Town Board to review in order to make a decision at the November 28, 2022 Town Board meeting.

Discussion of Increase of Water & Sewer Usage Rate by 3% – The public hearing on this proposed increase has been scheduled for Thursday, December 1, 2022, at 7:00PM. The Town Administrator briefly reviewed Middletown’s water/sewer rates with other municipalities, and the sample water/sewer charges to customers showing the proposed rate increase. All information is available for review on the town’s website.

Update on Streetlight Buyback Program – The Town Board is reviewing this item as a possible cost savings. In 2016 The Town was in discussion with Potomac Edison (PE) regarding a cost savings measure of buying back the streetlights within town limits. It did not occur. However, streetlight survey completed during that time did show that the Town had been paying the costs on 45 streetlights that it did not own and were not within Town limits. PE had offered to give the Town a one-time \$32,000 at that time. In 2022 staff was asked to reopen the Street Buyback discussion with PE and collect the updated information on potential cost savings. PE would have to review the sale price since it has been 6 years since the last evaluation. If the Town moved forward with the streetlight purchase the Town would have to install disconnect switches to each of the 544 streetlights identified for purchase. These switches costs are in addition to the cost of the streetlights purchase. Additionally, the Town would have to add in maintenance costs for those streetlights. PE offered an alternative in which PE would switch all existing streetlights to LED. PE maintains ownership but the cost per month for each streetlight drops from \$22/month to \$13/month. This would lead to an annual savings of \$58,752. This does not preclude the Town from buying the streetlights in the future.

This would generate immediate savings. Staff will contact PE to negotiate any further savings if the Board chooses to approve this proposal.

Motion: Commissioner Falcinelli motioned to approve the Potomac Edison proposal with additional negotiation concerning compensation to the Town for the charges for the 45 streetlights the Town did not own. Seconded by Commissioner Goodman. Motion approved (6-0).

Discussion of Community Deputy Program - The Town Board is doing a budget analysis on various items to determine any cost savings. One item being reviewed is the Community Deputy contract. There are multiple options to discuss. The Sheriff previously stated that if the Town cut a deputy position it could enter a Special Enforcement Division contract to address speeding in Middletown. Whatever the decision, the Town must notify the Sheriff by January 2023.

The Town Administrator provided a cost per capita summary to the Board. According to 2018 statistics (pre-covid) the national average on the cost for law enforcement is 3.1% of the budget. The Maryland state average is 6.5% of the budget. Middletown is currently spending 13.69% of its budget on law enforcement. When tax equity is factored in, the Town is looking at a net savings of \$50-54,000 annually, not one third of the total contract. However, a Special Enforcement Division contract would cost approximately \$50,000 annually. The Town Board will have to look elsewhere for cost savings. The Sheriff will be officially notified of this decision not to cut one of the deputy positions.

Bids for Public Funds Money Rate Savings Account – The Town has received ARP funds and is interested in placing that money into an interest-bearing account while the funds are being spent. Three banks have provided information for a Public Funds Money Rate Account. The Town Administrator reviewed the rates and potential interest income for each.

Motion: Commissioner Stottlemeyer motioned to approve placing the town ARP funds into the public funds money rate account offered by Truist Bank. Seconded by Commissioner Goodman. Motion approved (6-0).

Review of Proposal from ATC Corp – Pickleball Courts – ATC Corp is provided a revised bid for the construction of 6 pickleball courts at Remsberg Park. It contained three alternatives to choose from. Alternative one was the construction of the 6 courts with no barriers between each court to catch the pickleballs. Alternative two was the construction of the 6 courts with a 4-foot barrier fencing between each court to catch the pickleballs. Alternative three was the construction of the 6 courts with a 4-foot T-type barrier between each court to catch the pickleballs. The proposed cost for each alternative exceeds the monies obtained for their construction. Since the courts would not be constructed until Spring 2023 there is likely opportunity to secure more funding through the next round of POS monies.

Motion: Commissioner Falcinelli motioned to approve the ATC proposal using Alternative 2 with the 4-foot barrier between the courts. Seconded by Commissioner Goodman. Motion approved (6-0).

REPORT OF COMMITTEES:

WATER & SEWER – Commissioner Falcinelli:

For October water use was – 309,119 gal., spring flow was – 61,992 gal., East WWTP treated 209,733 gals. and the West WWTP treated 138,747 gals. The Town received 2.05 inches of rain in October. The blue water droplet signs are back up at each end of town which indicates our water conservation level. The I&I study continues on the west end of town. The Cone Branch base flow is 144,000 gallons per day. Once the leak(s) is identified it will have to be addressed. Brookridge Pump Station is still facing the same issues with the flushable wipes clogging the system. The CIP projects for extending the waterline to Remsberg Park and the Linden Boulevard project are both slated to begin in the Spring. The WWTP study is underway. Bay Restoration Fee monies will be used to help pay for its costs.

PUBLIC WORKS – Commissioner Dietrick reported:

In addition to what the DPW reported, new employees were hired for the Water & Sewer department, employees are undergoing certification for flagging and snow removal, the fleet is being prepped for snow removal, valves were turned, and valve boxes were cleaned. A meter pit was installed at 101 South Jefferson Street. Town staff removed the fountain at Heritage Park, changed the banners on Main Street, installed a bench in front of the Food Bank and assisted with the tree planting event.

SUSTAINABILITY – Commissioner Stottlemeyer reported:

Members of the Sustainability Committee will be donating plants to the pollinator garden to replace the

plants that were taken. The Green Expo is scheduled for April 22, 2023. The Town should hear something on their silviculture grant submittal in December. A Little Seed Library will be installed next to the pollinator garden. It will function similarly to a little book library. The next committee meeting is November 15, 2022.

PLANNING COMMISSION – Commissioner LaPadula reported:

The workshop will be held Wednesday, November 16, 2022. The Planning commission meeting will be held Monday, November 21, 2022. Agenda items include continued discussion on the sign revisions, and the Comp Plan chapter 9 – Growth Element. The Site Plans for Memorial Hall were finalized and approved. The Planning Commission is expecting to receive plans for development of 406 West Green Street.

PARKS AND REC. COMMITTEE – Commissioner Goodman reported:

He was in contact with MVAA concerning repairing the fence backstop of the softball fields at Memorial Park. The cost is \$5000.00. MVAA is investing \$15,000 in the field. He suggests the Town make a \$5000 donation to MVAA to fix the fence. Parks and Recreation has monies in the budget to cover this donation.

Motion: Commissioner Goodman motioned to approve the \$5000 donation to MVAA to fix the softball fence at Memorial Park. Seconded by Commissioner Stottlemeyer. Motion approved (6-0).

PUBLIC INFORMATION – Commissioner Falcinelli reported:

In October, the top five town website pages visited were 1. Middletown Events, 2 Business Directory, 3. Water & Sewer, 4. News & Announcements, and 5. Trash. Residents were reminded to sign up for town email notifications and the robocalls to keep up to date on the latest in Middletown. The sustainability website has a disclaimer posted which covers their website. The Town attorney is reviewing the disclaimer. The Town Board will review and decide if it wants to accept this disclaimer for the Town website in December.

NEW BUSINESS:

FY 2024 Property Tax Set Off from the County – The Town Administrator has received notification from the County regarding the 2024 Property Tax Set Off. The Town can choose either Tax Rebate or Tax Differential. The Town Board agreed by consensus to continue to receive tax rebate.

Middletown School Feasibility Study – The Frederick County Public Schools (FCPS) recently released its Middletown School Feasibility study. The study began back in April 2022. No input was gathered from residents, parents of students, or the Town. Of the options mentioned the study recommends option 2B which includes construction of a new high school and construction of a new collocated building housing both the elementary and middle schools and also includes new traffic patterns for the school complex. Rehabilitation of the buildings is not an option. Many residents were present to voice their concerns and frustrations with the study and its recommendations. They also offered several options concerning traffic patterns and building locations on the property. Town officials and a few residents have contacted FCPS and county officials asking for clarification and potential assistance with this project. The push for the vote on this project is so that design year 1 can be included in the budget for FY2024; which has monies available to use.

FCPS is holding an information session on this topic Thursday, November 17, 2022 at 6PM at the Middletown High School auditorium. The public is invited to provide feedback. A vote on the feasibility study by the FCPS Board of Education will take place Monday, November 21, 2022 at 6PM. The Town will advertise the notice of the meetings and the feasibility study on its social media sites.

PUBLIC COMMENTS:

Leann Moore, 202 Ali drive, recommended that the Town resume picking up yard waste in March 2023 like it did this year, instead of waiting until April 2023.

ANNOUNCEMENTS:

- *Valley Craft Network Annual Studio Tour – November 19-20, 2022*
- *Small Business Saturday – November 26, 2022*
- *Christmas in the Valley – Saturday, December 3, 2022*

Meeting adjourned at 9:09 PM.

Respectfully submitted,

Annette Alberghini,
Office Manager