

BURGESS AND COMMISSIONERS OF MIDDLETOWN MARYLAND

TOWN WORKSHOP MEETING MINUTES

WORKSHOP MEETING

November 5, 2020

The virtual workshop meeting of the Burgess and Commissioners of Middletown was called to order on November 5, 2020, by Burgess Miller at 7:00 p.m. Present via Zoom were: Commissioners Christopher Goodman, Jennifer Falcinelli, Jean LaPadula and Rick Dietrick.

PERSONAL REQUESTS FOR AGENDA:

STAFF REPORTS:

Deputy Report – A Deputy report was provided to the Burgess and Commissioners prior to the meeting. No Deputy was present to review.

Staff Planner Report – Cindy reviewed her report.

Engineer's Report – Bruce reviewed his report.

Main Street Manager Report – Becky reviewed her report.

Zoning Administrator's Report – Mark reviewed his report.

CONSENT AGENDA:

- **FY22 Tax Equity Calculation** – The town received a letter from Frederick County asking if the town wanted to continue to receive the property tax rebate for FY2022. This will be an item for discussion at the next Town Board
- **Covid Policy Updates** – The CDC updated its guidelines regarding Covid19. Commissioner Falcinelli reviewed how this affects the Town's policy. The change involves the updated statement that employees will be considered a close contact and exposed if within 6 feet of an infected person for a cumulative total of 15 minutes or more. Burgess Miller has asked that a quick information sheet be developed to hand out to town employees as a reminder of expectations during covid19.
- **Financial Statements**
- **Town Meeting Minutes**
 - *October 26, 2020 – Town Meeting*

UNFINISHED BUSINESS:

Broad Street Reconstruction Plans – This is just an informational update. This project is funded in CIP. The plans are finished. The Town will put this project out for bid this coming Spring with plans on construction starting this fiscal year.

Ron Moss, 213 Broad Street, stated there are new residents on Broad Street. He has encouraged them to sign up to receive communications from the Town. The Town Administrator will print a full-sized copy of the plans and deliver them to Mr. Moss so that he can share/review with the neighborhood residents.

Review of Washington Street Improvements – This project will provide a safe walking path along Washington Street from the Elm Street parking lot to the downtown core. It includes replacing all curb, gutter, sidewalks, lighting and replacing the asphalt. There will be some storm drain improvements. Once the Town board has worked out details the residents will be notified for input and discussion. At tonight's meeting the Director of Public Works reviewed the changes to the plan which entailed adding

crosswalks at Washington and South Church Street and Washington and Elm Street. A sidewalk will be installed coming down from Boileau Court as well. The next step in the process is to notify residents in the neighborhood of the project for input and feedback. This will be accomplished by sending the residents a letter and through scheduled Zoom meetings.

Review of MOU for Active Adult FRO Area – This MOU is in response to residents mowing and pruning trees in the Forest Conservation Area in the Village of Foxfield. Residents were doing this to care for the environment and to upkeep the overall appearance of the area, not realizing that it should not be done. The MOU clarifies the roles and responsibilities of the residents of Foxfield and the Town regarding that Forest Conservation area. This has been reviewed by both the Staff Planner and the Town Administrator and the HOA is aware of the situation and the forthcoming MOU. If the Town Board agrees this will be sent to the HOA for their review.

Decision on Special Election for Vacancy on Town Board – The Town Board discussed how to best proceed filling the vacancy on the Town Board with the resignation of Larry Bussard. Town Code currently states that a special election is to be held. The Town Administrator presented 2 different possible special election date scenarios. Scenario #1 has the nominating convention on December 1, 2020, absentee ballot requests in by December 28, 2020 and the special election being January 11, 2021. Scenario #2 has the nominating convention scheduled for January 12, 2021, with absentee ballot requests by February 5, 2021 and the special election being held February 22, 2021. Elections would be in person following CDC & Frederick County Health Department guidelines. It was suggested that the Town hold the nominating convention and the election at an alternate site to better follow CDC guidelines with in-person voting. The Fire Department's activities center was suggested. The Town Administrator will contact the Fire Department to see what the fees are. Option A was discussed as the more preferred option.

Discussion of Sunset Provisions – There are two properties within town limits with site plans that were approved prior to the approval/addition of sunset provisions to the Town Code in November 2010. Neither property has had any type of action/development taken since the approval. The Town is deciding how to address these properties since substantial improvements have occurred in those areas where these properties are located. The Town Attorney has provided an opinion that the subject properties have acquired no vested rights in their twelve-year-old site plan approvals.

Comprehensive Plan – Chapter Review - The Staff Planner stated that when updating Chapter 5 – Transportation, that Frederick County has not done a recent traffic count. The one completed by SHA for Streetscape had lesser numbers when compared to traffic count in the 2010 Comp Plan (from 2007). It is thought that the numbers are skewed due to the streetscape construction. The numbers for 2010 also projected development in Boonsboro, which would add to the traffic count in Middletown, but the streetscape numbers do not support it. The Town needs more information and understanding so as not to make false assumptions in the 2020 Comp Plan. Town Board was provided a draft copy of Chapter 6 – Community Facilities to begin reviewing. The Staff Planner reviewed the changes and updates proposed. The information on the number of in-town students enrolled in Middletown schools seem skewed. Especially the validity of the elementary school percentages. The numbers will be reverified with Frederick County Public Schools. The Comp Plan survey is complete. The results will be provided to the Planning Commission for review. Again, any comments or suggestions on these chapters or the survey please get them to the Town Planner.

NEW BUSINESS:

Example Ordinances – Off-Site Sale of Liquor in Town Limits – There have been over 700 responses to the off-site sale of liquor in town limits survey with at any given time 64-68% in favor of it. Copies of draft ordinance was provided for review. It would be allowed in the General Commercial District as a special exception. It would address sign standards, hours of operation and location in regard to houses of worship and schools. It was suggested that information on this ordinance be placed in the next newsletter and include dates for public meetings and the public hearing.

Review of Conceptual Elevation Plans for Memorial Hall – The developer provided rudimentary drawings of the proposed size and views of the developed site. These have been provided to Christ Reformed Church for their review. Board members may have to walk the site and review to get a better idea of what the drawings are showing. It was noted that its view is similar to what it looked like when Memorial Hall was a theater. The Concept Plan is for 15 apartments.

Crosswalk/Stop Sign Request – Green Street – The Town received an email from David Lake who is concerned with increased traffic and speeding on East Green Street, and also the crosswalk with the adjacent parking space on East Green Street. He has requested the Town look at installing a stop sign at the crosswalk. East Green Street is a collector street. As such, stop signs would be limited to intersections. The nearest intersection to the crosswalk in question is the intersection of Gaver Way and East Green Street. The speed sign will be placed on East Green Street to collect data. The parking space in question will be reviewed for usage. More information will be provided at the end of the month Town Board meeting.

Covid Testing at Wastewater Treatment Plants – Frederick County had asked municipalities to participate in covid testing of samples taken from their wastewater treatment plants. This is an attempt by the County to obtain results which after study could eventually potentially predict potential outbreaks of Covid19. Middletown has participated. The Director of Public Works attended a virtual meeting with Frederick County and other municipalities where explanation of received lab results were made. The information/results obtained from small municipalities (like Middletown) were not as helpful to the research due to the multiple variables those wastewater treatment plants inherently had. The cost for the testing is \$1200 per week. The County would like a decision from the Town as to its interest in continuing this testing. This testing would be more effective in schools or nursing homes. After discussion it was decided that Middletown would no longer participate in the research testing. The Director of Public Works will notify the County.

PUBLIC COMMENTS: None.

ANNOUNCEMENTS:

- *Memorial Tree & bench Dedication for Lewis Corl – November 7, 2020 at 10:00AM at Cone Branch Trail.*
- *Middletown Veterans Ceremony – November 8, 2020 at 2:00PM at the War Memorial*
- *Middletown's 13th Annual Scarecrow Contest – Thank you to all who participated.*

Workshop adjourned at 9:24 PM.

Respectfully submitted,

Annette Alberghini,
Office Manager