

**BURGESS AND COMMISSIONERS
OF MIDDLETOWN MARYLAND**

VIRTUAL TOWN MEETING MINUTES

TOWN MEETING

January 24, 2022

The virtual meeting of the Burgess and Commissioners of Middletown was called to order on January 24, 2022, by Burgess Pro Tem Jennifer Falcinelli Miller at 7:00 p.m. Present were Commissioners Kevin Stottlemeyer, Christopher Goodman, Rick Dietrick and Jean LaPadula.

PUBLIC COMMENTS: None.

PERSONAL REQUESTS FOR AGENDA: None.

CONSENT AGENDA:

- Budget Amendments
 - [22-04 – Historic Middletown Collection¹](#) - The purchase of the collection was approved at the last Town Board meeting. The purchase will be paid for with Highway User Revenue funds and higher than expected planning and zoning fees collected this year.
 - [22-05 – Employee Salary Study¹](#) – The Town Board moved Budget Amendment 22-05 – Employee Salary Study to later in the meeting so that it can be addressed after the employee salary study proposal is addressed.
- Town Meeting Minutes
 - [January 6, 2022 – Town Workshop¹](#)
 - [January 10, 2022 – Town Meeting¹](#)

Motion: Commissioner LaPadula motioned to approve the consent agenda excluding Budget Amendment 22-05 – Employee Salary Study as presented. Seconded by Commissioner Goodman. Motion passed (5-0).

UNFINISHED BUSINESS:

Introduction of Ordinance 22-01-02- Fencing Regulation Amendments – This is the third time this item has been before the Town Board. The Town Administrator reviewed the draft amendment on Fences. This includes an additional section addressing corner lots which has drawings for further clarification. There was discussion concerning raising the height of fencing in a front yard to 4 feet high. Current town code allows for a 3-foot-high fence. 4-foot-high fences in the front yard would assist with those corner properties that would like to install a pool in their side yard. Most Town Board members want to keep the current town code height of 3-foot in a front yard. It was suggested to add new definitions for both “Side Yard Corner Lot” and “Rear Yard Corner Lot” to provide clarification. It was also suggested to add language that addresses when a fence that does not meet town code is repaired or replaced that it should be modified to meet Town Code. The Zoning Administrator will be asked to provide further information for clarification. A public hearing will be held on this ordinance Thursday, February 3, 2022 at 7:00PM.

Discussion of ARPA Funding for Businesses in Town - The Town Board reviewed the drafted town policies for ARPA funding distribution for both non-profit organizations and for-profit businesses in Middletown. After a very long discussion the following was determined: Under the Eligibility section of

both policies each will have corresponding statements that the for-profit business or non-profit organization will be located within the boundaries of the Town of Middletown. In addition:

- **ARPA Funding for Non-Profit Organizations** – A question will be added which asks the non-profit organization for the amount of their annual budget. The Town Board recommends that awards NOT exceed a non-profit organization’s annual budget. Non-profit organizations will have to apply for the award. It will not be just given out. Once all applications have been received, ARPA fund awards will be distributed in a fair and equitable manner determined by the number of applications received, up to but not to exceed \$10,000 per organization.
- **ARPA Funding for Profit Businesses** – Under the Eligibility section amend the first sentence to state “This grant is open to small For-Profit-Businesses located within the boundaries of the Town of Middletown.” Businesses will have to show a loss or additional expenditures related to Covid. It was determined that the policy will not have to exclude big corporate chains in town since the policy states small businesses, and most large corporate entities will not bother applying for this small grant.

Motion: Commissioner Stottlemyer motioned to approve both policies with the recommended changes. Seconded by Commissioner Dietrick. Motion passed (5-0).

The Town Administrator will update both policies and email them to the Town Board to review prior to the Town Workshop in February.

NEW BUSINESS:

Discussion of Cable Franchise Agreement with Shentel – The proposed agreement with Shentel was provided to the Town Board at the December 13, 2021 Town Board meeting. The draft agreement is to provide competitive internet and cable services to town residents. The contract is similar to the franchise agreement Comcast has with the Town. Shentel will provide complimentary internet service to the Middletown Food Bank. If the Town Board agrees, the Town Administrator will forward the agreement to the Town Attorney for review. The Town Board agreed by consensus to send the agreement to the Town Attorney. Shentel would like to meet with Middletown businesses as there are incentives available to them to utilize Shentel services.

Employee Salary Study Proposal Review – The Town Board asked during the last budget cycle for an employee salary study before the next budget year deliberation. WW Consulting Inc (WWC). just completed an employee salary study for the Town of Emmitsburg. They are proposing to complete a 2022 compensation study for Middletown at a cost of \$8,975. The Town Administrator stated that most studies can cost \$15-20 thousand dollars. Since WWC just completed the study for Emmitsburg much of the information they collected would be relevant to Middletown hence the cost difference. This is a reputable firm that is recommended by both the Middletown Finance Officer and the Town of Emmitsburg.

Motion: Commissioner LaPadula motioned to approve the proposed WWC employee salary study as presented at the cost of \$8,975. Seconded by Commissioner Goodman. Motion passed (5-0).

Budget Amendment 22-05 – Employee Salary Study – The \$8,975.00 cost of the salary study will be covered by the funds received for the total salvage value of the old town skid-steer.

Motion: Commissioner LaPadula motioned to approve Budget Amendment 22-05 – Employee Salary Study as presented. Seconded by Commissioner Goodman. Motion passed (5-0).

West Green Street -Request to Address Safety Concerns – The resident at 303 West Green Street has safety concerns regarding the curb side parking in front of his house. With the Green Street reconstruction, a retaining wall was installed at the front of his property that hampers sight lines when exiting his property. This is compounded when large vehicles are parked in front of his house, east of his driveway. He has experienced several near misses with cars and bicyclists when trying to exit his property. He is requesting to have the Town Engineer look at the location and provide recommendations. Several neighbors own large vehicles and do park them in front of 303 West Green Street. Green Street is a collector street so there is much traffic that travels that street daily.

The Town Board agreed by consensus to have the Town Engineer review and evaluate that area and to send his recommendations to the Town Board.

Discussion of In-Person Meetings and Elections – All town meetings are currently being held virtually. Burgess Miller would like the Town Board to discuss when they would like to recommence with in-person meetings. He recommends continuing virtual meetings and to hold the Nominating Convention for the 2022 election virtually, but hold the 2022 election April 4, 2022, in-person. Town Board members are willing to reinstate in-person meetings. Current Covid guidelines require mask wearing in indoor public places. After discussion the Town Board recommended continuing to meet virtually until the County lifts its mask mandate. Once lifted the Town Board will re-evaluate meeting virtually.

Nominating Convention – Wednesday, February 23, 2022 at 7:00PM – Burgess Miller recommends holding the Nominating Convention for the 2022 election virtually, but holding the 2022 election April 4, 2022, in-person. The Nominating Convention would be held similarly to last year’s special election which included any eligible nominated candidate would be placed on the ballot, and there would be no run-off the evening of the Nominating Convention. The future direction of Covid mandates is expected to decrease locally. There is interest in holding an in-person Nominating Convention. The Town Administrator was asked to explore the option of holding the Nominating Convention in a larger location such as the MVFD Activities Building.

PUBLIC COMMENT: None

ANNOUNCEMENTS:

- *Public Hearings on Ordinances 22-01-01 & 22-01-02 – Thursday, February 3, 2022 at 7:00PM*
- *T-Mobil SIM Card Replacement for all Town i-Pads*

Meeting adjourned at 9:06 PM.

Respectfully submitted,

Annette Alberghini,
Office Manager