

# *BURGESS AND COMMISSIONERS OF MIDDLETOWN MARYLAND*

## VIRTUAL TOWN WORKSHOP MEETING MINUTES

### WORKSHOP MEETING

January 6, 2022

The virtual workshop meeting of the Burgess and Commissioners of Middletown was called to order on January 6, 2022, by Burgess Miller at 7:00 p.m. Present were Commissioners Kevin Stottleyer, Christopher Goodman, Jennifer Falcinelli, Rick Dietrick and Jean LaPadula.

### PERSONAL REQUESTS FOR AGENDA: None.

- *MVAA Representatives – Discussion of Future Elements for Town Parks* – The Town Administrator has had several meetings with representatives of MVAA. This is in preparation of updating the master plan with the goal of working together to achieve the recreational goals of both the Town and MVAA. A powerpoint presentation was reviewed which summarized both upcoming current POS funded projects and future MVAA potential projects. MVAA has costs identified for some of their future projects and will provide them to the Town. The Town Administrator has contacted Playground Specialists for ballpark estimates and to check for any supply chain issues. A possible future goal for MVAA involved doubling the size of the future maintenance facility and having one-half of the building be the maintenance facility and the other half of the building could be used by MVAA for cheer, wrestling and basketball. Continued use of Natelli Field was discussed. It was suggested that the parking area by the golf course shed have millings laid down to make it a more identifiable as a parking lot. The parking area would also include signage. In addition, all of the proposed locations for LPPI projects were agreed to by both the Town Board and MVAA (*see PowerPoint presentation for details*).

### STAFF REPORTS:

**Deputy Report** – Deputy McCarrick reviewed his report.

**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:

- **Financial Statements**
- **Town Meeting Minutes**
  - *December 2, 2021 – Town Workshop*
  - *December 13, 2021 – Town Meeting*

### UNFINISHED BUSINESS:

**ARPA Project Updates** – The Town Board was provided two draft formats for ARPA project updates. One draft is in a spreadsheet format. The second draft is in a standard financial statement format. Town Board members were asked to review both drafts and decide which would work best for the Board. Items can be added or deleted. Any recommendations should be sent to the Town Administrator. It was suggested that with construction and materials costs increasing that total spending for ARPA projects could reduce the number of other CIP projects that could be completed. The Town should monitor the

actual amount of money being spent on the ARPA projects and then apply the savings to the other projects, as some projects may move off the ARPA list and back into CIP.

**Review of Commercial & Residential Growth Policies** – These are the Town’s formal policies that all new residential subdivision development and commercial growth within Middletown must follow. Both the Adequate Public Facilities Policy (The Town Residential Policy) and the Policy on Commercial Growth have been updated to include a statement that any development must use MDE Water Balance calculations to determine maximum EDU’s and no use of other aquifers is permitted. The policy statement in the residential policy needs to be reworded. The Town Administrator will add a footnote with clarifications regarding one tap = one EDU = 250 gallons per day. Modifications will be presented at the next Town Board meeting.

**Introduction of Ordinance 22-01-01 – Screening Requirements for Unlicensed Vehicles** – The Zoning Administrator reviewed the draft ordinance. He suggested that the Town Board provide a period of time before enforcement begins so that residents have time to construct a garage or shed if needed. It was suggested to extend the effective date of the ordinance 6-8 months to allow this. This will be voted on in February.

**Petition From Resident in Foxfield for Removal of Trees in SWM Pond** – The Town previously received a petition from residents of Foxfield requesting the removal of weeping willow trees and additional overgrowth in the stormwater management (SWM) pond across from the county park citing several safety concerns. When first constructed that SWM pond was based on the quantity of water to be held per MDE standards at the time. Those standards have changed from quantity to quality. Quality includes having tree growth and overgrowth in SWM ponds to act as additional filters of the water. The Town Administrator has contacted MDE and DNR for more information. Both stated that Frederick County has jurisdiction. The Town Administrator met with a Frederick County representative, Eric Dodsden, and they walked around the SWM pond. The representative stated that the SWM pond is a textbook example of what you want a SWM pond to be. The overgrowth and trees should be kept there. However, this is Town property, and the Town can remove the growth, but the County does not recommend it. The pond is spring fed and so will stay wet for most of the year. Any clearing would have to be completed when the ground is frozen.

#### **NEW BUSINESS:**

**FY 2023 Budget Workshop Schedule** – The Town Administrator reviewed the proposed dates for the FY2023 budget workshops. This agenda item will be added to the consent agenda for Monday evening’s meeting.

**Proposed Amendments to the Fencing Regulations** – The Zoning Administrator reviewed the draft ordinance on Fences. This includes an additional section addressing corner lots which has drawings for further clarification. Naming the section Fences will stop any code searches from going directly to the section on special exceptions, which causes confusion. A statement on fences for swimming pools will be added to refer individuals to the appropriate section. A finalized draft will be sent to the Planning Commission or review and comment.

**Discussion of the Covid Policy Amendments** – Commissioner Falcinelli reviewed the most recent updates to the Employee Covid-19 Policy. This follows the current CDC guidance. The definition of “Fully Vaccinated” now includes the shots and the booster. Included with the changes is that any new employees must be fully vaccinated, and that employees must use sick leave if off due to covid. Discussion occurred concerning what to do in Town emergency situations when an employee has tested

positive for covid, is asymptomatic, is in quarantine, but is needed. A statement will be added to the policy that is similar to what Frederick County Hospital has in their covid policy “under emergency situations, with the approval of the Burgess and under strict guidelines an employee can be called in to work in an emergency.” The Town Board determined that due to the lack of covid test availability, the requirement of weekly testing of unvaccinated employees is suspended until further notice. Unvaccinated staff will be required to always wear a mask to include certain situations outdoors. Unvaccinated employees should isolate themselves at work if possible. The Town Board is willing to extend the vaccination incentive pay of \$1000 to unvaccinated staff who get vaccinated. Currently Thurmont requires covid testing of unvaccinated employees. Emmitsburg, Brunswick and Walkersville do not. Questions were raised concerning the benefit of testing since both vaccinated and unvaccinated individuals can still carry and transmit the virus. The discussion of continuing required testing will take place later. This will be an item on the January 10th Town Board meeting agenda.

**Purchase of Middletown Historic Artifacts** – Previously the Town Board agreed to pursue the purchase of a very large collection of Middletown historical artifacts for the expansion of the Middletown Museum. Former Commissioner Larry Bussard currently owns this large collection. His family is not interested in keeping the collection. Mr. Bussard wants to sell the collection and would like it to be kept together and displayed for future generations to enjoy. He has some unique items. Several pieces would be hard to place a price on. The cost to purchase the collection is \$17,000.00. The Town Board would have to initiate a budget amendment since this cost is not included in any Town budgets. Excess HUR funds can be used to cover the cost.

**PUBLIC COMMENTS:** None.

**ANNOUNCEMENTS:**

Workshop adjourned at 9:42 PM.

Respectfully submitted,

Annette Alberghini,  
Office Manager