

# *BURGESS AND COMMISSIONERS OF MIDDLETOWN MARYLAND*

## TOWN MEETING MINUTES

**TOWN MEETING**

**January 9, 2023**

The meeting of the Burgess and Commissioners of Middletown was called to order on January 9, 2023, by Burgess Miller at 7:00 p.m. Present were Commissioners Jennifer Falcinelli, Jean LaPadula, Rick Dietrick, Kevin Stottlemeyer, and Christopher Goodman.

### **PUBLIC COMMENT:**

### **CONSENT AGENDA:**

- **Performance Award – Bruce Carbaugh** – The Town Administrator recommended that the Director of Public Works (DPW) receive a performance award (\$6500.00) because for the past 5 years the DPW functioned as the acting Water & Sewer Superintendent, providing oversight to the department while continuing his DPW responsibilities. He provided weekly training to employees so that they could become certified. This workload was increased in the Spring of 2022 when the Water & Sewer Department lost 2 of its 4 operators until the Town hired a full-time superintendent.
- **FY 2024 Budget Workshop Schedule** - The Town Board reviewed the proposed FY2024 budget workshop dates. No comments were given.
- **Town Meeting Cancellations for 2023** - The Town Administrator reviewed the three 2023 Town Board meetings recommended for cancellation. This is due to other events occurring which impact those meetings.
- Town Meeting Minutes
  - **November 3, 2022 – Town Workshop**
  - **November 14, 2022 – Town Meeting**

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

### **UNFINISHED BUSINESS:**

**Ordinance 23-01-01 – Sign Regulation Amendments** – The sign regulations have been updated with the recommendations from the Town workshop. The Main Street Manager provided additional information regarding window signs. Additional recommendations were received from the Town Attorney today and will be sent to the Town Board for review. The Staff Planner will be attending the next Main Street business mixer to explain the sign regulation amendments. This item will be voted on at the January 23, 2023 Town Board meeting.

**Review of Website User Policies** – The Town Attorney provided further comments which are shown in red font. The Town website and Facebook page have been designated as non-public so the dissemination of information is one-way. The Communications committee will review the Facebook policy again and update if needed.

Associated groups Facebook pages (Christmas in the Valley, Middletown Arts & Activities Council and Heritage Festival ) benefit from the two-way dialog with residents.

**Update on MS-4 Projects with Credit and Cost Projections** – Frederick Seibert and Associates reviewed and recomputed calculations for identified Town storm water ponds and submitted their findings to MDE for possible additional MS4 credits. MDE granted 2.1 additional acres of credit toward the Town’s MS4 required credit. Total credits required is 36.9 acres. With the additional credit that reduces to 34.8 acres. With what has been completed within the Town, the current credit required is now at 16.57 acres. With that information the Town Board continued its discussion as to whether to pursue the Linden Boulevard Culvert /Cone Branch Stream Restoration project (LBP) or the Wiles Branch Park Stream Restoration project (WBSRP) to fulfill the needed MS4 credits. The LBP would not provide the needed credits and would cost \$1 million. The WBSRP would provide the credits needed for MS4 plus an additional 13 credits which can be banked for the next permit round. Costs are not fully computed for this project, but the project itself can be phased so costs are more manageable. It is currently in the design phase. Once complete, costs can be developed. More information will be provided at the February workshop.

**Request from Verizon for Lease Renewal – Water Tank** – The Verizon cell tower lease on top of the water tower is up. It has been a 5-year lease with the option of five 5-year renewals. Verizon would like to enter a new lease with modifications. Originally Verizon wanted to reduce the rent amount from \$4426 per month to \$3250 per month beginning January 1, 2023. Included was a new rent escalator of 15% every 5 years and had seven additional five-year renewals. Verizon has also requested the additional language be added to maintain long-term operational flexibility. Town staff and the maintenance contractor for the water tower have both reviewed the additional language and recommend that the Town NOT include the language in any future contract as it gives control of what occurs on the water tower to Verizon.

The Town countered with a monthly rent of \$3800, with an annual rent escalator of 3%, with seven 5-year renewable terms but does not include the language that Verizon want added to the lease. Verizon has responded with the same 3% annual rent escalator and seven 5-year renewable terms but decreased the monthly rent payment to \$3600.

**Motion:** Commissioner LaPadula motioned to accept the terms as presented and renew the lease. Seconded by Commissioner Goodman. Motion approved (6-0).

The Town Administrator noted that the Town received the contract renewal inquiry from T-Mobil today.

**REPORT OF COMMITTEES:**

**WATER & SEWER** – Commissioner Falcinelli reported:

For December water use was – 302,135 gal., spring flow was – 80,456 gal., East WWTP treated 282,795 gals. and the West WWTP treated 238,529 gals. The Town received 5.2 inches of rain in December. The average yearly flow for the EWWTP is 237,000. The average yearly flow for the WWTP is 171,000. Both are below the permit level of 250,000. The I&I work from Walnut Street to Jefferson Street is moving along. It could be completed before the end of January. The Town is awaiting the results of the PFAS testing. The Town is still waiting on the EWWTP permit. The Director of Public Works is working on the ENR upgrade project.

**PUBLIC WORKS** – Commissioner Dietrick reported:

Crews removed the Christmas decorations. They installed new banners in the downtown area. Crews welded, cold-patched and completed normal maintenance on the Town vehicles. Plows are ready for

snow. Crews cleaned up Washington Street since the project is complete. The Public Works Committee will meet before the Water & Sewer Committee meeting on January 25<sup>th</sup> to review traffic calming policies collected from other municipalities.

**SUSTAINABILITY** – Commissioner Stottlemyer reported:

The Middletown Library will host a sustainability class entitled Electrifying Everything on January 21, 2023 at 1:00PM. The Holiday Decorating lecture in December was well attended. Five Compost bins have been sold since the information went out in the quarterly newsletter. They are \$40 each. The next recycling event will be held March 11, 2023 in conjunction with the Bulk Trash pickup day. 2023 Goals set by the Sustainability Committee include planting 100 new trees in town, having a 25% tree canopy within Town, sell the remaining compost bins, sell 25 rain barrels, and create a pollinator area at the Town solar array.

**PLANNING COMMISSION** – Commissioner LaPadula reported:

The workshop will be held Wednesday, January 11, 2023. The Planning Commission meeting will be held Tuesday, January 17, 2023. Agenda items include site plan review for 406 West Green Street, continued review of the proposed changes to the pool ordinance to meet the national standards, and the Comp Plan review of Chapter 8 – Water Resource Element and Chapter 9 – Growth Element. The Chair and Vice-Chair for the 2023 Planning Commission will also be elected.

**PARKS AND REC. COMMITTEE** – Commissioner Goodman reported:

Flags are set up where the batting cage will be at Memorial Hall. Commissioner Goodman has a copy of the Frederick City dog park rules to compare with the Town dog park rules. Pickleball court construction at Remsberg Park is currently being held up at the County. A brief discussion occurred concerning possibly beginning the petition process to annex Remsberg Park into Town limits as open space.

**PUBLIC INFORMATION** – Commissioner Falcinelli reported:

In December, the top five town website pages visited were 1. Middletown Events, 2 Business Directory, 3. Water & Sewer, 4. News & Announcements, and 5. Town Government. Residents were reminded to sign up for town email notifications and the robocalls to keep up to date on the latest in Middletown. The banner promoting stay connected is also being hung out a Middletown Parkway and Alt40. The committee will review the Town Facebook policy for updating.

**NEW BUSINESS:** None.

**PUBLIC COMMENTS:**

**Shentel** – notified the Town that they will have start date on the project later this week. A Shentel representative met with Glenbrook residents recently.

**South Jefferson Street** – The Director of Public Works (DPW) has a draft parking plan for South Jefferson from Main Street to Boileau Alley using 5’ site lines on each side of driveways. Is still working on a plan from Boileau Alley to the 300 block. He reported that if spaces are lined according to standards(22’), parking spots will be lost. If reduced to 18” more spaces could be added. Liberties could be taken between two driveways to fit two spaces instead of one standard space. The plan includes the placement of a temporary speed hump as the Town does not have a policy addressing speed humps. This South Jefferson Street Parking Plan will be presented at the January 23, 2023 Town Board meeting. Residents will be invited to attend.

**Willow Street Parking Lot** – The Town Administrator has the parking plan for this parking lot. Spaces will be gained due to the uniform parking. There will be 13 regular parking spaces, 3 parking spaces for town employees and 1 handicap parking space near the Willow Street Pocket Park.

**Middletown School Complex Feasibility Study** – Holly Thorpe and Dr. Lebo will be at the Middletown Elementary School to discuss the Feasibility Study, January 26, 2023 at 6:00PM in the Media Center. Town Board members are urged to send emails to FCPS reiterating the Town preference of having three school buildings instead of two. Sean Mahar has been working on an option to present to the FCPS group. Concern about dragging this project out another 5 years was noted. It was also noted that there will be no fields during the construction if the current plan is approved, and this should be considered during discussions.

**ANNOUNCEMENTS:**

- *Town Offices Closed for MLK Day – January 16, 2023*

Workshop adjourned at 8:08 PM.

Respectfully submitted,

Annette Alberghini,  
Office Manager