

**BURGESS AND COMMISSIONERS  
OF MIDDLETOWN MARYLAND**

**TOWN WORKSHOP MEETING MINUTES**

**TOWN MEETING**

**February 13, 2023**

The workshop meeting of the Burgess and Commissioners of Middletown was called to order on February 13, 2023 by Burgess Miller at 7:00 p.m. Present were Commissioners Jennifer Falcinelli, Rick Dietrick, Kevin Stottlemeyer, Jean LaPadula and Chris Goodman.

**PUBLIC COMMENTS:** None.

**PERSONAL REQUEST FOR AGENDA:**

**Ron Moss – Middletown Memorial Day Ceremony** – This year’s ceremony is scheduled for Monday, May 29, 2023 at 11:00AM at Memorial Park. Town Board members were invited to participate. It will be the same as last year’s event. The color guard will be from the Clopper-Michael American Legion Post #10 from Boonsboro. They will post the colors, have a 3-volley rifle salute and retire the colors. Mr. Moss is requesting that the Town provide a \$125.00 donation to the American Legion for their support. Mr. Moss requested a sound system for the event, and better advertising/promotion. Each year the program will feature photos of two Middletown service members. This year will include a rededication of the WWI memorial. This is a rain or shine event. Contingency plans are being developed in case of rain. It was suggested to use the Town’s canopies that are used for other town events. These would provide shade as well, if needed.

Mr. Moss stated that they will be adding two additional names to the monument.

**CONSENT AGENDA:**

- **Town Meeting Minutes**
  - *January 23, 2023 – Town Meeting*

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

**UNFINISHED BUSINESS:**

**ARPA Budget Review –**

**Previously:** The Finance Officer previously provided the Town Board with an ARPA Budget Summary for review. The summary reflects those completed projects funded using ARPA funds, those projects that have obligated ARPA funds but have yet to spend them, and the remaining balance. The summary shows that there is still \$363,089 available. At the February Town Board workshop, the Town Administrator reviewed the FY23 budgets which were approved in June 2022. He then reviewed the FY23 budgets that were approved in August 2022 that reflected the ARPA monies. Amendments were needed so that the approved June 2022 budgets match the approved August 2022 budgets with the ARPA monies. Projects that were never in the CIP but placed in the ARPA budget and later removed must be correctly allocated in the budgets as contracts have been let and monies have been spent. A list of needed amendments was reviewed. More were added to the list as the two budgets were compared.

**Tonight:** The Town Administrator reviewed the proposed 16 amendments needed to marry the Town’s CIP budgets with the ARPA budget. He reviewed where each amendment is applied to the corresponding

line items in either of the CIP budgets. The I&I study was paid using ARPA funds, but the construction is paid out of the Water/Sewer CIP budget. These construction costs should be added as a new budget item in FY24.

The Town Board briefly discussed how land leases and sludge removal will change in FY24.

**Motion:** Commissioner Falcinelli motioned to approve the proposed budget amendments to the ARPA and CIP budgets as presented. Seconded by Commissioner LaPadula. Motion approved (6-0).

**Willow Street Parking Lot Striping Plan** – The Director of Public Works (DPW) was asked to have the Willow Street parking lot striped to assist with the parking on West Main Street near the Food Bank. The Willow Street parking layout was reviewed. It includes 15 public parking spaces, 3 town employee parking spaces and 1 handicap parking space. If this striping plan is approved, the handicap parking space on West Main Street will revert back to a standard parking space. Public parking signs will be installed near the parking lot, and the public will be notified of the changes.

The Town Board agreed by consensus to approve the Willow Street Parking Lot Striping Plan.

**Repeal of Resolutions 20-02 & 20-03 – Related to Covid Protocols** – These two items are tabled as the Town Attorney has not responded to the request for opinion.

#### **REPORT OF COMMITTEES:**

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

For January water use was – 294,589 gal., spring flow was – 109,491 gal., East WWTP treated 252,000 gals. and the West WWTP treated 164,000 gals. The Town received 2.5 inches of rain in January. The I&I project from Walnut Street to South Jefferson Street is almost complete. Once completed work on the Remsburg Park waterline will begin. Notice regarding not hooking sump pumps to the sewer line will be included in the next quarterly billing. The Wiles Branch Stream Restoration project is beginning. The Town is waiting on written PFAS guidance from MDE.

**PUBLIC WORKS** – Commissioner Dietrick reported:

Demolition of the old reservoir building is ongoing. There was vandalization of the lane delineators on East Green Street. The perpetrator was caught and will have to pay restitution. Graffiti was identified on the crosswalk on the Middletown Parkway, on Washington Street, behind Middletown Sportsland and behind the Church Street Business Center. Crews did a light salt spread on January 25<sup>th</sup> in preparation for slippery roads. Fire hydrants are being powder coated and swapped out. Concrete was poured for 2 memorial benches. A pipe was unclogged on Linden Blvd. at the bridge. Crews continue preventive maintenance work at Town parks and playgrounds.

**SUSTAINABILITY** – Commissioner Stottlemeyer reported:

The Middletown Library will host a sustainability class entitled Why Pollinator Gardens Matter on April 22, 2023 at 1:00PM. Compost bins are available for purchase for \$40 each. The next recycling event will be held March 11, 2023 in conjunction with the Bulk Trash pickup day. Arbor Day tree planting will occur April 28, 2023 on Hollow Road near Layla Drive. Trees are offered to town residents. They can register for them on the Sustainability website. Envision Frederick is holding a Green Drinks event June 7, 2023 at 6:00PM at the Main Cup.

**PLANNING COMMISSION** – Commissioner LaPadula reported:

The workshop will be held Wednesday, February 15, 2023. The Planning Commission meeting will be

held Monday, February 20, 2023. Agenda items include improvement plan review for Foxfield Section 6, review of fence ordinance revisions, and the Comp Plan review of Chapter 8 – Water Resource Element and Chapter 9 – Growth Element. The Planning Commission is waiting on guidance from the Town Attorney regarding virtual participation by PC members. This could prompt updates to the Planning Commission Rules of Procedure.

The Town Administrator and the Town Project Manager met with Shentel recently concerning the patching contract and width of the road. Shentel's trenches are smaller than normal construction. There is no scheduled date for when Shentel will begin moving forward. It was suggested that Shentel notify residents using hanging door knockers when working.

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

Dirt has been brought to the softball field at Memorial Park and the chain link fencing has been removed. Materials are also on site for the construction of the batting cage. The Town Administrator is creating a POS and LPPI update. The committee has received requests for agility items at the dog park.

Commissioner Goodman is reviewing what agility items to possibly purchase. Town staff will be meeting with Frederick County representatives to review plans for the pickleball courts at Remsberg Park. The holdup on the pickleball court plans was due to plan submission for the proposed maintenance facility just prior to the submission of the pickleball plans. MVAA will be contacted for any planned ideas for the field behind the pickleball courts. The Town should develop a master plan for the rest of the property at Remsberg Park.

**PUBLIC INFORMATION** – Commissioner Falcinelli reported:

In January, the top five town website pages visited were 1. Community Calendar, 2 Business Directory, 3. Water & Sewer, 4. Home Page, and 5. Community Directory. Main Street has asked for guidance regarding the new website policy. It states that permission must be given to use anything from the Town's website somewhere else. It was suggested that Main Street send an email to the Town asking for permission when they want to use something. Once given, they would have it in writing. As always, residents were reminded to sign up for town email notifications and the robocalls to keep up to date on the latest in Middletown.

**NEW BUSINESS:**

**World War I Plaque Relocation** – When Memorial Hall fell into disrepair the Town removed the WWI plaques from the building and added it to the display at Memorial Park. With renovations at Memorial Hall, it was recommended that a duplicate plaque be created and hung at Memorial Hall once construction is finished. The cost for a duplicate plaque is quoted at \$2838.00. This would be paid for using monies from the parks maintenance budget.

**Motion:** Commissioner Stottlemeyer motioned to approve the expenditure of \$2838.00 for the duplicate WWI plaque as presented. Seconded by Commissioner Goodman. Motion approved (6-0).

**T-Mobile Request for New Cellular Lease** – T-Mobile has contacted the Town requesting a new lease for their antenna on the water tower. Their proposal includes a monthly rent of \$1755.55 with an escalation rate of 1.5%, and an unfettered modification provision. The Town Board agreed by consensus to counter with a monthly lease of \$2088.45 with an annual 3% escalator with no unfettered modification provision included.

**Proposed Changes to Pool Regulations** - Governor Hogan signed a law to adopt national standards regarding pool regulations. The Planning Commission and the Zoning Administrator recommend amending the Town pool regulations to reference these standards and to bring the Town regulations closer

to alignment with County regulations. Middletown has some of the strictest pool setback regulations in the County (18' from the property line). The Planning Commission and the Zoning Administrator's recommend reducing the setback to 10' from the property line. The proposed fence regulation changes were reviewed. It was recommended that the section on swimming pool fences should be placed in both the fence regulation section and the swimming pool regulation section.

**Additional Proposed Changes to Sign Regulations** - The additional changes to the recently updated sign ordinance reflect that any areas of the Town Code which reference signs also refer to conforming with the provisions set forth in Chapter 17.36 Signs of the Town Code.

A public hearing for the proposed changes to the fence regulations, pool regulations and sign regulations, is scheduled for the April 2023 Town Board workshop.

**Discussion of Traffic Calming Policies** – The Public Works Committee met to discuss the Jefferson Street traffic and speeding issues which were brought before the Town Board. The discussion involved whether the Town needed a policy to combine the current raised crosswalk and speed table policies into a traffic calming policy which would provide methods and procedures to residents with concerns with speeding and other traffic issues. The committee reviewed the City of Frederick and Frederick County's policies. The Director of Public Works forwarded copies of these policies to the Town Board for review. It was noted that if data showed that there was a safety issue, the Town must address it and not wait for residents to bring it forward. After much discussion concerning the need for this type of policy, the Town Board agreed by consensus not to pursue a traffic calming policy. It was recommended that better speed enforcement and holding drivers accountable would slow traffic in town.

**PUBLIC COMMENTS:**

Chris Johnson, 31 Boileau Court, asked if the Maryland Historical Trust was contacted when the WWI plaque was originally removed from Memorial Hall. They were not contacted as the plaque was removed to preserve it because the building was in disrepair. It was suggested to contact the Main Street Manager to see if additional verbiage should be added noting that the new plaque is a duplicate/replica, and the original is at Memorial Park. Town staff will contact the Main Street manager for her opinion.

**ANNOUNCEMENTS:** None.

Workshop adjourned at 8:37 PM.

Respectfully submitted,

Annette Alberghini,  
Office Manager