

# *BURGESS AND COMMISSIONERS OF MIDDLETOWN MARYLAND*

## VIRTUAL TOWN BOARD MEETING MINUTES

### TOWN MEETING

**February 8, 2021**

The virtual meeting of the Burgess and Commissioners of Middletown was called to order on February 8, 2021, by Burgess Miller at 7:00 p.m. Present via Zoom were: Commissioners Christopher Goodman, Jennifer Falcinelli, Jean LaPadula, and Rick Dietrick.

### PUBLIC HEARING

**Ordinance 20-11-01 – Amendments to the Water & Sewer Billing Policies & Procedures** – This ordinance reflects the updates that states credit card payments are accepted and a new payment plan form for high/excessive water use bills. The payment plan form includes a recommended minimum monthly payment that must be paid by the resident and that any payment plan granted must be paid in full within a year. To qualify for an adjustment on a water bill, water usage must be either a minimum of at least 40% higher than the average of the previous four quarters usage, or 10,000 gallons, whichever is lower. The revised bill will be calculated by charging the non-tiered rates for the total gallons used. It will be brought before the Town Board for a vote on February 22, 2021.

The public hearing ended at 7:23PM.

**PERSONAL REQUESTS FOR AGENDA:** None.

### CONSENT AGENDA:

- **Financial Statements**
- **Cable Committee – Task Force** - A temporary committee has been formed, which is charged with reviewing information on options for other cable company opportunities within town besides Comcast. They will review the issue and provide an explanation of what is needed for another cable company to provide service in Middletown. This committee is headed by Bob Smart and Commissioner Goodman is a member along with several other individuals.
- **Town Meeting Minutes**
  - *January 25, 2021 – Town Meeting*

**Motion:** Commissioner LaPadula motioned to approve the consent agenda as presented. Seconded by Commissioner Falcinelli. Motion approved (5-0).

### UNFINISHED BUSINESS:

**Comprehensive Plan – Chapter Review** – Commissioner LaPadula reviewed Chapter 6 in the new format and with new photos. Town Board members really like the new format. If any Board members have any comments please send them to the Staff Planner or to Commissioner LaPadula. Burgess Miller thanked the Planning Commission, Commissioner LaPadula and the Staff Planner for all their ongoing efforts in updating this document.

**Ordinance 20-12-01 for Off-Site Sale of Liquor within Town Limits** - If passed this would allow the off-site sale of liquor within Town limits in the General Commercial District with a special exception.

The public hearing for this ordinance was held January 25, 2021. At this public hearing, individuals against this ordinance cited the Town's proximity to other liquor stores in the area so there is not a need, and a potential increase in under-age drinking. There were several individuals who spoke in favor of the ordinance. The Public Hearing record is open, and the Town has not received any additional communication from anyone. The Town Administrator reviewed the updated proposed ordinance tonight. **Action:** Commissioner LaPadula motioned to approve Ordinance 20-12-02 – Off-Site Sale of Liquor within Town Limits as written. Seconded by Commissioner Falcinelli. Motion passed (5-0).

**Recycling Center - Middletown Park Update** – The recycling drop site at Middletown County Park was closed years ago due to single stream recycling but residents requested for the dumpster to come back. There have been issues for several years with people dumping junk and overflowing the recycling dumpster. Town employees have been monitoring the site and this has continued. This recycling drop-off site is busy year-round, with the busiest time usually during the holidays. Covid has also produced an increased usage as individuals are ordering more things on-line resulting in more boxes and packaging. The Town approached Frederick County to discuss the possibility of adding a 2<sup>nd</sup> dumpster to the site and additional fencing. The Frederick County Solid Waste Director believes that some of the recycling is coming from Washington County residents who know the recycling center is there. Washington County charges for recycling, Frederick County does not. Historically Frederick County does not see an increase in trash safety issues when a recycling dumpster is removed from a community. The County may be resistant to adding a second dumpster and the needed fencing to the site, but suggests the Town begin a community public information campaign about proper use of the site. If that fixes the problem the County will continue with the recycling site. However, if the problem continues, the County will discontinue the site at the end of the fiscal year. The Town Board believes the abuse of the site will continue and the use of Town staff time to monitor and clean up the site could better be used elsewhere. **Action:** Commissioner Goodman motioned to discontinue the recycling site on May 1, 2021. Seconded by Commissioner LaPadula. Motion passed (5-0).

**Review of Draft Public Works Agreement for Memorial Hall** – Previously the Town Board reviewed the updated draft public works agreement for the Memorial Hall Redevelopment. Modifications to this agreement that comply with the Town's Downtown Redevelopment Zone Policy were made. The Town Attorney reviewed and modified the agreement for clarification. This does not change the meaning of the agreement from previously. The updated public works agreement was sent to the developer for review. The developer had agreed to all conditions previously. Commissioner Falcinelli stated that by approving this agreement the Town agreed that the General Fund will reimburse the Water Sewer fund the monies not charged in the tap fee discount calculations. This reimbursement can take place over a three-year period. Commissioner LaPadula identified several typographical errors to be corrected. **Action:** Commissioner LaPadula motioned to approve the draft public works agreement for Memorial Hall as presented with the identified typographical errors corrected. Seconded by Commissioner Falcinelli. Motion passed (5-0).

## **REPORT OF COMMITTEES:**

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

Water use for January – 317,614 gal., spring flow for January – 100,405 gal., East WWTP treated 260,000 gals. and the West WWTP treated 224,000 gals. The number for water usage for the month is skewed due to the massive water leak on the school property that was repaired. The water reservoir is coming online this week. It is a 1,000,000-gallon tank reservoir. Brookridge Pump Station continues to be cleaned once a week to remove wipes. One of the pumps has been pulled and the cutting edges are being replaced due to wear. A spare pump needs to be purchased while the pump is out of service. A 12-

inch waterline is being installed across the County Park. This is a redundant line to get water to the Town if needed.

**PUBLIC WORKS** – Commissioner Dietrick reported:

The Brookridge South Pump Station pumps continue to have to be pulled to clear blockages caused by residents flushing flushable wipes and baby wipes. Town staff refurbished an aqua-disk filter at the EWWTP, dealt with 2 snow events recently, continued hydrant replacements, repaired a leak in the 12” line on the school property and switched banners in the downtown area.

**SUSTAINABILITY** – Commissioner Goodman reported:

The committee is working on several initiatives including a Mayoral Monarch Pledge, provide Green Talks with the library via Zoom, increase the number of pollinator fields in town and hope to have a virtual 2021 Green Expo.

**PLANNING COMMISSION** – Commissioner LaPadula reported:

The next Planning Commission workshop is Wednesday, February 10th and the Planning Commission meeting is February 15th, 2021. Agenda items for the February Planning Commission workshop and meeting include Reservoir Forest Conservation Plan update, the Hollow Creek Improvement Plan, Chapter 6 and Sustainability Chapter of the 2020 Comp Plan, and review & comment on of the sunset provision ordinance.

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

Submissions for the FY2022 POS Annual Program are due to the County by May 7, 2021. The Parks and Recreation Committee will meet to generate POS project ideas. They will be looking at the possibility of pocket parks on Green Street and Washington Street. If anyone has other suggestions, please send them to Commissioner Goodman.

**PUBLIC INFORMATION** – Commissioner Falcinelli reported:

The top 5 areas visited on the town website for the month of January were 1. Covid information, 2. News & Announcements, 3. Trash News, and 4. Town Code. Residents are reminded to sign up for the Town email distribution and list serve notifications. It was suggested that the Frederick County recycling app information be placed in the next quarterly newsletter.

**NEW BUSINESS:**

**Program Open Space (POS) Request for Projects** – Submissions for the FY2022 POS Annual Program are due to the County by May 7, 2021. The Parks and Recreation Committee will meet to generate POS project ideas. If anyone has suggestions, please send them to Commissioner Goodman.

**Proposal for Culvert Replacement at Linden Boulevard** – Town staff met with representatives from Frederick, Seibert and Associates (FSA) to establish a scope in order to design a replacement for the failing culvert located on Linden Boulevard. The invert culvert was installed in the 60’s and is rusted out and there is erosion and undermining that is ongoing. The design and engineering position of the project is in the approved FY21 CIP budget. The Town received a proposal for the design of this culvert replacement project from FSA in the amount of \$26,600.00. The Town has \$35,000.00 budgeted for this work.

**Action:** Commissioner LaPadula motioned to award the design of the Linden Boulevard Culvert Replacement, in the amount of \$26,600.00 to Frederick, Seibert & Associates, Inc. Seconded by Commissioner Goodman. Motion passed (5-0).

**Release of Funds for Main Street** – Main Street has requested the Town Board release the \$5000.00 which is the final installment of the \$10,000 original allocation to Main Street at the beginning of the fiscal year. Previously all community organization allocation was split in half because the Town Board was unsure of what community organization events/activities would be occurring this fiscal year due to Covid. Organizations could come to the Town Board and request their full funding later in the year if needed.

**Action:** Commissioner LaPadula motioned to release the \$5000.00 to Main Street Middletown as requested. Seconded by Commissioner Goodman. Motion passed (5-0).

**Planning Commission Appointment** – Dixie Eichelberger’s term on the Planning Commission is up in February 2021. Burgess Miller would like recommendations from all Town Board members regarding her reappointment.

**Review of Tentative Main Street Events for 2021** – The Town Board reviewed the tentative events that Main Street Middletown would like to provide in 2021. Two events coming up are Coloring the Street and Vintage Vehicles in the Valley. Other municipalities are holding events. Main Street could contact those municipalities and inquire as to how they are operating. Current Covid guidelines limit the number of attendees to 25 total. The Town Board agreed that the events could take place as long as State and County Covid guidelines are followed.

**PUBLIC COMMENTS:**

**Town Board Special Election** - All registered voters within Town limits were mailed an absentee/mail-in ballot. The Town has been notified that not all ballots have been received. The Town will utilize its social media and robo-call capabilities to notify residents that if they have not received their ballot to come to the town hall and pick one up. Town residents will be asked to physically return their completed ballot to the town hall instead of mailing it due to the delay in mail delivery by the USPS. Completed ballots can be brought into the building during regular business hours or placed in one of the drop boxes located at both the front and rear entrances to the building.

The week prior to the Special Election the Town will utilize its social media capabilities and provide information on the candidates and continue to remind registered voters to physically return their completed ballots to the town hall.

**ANNOUNCEMENTS:**

- *Special Election – Monday, February 22, 2021 – All registered voters within the Town of Middletown will receive an absentee ballot. All absentee ballots must be received by election day, Monday, February 22, 2021.*

Meeting adjourned at 8:42PM.

Respectfully submitted,

Annette Alberghini,  
Office Manager