

BURGESS AND COMMISSIONERS
OF MIDDLETOWN MARYLAND

TOWN MEETING MINUTES

TOWN MEETING

March 27, 2023

The meeting of the Burgess and Commissioners of Middletown was called to order on March 27, 2023 by Burgess Miller at 6:30 p.m. Present were Commissioners Jennifer Falcinelli, Rick Dietrick, Kevin Stottlemeyer, Jean LaPadula and Chris Goodman.

BUDGET WORKSHOP

FY2024 Water & Sewer Enterprise Fund Operating Budget – The Finance Officer reviewed how the budget was created. A budget summary was reviewed that showed a shortfall of \$43,602 in FY2024. The bottom of the summary page showed what projects could be cut to make up that difference. The proposed budget was reviewed line by line. This is the first review for the Town Board. This proposed budget includes a CPI increase of 3% but does not include any salary increases. The Director of Public Works (DPW) was asked which of the cuts shown in the summary would he include back into the budget. He stated the clearing out of the right of way for the sewer line should be added back in (\$12,000). The proposed FY2024 Water & Sewer Enterprise Fund totals \$1,355,031.

The Finance Officer was asked to research the electric costs associated with the solar array. Since electric rates have decreased the return to the Town has also decreased.

PUBLIC COMMENTS: None.

PERSONAL REQUEST FOR AGENDA:

Arielle Bender, Child Advocacy Center – Child Abuse Prevention Month - Representatives from the Frederick County Child Advocacy Center (CAC) attended this evening to promote April is Child Abuse Prevention Month. They spoke of the many services their organization provides to children in Frederick County. They served 342 children last year which was an increase of 20% from 2021. The Town Board was introduced to Heiress, CAC's facility dog that provides comfort and support to children in their programs. The Town Board presented the CAC with a proclamation proclaiming April as Child abuse Prevention Month in Middletown.

CONSENT AGENDA:

- **Water & Sewer Capacity Reports** – The DPW reviewed the Water Capacity Report. In 2022 the demands plus reservations totaled 354,218 gpd. The available EDU's (at 250 gpd) totals 131. It does not include the Memar development or their wells. The Sewer Capacity Report shows that the town has 4 units available for the East plant, and 78 units available for the West plant. When MDE approves the 100,000-gallon increase on the permit and once the Memar development is online the Town will have 400 units available.
- **ARPA Budget** – The Finance Officer reviewed the summary report of the ARPA budget expenditures through February 2023. The current balance of unspent and unobligated funds is \$285,812. The DPW was asked to identify small projects which could be taken out of the Water/Sewer CIP budget and spent using ARPA funds. He was also asked to provide a prioritized list of all the mill and overlay projects for possible inclusion of one or two of those projects in the ARPA budget.

- **Town Meeting Minutes**
 - *March 2, 2023 – Town Workshop*
 - *March 13, 2023 – Town Meeting*

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

UNFINISHED BUSINESS:

Introduction of Ordinance 23-03-01 – Amendments to Swimming Pool Regulations – Commissioner LaPadula quickly summarized the proposed updates to this ordinance. 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. This has been before the Town Board previously. A public hearing on this is scheduled for the April 6, 2023 Town Board workshop.

Introduction of Ordinance 23-03-02 – Amendments to Fence Regulations - Commissioner LaPadula quickly summarized the proposed updates to this ordinance. It recommends removing the section on special exceptions for fences as it seemed specific to a property and instead gives the Zoning Administrator the approval on a case-by-case basis. A public hearing on this is scheduled for the April 6, 2023 Town Board workshop.

Introduction of Ordinance 23-03-03 – Sign Regulations - Commissioner LaPadula quickly summarized the proposed updates to this ordinance. The ordinance is now content neutral as required. It reflects 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. It adds specificity and additional definitions. A public hearing on this is scheduled for the April 6, 2023 Town Board workshop.

Updates to the Employee Personnel Policy - Town staff have reviewed the employee handbook and recommend several updates. The updates include comp time clarification, dress code updates and alternative work schedules. The ad hoc committee met to review the proposed updates. Burgess Miller recommended several additional changes to the policy which address clarification on the calculation of comp time, the need for receipts for reimbursement on uniform clothing, sick time not being paid out when an employee leaves their position, although if retiring, the employees final sick leave time accrued is reported to State Retirement. Burgess Miller recommended that the ad hoc committee expand to include additional town board representation, supervisory staff members, and staff. This new committee would review the personnel policy and benefits for town employees, reviewing costs and projections and provide recommendations to the Town Board. The Office Manager requested that those updated sections which address those employees who work 4 days per week at 10 hours each day (4/10 work weeks) be approved as presented so that the personnel policy reflects that type of work schedule, holiday pay and leave use.

Motion: Commissioner Falcinelli motioned to approve all section updates of the personnel policy that address those employees working 4/10 work weeks as presented. Seconded by Commissioner Goodman. Motion approved (6-0).

NEW BUSINESS:

Request for Loading Zone Parking Designation at 5 West Main Street – The owners of Model Garage are requesting that the Town make the street in front of 5-7 West Main Street a loading zone. Individuals are parking in front of the buildings making it difficult for deliveries. It was noted that there is

a loading zone on Garage Alley that could be used for deliveries. The DPW was asked to look at the issue and bring information to the Public Works Committee for review.

Sidewalk Maintenance Program – Inspections – The recent adjudication of the court case of Minnick versus More Ice Cream/ State Highway/ Town of Middletown stated that the Town is ultimately responsible for all sidewalks within town limits. Director of Public Works reviewed the town policy regarding sidewalk inspections. Inspections would be done by two town employees with the assistance of a third employee during the summer. The Town has standards for sidewalks, curbs, and driveway aprons. Included in the discussion was how often sidewalks should be inspected. The Department of Transportation has information on sidewalk inspections on its website. The DPW will forward the sidewalk inspection policy to the Town Board for review.

PUBLIC COMMENTS: None.

ANNOUNCEMENTS:

- *Green Expo – Saturday, April 22, 2023 from 10AM-2PM*
- *Arbor Day Tree Planting – Friday, April 28, 2023 from 1PM-3PM*

Workshop adjourned at 8:28 PM.

Respectfully submitted,

Annette Alberghini,
Office Manager