

***BURGESS AND COMMISSIONERS  
OF MIDDLETOWN MARYLAND***

**VIRTUAL TOWN BOARD MEETING MINUTES**

**TOWN MEETING**

**March 8, 2021**

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

**PERSONAL REQUESTS FOR AGENDA:**

**Bob Smart, Cable Committee Progress Update** - A temporary committee has been formed, which is charged with reviewing information on options for other cable/internet company opportunities within town besides Comcast. They meet weekly on Wednesdays via zoom, and all are welcome to participate. Their meeting information can be accessed via the community calendar on the town website. They have spoken with Thurmont officials regarding Thurmont's pursuit of a municipal broadband service. They have also spoken with an internet provider to gather information on what would be needed to expand services into Middletown. The committee has developed a survey and is requesting permission to use the Town's survey platform account to put it out to the public. The Town Board agreed by consensus to allow the Cable Committee to utilize the Town's survey platform account to publish the survey.

**CONSENT AGENDA:**

- **Town Meeting Minutes**
  - *February 22, 2021 – Town Meeting*

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

**UNFINISHED BUSINESS:**

**Comprehensive Plan – Chapter Review** – The Sustainability chapter is a new chapter for the Comp Plan. Though there was not a chapter in the current Comp Plan, it does contain a list of objectives and policies which have been incorporated into this new chapter. If any Board members have any comments please send them to the Staff Planner or to Commissioner LaPadula.

**Review of Washington Street Streetscape Residents Comments on Preliminary Design -**

This project will provide a safe walking path along Washington Street from the Elm Street parking lot to the downtown core. It includes replacing all curb, gutter, sidewalks, lighting and replacing the asphalt. There will be some storm drain improvements. All proposed improvements would conform with Town standards. The project involves Washington Street from Rt. 17/South Church Street west to the Elm Street and is part of a planned economic

development super block which would include from Green Street south to Washington Street. Eric Ware is the appointed neighborhood liaison for this project. As such he contacted each resident living along the proposed updated area of Washington Street to gather their input on the proposed project plans. Mr. Ware reviewed his report provided to the Town Board at the February 22, 2021 Town Board Meeting. Identified topics included parking along Washington Street (clearly marking parking spaces and possibly making them permitted parking after 6pm), possibly making Washington Street one-way between South Jefferson and South Church Streets, questions on sidewalk placement on both sides of the street, proposed grading changes, the crosswalk to Boileau Drive and the low retaining wall noted on the plans. The Town Administrator and the Middletown Project Manager have been out to Washington Street to answer specific questions from neighborhood residents. It was suggested that all residents of Washington Street be informed that the Town Board and staff will answer any questions residents may have on this project at the April Town Board workshop. Letters will be sent to residents this week.

**Introduction of Ordinance 21-03-21 to Establish Automatic Expiration of Improvement Plan after Three (3) Years** – This is the introduction of the ordinance to address automatic expiration of all approved improvement plans after three years. This ordinance corresponds with proposed updated Ordinance 21-01-01 which established expiration dates for all town approved site plans. There are two grandfathered properties within town limits with improvement plans that were approved prior to the approval/addition of sunset provisions to the Town Code in November 2010. Neither property has had any type of action/development taken since the approval. If the ordinance is approved, the two property owners would have 3 years from the effective date of this ordinance approval in which to begin work on the property. The Planning Commission will hold a public hearing March 25, 2021 on this ordinance. A public hearing by the Town Board will be scheduled for the Town workshop in April. A vote on this ordinance will take place at an April Town Board meeting.

**Ordinance 21-01-01- Amendments to Establish Expiration Date(s) for All Site Plans** – There is a sunset provision within the Town Code which states once a site plan is approved the individual has 3 years to complete the work before the site plan will expire and the site plan would have to come before the Planning Commission again for review and approval. As stated previously, there are two grandfathered properties within town limits with site plans that were approved prior to the approval/addition of sunset provisions to the Town Code in November 2010. Neither property has had any type of action/development taken since the approval. If the ordinance is approved, the two property owners would have 3 years from the effective date of this ordinance approval in which to begin work on the property. The Planning Commission will hold a public hearing March 15, 2021 on this ordinance. A public hearing by the Town Board will be scheduled for the Town workshop in April. A vote on this ordinance will take place at an April Town Board meeting.

## **REPORT OF COMMITTEES:**

**WATER & SEWER** – Commissioner Falcinelli reported:  
Water use for February – 300,936 gal., spring flow for February – 109,250 gal., East WWTP treated 306,000 gals. and the West WWTP treated 179,000 gals. A new pump was purchased for

the Brookridge Sewage Pump Station. Bids have been received for the Booster Station upgrade. They will be reviewed at the next Town Board meeting. The reservoir from 1894 is now empty. Town crews repaired a major break in the spring line. The Broad Street project will go out for bid soon. The committee reviewed the town water/sewer system security and will make recommendations for improvements to the Board. The committee suggests reviewing the Town's emergency preparedness plan annually to review water/sewer preparedness in the event of an emergency, with a long-term plan for an emergency generator for all water sources in the event of an emergency occurring.

**PUBLIC WORKS** – Commissioner Dietrick reported:

Town crews repaired a major break in the spring line. They cleared a sanitary sewer clog on Walnut Street, refurbished a filter at the EWWTP, and poured concrete pads for 2 more memorial benches. The Town dealt with 2-3 snow events and are now repairing any equipment needing to be fixed. Potomac Edison removed the cobra head streetlights the downtown area on Main Street. Town parks are being cleaned up for the Spring season. The design is complete for the Garage Alley improvements. Bulk trash pick-up is this Saturday, March 13, 2021.

**SUSTAINABILITY** – Commissioner Stottlemyer reported:

The committee will meet on March 16, 2021. Vendors are submitting videos for the 2021 virtual Green Expo. Middletown has been designated a Tree City USA for the second year. Signs for that will be hung at both Memorial Park and Cone Branch pocket park.

**PLANNING COMMISSION** – Commissioner LaPadula reported:

The next Planning Commission workshop is Wednesday, March 10th and the Planning Commission meeting is March 15th, 2021. Agenda items for the March Planning Commission workshop and meeting include the Middletown Library Site Plan and architectural rendering reviews, the AC Jets annexation petition, both sunset provision text amendments, both liquor store special exception requests, the self-storage special extension, and continued work on the Comp Plan.

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

The next meeting will be March 17, 2021 at 6:30 PM at Memorial Park. The meeting will follow Covid guidelines for in person meetings. If anyone has ideas for POS acquisitions, please let Commissioner Goodman know.

**PUBLIC INFORMATION** – Commissioner Falcinelli reported:

The Water/Sewer Standing Committee provided four different public service announcement examples which would educate the public about sanitary sewer clogs and flushing into the Town's system. These can be used in the quarterly town newsletter, the website, and other social media to educate residents as part of a focused campaign to reduce the sewer pump clogs. The top 5 areas visited on the town website by individuals for the month of February were 1. Water/sewer page, 2. 2021 Special Election, 3. News and Announcements, 4. The Business Directory and 5. The Tourism page. Residents are reminded to sign up for the Town email distribution and list serve notifications.

**NEW BUSINESS:**

**Request for Waiver of Board of Appeals Fees Due** – Lancaster Builders has requested a waiver of Board of Appeals fees for the exception regarding their proposed self-storage facility at the Hollow Creek development. It was previously approved by the Board of Appeals however, due to Covid restrictions and plan modification delays this exception has expired. The Zoning Administrator supports waiving the fees as requested. The Town will see if it can recoup those lost fees through reimbursement from the State.

**Motion:** Commissioner LaPadula motioned to approve the waiver of Board of Appeals fees for Lancaster Builders due to Covid imposed delays. Seconded by Commissioner Stottlemeyer. Motion approved (6-0).

**Proposed Submission for Frederick County Water & Sewer Amendments** – Frederick County is updating its water/sewer plan and requires input/updates from the municipalities. Middletown needs to file amendments with the County to change both the water and sewer service to the area that includes the Foxfield Section 6 development from No Planned Service (NPS) to Service Within in 1-3 Years (S-3/W-3). The Town Administrator will contact Frederick County to verify if it is Service within 1-3 years or Service within 5-7 years. The Water/Sewer Standing Committee recommends the Town Board review the water/sewer plan twice a year going forward to ensure the Town is current. The Town Board approved by consensus to proceed the amendments.

**Public Service Information Regarding Sanitary Sewer Clogs** – The Water/Sewer Standing Committee provided four different public service announcement examples which would educate the public about sanitary sewer clogs and flushing into the Town’s system. These can be used in the quarterly town newsletter, the website, and other social media to educate residents as part of a focused campaign to reduce the sewer pump clogs.

**Request from MVFC for “Spring has Sprung, Come Join Us for a Fun Run” Event on April 24, 2021** – The Middletown Volunteer Fire Company is requesting use of Remsberg Park as part of a fun-run event to be held April 24, 2021. Participants would run/walk from the Activities Center toward Remsberg Park, cross Franklin Street at the Primary School onto the Remsberg Park Trail, through the park and return the same way to the Activities Building. The Board will vote on this at the March 8<sup>th</sup> Town Board meeting.

**Motion:** Commissioner Falcinelli motioned to allow the Middletown Volunteer Fire Department to use Remsberg Park for their Spring Fun Run event if all Covid protocols are followed. Seconded by Commissioner LaPadula. Motion approved (6-0).

**PUBLIC COMMENTS:**

**2021 MML Summer Conference** – MML will be holding 2 summer conferences this year. An in-person conference in June and a virtual conference in July. The in-person conference is currently limited to 2 attendees from each municipality due to Covid restrictions. Burgess Miller is attending as a representative of the LGIT Board and will be introducing the main guest speaker at the conference. Burgess Miller asked how the Town Board wanted to determine who those

two attendees would be. Registration is currently taking place. Commissioner Goodman suggested that Commissioners LaPadula and Stottlemeyer attend as both are new and neither has ever attended any of the MML conferences in-person. He thinks they will get the most out of it. The Town Board agreed by consensus to this.

**Middletown Arts & Activities Council (MAAC) Memorial Day Celebration** – MAAC will not be holding its traditional Memorial Day celebration this year due to Covid. They are looking for other ideas instead. If anyone has any suggestions, please contact Commissioner LaPadula. Also, MAAC is looking to hold their Family Movie Night events, following Covid mandates. Due to the construction at the Middletown Community Park, these will most likely be held at Remsberg Park.

**ANNOUNCEMENTS:**

- *Recycling Center at Middletown Community to Close Permanently – The recycling drop-off site located at the Middletown Community Park will be permanently closed May 1, 2021. The dumpster and fencing will be removed. After long deliberation, the Town Board voted to close the site due to ongoing issues of junk/nonrecyclable items being left on-site and the dumpster overflowing with recyclable items not being broken down.*
- *April is Child Abuse Prevention Month – The Child Advocacy Center would like to provide a short presentation to the Town Board. They also would like to have a proclamation signed and place a pinwheel garden in Heritage Park. This is very similar to what they had done in April 2019.*
- *April 5, 2021 Next Joint Town Board/ Planning Commission Meeting.*

Meeting adjourned at 8:09 PM.

Respectfully submitted,

Annette Alberghini,  
Office Manager