

# *BURGESS AND COMMISSIONERS OF MIDDLETOWN MARYLAND*

## TOWN MEETING MINUTES

### REGULAR MEETING

March 9, 2020

The first regular meeting of the Burgess and Commissioners of Middletown was called to order on March 9, 2020, by Burgess Miller at 7:00 p.m. in the Middletown Municipal Center, 31 W. Main Street, Middletown, Maryland. Present were: Commissioners Larry Bussard, Jennifer Falcinelli, Christopher Goodman, Tom Catania and Rick Dietrick.

### PERSONAL REQUESTS FOR AGENDA:

#### CONSENT AGENDA:

- *Town Minutes – February 24, 2020 – Town Meeting*

Motion by Commissioner Bussard to approve the consent agenda as presented, seconded by Commissioner Catania. Motion carried 5-0.

#### UNFINISHED BUSINESS:

**Advertisement Procedures** – This is a continuation of the discussion from the workshop. With the change of the Middletown Valley Citizen now being a bi-weekly publication the Town Board is reviewing how best to address the advertising requirements needed by the Town. The Town of Middletown has numerous different advertising requirements depending on both State Law and Town Charter requirements. In the past, the Town has used the Middletown Valley Citizen as the “*newspaper of general circulation*”. With the Middletown Valley Citizen’s change to a bi-weekly publication which no longer meets the definition. Staff is recommending that the Town continue to advertise in the Valley Citizen in addition to using the Frederick News-Post for the consecutive weeks legal requirement (as shown by the matrix). The Town would continue to utilize social media and the website to disseminate information. Motion by Commissioner Falcinelli to approve the advertising matrix as presented, seconded by Commissioner Goodman. Motion carried 5-0.

**Rural Municipal Community Circulator Bus Service** – This is regarding a Frederick County proposed one-year pilot program for a circulator type bus service in and around 4 municipalities, Emmitsburg, Thurmont, Brunswick and Middletown. The bus would be in each municipality 1 day per week. The bus’s municipality determined route, on its assigned day, would be to transport people to the grocery store, shopping areas, library and other predetermined/identified areas within the town. The goal is to provide seniors and others with the option to have a regular planned day when they could run a variety of errands within their town independently and on a reasonable timetable. The County would purchase the bus and hire both a driver and a dispatcher. The County is requesting each municipality contribute \$10,000 to support the pilot program. Many of the questions asked at the workshop will be answered once the pilot program ends. The Town hopes to receive monthly feedback while the program is operating. Helpful feedback would include: usage of the program, the population using it, the monthly operating expenses, the general area of the scheduled pick-ups, and any issues that had been identified. The Town Administrator stated that this is the County’s first attempt to address transportation needs in the County. Motion by Commissioner Bussard to approve participation in the one year pilot program with the Town Board re-evaluating after one year, seconded by Commissioner Goodman. Motion carried 5-0.

**Proposed Text Amendment – Forest Conservation Ordinance** – Last year Maryland Senate Bill 234 Natural Resources – State and Local Forest Conservation Funds (effective October 1, 2019) was passed which made changes to the State’s Forest Conservation Act. This bill requires a few changes to the Town’s Forest Resource Ordinance. This proposed ordinance would comply with the new State regulations. Frederick County has proposed changes to their laws to make their regulations stricter. If the Town is interested in emulating Frederick County’s Forest Resource Ordinance, the needed additions to the Town’s ordinance were also included in the proposed ordinance. Staff recommended following the State regulations. Commissioner Falcinelli motioned to move forward with the proposed text amendment using the State requirements, seconded by Commissioner Catania. Motion carried 5-0.

**REPORT OF COMMITTEES:**

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

The committee discussed developing a public information plan to inform the residents of all water sewer accounts transitioning to the capital improvement fee beginning in July 2020. A formal announcement will be made. The information will be placed in the April and July quarterly newsletters, it will be an announcement item over the next several months on Town Board agendas, and social media and the town website will be utilized as well. A Town Water Conservation Initiatives handout was created to distribute at various event throughout the year. The flier lists the Town’s water conservation efforts. Water use for February – 297,096 gal., spring flow for February – 133,808, East WWTP treated 258,000 gals. and the West WWTP treated 352,000 gals. The Streetscape project is moving along. Two service connections on the west end of town will have to be raised due to the installation of a sanitary sewer line beneath them. Work on the reservoir tank is expected to begin the first week of May. It should take one year to complete. Well 22 will be adding a chlorine feeder to address the iron build up in the pump and process pipe. Next committee meeting is March 25<sup>th</sup> at 7:00 PM.

**PUBLIC WORKS** – Commissioner Bussard reported:

The mill and overlay planning for Boileau Drive is underway. The ADA concrete ramp and steps at the back of town hall has been poured. Currently awaiting the installation of handrails. Broad Street Streetscape design phase is 95% complete. Washington Street design is currently being reviewed for storm water management. Bulk trash pick-up is this Saturday March 14<sup>th</sup>.

**SUSTAINABILITY** – Commissioner Dietrick reported:

The Town received approval for a \$1,000.00 grant for tree planting at Remsburg Park from the Maryland Urban and Community Forest Committee. The Town also received a \$300.00 grant from Tree-mendous Maryland to use towards that project as well. The total project cost is \$1,720.00. This leaves a \$420.00 cost to cover. Middletown has received a Tree City USA designation. The Town Board will have to sign an Arbor Day proclamation, in April, as part of that. The County is planting trees on 3.6 acres at the Middletown Community Park as part of its park improvements this summer. There are 9 compost bins available for sale at \$40.00 each. The Green Expo will be April 25<sup>th</sup> in conjunction with Coloring the Street. The location will be on Green Street again. There is room by the new ramp at the back of town hall to plant a tree with some annuals. The Sustainability Committee would like to plant a tree there on Arbor Day. The Town Board reviewed several trees suggested by JEM, L.L.C. but no decision was made.

**Remsburg Park Parking Lot Hedges** – The Town has received complaints from individuals whose homes are across the street from Remsburg Park about both the lights from cars driving out of the park during the evening and the headlights from cars who park in the parking lot during the evening shining into their homes. Requests were made to plant some sort of screening around the parking lot to deflect that light. Stadler Nurseries provided an estimate for planting screening hedges comprised of 110 bayberry northern 3-gallon shrubs at a cost of \$4,800.00. A map showing where these shrubs would be planted was reviewed. These plantings can also be applied to the MS4 requirements. Commissioner Goodman motioned to approve the purchase of 110 bayberry northern 3-gal shrubs to be used as

screening at the parking lot of Remsburg Park as proposed, seconded by Commissioner Catania. Motion carried 5-0.

**Annual Planting of Flowers in Identified Town-Owned Areas** – JEM, L.L.C. provided an estimate for the annual flower planting at identified areas around town. The price is the same as last year, but more flowers are included. Total cost is \$9,032.15. If the Town Board agrees to the contract, a deposit of ½ the total cost, or \$4,516.08, would have to be provided. Commissioner Dietrick motioned to approve the JEM, L.L.C. estimate and to pay the required deposit of \$4,516.08, seconded by Commissioner Goodman. Motion carried 5-0.

The next committee meeting is March 17<sup>th</sup> at 5:00 PM.

**PLANNING COMMISSION** – Commissioner Catania reported:

The next workshop is March 11<sup>th</sup> and meeting is February 16<sup>th</sup> at 7pm., on the agenda will be the following: The Hollow Creek Professional Center Architectural Renderings Review, the St. Thomas More Academy's revised Site Plan, the Middletown Memorial Park revised Site Plan and the Proposed Text Amendment regarding the Forest Conservation Ordinance.

**2020 Comprehensive Plan – Community Conversations** – Fourteen people attended the first Community Conversations event held March 7<sup>th</sup>. The facilitators reported that there were very good comments and ideas put forth and some ideas that were beyond the scope of the meeting. The facilitators will provide a list of the comments for the Town Board and Planning Commission to review.

Pam Dietrick, 707 East Main Street, stated that having the meetings on a Sunday afternoon may not be the best time. Perhaps the meeting on the 28<sup>th</sup> could be moved to a weekday evening or earlier in the day. There are 18 individuals registered for the March 28<sup>th</sup> event. It will meet at its scheduled time. There will be other opportunities for further discussion as the 2020 Comp. Plan progresses.

Bob Smart, 7525 Coblenz Road, suggested having an explanatory meeting open to the public where an explanation of what the comprehensive plan is and its process might be beneficial.

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

Frederick County has notified the Town that the fenced in stormwater management pond at Remsburg Park cannot have dogs running around in it. It is in violation of their illicit discharge ordinance.

Effective immediately the Town must padlock the access gate to halt the intrusion. The Town will post signs around the pond explaining the locked gate. The Town Board reviewed the current costs for use of the Wiles Branch Dog Park. This item will be on the next agenda to determine whether to adjust the fees for the next fiscal year. Commissioner Goodman requested that once the walking trails are complete to install areas along the trail at Remsburg Park so that handicapped individuals would be able to watch games being played. MVAA has two goals for future development. One is to build a press box at Remsburg Park. The second is to build an indoor facility there as well.

**PUBLIC INFORMATION** – Nothing to report.

#### **NEW BUSINESS:**

**Constant Yield Tax Rate Exemption** - Middletown has received an exemption again for 2020/2021.

The tax rate will not change this year. Commissioner Dietrick stated that some residents are thinking tax rate increase are the actions of the Town when in reality they are a result of an increase in the assessed value of their property. It was suggested that the Town utilize social media during budget review time to inform residents that Middletown has had the same tax rate since 1992.

The State updates its assessments every 3 years. Middletown may be part of that next assessment update.

**FY 2021 POS Project Requests** – The Parks and Recreation Standing Committee has identified 3 POS projects to request monies for in FY2021. They are prioritized as follows: running water and sewer to Wiles Branch Park (approximately \$120,000), purchasing bleachers for Remsburg Park (\$15,000) and pickle ball courts at Wiles Branch Park (\$7,500 to modify existing basketball courts/ \$25,000-27,000 to build new). Deadline for submission of requests to the County is May 1, 2020. The Town Board agreed by consensus to these projects.

**Memorial Bench Program** - The Parks and Recreation Standing Committee would like to offer memorial benches for public sale, which when purchased could be placed along identified areas of the Town walking trails. Each bench would have a memorial plaque listing who the bench was memorialized for. The benches would be tax deductible. Staff will create the order form and other supporting documentation for the Board to review and approve. The Town Board agreed by consensus to this program.

**PUBLIC COMMENTS:** None.

**ANNOUNCEMENTS:**

- *Frederick County Restaurant Week – March 2-8, 2020*
- *Middletown Valley Historical Society History Program – Wednesday, March 18, 2020 at 7:00PM at Christ Reform Church*

Meeting adjourned at 8:21 PM.

Respectfully submitted,

Annette Alberghini  
Office Manager