

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

**TOWN WORKSHOP MEETING MINUTES**

**TOWN MEETING**  
**2022**

**April 11,**

The meeting of the Burgess and Commissioners of Middletown was called to order on April 11, 2022, by Burgess Pro Tempore Jennifer Falcinelli at 6:30 p.m. Present were Commissioners Kevin Stottlemeyer, Christopher Goodman, Rick Dietrick, and Jean LaPadula.

**BUDGET WORKSHOP**

**FY2023 Water & Sewer CIP Budget** - The initial draft of the Water & Sewer CIP fund was reviewed line by line. It has not been reviewed by Burgess Miller or staff. The Town Administrator reviewed the projects scheduled for the next fiscal year. Most will be funded using the ARPA monies. This draft budget is a healthy budget due to the ARPA funding. The Town Board discussed developing a plan to address future project funding. The Town has not raised water/sewer rates or the Capital Improvement Fee in several years.

**PUBLIC HEARING:**

**Constant Yield Tax Rate** – This public hearing is an annual requirement if the town’s tax rate is higher than the Constant Yield Tax Rate (CYTR). The CYTR is .227. The Town’s tax rate of .232 has not increased since 1991. Since it is higher than the CYTR it is considered a rate increase because it will generate more tax revenue for the Town. The Town Board must decide what it will do with its’ tax rate.

**Motion:** Commissioner Stottlemeyer motioned to keep Middletown’s tax rate the same. Seconded by Commissioner Goodman. Motion passed (5-0).

**PUBLIC COMMENT:** Ms. Robin Grove and a group representing the Child Advocacy Center were in attendance regarding the proclamation for Child Abuse Prevention Month. The group has placed the blue pinwheels in the flower bed of Heritage Park as a reminder to residents. The Town Board was unaware that the group would be attending. The Board members thanked the group for their efforts on child abuse prevention and child advocacy and support and asked if the group would attend the next Town Board meeting on April 25<sup>th</sup> to receive the proclamation.

**PERSONAL REQUESTS FOR AGENDA:** None.

**CONSENT AGENDA:**

- **Financial Statements**
- **Town Meeting Minutes**
  - *March 28, 2022 – Town Meeting*

Commissioner Lapadula stated that the March 28, 2022 meeting minutes need to be amended. She had sent corrections prior to the meeting to be included. The corrections had been made to the meeting minutes but the copy the Town Board has in the meeting packet did not include the updates.

**Motion:** Commissioner Goodman motioned to approve the consent agenda as presented with the corrections to the minutes as previously submitted. Seconded by Commissioner Dietrick. Motion passed (5-0).

#### **UNFINISHED BUSINESS:**

**Final Franchise Agreement with Shentel** – The Town Attorney met with the Shentel representative and completed the final agreement. Planning Commission approvals has been added to the “Permits and Obligations” section of the agreement. Under Indemnification, Shentel will be required to provide/pay for any legal counsel needed. If the Town does not want to utilize said legal counsel, it can retain its own counsel at its own expense. When the agreement with Comcast comes up for renewal those same additions will be included in the new agreement with Comcast.

**Motion:** Commissioner LaPadula motioned to approve the final franchise agreement with Shentel as presented. Seconded by Commissioner Goodman. Motion passed (5-0).

The Town Board thanked the members of the Broadband Committee for all their efforts in making this agreement possible.

**Ordinance 22-04-01 - Amendments to the Water & Sewer Billing Policy** - Due to issues with the USPS, town residents have not been receiving their water bills in a timely manner. This has resulted in the late fees being imposed. Residents have asked for those fees to be waived. The Water Sewer committee proposed granting the Town Administrator the authority to waive water/sewer fees under certain circumstances. The draft ordinance update to Municipal Code section 13.12.040 was reviewed. It states that the authority to waive water/sewer fees be amended to include the Town Administrator or his designee.

**Motion:** Commissioner LaPadula motioned to approve Ordinance 22-04-01 as presented. Seconded by Commissioner Goodman. Motion passed (5-0).

**Amendments to the Subdivision Sign Policy** – The Town Board reviewed the proposed changes to the Subdivision Signs Repair and/or Replacement Policy. The change includes that the Town Board may partially fund a subdivision sign replacement at the request of residents of the subdivision, on the condition that 50% of the funds required to install the new subdivision sign are paid for by the residents of the subdivision. It was recommended that the policy identify which subdivision signs this policy addresses. Also, once an identified subdivision sign has been replaced to the Town standard this policy will no longer apply to that sign in the future. The subdivision signs that are currently addressed by this policy include the subdivision signs located at Mina Drive, Smithfield Drive, Creamery Row, Walnut Pond Court and Brookridge South (2 signs). It was recommended that the sentence in the policy stating the Town Board may fund a

subdivision sign replacement be changed to: “The Town Board MAY partially fund a subdivision sign replacement at the request of residents of the subdivision, on the condition that 50% of the funds required to **replace and install** the new subdivision sign are paid for by the residents of the subdivision.”

**Motion:** Commissioner Stottlemeyer motioned to approve the amendments to the Subdivision Sign Policy to include the addition of the subdivision sign locations still under this policy and the change to the statement as presented. Seconded by Commissioner Dietrick. Motion passed (5-0).

The sign signifying the entrance into the Brookridge South subdivision has deteriorated beyond repair. Brookridge South does not have an HOA so it falls upon the residents of the subdivision to bear the cost of its replacement. The residents are requesting the Town fund \$5000.00 of that cost. The residents will do the landscaping around the sign out of pocket. The residents of Brookridge South have confirmed their sign’s wording and have raised 50% of the cost of replacement of the new sign at the entrance into their subdivision. There is a second Brookridge South subdivision sign across the street from the entrance into Brookridge South that is built from the same materials and has fallen into disrepair. The residents will not be replacing that sign once it is removed.

**Motion:** Commissioner Stottlemeyer motioned to approve the Town fund \$5000.00 towards the replacement of the Brookridge South subdivision sign as requested. Seconded by Commissioner Dietrick. Motion passed (5-0).

Brookridge South residents were requested to coordinate the new sign location with the Town in order receive location approval from the Town Board.

## **REPORT OF COMMITTEES:**

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

For March water use was – 293,702 gal., spring flow was – 118,808 gal., East WWTP treated 235,867 gals. and the West WWTP treated 169,018 gals. The Town received 3.4 inches of rain in March. The Booster Station process pipe upgrade is nearing completion. The piping has been installed, the power was removed and re-installed. New vfd’s will be installed April 26<sup>th</sup>. The I&I study with flow measuring is ongoing. A baseline was set during the winter. The rainfall this past weekend will provide much needed information. The Washington Street project is out for bid. Hydrant flushing is next week. There is new equipment to remove any residual chlorine in the water when flushed through the diffuser. The town is changing how it flushes hydrants to eliminate the amount of water usage and decrease the amount of water movement through the pipe on Green Street.

**PUBLIC WORKS** – Commissioner Dietrick reported:

In addition to what was reviewed in the Water and Sewer Committee report, a town employee fabricated a stainless steel barscreen for the EWWTP and a stainless steel rotopress screen for the WWTP, at a cost savings of \$8000.00. Town crews repaired a waterline break at the WWTP, completed repairs to signs and lighting at Cone Branch Park, installed handicap sidewalks at Franklin Street and Fireman’s Way. They serviced and stored snow equipment for

the season. A border was added to the pollinator garden, memorial benches were installed at the Willow Street Park. Old trees were removed at Foxfield Pass in preparation for the planting of new trees. Dust control was implemented at Remsburg Park, trash cans along the walking trails were emptied and continued the opening and closing of Town parks.

**SUSTAINABILITY** – Commissioner Stottlemyer reported:

The Green Expo is Saturday, April 23, 2022 at Memorial Park. The Potomac Edison tree planting will take place April 29, 2022. A new border was installed around the pollinator garden at Memorial Park.

**PLANNING COMMISSION** – Commissioner LaPadula reported:

The Planning Commission workshop is scheduled for March 13, 2022. The Planning Commission meeting is scheduled for March 18, 2022. Agenda items include the Memorial Hall Development Site Plan review, continued revision to the sign ordinance so it is content neutral, review of Chapters 1 and 8 of the Comp Plan, and review of the 2021 Planning Commission Annual Report. As part of the sign ordinance review the Planning Commission is reviewing the need to change signs in the TC district as it relates to the branding study and the unique challenges of old residences being used for commercial businesses in the downtown area.

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

Received an email from MVAA requesting Town assistance in moving a shed to Wiles Branch Park for equipment storage. The Town Board agreed by consensus not to assist in moving the shed. Perhaps MVAA could put the request out to their general membership and see if someone else would assist. POS priorities for this year are: 1. Permanent bathrooms at Remsburg Park, 2. Lighting at Remsburg Park along sidewalks and the pickle ball courts, and 3. Funding for 2 more pickle ball courts.

**PUBLIC INFORMATION** – Commissioner Falcinelli reported:

Residents are reminded to sign up for the Town email distribution service and Alert Frederick if they have not done so already. The new banner reminding residents to “stay connected” to what is happening in Middletown has arrived. It is hung when there are no other banners scheduled for display. In March, the top five town website pages visited were 1. Trash News page, 2. Parks Page, 3. Business Directory, 4. News & Announcements and 5. Water & Sewer page.

**NEW BUSINESS:**

**Oath of Office** – Commissioner Pro Tempore Falcinelli administered the oath of office to Commissioners Dietrick and Stottlemyer. Commissioner Goodman administered the oath of office to Commissioner Falcinelli. Commissioner Goodman nominated Commissioner Falcinelli to continue as Burgess Pro Tempore. Seconded by Commissioner Dietrick. The Town Board voted approval (5-0).

**Appointment of Zoning Administrator – Robert Wilkes** – Robert Wilkes has expressed interest in becoming the new Zoning Administrator. Mr. Wilkes is a retired police officer and would be an asset when working with town code, violations, and residents. Mr. Wilkes would resign his position as the Temp. Alternate on the Planning Commission.

**Motion:** Commissioner LaPadula motioned to appoint Robert Wilkes as the new Zoning Administrator. Seconded by Commissioner Goodman. Motion passed (5-0).

**Review of Non-Profit Grant Applications** – The Town Board reviewed the list of non-profit organizations that applied for the Town’s ARPA grant monies. These non-profit applications were reviewed at the April Town workshop in detail. The grant amounts for each organization were also discussed at that time. The total amount of the ARPA funds budgeted for this was \$130,000.00. The total amount proposed to be awarded to the non-profits who applied is \$125,000.00. It was suggested at the workshop to increase the grant amount awarded to the Main Street Program by \$5000.00, for a total grant award of \$10,000.00.

**Motion:** Commissioner LaPadula motioned to approve the non-profit grant awards, including the \$5000.00 increase to the Main Street Program, as presented. Seconded by Commissioner LaPadula. Motion passed (5-0).

**PUBLIC COMMENTS:** None.

**ANNOUNCEMENTS:**

- *Coloring the Street – Saturday, April 23, 2022 – 10:00AM to 3:00PM*
- *Green Expo – Saturday, April 23, 2022 – 10:00AM to 2:00PM – Memorial Park*
- *Tree Planting Event – Friday, April 29, 2022 – 10:00AM to 12:00PM – Wiles Branch Park*

Workshop adjourned at 8:21 PM.

Respectfully submitted,

Annette Alberghini,  
Office Manager