

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

TOWN MEETING MINUTES

TOWN MEETING

June 12, 2023

The meeting of the Burgess and Commissioners of Middletown was called to order on June 12, 2023 by Burgess Miller at 6:30 p.m. Present were Commissioners Jennifer Falcinelli, Rick Dietrick, Kevin Stottlemeyer, and Chris Goodman.

PUBLIC COMMENT:

Public Hearing

General Fund FY2024 – Operating Budget – The latest updates to the budget were reviewed This includes \$48,000 for a lobbyist which is split equally between both the general fund and the water & sewer operating budgets. This also includes salary increases of 3% for cost of living (COLA) with an up to a 2% merit-based increase. Total revenue is \$3,876,071. Projected expenses total 3,723,933. This leaves a surplus of \$152,138.

Water and Sewer Enterprise Fund FY2024 – The latest updates to the budget were reviewed This includes \$24,000 for a lobbyist, salary increases of 3% for COLA with an up to a 2% merit-based increase and a 3% water/sewer rate increase effective July 1, 2023. Total revenue is \$1,439,087. Projected expenses total \$1,408,569. This leaves a surplus of \$30,518.

FY2024 General Fund FY2024 Capital Improvements Program (CIP) – The latest updates to this budget were reviewed. This includes funding for a new truck and equipment. The waterline trailer was moved to the Water and Sewer CIP budget as a separate line item.

FY2024 Water & Sewer Enterprise Fund Capital Improvements Program (CIP) – The latest update to this budget was to add the waterline trailer to the budget as a separate line item (\$10,500).

Discussion occurred concerning increasing the monetary compensation for the Burgess and Commissioners. It was suggested to increase it 3% and be effective when re-elected. The Burgess and Commissioners have not had an increase for quite some time. Another suggestion was to increase the compensation by \$150 for all Town Board members effective upon re-election. A COLA adjustment would be discussed at a later meeting.

The public hearing ended at 7:18PM.

Motion: Commissioner Stottlemeyer motioned to approve both the FY2024 General Operating Budget and the FY2024 Water and Sewer Enterprise Fund with the changes and to increase the compensation for the Burgess and Commissioners by \$150 each which will be eligible at the respective election cycle for each official. Seconded by Commissioner Goodman. Motion passed (5-0).

Motion: Commissioner Goodman motioned to approve both the FY2024 General Operating CIP and the FY2024 Water and Sewer Enterprise CIP as presented. Seconded by Commissioner Dietrick. Motion passed (5-0).

PERSONAL REQUESTS FOR AGENDA: None.

CONSENT AGENDA:

- **Town Meeting Minutes**
 - *June 1, 2023 – Town Workshop*

Motion: Commissioner Dietrick motioned to approve the consent agenda as presented. Seconded by Commissioner Goodman. Motion passed (5-0).

UNFINISHED BUSINESS:

Proposal for Professional Consulting & Lobbying Services Manno & Associates LLC – The Town Administrator has worked with Mr. Manno to secure additional funding for projects in Boonsboro. Mr. Manno spoke of his history with the State legislature as a State Senator, and the committees he served on. He is a lobbyist with extensive experience. He is offering to contract his services to the Town to provide strategic opportunities to engage with state lawmakers in the highest level of State government to procure monies from discretionary spending to assist with identified needs/projects in Middletown. The Town Administrator spoke with Mr. Mann. Mr. Manno agreed to lower his fee to the \$48,000 originally budgeted for.

Motion: Commissioner Falcinelli motioned to contract services with Manno and Associates for one year at a cost of \$48,000. Seconded by Commissioner Goodman. Motion passed (5-0).

Sick Time for PT Employees – The state passed the MD Healthy Working Families Act which requires employers to provide sick time to those part-time employees who qualify. According to the law, employers at a minimum would provide one hour of sick leave for every 30 hours worked. The Town Administrator reviewed the calculations used to determine how much sick time qualified part-time employees will earn, and how much sick time is owed to one part-time employee since the law passed. If approved, sick time for part-time employees will be added to the personnel policy. A memo will be written informing the part-time employee of the decision and the number of hours' sick leave owed.

Motion: Commissioner Falcinelli motioned to approve the sick time for part time employees' amendment to the personnel policy as recommended and to provide the recommended retro sick leave allocation to the identified part time employee. Seconded by Commissioner Goodman. Motion passed (5-0).

No Parking Zone/Loading Zone – 5 W. Main Street – The Town Board recently approved a motion to stripe 1 parking space in front of 5 West Main Street with hash lines indicating no parking the rest of the way in front of the property and to have signage erected indicating it is a no loading/unloading area. SHA would like the Town to stripe that area as a no parking area and erect signage indicating it is a no parking and a no loading/unloading zone.

Motion: Commissioner Dietrick motioned to paint no parking stripes in front of 5 West Main Street and to erect signage stating it is a no parking and no loading or unloading area. Seconded by Commissioner Stottlemyer. Motion passed (5-0).

FY24 COLA & Merit Pay Increase Proposal – As was stated earlier, it was recommended to include a 5% salary increase, of which 3% would be a COLA increase, and up to 2% would be a merit increase. It was proposed that all employees receive a 3% COLA increase beginning July 1, 2023. Merit raises of up to 2% would be tied to employee evaluations which would now be tied to each employee's date of hire.

This would ease the administrative burden that occurs during the end of the fiscal year and give supervisors more time for an in-depth review with their employees. The Town Administrator recommended using evaluation forms that were used in Boonsboro. He found the forms to be very useful for both supervisors and employees. If approved, employee annual evaluations occurring on their date of hire would be added to the personnel policy. A memo will be written informing employees of this, as well as the merit-based pay increase, and the use of new evaluation forms.

Motion: Commissioner Stottlemyer motioned to approve the FY24 COLA and merit-based proposal including the changes to the personnel policy as presented. Seconded by Commissioner Goodman. Motion passed (5-0).

Ordinance to Amend Ethics Code to Comply with Newly-Enacted State Law – The Town Board reviewed the proposed updates to the Ethics Code in ordinance form at the Town workshop. These updates meet the State Ethics requirements.

Motion: Commissioner Falcinelli motioned to approve amendments to the Ethics Code as presented. Seconded by Commissioner Goodman. Motion passed (5-0).

Proposal to Extend Street Patching Contract – The Town requested RFP to provide an estimate to continue the street patching contract through FY2026. RFP provided the estimate of \$120,350 to complete all the projects in FY24. This represents a 2.1% or less increase. The FY24 budget has \$98,000 for street patching. If approved the award letter to RFP will include a statement similar to “The total amount of work to be completed for FY24 will not exceed \$98,000.”

Motion: Commissioner Stottlemyer motioned to accept the RFP patching contract estimate with a \$98,000 threshold for FY24. Seconded by Commissioner Falcinelli. Motion passed (5-0).

S. Church Street Sewer Lining Proposals – The Town received two proposals. One was \$24,200, and the other for \$39,700. The Town can utilize I&I reserve funds to pay the costs of the project. Discussion occurred whether to award and utilize the funds in FY23 or wait until FY24.

Motion: Commissioner Falcinelli motioned to award the project to Pleasants Construction at a cost of \$24,200 using the I&I reserve account in FY23. Seconded by Commissioner Dietrick. Motion passed (5-0).

Green Street Concrete Median Proposal – The Town has received an estimate of \$16,000 from SP Daly for the construction of a concrete median to replace the delineators on East Green Street. It would be concrete 12” wide, 20” deep with 8” above grade (12” below grade) and 320 feet long. The median would have delineators at both ends noting its presence to drivers. Town employees have had to replace delineators several times since their placement.

Motion: Commissioner Dietrick motioned to award the construction of the concrete median as proposed using funds out of cash reserves from FY23. Seconded by Commissioner Goodman. Motion passed (5-0).

REPORT OF COMMITTEES:

WATER & SEWER – Burgess Miller reported:

For May water use was – 343,765 gal., spring flow was – 146,882 gal., East WWTP treated 237,000 gals. and the West WWTP treated 151,000 gals. The Town received 2.55 inches of rain in May. The reduction difference in discharge from previous months is due to the recently completed I and I project. The town is

experiencing an abnormally dry period with little rain. The committee recommends that a water and sewer rate study be performed, and that a non-residential tap fee policy be developed. The non-residential tap fees for the library have been calculated at \$125,307.69. The ENR update is behind a couple of months. Town staff are reviewing possible technology available to assist with this. The I&I work for the Cone Branch project is behind schedule. 2023 lead and copper testing has begun. Moving meters from within houses to vaults curbside has been an ongoing project. It is usually done as part of a streetscape project. The next committee meeting is June 28, 2023.

PUBLIC WORKS – Commissioner Dietrick reported:

Crews cleaned up the “eyebrow” in Foxfield, fixed a broken urinal at the Memorial Park Mens bathroom, installed the new WWI plaque at the War Memorial, and cleaned benches. Staff also have been spending more time watering plants, flowers, and trees. They have repaired playground equipment, the garage door trim at Willow Street and moved the bench at the food bank. Banners have been hung along Main Street and valves replaced on Cone Branch Drive. The old brushhog is no longer useable. There is money in the budget for a mower that can be mounted on the skid loader (\$8,000). Town staff also assisted with Family Movie Night.

SUSTAINABILITY – Commissioner Stottlemyer reported:

Town staff assisted with the “eyebrow” in Foxfield and the pollinator gardens. The committee recommends that until the perennials which have been planted get established that perhaps the Foxfield HOA can contact a service group to do the weeding at the “eyebrow”. This would be temporary. The Fall Recycling event will be October 21, 2023 from 9AM – 12PM.

PLANNING COMMISSION – No report.

PARKS AND REC. COMMITTEE – Commissioner Goodman reported:

He has all the information on LPPI and POS. He has gathered the quotes and will be moving forward to implement.

PUBLIC INFORMATION – Commissioner Falcinelli:

In May, the town website had 2904 unique IP visits to the site. The top five town website pages visited were 1. Town Events, 2 Parks, 3. Business Directory, 4. Community Calendar, and 5. Water & Sewer. As always, residents were reminded to sign up for town email notifications and the robocalls to keep up to stay informed.

NEW BUSINESS:

FY24 Program Open Space Final Allocations– The Town will receive \$97,000 in acquisition funds for Heritage Park, \$75,000 for the Remsberg Park pickleball courts, and \$75,000 water fountains and water service throughout Remsberg Park.

FY2 Community Parks & Playgrounds – The Community Parks and Playgrounds grants are to be used to reinvigorate older parks. The Town is applying for the grant to purchase concrete chess/checker tables for Wiles Branch, Remsberg and Memorial Parks. The Director of Public Works noted that the playground in North Pointe is 20 years old and on the horizon for replacement. Within the next 5 years.

TOWN ADMINISTRATOR’S REPORT

3120A Old National Pike – This is property that fronts US Alt40A that the owner is interested in selling to the Town. DNR stated that POS and Community Parks and Playground monies could be used to purchase the land in the flood plain but not the land that the buildings are on. The Town Administrator is contacting appraisal companies for quotes.

Main Street Flashing Pedestrian Crosswalks – SHA came out in February 2023 and created the design for the crosswalks. SHA is now waiting on funding. Installation is projected for Fall 2023.

Solar & Stream Restoration Projects & Grant Applications – The MD Energy Administration has a plan and design grant specifically for solar array construction. This is a not often used grant. The reservoir would be an optimum location for a solar array. The State offers 0% financing. Application deadline is June 30, 2023.

Payroll Services Implementation – Beginning July 1, 2023 the Town will be using the payroll service PeopleWorx. The Town shortened the last pay period to nine days in order to make the adjustment to the required biweekly pay period of Wednesday to Tuesday.

PFAS Mass Tort Lawsuit – Since Middletown joined the PFAS tort, Dupont settled the lawsuit for \$1.2 billion, and 3M is in discussion for a \$10 billion settlement. How this will be split amongst all the municipalities and counties across the country remains to be identified.

Frederick County Chemical Procurement – The Town Administrator contacted Frederick County to investigate the possibility of being added to their chemical procurement process. The Town pays \$3-5 per gallon for sodium hypochloride. The County pays \$1.15 per gallon. The County’s current contract expires in August 2023. The goal is for the Town to be added to the County’s new contract, which could provide an annual \$20,000 savings in chemical costs.

PUBLIC COMMENTS: None.

ANNOUNCEMENTS:

- *Independence Day Celebration – July 1, 2023 at Middletown Community Park*

Workshop adjourned at 8:41 PM.

Respectfully submitted,

Annette Alberghini,
Office Manager