

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

**TOWN WORKSHOP MEETING MINUTES  
VIRTUAL MEETING**

**REGULAR MEETING**

**June 22, 2020**

The virtual regular meeting of the Burgess and Commissioners of Middletown was called to order on June 22, 2020, by Burgess Miller at 7:00 p.m. Present were: Commissioners Larry Bussard, Christopher Goodman, Jennifer Falcinelli, Jean LaPadula and Rick Dietrick.

**PUBLIC HEARING**

**FY 2021 Budgets**

**General Fund Operating** - The proposed budget of \$3,325,406 is largely based on Local Taxes, State and County Shared Taxes, Parks and Recreations fees and Licensing, Permits and Fees. The overall **operating revenue** is down 2% from the previous fiscal year. The largest decreases coming in Park fees (reduced to “0” due to COVID-19) and a 35% decrease in Licenses, Permits and Fees also recognizing the impact of COVID-19 on our businesses. Total **operating expenses** are of \$3,044,524 increased by 3%. Expenses are based predominantly on Public Safety, General/Administrative Services, Operations and Maintenance, Sanitation and Highways and Streets. The increases here are in General/Administrative Services, administrative salaries, and Professional Services with our accounting firm is the bulk of this increase. The biggest decrease in expenses was in Recreation and Culture caused by 2 loans coming to an end after FY 2020. The tax rate for Middletown will remain the same as it has for the last 28 years at approximately \$ .23 per hundred dollars. The Town did realize a surplus in our proposed budget of \$280,882 but that represents a 34% decrease from FY 2020.

Commissioner Bussard reiterated the need for an Executive Session to discuss staff salaries. Once all employee evaluations are completed, an executive session will be scheduled.

**General Fund Capital Improvements Program** - The FY 2021 CIP includes \$1,042,225 **revenue** from cash reserves, operating income from FY2020 of \$280,882 and a Loan for Broad Street construction of \$1,240,000 divided over the next two fiscal years. Modest adjustments of interest income and improvement fees were included although both were less than \$10,000. Program Open Space funding of \$47,885 was obtained in May of 2020 for fiscal year '21. The major projects for FY 2021 include Broad Street engineering and beginning of construction \$626,034, and mill and overlay of Boileau Court \$224,326, Remsberg Park waterline extension \$170,000 (water only) and design of a new maintenance facility to begin constructed in 2025 at \$106,000. This budget yielded a \$428,363 surplus and continues to have a \$201,673 “rainy day” fund.

Commissioner Falcinelli requested that the statement under Remsberg Park waterline extension of “75% Grant; POS 25%” be removed as it does not apply. Currently there is no indication from the County that they will take back POS funding because of the pandemic.

**Water & Sewer Fund Operating** - Revenue for this budget is almost completely dependent on the charges for water consumption and providing sewer totaling \$1,229,164. A very slight increase of .51% from FY 2020. **Total operating expenses** for FY 2021 amount to \$1,136,345, down from FY 2020 .42%. The predominant expenses being Administrative at \$232,488, a reduction of 8.96%. Proposed salaries showing a slight decrease of 1.42% based on FY 2020. Sewer salaries at \$110,564 was down 9.45% and Sewer Collection at \$126,616 was down 7.34%. Costs to run the East Waste Water Treatment Plant is proposed at \$172,284, down 1.1% form FY2020. Once again, a contingency fund based on a 10-year historical average is included at \$25,006. This leaves this proposed operating budget with a \$67,813 surplus—down 20.53% from the previous fiscal year.

**Water & Sewer Capital Improvement Program** - The \$3,777,040 **revenue** projected for FY 2021 consists primarily of cash reserves, Capital Improvement Fee, Leases (cell towers), Capital Improvement Reserve Account and a \$2,058,605 loan for the Reservoir Enclosed Tank project. The current debt service of the Water and Sewer CIP budget is \$157,640—loans on the Main Street Waterline and the Reservoir Tank loan—leaving a \$3,619,400 revenue stream for water and sewer projects. Projects for FY 2021 include reservoir ground storage tank at \$3.2 million, Booster station upgrades for \$200,000, bar screen refurbishment of \$70,000 and reconstruction of a filter tank at \$58,000. This yields a surplus of \$71,425. There is no contribution this fiscal year to the reserve account. Our previous reserve account balance of \$575,000 was used to defray the cost of the reservoir project. We also have a balance of \$316,749 in our Inflow and Infiltration reserve account and \$201,388 in the reserve account for sludge removal.

The public hearing adjourned at 7:21 PM.

**PERSONAL REQUESTS FOR AGENDA:** None.

**CONSENT AGENDA:**

- **Town Meeting Minutes**
  - *May 7, 2020 – Town Workshop*
  - *May 11, 2020 – Town Meeting*
- **Richland Golf Club Request for Outdoor Music July 3, 2020 through October 30, 2020 –**  
This was added as a consent agenda item and is an item that is normally approved each year. Richland Golf Club has agreed to meet all conditions/guidelines regarding noise and social distancing. The community deputies will check noise levels through the summer. The Town decibel meter can also be utilized as needed.

Motion by Commissioner Bussard to approve the consent agenda with the addition of the Richland Golf Club request, if Richland Golf Club operates within the required guidelines, seconded by Commissioner LaPadula. Motion carried (5-0).

**UNFINISHED BUSINESS:**

**FY 2021 Budgets Approval** – Commissioner Falcinelli requested that the \$67K Water Sewer Surplus be added to the budget where appropriate. It is currently missing.

Motion by Commissioner Falcinelli to approve General Fund Operating Budget, the General Fund CIP, the Water Sewer Operating Budget, and the Water Sewer CIP as presented, seconded by Commissioner Dietrick. Motion carried (5-0).

**Appointment of Board of Appeals Vacancies** – There are two vacancies on the Board of Appeals, an sitting member and the alternate. Interviews were held with each of the three candidates, Sean Mahar, Bob Smart, and Jonathan Minchoff. Burgess Miller stated that all three candidates were well qualified for the responsibilities of the Board of Appeals. He recommends that Sean Mahar be appointed as the sitting member, and that Jonathan Minchoff be appointed as the alternate.

Motion by Commissioner Goodman to approve Sean Mahar appointed as the active member of the Board of Appeals and that Jonathan Minchoff be appointed as the alternate, seconded by Commissioner LaPadula. Motion carried (5-0).

**Draft Ordinance 20-07-01 Text Amendment Accessory Structures and Parking Requirements** – This has been an agenda item for several months. This document incorporates the different ideas discussed. The modifications clarify how to measure the height of a building. The Town Code is not clear and is contradictory in sections.

In the discussion concerning parking spaces, it was determined that the draft ordinance included in the packet was not the most current document. The most current draft will be sent to the Town Board members. The Staff Planner stated that the 0.5 space requirement per bedroom over 2 bedrooms could be removed. Burgess Miller would like “cumulative square footage” clearly defined.

The public hearing for this ordinance is scheduled for July 2, 2020.

**Review of Recommendations from the Planning Commission on Building Height Restrictions** - The Planning Commission recommends that 35 feet be the maximum height for every building within town limits. There is a Board of Appeals process in place if property owners are seeking a special exception to this proposed building height. This will be an agenda item for the July 2, 2020 Town Board Workshop.

#### **NEW BUSINESS:**

**CARES Coronavirus Relief Fund Agreement with the County** – Frederick County will receive funding from the federal government to offer to municipalities for relief of the additional expenses related to COVID-19. Municipalities must have an agreement with the County to apply for those funds. This requires Town Board approval. This is similar to what is required when seeking reimbursement from FEMA for disaster relief.

Commissioner Goodman motioned to approve the CARES Coronavirus Relief Fund Agreement with the County. Seconded by Commissioner Falcinelli. Motion passed (5-0).

**Request From the Middletown Rec Council to Use Remsberg Park for July 4<sup>th</sup> Celebration** – The Middletown Rec Council has officially cancelled the July 4<sup>th</sup> celebration at Remsberg Park. The Rec Council was getting a lot of flak on social media in light of the pandemic. When an organization wants to use a town park for an event, even if suggested by the Town, permission must be granted by the Town Board.

**Community Parks & Playground (CP&P) Grant Application** – The Middletown Parks and Recreation Standing Committee met at Wiles Branch Park. They looked at the historical swing set and determined it was in perfect working order, so applying for this grant would not benefit this project. Another idea suggested concerned updating the handicap swing at Memorial Park. This had project had been applied for previously but was denied. Submission deadline is early to mid-August. The Town Administrator will provide that information to Parks and Rec Standing Committee to review and update.

**Key Sanitation Purchased by J&J Trash Service, Inc** – With this purchase, there is no change in service to the Town. Residents may still see Key Sanitation trash trucks picking up their trash. J&J has working with Key Sanitation on the past 2 weeks of trash pick-up.

**Discussion of Glenbrook/Fountaindale Walking Trail** – There is an easement that connects Glenbrook to Fountaindale. This is just a preliminary discussion to see if the Town Board has any interest in making this part of the walking trail system in Middletown. It would formally connect Glenbrook and Fountaindale. It was primarily put in place for emergency response. There is currently a chain across the easement that allows for pedestrian traffic.

Jim Andresen, 7 Wagon Shed Lane, is adjacent to this easement. He currently mows the easement. He stated he is not in favor of making it part of the walking trail system. He has a safety concern as he has witnessed motorcycle riders utilize that easement to go between the development.

Frank Tuttle, 5 Wagon Shed Lane, is also adjacent to this easement. He also is not in favor of its incorporation into the Town walking trail system. Several other town residents also voiced their opinions of not being in favor of developing this into part of the walking trail system.

Jim Andresen also voiced concern about individuals walking through the area where an electrical transformer is located. This is 3-4 houses down from his residence.

**PUBLIC COMMENTS:**

**Garage on Main Alley** – Commissioner Bussard stated that the garage on Main Alley was hit again for the 8<sup>th</sup> time. He asked if the Town would investigate installing a bollard at that location to minimize and future damage. The Town Board agreed by consensus that it should be investigated.

**ANNOUNCEMENTS:**

- *Please Complete Your Census Information* – Middletown is 3<sup>rd</sup> highest in the County. We have exceeded the 2010 census response.

Meeting adjourned at 8:19 PM.

Respectfully submitted,

Annette Alberghini,  
Office Manager