

BURGESS AND COMMISSIONERS
OF MIDDLETOWN MARYLAND

TOWN WORKSHOP MEETING MINUTES
VIRTUAL MEETING

REGULAR MEETING

June 8, 2020

The virtual regular meeting of the Burgess and Commissioners of Middletown was called to order on June 8, 2020, by Burgess Miller at 7:00 p.m. Present were: Commissioners Larry Bussard, Christopher Goodman, Jennifer Falcinelli, Jean LaPadula and Rick Dietrick.

PERSONAL REQUESTS FOR AGENDA: None.

CONSENT AGENDA:

- **Proposal for Deferred Compensation Plan for Employees**
- **Financial Statements**
- **Town Meeting Minutes**
 - *May 7, 2020 – Town Workshop*
 - *May 11, 2020 – Town Meeting*

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

UNFINISHED BUSINESS:

Ordinance 20-03-01 Forest Conservation Requirements – 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. The public hearing on this ordinance was held June 4, 2020.

Motion by Commissioner Dietrick to approve Ordinance 20-03-01 as presented. Seconded by Commissioner LaPadula. Motion passed (5-0).

Appointment of Standing Committee Members – Burgess Miller provided a document to the Town Board members listing the responsibilities and current membership of each standing committee, the Planning Commission, and the Board of Appeals. Membership number is not restricted on the standing committees. Commissioners were asked to review the lists for accuracy. It was noted that once this list is approved, if membership changes on the standing committees going forward, it must come before the Town Board as an item on the consent agenda for verification and appointment.

Motion by Commissioner Goodman to approve the standing committee members as presented. Seconded by Commissioner Falcinelli. Motion passed (5-0).

Schedule Public Hearing – Text Amendments for Accessory Structures – The Burgess and Commissioners requested the Planning Commission review proposed changes to accessory structures in the Town Code. At the Planning Commission meeting held on Monday, May 18th, the commission members recommended approval of the proposed changes with some modifications. The proposed changes will need to be put in ordinance form, and a public hearing will need to be scheduled. The PC modifications are as follows: 1) Change the maximum height of an accessory structure from the proposed 15 feet to 16 feet; 2) Change the maximum square footage allowed in the R-20 district from 2,000 square feet to 1,000 square feet; 3) Delete the inconsistency in language for the height of accessory

structures on townhouse lots which should be made consistent with the rest of the code section. Commissioner LaPadula had previously provided additional language to be added to the draft. Those additions were not included in the documentation for tonight's meeting. The public hearing date is scheduled for July 2, 2020. The Town Board will vote on this item on July 13, 2020.

Board of Appeals Vacancies – There are two vacancies on the Board of Appeals, one sitting member and the alternate. There are four residents interested in filling the vacancies. The town code states that “Board of Appeal members shall be appointed by the burgess with the consent of the commissioners.” There should be a vetting process in place prior to appointment. Interested individuals must complete a volunteer application. It was recommended that they go through an interview process which includes the burgess and the zoning administrator. Burgess Miller will be contacting each of the four individuals to schedule an interview. Interviews will include Burgess Miller, Mark Hinkle, the Zoning Administrator, and any other interested Commissioner. The Burgess will then make his recommendations to the Town Board at the July workshop.

Treatment of Well #22 - There has been an identified problem of natural manganese depositing on the pump, the drop pipe and the delivery pipe to the treatment plant. To address this a chlorine pellet feeder was installed which brings the manganese out of the solution and keeps it in the well. To protect the device the Town is looking at 2 possible security solutions. One is purchasing a green fiberglass enclosure (6ft. x 5ft. x 5ft.) and placing it over the feeder. The second solution is to build an 8ft. x 8ft. fence (with a gate) around the device. This item is tabled until the June 22, 2020 meeting so that pricing can be provided by the Director of Public Works.

REPORT OF COMMITTEES:

WATER & SEWER – Commissioner Falcinelli reported:

Water use for May – 290,109 gal., spring flow for May – 143,632, East WWTP treated 239,000 gals. and the West WWTP treated 327,000 gals. The large reservoir tank is now empty. The slab the new reservoir tank will sit on will be poured beginning June 15, 2020. Construction on this project is 8.4% complete. The Town Board has a year to review whether to keep the newly built “temporary” access road to the construction site. That is a large financial investment to remove once this project is finished. The Main Street waterline installation is now 100% complete.

PUBLIC WORKS – Commissioner Bussard reported:

The mill and overlay for Boileau Drive begins June 22, 2020. Town staff review of the Broad Street Streetscape is complete. Martha Mason and Schoolhouse Drive are now mill and overlay projects to be completed as part of the Main Street Streetscape. Garage Drive Streetlights – town staff will be meeting with the adjoining property owner to discuss light locations. The pedestrian blinking sign for Franklin Street will have no action until after the FY2021 budget is passed. Commissioner Dietrick asked if the crosswalk signs at the bump-out in front of town hall were permanent. Those signs will be changed to the decorative poles originally recommended by the Town. SHA will be asked to review all the new signs they have installed to identify which qualify as necessary and which aren't/can be removed.

SUSTAINABILITY – Commissioner Dietrick reported:

The committee reviewed the memorial tree program. Memorial trees will cost \$300-\$600 per tree. Stadler's Nursery will do the planting and guarantee the trees for 1 year. The question was raised as to what happens if the tree dies after that time. Burgess Miller suggested that the Town could set aside monies for the cost of 2-3 tree replacements each year. If the monies are not used, they will go back into the General Fund. The 2020 Comprehensive Plan will have a new section titled Sustainability.

PLANNING COMMISSION – Commissioner LaPadula reported:

The virtual Planning Commission workshop will be held June 10th. Items include: The Hollow Creek Professional Center Architectural Renderings Review, 121-123 West Main Street Change of Use, the Tabor Barn Demolition Extension and Use of the Foundation, the Height of Buildings Code Changes, the 2019 Annual Report and Review of Chapter One of the 2020 Comp Plan. The developer of the Hollow Creek Professional Center has made accommodations to the architectural renderings to address changes

requested. Commissioner Lapadula stated that if any Town Board members had concerns or recommendations on any Planning Commission agenda item to please contact her.

PARKS AND REC. COMMITTEE – Commissioner Goodman reported:

POS monies have been allocated. The Town received \$15.3K for the Remsburg Park waterline extension, \$11.2K for bleachers at Remsburg Park and \$21.2K for a new pickle ball court at Wiles Branch Park. Commissioner Goodman received a complaint of people using the soccer field at the primary school as a dog park, and not cleaning up after their dogs. He recommends installing signs to deter this. He also recommends that the Town looks at the leash law currently in place and recommends amending it so that all dogs must be on leashes when out in public. The Town Administrator asked to meet with Commissioner Goodman regarding a DNR grant to refurbish the old swing set which was donated by the Braddock Heights Community. Questions were raised as to its historic value. The work on the Remsburg walking trail is now complete. It was asked if MVAA was scheduling use of the town's athletic fields yet. No one is sure. Outside athletic groups are wanting to schedule and use those fields. They are being directed to MVAA to coordinate.

PUBLIC INFORMATION – Commissioner Falcinelli reported:

The committee has been reviewing options for video streaming of meetings. Commissioner Falcinelli contacted GovOffice to discuss the possibilities of streaming through the Town website. They recommended contacting Boxcast which is a service GovOffice utilizes for streaming with other communities. Boxcast was contacted and Commissioner Falcinelli briefly reviewed the costs involved and the equipment needed if the Town chose to utilize Boxcast services. There are no interactive capabilities with Boxcast. It would be streaming only. If someone were watching the streamed meeting and had a question, they could email their questions for follow-up after. It was suggested that we start with just streaming and see if other options/upgrades will be needed as time progresses. The Town currently has the capability to upload the recordings from prior meetings held at the Town Hall. Residents are encouraged to sign up through Citizens Connect to stay informed on things happening within Middletown. Residents are also encouraged to register for Alert Frederick County to receive emergency notifications that affect Middletown. That can also be done through Citizen Connect. The Town website contains a wealth of information. Citizens are recommended to check it out.

NEW BUSINESS:

Resolution 20-04 – Use of Town Parks by Fitness/Dance/Yoga Businesses to Comply with Social Distancing Requirements - There was discussion at the June Workshop concerning letting businesses use the park temporarily to hold exercise classes. They would not be renting the park. The draft temporary resolution addressing this issue was reviewed. It allows fitness, dance, and yoga businesses to conduct their classes at Town Parks during the current state of emergency. They must follow all social distancing guidelines. Modifications to the draft resolution were added: Specifically, this is for in-town Middletown fitness, dance, and yoga businesses only, and to add statements which waives the Town's responsibility of any liability.

Commissioner Dietrick motioned to approve Resolution 20-04 to authorize the Town of Middletown to allow in-town fitness/dance/yoga businesses to use Town Parks for classes following social distancing guidelines as discussed. Seconded by Commissioner Bussard. Motion passed (5-0).

Lewis Corl Memorial Walking Trail Sign – The Town Board reviewed the artwork for a memorial sign for Lewis Corl. The wording has been modified. The cost is \$265.00. It will be placed along the walking trail opposite his home. There will be a scheduled dedication ceremony for the sign along with placing a memorial bench in the same location with a date yet to be determined. This sign was approved by consensus.

Request for Stop-Sign on Tobias Run from Residents of Glenbrook – Residents of Tobias Run have asked for the placement of a 3-way stop sign within their neighborhood. The Town Administrator and the Director of Public Works do not think it is warranted. The question was raised as to whether the Glenbrook HOA was aware of this request. Mrs. Scarpignato, 623 Glenbrook Drive, the Glenbrook HOA

President was attending this meeting and stated that the HOA had not been notified by the residents of Tobias Run, but were aware of the request by attending the Town Board meetings via Zoom. Burgess Miller suggested that Town Board members go to the neighborhood and speak with the residents at 6:15pm on July 2, 2020, just prior to the town workshop. Letters will be sent to the property owners of that neighborhood.

PUBLIC COMMENTS:

Speeding & Noise on South Jefferson Street – Kevin Dunlap, 337 South Jefferson Street asked if the Town was going to address the speeding that is occurring on the southern end of South Jefferson Street, and occurring on South Church Street. He also was lodging a noise complaint because of fireworks being set off, unlicensed motor bikes driving through the neighborhood and loud car stereos driving by. It was also noted that tractor trailers use their engine brakes when driving through town. The primary strategies to address speeders is to place the speed sign in the neighborhood and to have the community deputies step up their presence and increase enforcement. Commissioner Goodman offered to meet with Mr. Dunlap to talk over the issues, and to observe what is happening. It was suggested that the State install signs addressing the truck braking at 4 ends of town. The Town also has a meter which registers noise levels which could be used.

Town Tornado Siren – Alex Kundrick, 3 Crone Lane, voiced concern regarding the tornado siren. Testing of the voice tone siren occurred over the weekend and residents of Foxfield could not hear the directions given. He asked if a second siren could be installed on the east side of town. The Town will contact the Frederick County Office of Emergency Management and inquire about the costs to add another siren and the possibility of applying for another grant to cover its cost.

Town Budget – Employee Raises – Commissioner Bussard asked if there will be a scheduled executive session to discuss staff salary increases for FY2021. Employee evaluations are currently taking place. Once they are complete it will be scheduled. Commissioner Bussard stated that staff have done a tremendous job handling everything that has occurred over the last few months. That staff made it seamless to residents. Staff should be recognized for the hard work they have done.

ANNOUNCEMENTS:

- *Please Complete Your Census Information* – Residents will now have to mail in their information.
- *Joint Town Board / Planning Commission Workshop* – July 6, 2020 virtual meeting.
- *Virtual Vintage Vehicles in the Valley* – July 5, 2020. More information to come.
- *Family Movie Night -Drive-In* – June 19, 2020. Middletown Carnival Grounds Parking Lot. The movie to be shown is “Big Hero 6”. More information to come.

Meeting adjourned at 8:31 PM.

Respectfully submitted,

Annette Alberghini,
Office Manager