

BURGESS AND COMMISSIONERS OF MIDDLETOWN MARYLAND

TOWN MEETING MINUTES

TOWN MEETING

July 10, 2023

The meeting of the Burgess and Commissioners of Middletown was called to order on July 10, 2023 by Burgess Miller at 6:30 p.m. Present were Commissioners Jennifer Falcinelli, Rick Dietrick, Jean LaPadula, Kevin Stottlemyer, and Chris Goodman.

PUBLIC COMMENT: None.

PERSONAL REQUESTS FOR AGENDA: None.

STAFF REPORTS:

Deputy Report – Included in the agenda packet. The Town Administrator stated that nothing stood out in the report.

Staff Planner Report – Included in the agenda packet. Burgess Miller asked the board members to review the “Next Steps” listed for each project to understand what is needed next for each project.

Engineer’s Report – Bruce reviewed his report. Concerning the WWWTENR Upgrade; Town staff and Commissioner Falcinelli will be visiting a plant in Princess Anne which is like one of the options being considered for the upgrade. The group will gather information on startup, operating costs, and staffing needs. A draft report from RK&K including options should be ready by the end of the month. It was suggested to include the option to add needed updates to the existing plant for review. It was noted that updates to the current facility will not bring the plant to an ENR standard. The reason for the WWWTENR upgrade was reviewed. It is a definite need. It will meet MDE standards. Middletown has one of the few lagoons left in the State. Because of the WWWTENR’s current location in a flood plain, it is probable that the upgrade will include pumping waste from the west to the east plant. Maryland Bay Restoration Fee (BRF) monies are now available to upgrade small plants. Because the town has a lagoon it was selected to receive monies. BRF monies will pay for the preliminary study, design and up to 66% of the construction of a new plant. The projected costs for the ENR upgrade are \$30 million. It is estimated that BRF monies will cover \$20 million. The lobbyist will be assisting with finding funding for the \$10 million remainder.

Main Street Manager Report – Included in the agenda packet. Main Street will be using the Leaders on Loan program to build a sustainable volunteer program.

Zoning Administrator’s Report – Robert reviewed his report. Most violations being addressed are grass violations. At the next town board meeting a fence easement agreement will be presented for review which includes a change to the town ordinance. Sidewalk inspections will begin soon. The plan is to inspect one-quarter of the town sidewalks annually.

CONSENT AGENDA:

- **Town Meeting Minutes**
 - *May 22, 2023, – Town Meeting*
 - *June 12, 2023 – Town Meeting*

Commissioner Falcinelli noted that in the May 22nd minutes there is mention of mill and overlay projects in the FY2024 Water & Sewer CIP Budget section. It should be removed.

Motion: Commissioner Falcinelli motioned to approve the consent agenda with the correction to the May 22, 2023 minutes as suggested. Seconded by Commissioner Goodman. Motion passed (6-0).

UNFINISHED BUSINESS:

Permit & Inspection Fee Comparison and Increase (Revised) – When the town board reviewed and approved the increase in the fee schedule May 22, 2023 old data was used to calculate the new fees. The fee increases that occurred in 2018 were not included in the calculations. The fee schedule in front of the town board this evening is corrected using the 2018 data. What neighboring municipalities are charging were also taken into consideration when determining the new fees. Discussion occurred regarding the costs of advertising and legal fees. The true advertising costs for each advertisement is determined after the developer has initially paid their fees (including advertising). If the cost of advertising is more than what was prepaid, the board recommends sending an invoice to the developer to cover the difference. It was recommended that “+ Any advertising fee above \$175” be added to those sections which list the advertising fee of \$175. The town board also recommended the same strategy be used for legal fees. If legal fees are greater than the initial \$200 paid by the developer at the time of form submittal, the developer will be sent an invoice to cover the difference. It was recommended that “+ Any legal fee above \$200” be added to those sections which list the legal fee of \$200.

Motion: Commissioner Stottlemeyer motioned to approve the fee schedule and inspection fee increases and include anywhere \$175 advertising fee is listed to add “+ Any advertising fee above \$175”, and anywhere \$200 legal fee is listed to add “+ Any legal fee above \$200”. Seconded by Commissioner LaPadula. Motion passed (6-0).

NEW BUSINESS:

FY25 Community Parks & Playgrounds Application – The Community Parks and Playgrounds grants are to be used to reinvigorate older parks. The two projects identified for the FY2025 submittal are the North Pointe playground replacement and paving of the Remsberg Park parking lot. Projects approved are funded 100% by the grant. If the paving of the Remsberg Park parking lot is not approved, other grants will be pursued, or the Town will look at tar, chip and sealing the parking lot.

Advisory Commission Applications – Burgess Miller stated that David Hiller is interested in filling the vacant seat of the Planning Commission Temp Alternate. His application was before the town board for review. Burgess Miller then stated that Nicholas Carroll is interested in filling the vacant seat of the Board of Appeals Temp Alternate. His application was before the town board for review.

Motion: Commissioner Falcinelli motioned to appoint David Hiller to the Planning Commission Temp Alternate position and to appoint Nicholas Carroll to the Board of Appeals Temp Alternate position. Seconded by Commissioner LaPadula. Motion passed (6-0).

TOWN ADMINISTRATOR’S REPORT

East Green Street Median Construction – July 17, 2023 – The construction of the median will begin July 17, 2023.

WWTP ENR Upgrade Update – In addition to what was discussed during the Director of Public Works’ (DPW) report it was noted that while at the MML conference, time was spent reaching out to our state elected officials informing them of this project, the town’s need, and its importance. Aides to the County

Executive and Delegate Pippy are willing to tour the town plants to see what the town is dealing with. The tour will be scheduled for early August. The Town Administrator quickly reviewed the projected costs for the 3 replacement options. Burgess Miller will be attending the Maryland Association of Counties conference. The Town Administrator would like to attend, either as a representative for the Maryland Rural Water Association, or as a representative of the town.

Water Meter Relocations Update – The town has an ongoing plan to move water meters from inside residences to meter pits outside. There are approximately 1200 meters left to move at a cost of \$3000 per meter. Having a meter in a pit near the main is the town standard and provides a clear delineation of responsibility for the town and the property owner. Historically if there was a leak involving the meter, or meter assembly the town paid the costs for any damages without making a claim to the insurance company. Our insurance provider insists that claims be made in the future. The town has a policy in place for sewer back-ups. The board recommends creating a similar policy for water leaks involving the meter. The Town Administrator and DPW will develop a policy in conjunction with the insurance provider.

Payroll Services Implementation – The first payroll by the payroll company has been completed. There were some adjustments to be made, but overall, the transition and first payroll went well. The Town Administrator thanked the Finance Officer and the Office Manager for their hard work implementing this new service.

FY2021 Financial Audit Update – A draft of the FY2021 audit is expected next week. The finished product is expected within four weeks. Then work on the FY2022 audit begins.

PFAS Mass Tort Lawsuit – The Town Administrator received a call from Bruce Poole from the Poole Law Group. 3M reached a settlement of \$14 Billion. The Town will be contacted soon to provide exposure reporting information which will be used to determine liability. What the town will receive as part of the settlement is unknown.

PUBLIC COMMENTS: None.

ANNOUNCEMENTS:

- *National Night Out – August 1, 2023, 6-8PM at the MVFD Activities Center*

Workshop adjourned at 8:47 PM.

Respectfully submitted,

Annette Alberghini,
Office Manager