

# *BURGESS AND COMMISSIONERS OF MIDDLETOWN MARYLAND*

## TOWN MEETING MINUTES

**TOWN MEETING**

**September 11, 2023**

The meeting of the Burgess and Commissioners of Middletown was called to order on September 11, 2023 by Burgess Miller at 7:00 p.m. Present were Commissioners Jennifer Falcinelli, Rick Dietrick, Kevin Stottlemeyer and Chris Goodman. Commissioner LaPadula arrived late to the meeting.

**PUBLIC COMMENTS:** None.

**PRESENTATION:**

**Frederick County (Middletown) Goes Purple – National Recovery Month – Proclamation** – Burgess Miller reviewed the proclamation.

**CONSENT AGENDA:**

- **Town Meeting Minutes**
  - *July 24, 2023 – Town Meeting*
  - *August 14, 2023 – Town Meeting*

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

**UNFINISHED BUSINESS:**

**School Zone Speed Cameras – FCSO Speed Study** – The Frederick County Sheriff's Office (FCSO) have started collecting data. Once reviewed it will be placed in a report for the town board to review. In testing the equipment, it was noted that there was one vehicle with a speed 12 mph over the posted limit on Coblenz Road and 4 vehicles per hour also going 12 mph over the posted limit on Green Street. The deputies are aware of a possible skew to the efforts by using marked police cars. The deputies will request use of the laser speed detector which allows speed detection from greater distances. A request was made to have town staff place the town's speed camera on Broad Street and then later place it on Franklin Street to measuring the speed of traffic. The camera will be placed in stealth mode for both streets.

**WWTP ENR Upgrade Update** – Burgess Miller and the Town Administrator previously met telephonically with the State Environmental Chair, Senator Feldman to discuss amending the Bay Restoration Fund eligibility criteria. The Town will send a letter to Senator Feldman to be passed along to his counterpart in the MD House of Delegates. There is a provision in the existing state code that is vague regarding the allocation of funds. MDE has discretion on how those funds are awarded. This could be another avenue to pursue to allow the Town the discretion to use BRF monies to decommission the lagoon. Other municipalities use their lagoons as storage areas. Due to the antiquated technology the Town must fully decommission its lagoon.

**REPORT OF COMMITTEES:**

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

For August water use was – 322,376 gal., spring flow was – 61,243 gal., East WWTP treated 167,000 gals. and the West WWTP treated 115,000 gals. The Town received 1.75 inches of rain in August.

Middletown is currently in Code Yellow in its water conservation public alert system. The reservoir is close to full, and the springs are running at 31 gpm. Their max is 104 gpm. The Town has brought wells online that aren't normally run. These wells are not being run at full capacity. If the weather continues as is the Town will likely update to Code Red. Residents will be notified via social media outlets. It was suggested to have a banner made and hung noting the Code Red status.

In other news, MDE will do nothing with the EWWTP permit until the ENR selection process is complete. The Water Rate study has been updated. The Memar water appropriation for MDE is still outstanding. It was suggested that if the Town goes Code Red, that the Memar draw down test be delayed during drought conditions. The developer will have to be informed.

**PUBLIC WORKS** – Commissioner Dietrick reported:

The chess table was installed at Memorial Park, tree limb cleanup began, flowers blocking signs were moved. Signs were installed on Broad Street and on South Jefferson Street. Two valves in Glenbrook were repaired, hydrant markers were installed, and base covers were replaced on light poles in Middletown Glen. A new diesel fuel tank was installed. The usual maintenance on vehicles and equipment continues. It was noted that if the Town moves to Code Red, the Town watering of trees and flowers will cease immediately.

**SUSTAINABILITY** – Commissioner Stottlemyer reported:

The Middletown Library will host sustainability classes; one on Planting Native Plants on September 23, 2023 at 10:30PM and on Monarch Butterflies on October 28, 2023 at 10:30AM. With the Heritage Festival and the parade occurring September 23<sup>rd</sup> attendance may be affected. Members of the committee replaced plants at the pollinator garden. There are still 2 compost bins for sale at town hall. Two others will be raffled off during the Heritage Festival. Gift trees can now be ordered via QRC codes found on the brochure holders along the walking trails. The battery recycling project is going very well. The committee cannot reach consensus regarding weed control in town. Some recognize that herbicides may have to be used, while others disagree.

**PLANNING COMMISSION** – Commissioner LaPadula reported:

The workshop will not be held this month. The Planning Commission meeting will be held Monday, September 18, 2023. The one agenda item is the review of the Comp Plan. Once finished the draft will be forwarded to the Town Board and to the appropriate State organization for review.

There was a meeting held today (9/11/23) with the designers and engineers regarding the new school complex. They seemed receptive to everything discussed. The tentative timeline from the commencement of construction to the opening of the new collocated school was reviewed.

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

Construction of the new pickleball courts has begun. It should be completed within 5 weeks. The paving of the court should be completed by the end of this week. This will be followed by fence installation and coating the courts after. A change order has occurred to extend the asphalt to the sidewalk.

**PUBLIC INFORMATION** – Commissioner Falcinelli reported:

In August, the top five town website pages visited were 1. Community Events, 2 Water & Sewer, 3. Business Directory, 4. Community Calendar, and 5. Parks. As always, residents were reminded to sign up for town email notifications and robocalls to keep up to date on the latest in Middletown.

**NEW BUSINESS:**

**Drought Warning and Status Update** – Middletown is currently in Code Yellow in its water conservation public alert system. The reservoir is close to full, and the springs are running at 31 gpm. Their max is 104 gpm. The Town has brought wells online that aren't normally run. These wells are not being run at full capacity. If the weather continues as is the Town will likely update to Code Red. Residents will be notified via social media outlets. It was suggested to have a banner made and hung noting the Code Red status.

**Budget Amendment – Patching for East Green Street Waterline Break** – The Finance Officer reviewed the proposed budget amendment. This is to cover the road patching costs needed after the waterline break repair at East Green Street and Schoolhouse Drive last year. \$27,905.95 would be moved from the resurfacing maintenance budget into the water distribution repairs budget.

**Motion:** Commissioner Stottlemeyer motioned to approve the budget amendment as presented. Seconded by Commissioner Goodman. Motion passed (5-0).

**Proposed Town Banner Policy Update** – The update proposed is to clarify that if an organization is approved to hang a banner and has two banners to hang, they can be allowed to hang the second banner if another organization banner request to hang during the two-week time period is not received. No organizations based outside the 21769-zip code will be allowed to hang their banners. Richland Golf is allowed to hang their banner because it is part of the agreement for the banner location on Richland Golf property. If an organization has two banners scheduled to hang and another organization is scheduled to hang during the same time period, the second banner of the first organization will be hung on the back side of the first banner of the first organization.

**Motion:** Commissioner Falcinelli motioned to approve the updates to the Town Banner policy as discussed, this evening. Seconded by Commissioner LaPadula. Motion passed (6-0).

**6-Inch Meter Billing Correction & Implementation** – The Town Administrator reported that all active 6-inch water meters have been under reporting their water usage by a factor of 10. This was a software issue that has since been corrected and is active in the water/sewer billing software. Those accounts with 6-inch meters will be notified of the software error. A discussion occurred concerning how long of a grace period to give the accounts before full payment of the corrected billing begins. It will be a significant increase in those water bills. It was suggested that full payment of the corrected billing start January 1, 2024 and begin with the April 2024 water/sewer bill. The Town Board does not want to collect those missed charges based on a software issue.

**Motion:** Commissioner Goodman motioned to approve the 6-inch meter billing correction and implementation as discussed, this evening. Seconded by Commissioner Dietrick. Motion passed (6-0).

The Town Administrator stated that the fixed fees are not being charged equitably in the water/sewer billing system. Currently the Town charges one BRF and one CIF per meter NOT per EDU. The Town Board should consider making those charges more equitable. He suggested that the Town survey how many buildings have multiple residences, and/or businesses within them. Once that is determined, staff will make a recommendation to the Town Board.

**Draft Public Records Request Form** – The Town Administrator reviewed the draft public records request form. These will be used when there is a freedom of information act (FOIA) request. The Town did not have a form in place.

**TOWN ADMINISTRATOR’S REPORT:**

**Potomac Edison Streetlight LED Retrofit Update** –Potomac Edison is wrapping up a survey of the streetlights. These retrofits may not be completed until the end of 2025. However as the retrofits are completed, the Town should see a decrease in the utility bill for streetlights.

**Flagpole Light at Memorial Park** – The Town would like to have an inground lighting option installed, similar to what is at town hall and at the War Memorial

**Heritage Day Breakfast with Officials** – Several State and local officials have agreed to attend the Breakfast prior to the Heritage Festival parade. It will provide an opportunity to speak with those officials present about the needed WWTP construction and decommissioning of the lagoon.

**PUBLIC COMMENTS:** None.

**ANNOUNCEMENTS:**

- *Middletown Heritage Festival – Saturday, September 23, 2023*
- *Scarecrow March on Main Street – Saturday, October 14, 2023*
- *Middletown Halloween Parade – Saturday, October 28, 2023*

Meeting adjourned at 8:24 PM.

Respectfully submitted,

Annette Alberghini,  
Office Manager