

**BURGESS AND COMMISSIONERS  
OF MIDDLETOWN MARYLAND**

**VIRTUAL TOWN BOARD MEETING MINUTES**

**TOWN MEETING**

**September 13, 2021**

The meeting of the Burgess and Commissioners of Middletown was called to order on September 13, 2021, by Burgess Pro Tempore Falcinelli at 7:00 p.m. Present via Zoom were Commissioners Christopher Goodman, Jean LaPadula, Kevin Stottlemyer, and Rick Dietrick.

**PUBLIC COMMENTS**

**PERSONAL REQUESTS FOR AGENDA:**

**CONSENT AGENDA:**

- **Budget Amendment**
  - **22-02 – Crossing Guard Salary Increase** – This budget amendment will increase the starting salary for the school crossing guards to \$15.00 per hour. This equates to a total expense of \$4607.94 for the Town’s current school crossing guards. Monies for this cost will be paid from this year’s excess Highway User Revenue fees.
  - **22-03 – Potomac Edison Tree Planting Program** – Potomac Edison has a “Green Teams Tree Planting Program” in which they will pay up to \$8.00 per 5-gallon tree for residential tree planting. The Town can receive credit towards their MS4 requirements. The Town would partner with Potomac Edison in their “Green Teams Tree Planting Program” for 200 trees – 100 to go towards homeowners, and 100 for the Town to plant on town-owned land – for a Spring 2022 planting. The proposed cost would be \$6000.00, with Potomac Edison paying \$1600.00 of that cost. The Staff Planner would apply for a MUCFC \$1000.00 grant in February 2022 to help defray the remaining cost. That would leave \$3400.00 for the Town to pay. The Green Team would take responsibility for this project. Monies for this cost will be paid from this year’s excess Highway User Revenue fees.
  
- **Town Meeting Minutes**
  - *August 23, 2021 – Town Meeting*

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

**UNFINISHED BUSINESS:**

**Capital Improvement Program (CIP) FY2022-FY2026**

- General Fund CIP – The budget was reviewed quickly. The Town has received the first half of the ARP monies from the State. This will impact the Water & Sewer CIP budget, which will then impact the General Fund CIP budget as currently budgeted Water & Sewer CIP monies are freed up and transferred to the General Fund. Once the General Fund CIP

is approved, the Town will begin ordering materials for projects knowing that there is a time lag upon receiving them. Budget amendments will need to be approved for these funds' transfers.

**Motion:** Commissioner Goodman motioned to approve the General Fund CIP as presented. Seconded by Commissioner Stottlemyer. Motion approved (5-0).

- Water & Sewer Enterprise Fund CIP - The budget was reviewed quickly. The Town has received the first half of the ARP monies from the State. This will impact the Water & Sewer CIP budget as project priorities are further determined.

**Motion:** Commissioner Goodman motioned to approve the Water and Sewer CIP as presented, including moving the WWTP muffin monster refurbish to FY22. Seconded by Commissioner Dietrick. Motion approved (5-0).

**Proclamation for Frederick Goes Purple** – This is a grass roots initiative within the county to reduce substance abuse related deaths and overdoses and supports those in addiction recovery and their families. This observance will occur during the month of September (National Recovery Month). The purple light bulbs have been installed at the Municipal Center. Everyone is encouraged to wear purple every Friday to bring awareness and understanding of mental health and substance abuse disorders, and to celebrate those living in recovery. Commissioner Falcinelli read the Middletown Goes Purple proclamation in support of this annual initiative.

**Comprehensive Plan – Chapter Review** –The Town Board has reviewed this chapter over several meetings. The Board was asked for any final thoughts or suggestions for the Planning Commission to review. If the Board decides to include and pursue affordable dwelling units (ADUs) as presented in the draft chapter, the Town Board will have to address the conflict within the Town code that states any annexation and development must come in zoned as R-20 low density residential. ADUs are considered a higher density residential zoning. The possible impact on water allocation, school impact, and roads and parking impact were discussed. There are sections in the Town Code that currently allow mother-in-law suites. Further discussion is needed.

**ARP Supplemental Budget Items - Updated** –The Town has received the first installment of the ARP monies. The monies are being set up under a separate bank account at BB&T. Since it is Federal monies, this will follow single audit procedures. All ARP funds must obligated by December 31, 2024, and projects must be completed by December 31, 2026. Those identified projects that meet the ARP criteria would be funded and free up Town monies for General Fund projects. Town staff are reviewing the CIP budgets and MS4 requirements and identify those projects that could be completed using ARP funds within the projected timeline, as well as those projects that could be completed utilizing monies from the General Fund. That staff generated project list will be presented to the Town Board for review. The removal of cross wires in downtown Middletown was added to the list. The Director of Public Works suggested adding both the Linden Boulevard and Franklin Street waterlines to the list, as these are both unlined old cast iron lines and need updating. Water, sewer, and wastewater projects have the least number of requirements to meet with these federal funds and would benefit everyone.

On a side note, Commissioner Goodman suggested adding a traffic circle at the intersection of Broad Street and Route 17 to the State Bond Bill. The traffic circle would allow faster response times for the fire department and slow traffic speeds in that area.

**Inflow & Infiltration (I&I) Proposals** – The Town received 5 proposals for the Cone Branch Basin I&I study on June 3, 2021. After review, Town staff recommend the award to Barton and Loguidice. This agency completes the Town GIS work and has the experience and qualifications necessary to complete the study. This I&I project is in the water and sewer CIP budget. The study entails mapping and monitoring wastewater flows for 6months, using various technologies to identify leaks and other problem areas. They will also devise and provide a plan for corrective actions to be taken. The Director of Public Works noted that the average daily flow is 200,000 gallons per day. When the remnants of Ida came through recently, the Cone Branch Pump Station registered 1.2 million gallons in 24 hours.

**Motion:** Commissioner Stottlemeyer motioned to approve the staff recommendation and award the I&I professional services contract to Barton and Loguidice for \$342,000.00 as presented. Seconded by Commissioner LaPadula. Motion approved (5-0).

**Legislative Agenda – Speed Cameras** – Commissioner LaPadula withdrew this as an agenda item due to lack of interest by the Town Board. The Town Board will observe the progress of New Market’s submitted legislative request to broaden the State’s definition of the term “agency”. This is regarding those municipalities interested in using speed cameras. Currently any citations must be issued by local law enforcement. Broadening the definition could allow other designated individuals to issue citations. New Market has approved the use of speed cameras and is finalizing details with the City of Frederick before implementing.

#### **REPORT OF COMMITTEES:**

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

Water use for August – 321,358 gal., spring flow for August – 72,415 gal., East WWTP treated 185,000 gals. and the West WWTP treated 154,000 gals. The Town received 8.2 inches of rain in July. Water valve replacement is ongoing throughout the Town. Water valve replacement is occurring because all valves built and installed between 1999 and 2003 have bonnets that have bolts holding them in place under pressure. Those bolts have been found to deteriorate until the bonnet is blown off the valve. Our crews are replacing those original bolts with stainless steel bolts. They replace the bolts in 10-12 valves annually. The booster station upgrades are to begin very soon. Because of quality analysis issues at a lab which caused violations, the Town is using another lab for required testing. The town has saved \$6,000.00 due to a decrease in sludge hauling because our plants are more efficient. The Water and Sewer Committee will be meeting September 22, 2021, at 7:00PM at the new reservoir for a tour, and will also tour the booster station and the cone branch pump station.

**PUBLIC WORKS** – Commissioner Dietrick reported:

In addition to what was reviewed in the Water and Sewer Committee report, street patching is continuing throughout the town. Broad Street project is installing new vaults and a temporary water line with connections. The detour is in place for that project. Town staff continues to assist with town events. New rubber treads have been installed in the rear stairwell at the town hall. Delineators have been installed on East Green Street near the elementary school. The gate at the large dog area of the dog park is being repaired. A new CPU board and strike plate have been ordered.

**SUSTAINABILITY** – Commissioner Stottlemeyer reported:

The committee will be completing a Fall planting to address the Foxfield “eyebrow” pollinator garden. They will be adding more plants and edging at the Memorial Park pollinator garden. They are in discussion with Middletown schools regarding the “Lunch Out of Landfills” Program. The group was featured in the latest edition of the local Neighbors of Middletown magazine. The committee will also have a table at the local Heritage Festival.

**PLANNING COMMISSION** – Commissioner LaPadula reported:

The Planning Commission workshop is scheduled for September 15, 2021. The Planning Commission meeting is scheduled for September 20, 2021. Agenda items include reviewing the AC Jets Annexation to make sure it is consistent with the Comprehensive Plan, continued review of Chapter 2 of the Comp Plan, and amending the Planning Commission Policies and Procedures to include the addition of the Planning Commission Chair's signature on Town Site Plans and Improvement Plans.

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

The committee has submitted quotes for swing sets and spring riders at Wiles Branch Park for the DNR grant application. With the FY2022 LPPI funding many items will be purchased that have been on the Parks & Rec Committee's wish list. This includes upgrading the pickle ball courts, a chess/checker table at Heritage Park and swings at Remsberg Park.

**PUBLIC INFORMATION** – Commissioner Falcinelli reported:

Residents are reminded to sign up for the Town email distribution service and Alert Frederick if they have not done so already. The committee received prices from the Neighbors of Middletown Magazine regarding placing a monthly Middletown information page in its publication. The committee is not sure if it is worth the money for the amount of space. The Town Board also suggested having a Citizen Connect banner made to hang when there are no scheduled banners to hang advertising events.

**NEW BUSINESS:**

**Review of Residents Complaint Form** – Currently any anonymous complaints made to the Town are not acted upon. Residents are asked to provide their name and contact information. Tonight, the Town Board reviewed a draft complaint form for a second time. The front side of the form is to be completed by the resident; the back side of the form is to be completed by town staff. This is a tool to track a complaint and to provide follow-up. This form would not be used for water quality complaints. If approved, this would be placed on the website as a fillable document.

**Motion:** Commissioner Goodman motioned to approve the resident complaint form as presented. Seconded by Commissioner LaPadula. Motion approved (5-0).

**Discussion Social Media Policy** – The Town Attorney provided an opinion as whether the town needed to allow comments on the Town Face Book page. Since the Social Media Policy states that the Town "welcomes all comments" on its social media sites, comments cannot be ended. This item has been discussed as parts of other agenda items in the past. The Town Board has determined that the Town Face Book page is not the place for discussion. The Town has other avenues for residents to address their comments, questions, and concerns. Residents are encouraged to call the town hall, send emails to their town officials, and attend town meetings for their voices to be heard and have discussion with Town leaders. Also, the Town does not have an IT department to monitor its social media sites, and staff are very busy to monitor them as well. It is recommended that the Town Face Book page be an information only site. Tonight, the Town Board reviewed an updated social media policy which removes the comment section previously approved. If approved, this would allow the Town to remove the ability to comment on Town Face Book Posts, making it an information only site.

**Motion:** Commissioner Stottlemeyer motioned to approve the update social media policy as presented. Seconded by Commissioner Dietrick. Motion approved (5-0).

**PUBLIC COMMENTS:**

**ANNOUNCEMENTS:**

- *Heritage Festival – Saturday, September 25, 2021*
- *March of the Scarecrows – Saturday, October 16, 2021, from 2:00PM – 5:00PM. Kits will be available Monday, September 27, 2021, at town hall.*
- *The new Christmas in the Valley ornament is now available for purchase. It will be available during the Heritage Festival as well. Stop by the town table to purchase. \$30.00 each.*

Meeting adjourned at 8:29 PM.

Respectfully submitted,

Annette Alberghini,  
Office Manager