

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

**TOWN MEETING MINUTES**

**TOWN MEETING**

**September 25, 2023**

The meeting of the Burgess and Commissioners of Middletown was called to order on September 25, 2023, by Burgess Miller at 7:00 p.m. Present were Commissioners Jennifer Falcinelli, Rick Dietrick, Kevin Stottlemeyer, Chris Goodman, and Jean LaPadula.

**PUBLIC COMMENTS:** None.

**CONSENT AGENDA:**

- **Town Meeting Minutes**
  - *September 11, 2023 – Town Meeting*

**Motion:** Commissioner Falcinelli motioned to approve the consent agenda with updated changes to the Banner Policy stating that Commissioner Falcinelli approved the motion and Commissioner LaPadula seconded the motion. Commissioner Falcinelli motioned to approve the updates. Seconded by Commissioner Goodman. Motion passed (6-0).

**UNFINISHED BUSINESS:**

**New Public Works Employee Discussion – FY24 Budget** – Bruce Carbaugh, Public Works Director, stated that the Town is currently down one person, but if the current workload is prioritized, it would be helpful. Bruce Carbaugh also stated that due to annexation, another employee will be needed in the future and that there is no need for a new Town truck until another employee is hired. The Board discussed the matter and concluded that there will be no hiring of a new Public Works employee at this time.

**Miss Utility Marking Fee Implementation & Draft Notification Letter** – Bruce Carbaugh, Public Works Director stated that the current Miss Utility rate for the Shentel project in Town is \$1.05 per residence and that there is an additional cost if the Miss Utility ticket is not taken care within a certain time frame. The Board discussed the issue that an employee must take care of each ticket separately, which involves a good bit of time for the employee to complete. Commissioner Goodman questioned who the fees will be charged to. Commissioner Falcinelli asked if a resident would be charged if they were planting a tree or a bush. Burgess Miller emphasized that whenever a resident is digging for any purpose, the resident must call Miss Utility, which is a free call. After much discussion, the Board decided that if a resident applies for a Zoning Certificate, then they must pay the Utility Marking fee. The Board agreed to move forward with charging the Utility Marking fee of \$35.00 and adding it to the Zoning Certificate. Burgess Miller stated that a 30-day notice needs to be sent to local utility companies and residents prior to adding the Utility Marking fee to the Zoning Certificate. Commissioner LaPadula motioned to enforce the Utility Marking Fee in 30 days. Commissioner Goodman seconded the motion. Motion passed (6-0).

**WWTP ENR Upgrade Update** – Paul Mantello, Town Administrator, stated that the Town is waiting to hear back from State Senator Feldman to discuss amending the Bay Restoration Fund eligibility criteria. Paul Mantello also stated that there is a meeting with RK & K in one month and a meeting on October 10,

2023 with Representative Korman. Paul Mantello discussed that once there is approval from RK & K, the project will be sent to MDE for review, and then onto the full design of the project. The Town Administrator and the Board discussed the money for the project, but the Town will have to get two bids for the project and MDE will want the Town to take the lowest cost option. Burgess Miller stated that with the remaining cost from the project the Town must fully decommission its lagoon.

#### **NEW BUSINESS:**

**Personnel Committee Charter Review** – Burgess Miller reviewed the Personnel Committee Charter review and stated for Board members to let him know if they are interested in being a part of the committee along with the Town Administrator and the Town Manager. These meetings will be closed sessions occurring once a month. Paul Mantello, Town Administrator, discussed several examples of items that will be discussed by the Personnel Committee. Paul Mantello also stated that there are several personnel issues that have come up recently that need to be addressed. Burgess Miller stated that the first order of business for the Personnel Committee will be on October 9<sup>th</sup>, 2023, to address the current issues.

**Regulating Short-Term Rental Units** – The Board discussed accessory dwelling units (ADU's) and short-term and long-term rental units. The Comp Plan recommends reviewing ADU's. This will be discussed with the Planning Commission at the joint meeting in November.

#### **TOWN ADMINISTRATOR'S REPORT:**

**FY24 POS Project Updates – Heritage Park Acquisition & Remsburg Park Waterline** – Paul Mantello, Town Administrator, reviewed the updates stating that there are two appraisals out to Valley Appraisal and Bowers Appraisal. Burgess Miller stated that the cost will most likely be the average of the two appraisals.

**Upcoming Grant Applications** – Paul Mantello, Town Administrator reviewed the upcoming grant applications. Burgess Miller requested Paul Mantello to provide the deadlines for the current grants that have been applied for.

**Utility Billing & Software Audit – Update** – Paul Mantello, Town Administrator, stated that there is an issue with the six-inch meters and that the issue needs to be updated for billing. Paul Mantello also stated that the billing system needs to be reviewed once a year and audited to check to see any other issues that may occur. The current billing system does not charge the Capital Improvement Fee for each apartment unit or each building in a business center and this needs to be corrected as well.

**SERCAP Utility Rate Study – Update** – Paul Mantello, Town Administrator, discussed that Jean Holloway completed the wastewater unit audit, but that the sewer audit needs to be completed as well. Town Administrator mentioned that there is an operational subsidy granted from the general fund to the utility fund.

**FY23 Audit Contract** - There was discussion regarding the cost of the current audits and audits moving forward. Rebecca Stottlemeyer stated that the current rate is a little higher than the average due to additional workload for the past due audits. Commissioner LaPadula suggested that the Town should get quotes to try to achieve cheaper audits in the future. Burgess Miller stated that the current ones need to be completed before the Town moves forward with future audit rates.

**PUBLIC COMMENTS:** Commissioner Dietrick questioned if crosswalks should be included in all milling and overlaying projects in the future. After the Board discussed the matter, they concluded that

they are not necessary on private streets, but they would like a map from Bruce Carbaugh, Director of Public Works, from East Green Street to Cone Branch and Foxfield Pass as well.

**ANNOUNCEMENTS:**

- *Middletown Heritage Festival (Rescheduled) – Saturday, October 7, 2023*
- *Scarecrow March on Main Street – Saturday, October 14, 2023*
- *Middletown Halloween Parade – Saturday, October 28, 2023*

Meeting adjourned at 9:14 PM.

Respectfully submitted,

Jen Rhinaman,  
Town Receptionist