

BURGESS AND COMMISSIONERS OF MIDDLETOWN MARYLAND

TOWN MEETING MINUTES

REGULAR MEETING

March 11, 2019

The first monthly meeting of the Burgess and Commissioners of Middletown was called to order on March 11, 2019, by Burgess Miller at 7:00 p.m. in the Middletown Municipal Center, 31 W. Main Street, Middletown, Maryland. Present were: Commissioners Larry Bussard, Jennifer Falcinelli, Christopher Goodman, and Rick Dietrick.

CONSENT AGENDA:

Financial Statements

Town Meeting Minutes – February 25, 2019 – town meeting.

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

PERSONAL REQUESTS FOR AGENDA:

UNFINISHED BUSINESS:

Employee Handbook Updates – Burgess Miller stated that this has been on the agenda for several months now and has been discussed at great lengths.

Motion by Commissioner Falcinelli to approve the Employee Handbook Updates as presented, seconded by Commissioner Bussard. Motion carried 5-0.

Social Media Policy & Archiving – Burgess Miller stated that this has been on the agenda for several months and has been discussed at great lengths. Commissioner Falcinelli stated that we must archive our social media sites if we would get a public information request, we would be able to obtain that information from our sites.

Motion by Commissioner Falcinelli to approve the Social Media Policy as presented and to approve the quote from Archive Social to back up our social media sites beginning April 1, 2019, seconded by Commissioner Dietrick. Motion carried 5-0.

Discussion of Self-Storage in General Commercial (GC) Zoning District Code Conflict – Dowd Property - Burgess Miller stated that we've reviewed Drew's findings with the Board in relation to the conflict in the Town Code Section 17.20.020 C and Section 17.48.340 E. Under GC (17.20.020 C) Special Exceptions, it listed all the special exception uses as principal, if approved by the Board of Appeals; but when you look under specific standards for Special Exceptions (17.48.340 E), it states that self-storage may be permitted only as an accessory use. The Town Board requested the opinion of the Town Attorney on how to address this conflict. The Town Attorney pointed out, under statutory construction, the status last enacted is deemed to have replaced the inconsistent term of the former. Drew stated that section 17.20.020 C was passed in 2007 and Section 17.48.340 E was passed in 1997. Therefore, under statutory construction, a self-storage facility can be allowed as a primary use as a special exception in the GC district.

Drew stated that staff has no recommendation, but offers the following opinions for the Town Board to consider:

1. Do nothing. Use the concept of statutory construction to deem the self-storage as a principal use to be permitted only as an accessory use to be inconsistent.
2. Remove line E from 17.48.340, that would remove any inconsistency.
3. Redebate the entire issue of self-storage in GC and decide what you want today and enact and repeal a new ordinance with what the Town Board wants today.

Burgess Miller stated that he is wondering which direction the Board wants to proceed. Commissioner Bussard stated that at the workshop we decided that we were going to discuss this at the joint meeting with the Planning Commission to get their input as he doesn't think the developer is under any time issues. The Board agreed to hold off on their decision until they meet with the Planning Commission in May.

Broad Street Improvement Plans – Review of Recommendations from Broad Street Community Group – Ron Moss, 213 Broad Street – stated that the residents of Broad Street do not wish to see the lower portion of the street narrower and would like to see some traffic calming measures put into place. Mr. Moss stated that the group suggested a few things such as a 3-way stop sign at Locust Alley, a raised crosswalk or speed bumps.

Stephen Ramsey, 114 Locust Street – stated that he was away this past weekend and the little town he was in had rumble strips on their streets therefore he thought he would make that suggestion to the Town as well.

Burgess Miller stated that we received an email from Brandi Wynne, 205 Broad Street stating that she is in favor of installing the sidewalk on the lower portion of Broad Street. Ms. Wynne stated that for the safety of the kids and adults alike, having a sidewalk on both sides of the street connecting our street to both Memorial Park and Remsburg Park, should be kept in discussion.

At the workshop the Board agreed to discuss some temporary measures to try before the road construction project begins. There was a lot of discussion and the Board agreed to do the following measures on a temporary basis: paint a crosswalk at 205 Broad Street to 210 Broad Street and install our stop for pedestrian sign, install 3-way stop sign at Locust Street & Broad Street and depending on the cost we will install rumble strips. Drew stated that we will paint the crosswalk first and leave that there for a few months to collect data and to see if that makes any difference before we install the 3-way stop sign and rumble strips.

The Board instructed Drew to pass along to our Engineers to start designing this project with sidewalk and without narrowing the street. Drew stated once we determine what traffic calming method, we will use we will add that at a later date.

Blighted Ordinance Review – tabled awaiting on Town Attorney response.

POS Annual Program Requests – Commissioner Goodman stated that his Committee will be meeting on March 20th at 7pm. to discuss what projects they would like to apply for POS funding.

REPORT OF COMMITTEES:

WATER & SEWER – Commissioner Falcinelli reported:

Water use for February – 306,568 gal., spring flow for February – 125,499, East WWTP treated 258,000 gals. and the West WWTP treated 591,000 gals.

Our guys replaced the EWWTP Aqua disk filter which was an unbudgeted expense of \$8,000, Hydrant flushing will occur the week of April 15-18, 2019, and the contractor for the Streetscape project started laying the temporary water line today to restart that project.

PUBLIC WORKS – Commissioner Bussard reported:

We've had several snow events, Bruce and maintenance staff visited a brine making demonstration in Hagerstown. Bruce received the bids for the boiler upgrade that we will vote on at the March 25th meeting. Guys are working on installing the banner poles at the new location.

Bulk Trash pick-up is Saturday, March 16th you can put out 2 items.

SUSTAINABILITY – Commissioner Dietrick reported:

Cindy is working on the grant for the solar panels on the foodbank at 301 West Main Street.

Next Green Talks is Saturday, March 16, 2019 at Fox Haven Farm from 12:30-3pm. on Composting. Mark Carney asked about the street light buyback program – Drew stated that he will have an update at the April meeting.

PLANNING COMMISSION – Burgess Miller reported:

Next workshop is March 13, 2019 and the meeting is Monday, March 18, 2019 at 7pm. Items of discussion for this month are the Water Storage Shed and Franklin Commons site plan

PARKS AND REC. COMMITTEE – Commissioner Goodman reported:

Middletown adopted Frederick County Animal Control Ordinance which stated that the dog must be in your control, it does not state that the dog(s) must be on a leash. Next meeting is March 20, 2019 at 7pm.

PUBLIC INFORMATION – Commissioner Falcinelli reported:

Encouraged our residents to sign up for our list serve and robo calls.

NEW BUSINESS:

Banner Policy (*First Reading*) – Commissioner Falcinelli stated that with our new banner poles being constructed we thought that it was a good time to update our Banner Policy. This is the first reading of the policy. There were a few minor changes made from the Workshop. An updated policy will be on the next meeting agenda.

Revised Budget Workshop Schedule – Burgess Miller stated that we have had some difficulty getting some numbers and we’ve had a few staff members out sick therefore, we’ve had to push our budget meetings back. The updated meetings are as follows: April 4, 2019, April 8, 2019, April 22, 2019, May 2, 2019 and May 13, 2019 (Community Groups attend). All budget meetings will begin at 6:30pm.

PUBLIC COMMENTS:

ANNOUNCEMENTS:

Workshop adjourned at 8:25pm.

Respectfully submitted,

Ann Griffin
Office Manager