



AGENDA FOR THE TOWN MEETING

February 10, 2014

7:00 p.m.

PLEDGE TO THE FLAG

CALL TO ORDER

Red Indicates – Action Item
Green Indicates – Ordinance Introduction
Blue Indicates – Link to Additional Information

CONSENT AGENDA

- [Financial Statements](#)
- Monsanto Fund Donation for MVFC
- Town Minutes
 - [January 27, 2014 – Town Meeting](#)

PERSONAL REQUESTS FOR AGENDA:

STAFF REPORT:

Community Deputy Report

[Staff Planner](#)

[Zoning Administrator](#)

[Engineer's Report](#)

[Main Street Manager](#)

UNFINISHED BUSINESS:

- **Decision on Memorial Hall Purchase**
- **[Credit Card Convenience Fees](#)**
- **[\\$2,000,000 Line of Credit Bids](#)**
- **[Review of Amendments to the Employee Handbook](#)**
- Appointment of Planning Commission Temporary Alternate
- **[Schedule Public Hearing for Increase in Development Fee Ordinance](#)**

REPORT OF COMMITTEES:

Water/Sewer

Commissioner Falcinelli

Public Works

Commissioner Bussard

Planning Commission Liaison

Commissioner Goodman

Parks & Recreation

Commissioner Ventre

Finance

Commissioner Dietrick

Public Information Committee

Commissioner Falcinelli

NEW BUSINESS:

- Request from YMCA Women’s Triathlon – September 28, 2014
- Request from Francie’s Family 5K Run/Walk – March 15, 2014
- [Proposed Text Amendment to Sign Regulations for Sandwich Board’s](#)

PUBLIC COMMENTS:

Please state Name and Address for the Record

ANNOUNCEMENTS:

- *Hydrant Flushing – April 14 – 18, 2014*

ADJOURNMENT

EXECUTIVE SESSION:

Meetings for the month of February 2014

- | | | |
|---------------------------------------|-------------------------------------|---------------|
| • <i>Planning Commission Workshop</i> | <i>Wednesday, February 12, 2014</i> | <i>7:00PM</i> |
| • <i>Planning Commission</i> | <i>Monday, February 17, 2014</i> | <i>7:00PM</i> |
| • <i>Water & Sewer Committee</i> | <i>Wednesday, February 19, 2014</i> | <i>7:00PM</i> |
| • <i>Main Street Board</i> | <i>Thursday, February 27, 2014</i> | <i>7:00PM</i> |

Town of Middletown
Statement of Revenue & Expenditures
General Fund
Fiscal Year 2014
For the 7 Months Ended January 31, 2014

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>OVER (UNDER) BUDGET</u>
<u>REVENUE</u>			
<u>LOCAL TAX</u>			
Real Property	\$ 1,080,728	\$ 1,039,082	\$ (41,646)
Tangible Personal Property	33,500	32,912	(588)
Public Utilities	9,618		(9,618)
Franchise (Cable)	44,125	11,203	(32,922)
Penalties & Interest	9,105	123	(8,982)
	<u>\$ 1,177,076</u>	<u>\$ 1,083,320</u>	<u>\$ (93,756)</u>
<u>STATE SHARED TAX</u>			
Admission & Amusement	\$ 40,628	\$ 24,524	\$ (16,104)
Highway Gasoline & Licenses	122,500	103,408	(19,092)
	<u>\$ 163,128</u>	<u>\$ 127,932</u>	<u>\$ (35,196)</u>
<u>COUNTY SHARED TAX</u>			
Income Taxes	\$ 755,958	\$ 303,173	\$ (452,785)
Tax Equity Grant	584,765	438,574	(146,191)
	<u>\$ 1,340,723</u>	<u>\$ 741,747</u>	<u>\$ (598,976)</u>
<u>LICENSES AND PERMITS</u>			
Beer, Wine and Liquor	\$ 1,950		\$ (1,950)
Business / Traders	4,900	920	(3,980)
Planning / Zoning Fees	9,500	22,668	13,168
	<u>\$ 16,350</u>	<u>\$ 23,588</u>	<u>\$ 7,238</u>
<u>PARKS AND RECREATION</u>			
Pavillion Fees	\$ 1,900	\$ 910	\$ (990)
	<u>\$ 1,900</u>	<u>\$ 910</u>	<u>\$ (990)</u>
<u>POLICE PROTECTION</u>			
State Grant	\$ 24,000	\$ 13,222	\$ (10,778)
	<u>\$ 24,000</u>	<u>\$ 13,222</u>	<u>\$ (10,778)</u>
<u>MISCELLANEOUS</u>			
Community Events			
Parking Citations			
Bank Shares Grant	2,500	1,491	(1,009)
*Miscellaneous & Donations	36,274	19,744	(16,530)
	<u>\$ 38,774</u>	<u>\$ 21,235</u>	<u>\$ (17,539)</u>
OPERATING REVENUES	<u>\$ 2,761,951</u>	<u>\$ 2,011,954</u>	<u>\$ (749,997)</u>
State Grants & Interest	\$ 217,963	\$ 60,206	\$ (157,757)
TOTAL REVENUE	<u>\$ 2,979,914</u>	<u>\$ 2,072,160</u>	<u>\$ (907,754)</u>

Town of Middletown
Statement of Revenue & Expenditures
General Fund
Fiscal Year 2014
For the 7 Months Ended January 31, 2014

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>OVER (UNDER) BUDGET</u>
<u>EXPENDITURES</u>			
<u>LEGISLATIVE</u>			
Commissioner's Salary	\$ 12,000	\$ 6,000	\$ (6,000)
Communications	3,480	2,038	(1,442)
Dues & Subscriptions	7,222	7,360	138
Office Supplies & Exp	3,600	2,524	(1,076)
Advertising	750	313	(437)
Meetings & Conventions	<u>9,900</u>	<u>696</u>	<u>(9,204)</u>
	\$ 36,952	\$ 18,931	\$ (18,021)
<u>EXECUTIVE</u>			
Burgess Salary	<u>\$ 6,000</u>	<u>\$ 3,000</u>	<u>\$ (3,000)</u>
	\$ 6,000	\$ 3,000	\$ (3,000)
<u>ELECTION</u>			
Clerk Fees	\$ 450		\$ (450)
Other Administrative Expenses	<u>250</u>		<u>(250)</u>
	\$ 700		\$ (700)
<u>GENERAL SERVICES</u>			
<u>ADMINISTRATION</u>			
GS - Capital Outlay		\$ 7,200	\$ 7,200
Administrative Salary	195,536	118,800	(76,736)
Postage & Printing	2,500	41	(2,459)
Communications	7,925	4,936	(2,989)
Computer Expenses	16,905	17,497	592
Office Supplies & Exp	23,520	11,915	(11,605)
Office Maintenance	45,368	21,218	(24,150)
Dues & Subscriptions	150	111	(39)
Professional Services	6,600	1,800	(4,800)
Meetings & Conventions	100	22	(78)
Water and Sewer Grant	<u>100,000</u>		<u>(100,000)</u>
	\$ 398,604	\$ 183,540	\$ (215,064)
<u>OPERATIONS</u>			
Maintenance Capital Outlay			
Vehicle Capital Outlay		51,678	51,678
Director Salary	85,572	49,909	(35,663)
Maintenance Salary	28,085	25,212	(2,873)
Communications	6,600	4,113	(2,487)
Supplies & Expenses	13,760	6,473	(7,287)
Dues & Meetings		1,459	1,459
Landscaping/Beautification			
Maintenance & Repairs	19,480	10,628	(8,852)
Tools & Equipment	3,000	1,490	(1,510)

Town of Middletown
Statement of Revenue & Expenditures
General Fund
Fiscal Year 2014
For the 7 Months Ended January 31, 2014

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>OVER (UNDER) BUDGET</u>
	\$ 156,497	\$ 150,962	\$ (5,535)
<u>PROFESSIONAL SERVICES</u>			
Independent Accounting	\$ 12,500	\$ 13,000	\$ 500
Legal - Development		323	323
Legal - Ordinances	<u>7,500</u>	<u>2,375</u>	<u>(5,125)</u>
	\$ 20,000	\$ 15,698	\$ (4,302)
<u>PLANNING & ZONING</u>			
Salary & Fees	\$ 44,356	\$ 26,485	\$ (17,871)
Other Expenses	<u>1,300</u>	<u>1,169</u>	<u>(131)</u>
	\$ 45,656	\$ 27,654	\$ (18,002)
<u>MAIN STREET PROGRAM</u>			
Manager Salary	\$ 32,136	\$ 23,309	\$ (8,827)
Town Contribution	<u>12,000</u>	<u>8,555</u>	<u>(3,445)</u>
	\$ 44,136	\$ 31,864	\$ (12,272)
<u>PUBLIC SAFETY</u>			
Fire Dept. Donation	\$ 15,000	\$ 15,000	
School Crossing Guards	16,309	7,180	(9,129)
Community Deputy Program	<u>353,499</u>	<u>266,630</u>	<u>(86,869)</u>
	\$ 384,808	\$ 288,810	\$ (95,998)
<u>SANITATION & WASTE REMOVAL</u>			
Resident Trash & Yard Waste	\$ 275,447	\$ 160,467	\$ (114,980)
<u>RECREATION AND CULTURE</u>			
Park Salary	37,892	27,933	(9,959)
Park Electric	1,500	719	(781)
Maintenance & Repairs	32,800	10,835	(21,965)
Mowing	34,651	13,923	(20,728)
Remsberg Park - Interest	20,968	14,321	(6,647)
Remsberg Park - Principal	<u>102,582</u>	<u>68,045</u>	<u>(34,537)</u>
	\$ 230,393	\$ 135,776	\$ (94,617)

Town of Middletown
Statement of Revenue & Expenditures
General Fund
Fiscal Year 2014
For the 7 Months Ended January 31, 2014

	ANNUAL BUDGET	YTD ACTUAL	OVER (UNDER) BUDGET
<u>HIGHWAYS AND STREETS</u>			
Salary	\$ 91,927	\$ 49,116	\$ (42,811)
Street Lighting	151,200	80,516	(70,684)
Storm Water Management	1,500	4,960	3,460
Snow Removal	52,125	22,980	(29,145)
Repairs & Resurfacing	100,000	12,069	(87,931)
Signs	3,500	1,702	(1,798)
Truck Repair & Operation	19,300	17,477	(1,823)
Equipment Repairs & Ops	11,800	1,835	(9,965)
Mowing	31,744	17,408	(14,336)
Interest	8,478	2,734	(5,744)
East Green St - Principal	11,000		(11,000)
Case Loader - Principal	14,555	14,555	
	<u>\$ 497,129</u>	<u>\$ 225,352</u>	<u>\$ (271,777)</u>
<u>OTHER EXPENSES</u>			
MT Historical Society - CIP	\$ 5,000	\$ 5,000	
Donations	100		(100)
Travel - Mileage	1,500	1,514	14
Community Events	82,358	53,258	(29,100)
Payroll Taxes	44,420	24,644	(19,776)
Insurance - Property	12,748	6,598	(6,150)
Insurance - Employee	107,892	94,751	(13,141)
Retirement/Pension	54,607	44,311	(10,296)
Web Page & Directory	5,555	3,744	(1,811)
Real Estate Taxes	753	712	(41)
Other	3,500	3,500	
	<u>\$ 318,433</u>	<u>\$ 238,032</u>	<u>\$ (80,401)</u>
TOTAL EXPENDITURES	<u>\$ 2,414,755</u>	<u>\$ 1,480,086</u>	<u>\$ (934,669)</u>
INCOME (LOSS) Exc. Cash Reserves	\$ 565,159	\$ 592,074	\$ 26,915
CASH RESERVES	\$ 1,091,102	\$ 1,240,265	\$ 149,163
SURPLUS / (DEFICIT)	<u>\$ 1,656,261</u>	<u>\$ 1,832,339</u>	<u>\$ 176,078</u>

*Board Approved Amendment made during FY2014

Town of Middletown
CIP FUNDS and EXPENDITURES
WATER & SEWER
Fiscal Year 2014
For the 7 Months Ended January 31, 2014

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>OVER (UNDER) BUDGET</u>
<u>FUNDING SOURCES</u>			
Operating Revenue	\$ 1,221,321	\$ 588,781	\$ (632,540)
Operating Expenses	<u>1,135,438</u>	<u>585,418</u>	<u>(550,020)</u>
OPERATING INCOME (LOSS)	\$ 85,883	\$ 3,363	\$ (82,520)
Debt Service Fee - New Homes	\$ 136,800	\$ 74,418	\$ (62,382)
Capital Improvement Fees	118,008	58,842	(59,166)
Improvement/Tap Fees	140,000	100,000	(40,000)
Water Meter Sales	80,648	2,686	(77,962)
Water Tower & Land Leases	163,150	104,133	(59,017)
Gen Fund (Walnut St Waterline)	<u>127,430</u>	<u></u>	<u>(127,430)</u>
TOTAL OTHER REVENUE	\$ 766,036	\$ 340,079	\$ (425,957)
TOTAL FUNDS AVAILABLE	851,919	343,442	(508,477)
<u>DEBT SERVICE COSTS</u>			
Principal Payments			
BB&T Line of Credit	\$ 35,500		\$ (35,500)
CDA - Water Tower	95,250		(95,250)
MDE - East WWTP	196,190	196,190	
Interest - All Loans	<u>61,560</u>	<u>34,233</u>	<u>(27,327)</u>
TOTAL DEBT SERVICE COSTS	\$ 388,500	\$ 230,423	\$ (158,077)
<u>WATER & SEWER PROJECTS</u>			
Walnut Bridge Waterline	\$ 132,026	\$ 132,026	
Locust Court Water Extension	130,340	48,516	(81,824)
Reservoir - Dual Feed Cover	40,000	18,914	(21,086)
Maganese Removal System	<u>110,000</u>	<u></u>	<u>(110,000)</u>
TOTAL WATER & SEWER PROJECTS	\$ 412,366	\$ 199,456	\$ (212,910)
TOTAL CIP COSTS	\$ 800,866	\$ 429,879	\$ (370,987)
TOTAL FUNDS REMAINING	<u>\$ 51,053</u>	<u>\$ (86,437)</u>	<u>\$ (137,490)</u>

Town of Middletown
STATEMENT OF REVENUE and EXPENDITURES
WATER & SEWER
Fiscal Year 2014
For the 7 Months Ended January 31, 2014

	ANNUAL BUDGET	YTD ACTUAL	OVER (UNDER) BUDGET
<u>REVENUE</u>			
Water Revenue	\$ 553,200	\$ 290,689	\$ (262,511)
Sewer Revenue	552,046	287,891	(264,155)
Penalties/Reconnects	14,500	8,626	(5,874)
*Rain Barrel Sales	1,575	1,575	
General Fund Grant/Misc	100,000		(100,000)
TOTAL OPERATING REVENUE	\$ 1,221,321	\$ 588,781	\$ (632,540)
 <u>EXPENDITURES</u>			
ADMINISTRATIVE			
Office Salaries	\$ 41,993	\$ 23,656	\$ (18,337)
Communications	7,000	4,398	(2,602)
Postage	9,000	9,098	98
Office Supplies/Expense	11,000	8,379	(2,621)
Legal - Other	8,500	10,304	1,804
Meetings & Seminars	250	350	100
Advertising	500	863	363
Uniforms	2,800	1,193	(1,607)
Dues/Subscrip/Certifications	500	345	(155)
Travel		152	152
Payroll Taxes	18,471	11,453	(7,018)
Insurance - Prop. & Liability	8,000	4,608	(3,392)
Insurance - Workers Comp	12,306	4,868	(7,438)
Insurance - Health	46,504	28,942	(17,562)
Retirement/Pension	18,968	17,685	(1,283)
Real Estate Taxes	292	292	
Rain Barrel/Educational Programs	3,150		(3,150)
Waterline / I & I Loans	32,550	4,276	(28,274)
Sub-Total	\$ 221,784	\$ 130,862	\$ (90,922)
 Vehicles & Equipment			
1999 Truck	\$ 3,700	\$ 62	\$ (3,638)
2001 Truck	3,400	545	(2,855)
2008 Truck	3,200	1,743	(1,457)
2013 Truck		1,420	1,420
Misc Equipment	4,275	248	(4,027)
Bobcat Mini-Excavator		175	175
Case Backhoe	3,000	75	(2,925)
Sub-Total	\$ 17,575	\$ 4,268	\$ (13,307)

Town of Middletown
STATEMENT OF REVENUE and EXPENDITURES
WATER & SEWER
Fiscal Year 2014
For the 7 Months Ended January 31, 2014

	ANNUAL BUDGET	YTD ACTUAL	OVER (UNDER) BUDGET
WATER			
Salaries	\$ 115,895	\$ 66,670	\$ (49,225)
Water Distribution System			
Supplies	2,500	574	(1,926)
Repairs & Maintenance	22,000	26,972	4,972
Water Meters	105,838	7,325	(98,513)
Water Line Break Repairs	5,000		(5,000)
Chemicals	500	185	(315)
Tools & Equipment	9,600	8,671	(929)
Sub-Total	\$ 145,438	\$ 43,727	\$ (101,711)
Water Plant/Reservoir/Booster/Tower/BS Wellhouse			
Electric	\$ 31,370	\$ 13,020	\$ (18,350)
Supplies	7,000	599	(6,401)
Repairs & Maintenance	28,600	22,695	(5,905)
Chemicals	20,000	10,382	(9,618)
Tools & Equipment	2,400	1,313	(1,087)
Testing & Analysis	9,000	4,762	(4,238)
Sub-Total	\$ 98,370	\$ 52,771	\$ (45,599)
Abandoned Well Costs			
TOTAL WATER EXPENSES	\$ 359,703	\$ 163,168	\$ (196,535)
SEWER			
Salaries	\$ 114,952	\$ 63,810	\$ (51,142)
Sewer Collection System			
Cone Branch PS	34,364	20,100	(14,264)
Brookridge South PS	9,700	5,284	(4,416)
Foxfield PS	5,940	6,522	582
Sanitary Sewerlines & Manholes	10,500	2,509	(7,991)
I & I Accrual	75,000	37,500	(37,500)
Sub-Total	\$ 135,504	\$ 71,915	\$ (63,589)

Town of Middletown
STATEMENT OF REVENUE and EXPENDITURES
WATER & SEWER
Fiscal Year 2014
For the 7 Months Ended January 31, 2014

	ANNUAL BUDGET	YTD ACTUAL	OVER (UNDER) BUDGET
Wastewater Treatment Plants			
East Wastewater Treatment Plant			
Electric	\$ 33,000	\$ 16,421	\$ (16,579)
Supplies	10,500	4,767	(5,733)
Repairs & Maintenance	9,700	7,035	(2,665)
Chemicals	42,000	14,847	(27,153)
Tools & Equipment	8,400	1,275	(7,125)
Testing & Analysis	19,500	11,428	(8,072)
Sludge Hauling Expense	56,400	28,884	(27,516)
Sub-Total	\$ 179,500	\$ 84,657	\$ (94,843)
West Wastewater Treatment Plant			
Electric	\$ 20,000	\$ 9,193	\$ (10,807)
Supplies	750	3,360	2,610
Repairs & Maintenance	6,700	16,053	9,353
Chemicals	47,520	23,209	(24,311)
Tools & Equipment	1,000	59	(941)
Testing & Analysis	7,800	4,389	(3,411)
Sludge Hauling Expense	22,650	10,475	(12,175)
Sub-Total	\$ 106,420	\$ 66,738	\$ (39,682)
TOTAL SEWER EXPENSES	\$ 536,376	\$ 287,120	\$ (249,256)
TOTAL WATER/SEWER EXPENSES	\$ 1,135,438	\$ 585,418	\$ (550,020)
CONTINGENCY FUND - 6.7%	\$ 76,074	\$ 39,223	\$ (36,851)
ADJUSTED WATER/SEWER EXPENSES	\$ 1,211,512	\$ 624,641	\$ (586,871)
NET INCOME (LOSS)	\$ 9,809	\$ (35,860)	\$ (45,669)

*Board Approved budget amendment made during FY2014

Town of Middletown
CIP Funds & Expenditures
 General Fund
 Fiscal Year 2014
 For the 7 Months Ended January 31, 2014

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>OVER (UNDER) BUDGET</u>
OPERATING REVENUE			
Revenue	\$ 2,761,951	\$ 1,981,955	\$ (779,996)
OPERATING EXPENSES			
Expenses	2,414,754	1,402,765	(1,011,989)
OPERATING SURPLUS (LOSS)	<u>\$ 347,197</u>	<u>\$ 579,190</u>	<u>\$ 231,993</u>
<u>OTHER FUND</u>			
POS - Development	\$ 90,020	\$ 60,000	\$ (30,020)
MVAA Remsburg Park	8,215		(8,215)
POS - Walking Trail Land Purchas	42,000		(42,000)
SRTS - School Walking Trail			
Other Grants	75,000		(75,000)
West Green & Walnut St Bridge Lo	700,000		(700,000)
RETAINED EARNINGS	421,311		(421,311)
Interest	2,728	206	(2,522)
TOTAL OTHER FUNDS	<u>\$ 1,339,274</u>	<u>\$ 60,206</u>	<u>\$ (1,279,068)</u>
TOTAL FUNDS AVAILABLE	<u>\$ 1,686,471</u>	<u>\$ 639,396</u>	<u>\$ (1,047,075)</u>
<u>CIP PROJECTS & PURCHASES</u>			
West Green St Improvements	\$ 797,812	\$ 10,363	\$ (787,449)
*Walnut Street Bridge	290,562	259,398	(31,164)
Eastern Cr - Mill Overlay	70,000		(70,000)
Broad St-304 to Franklin	180,000		(180,000)
SWM Pond Fencing-Coblentz	16,400	14,911	(1,489)
Walking Trail Acq - E Main/Linde	42,000		(42,000)
Walking Trail Devel - Linden/Rem	85,751	60,145	(25,606)
Remsburg Park Netting	20,956		(20,956)
War Memorial Improvements	15,000	39,066	24,066
Foxfield/Wiles Trail Signage	26,400	207	(26,193)
Basketball Resurface - Wiles Bra	17,000		(17,000)
Purchase Memorial Hall	150,000		(150,000)
Remsburg Park - Other	37,226		(37,226)
Computer Replacements	5,200		(5,200)
W&S Funds - Walnut Bridge	127,430		(127,430)
TOTAL CIP COSTS	<u>\$ 1,881,737</u>	<u>\$ 384,090</u>	<u>\$ (1,365,017)</u>
OPERATING & CIP SURPLUS (LOSS)	<u>\$ (195,266)</u>	<u>\$ 255,306</u>	<u>\$ 317,942</u>

Town of Middletown
 CIP Funds & Expenditures
 General Fund
 Fiscal Year 2014
 For the 7 Months Ended January 31, 2014

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>OVER (UNDER) BUDGET</u>
Cash Reserves	\$ 1,091,102	\$ 1,240,265	\$ 149,163
TOTAL CASH SURPLUS	<u>\$ 895,836</u>	<u>\$ 1,495,571</u>	<u>\$ 467,105</u>

BURGESS AND COMMISSIONERS OF MIDDLETOWN MARYLAND

TOWN MEETING MINUTES

REGULAR MEETING

January 27, 2014

The second monthly meeting of the Burgess and Commissioners of Middletown was called to order on January 27, 2014, 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, Richard Dietrick, Tony Ventre and Christopher Goodman.

CONSENT AGENDA

Town Minutes – January 2, 2014 Public Hearing and January 13, 2014 Town meeting
Commissioner Bussard motioned to accept this consent agenda, seconded by Commissioner Goodman and passed unanimously.

PERSONAL REQUEST FOR AGENDA:

Unfinished Business:

Memorial Hall Discussion – Drew reported that the Town has received a 50/50 grant if we wish to purchase the property. If the Town does purchase this property there are conditions with the grant that an exterior and archeology easement will be placed on the property. The Board agreed to make a final decision at the February 10, 2014 Town Meeting.

Ordinance 14-01-02 – Monthly Billing for Water & Sewer Bills – This Ordinance is for our “pilot program”. This is something that was recommended by our attorney. Commissioner Ventre asked if there was a sunset provision included? Commissioner Ventre stated that this is strictly a trial for us to decide if we would like to do monthly billing for the entire Town. The Commissioners agreed to add this to the Ordinance.

Motion by Ventre to approve Ordinance 14-01-02 as amended (adding the sunset provision that this is a 1 year trial period), seconded by Falcinelli. Motion carried (5-1).

Review of Credit Card Options Using Convenience Fees - Drew stated that the water & sewer fund runs on a break even or at a loss each year and the Board does not wish to pay the fees associated with credit cards. Drew has been looking into the possibility of paying the water bills online through our website. Drew stated that he has webinars scheduled with 2 more companies this week and will report his findings at next month’s meeting. These companies offer the ability to charge a convenience fee to residents that wish to use credit cards which would off-set the cost to the Town.

Introduction of Ordinance to Increase Development Review Fees and Scheduling of Public Hearing – Burgess Miller stated that this Ordinance is strictly to add the “electronic filing fee”, this is not changing any of the other fees. The Board agreed to wait for the Planning Commission to present all the fee changes and make all the changes at once.

Review of Itron Bid for Radio Read Meters – Drew provided the Board with several different options of meter replacement costs. The Town switched to radio read meters several years ago to avoid human

errors with the manual read meters and the overall process with radio read meters is much quicker. Drew explained to the Board that you have 2 different technologies with meters using radio read which is a smart meter with a transmitter and the Itron that is a meter with the smart transmitter. It was agreed to send these quotes and review of the technology to the Water/Sewer Committee for their recommendation. In the mean time Drew will try to obtain quotes for meters if the Board decides to proceed with the itron.

Review of \$2,000,000 Line of Credit bids – Drew provided the Board with 3 bids from BB&T, M&T and MVB banks.

- BB&T – Libor + 2.350% - 2 years – closing costs of \$600 – maintain primary operating accounts
- M&T – Libor + 2.3875% - 2 years – closing costs of \$1,000 – depository relationship
- MVB – Libor + 2.01% - 3 or 5 years – closing costs \$2,225 – minimum deposit balance \$350,000

The Board asked Drew to investigate this further. The Board asked Drew to talk to all of the banks that bid on the Line-of-Credit and see what interest rate they would charge for a secured deposit of \$350,000 and if that deposit would change, i.e. lower their offer on the interest rate for the Line-of-Credit. This information will be presented at the February 10, 2014 Town Meeting.

Discussion of Active Adult Text Amendments – Burgess stated that the Planning Commission has forwarded us proposed language for the proposed Active Adult text amendment submitted by Memar Corporation. The proposed language refers to “cluster development regulations,” which at this time there is no definition for. The Board stated that they would like to see the definition for “cluster development” before we are able to proceed any further.

Discussion of Cross Stone Commons – Commission Goodman stated that at the last Planning Commission meeting a few pictures were presented to the Planning Commission and the Planning Commission presented a picture of what they would like the proposed CVS to look like. The architect was present and stated that he wasn't sure if that design was in their current build design. Their main concern with the style the Planning Commission liked was the up keep of the building. Commissioner Goodman stated that it was made very clear to them what we want to see, they are to come back in March with different proposal. The Town Board is not in favor of the conceptual drawings that were presented at the Planning Commission Meeting.

New Business:

Security System for Municipal Center – Drew stated that we discussed this a few years ago but never acted on it. Drew stated that we now have offices on the main floor that we cannot secure, although we have been very lucky there are a lot of different groups that use the area upstairs. Drew presented a proposal from Glessner to install a keyless reader on the back door and every group that would use the area on the 2nd floor would get a key card that is programmed for the time they are scheduled to use the building, if they try to come in at another time they won't have access.

Bob Smart, 7525 Coblenz Road – stated that he read over the requirements for this and recommends we go with Windows 8.

Motion by Ventre to approve the proposal from Glessner to install the Security device on the back door as presented subject to the operating system, seconded by Bussard. Motion carried 6-0. In addition, Drew was asked to obtain pricing for card readers on office doors on the first floor.

Request for Crosswalk at Franklin and Broad Street – Drew stated that we received a request to install a crosswalk at Franklin & Broad Streets. By consensus of the Board it was agreed to install this crosswalk once weather permits.

Schedule Nominating Convention for Town Election – Nominating Convention will be held on Tuesday, February 25, 2014 at 7pm., at the Municipal Center.

FY 2015 Budget Meeting Schedule –

- February 24, 2014 – Community Groups
- March 24, 2014 – Operating Budgets
- April 28, 2014 – Operating Budgets & CIP
- May 12, 2014 – CIP
- May 26, 2014 – CIP(if necessary)

PUBLIC COMMENTS – Commissioner Bussard publicly thanked the maintenance crew for all their hard work on snow removal, they have done a wonderful job at keeping our streets & sidewalks clear.

ANNOUNCEMENTS

- *Fire Co. Banquet – Feb. 1, 2014*

ADJOURNMENT

With no further business to come before the Board, the meeting adjourned at 8:38p.m.

Respectfully submitted,

Ann Griffin
Office Manager

Town of Middletown Planning Department

To: Burgess & Commissioners and Middletown Planning Commission

From: Cindy Unangst, Staff Planner

Date: 2/4/2014

RE: Monthly Planning Update

Major Subdivisions:

Coblentz on Green – SWM Concept Plan – approved by County October 15, 2010
Water Tap agreement approved by Burgess & Commissioners – March 2012
Planning Commission approved Forest Stand Delineation/Forest Conservation Plan – Jan 2013
Master Plan Amendment approved - March 11, 2013
Planning Commission conditionally approved preliminary plan – March 18, 2013
Improvement plans conditionally approved – October 16, 2013

Foxfield Section 4- FRO plantings have all been installed. 12 homes still to be built.
1st year FRO review – 67% compliance – 232 additional trees planted (May 2013)

Site Plans and Minor Subdivisions:

AMVETS Expansion Plans – Site Plan approved – October 15, 2012; (Plans expire 10/15/2015)

Chesterbrook Apts/Middletown Valley Apts - Site Plan approved – July 17, 2006
Improvement Plans approved and signed – September 16, 2008
SWM waiver received from County – May 12, 2011
SWM admin waiver shall expire on May 4, 2017; final plans approved prior to May 4, 2013.

Coblentz Grove minor subdivision – FSD & Forest Conservation Plan approved – November 15, 2010
Improvement Plans conditionally approved – February 21, 2011
Final Plat approved – July 18, 2011 (recorded – October 24, 2012)
U&O's released for two of the lots – October 29, 2013

Fire Co Activities Center- SWM Plan approved by Frederick County – November 3, 2011
Revised Site Plan conditionally approved – April 22, 2013
Improvement Plans conditionally approved – April 22, 2013
Building permit issued – May 24, 2013

Fire Station – Concept plan submitted to PC for comments – April 22, 2013
Fire Station plat conditionally approved – October 16, 2013
Fire Station Site Plan conditionally approved – November 18, 2013

Garden Center – Concept plan submitted to PC for comments – February 3, 2014

Hollow Creek – Revised Site Plan approved and signed – October 14, 2010
Revised Site Plan (leaderboard) approved – February 21, 2011; (Plans expire February 21, 2014)

Hollow Creek Golf Course SWM Pond #1 Revision plans submitted to County 12/1/2010

Plans approved by County – December 22, 2010

Revised Plans submitted for PC review – December 30, 2010

Horman Apartments- Site Plan approved – April 21, 2008

Improvement Plans conditionally approved – May 17, 2010

Jiffas – Site Improvement Plan conditionally approved – October 20, 2008

Forest Conservation Plan approved – October 20, 2008

Middletown H.S. Stadium Concession Stand Expansion Plan – approved June 18, 2012

(Plans expire June 18, 2015)

Miller (Ingalls) – Concept and Phase I & II Plan approved & signed – September 27, 2010

Revised Concept Plan reviewed by PC – September 16, 2013

Concept Plan sent to SHA for review – September 23, 2013

SHA comment letter received November 22, 2013

More Ice Cream site plan – conditionally approved – June 17, 2013

Change of Use permit approved – July 2, 2013

Newton Property (Cross Stone Commons) – Concept Plan submitted – October 1, 2012

Traffic Impact Study submitted – October 18, 2012

BOA Special Exception Use Hearing – May 8, 2013 (Conditionally approved)

FRO Preliminary Plan approved – November 18, 2013

Addition Plat conditionally approved by PC – November 18, 2013

Revised Site Plan conditionally approved by PC – November 18, 2013

Architectural renderings discussion – January 15, 2014

Revised Architectural renderings submitted – February 3, 2014

Potomac Gun Depot – plans conditionally approved – February 18, 2013

Revised site plan conditionally approved – June 17, 2013

Putman – Site Plan conditionally approved- November 17, 2008

Forest Conservation Plan approved – June 16, 2009

Improvement Plans approved and signed by all agencies – July 2010

Revised Site Plan approved – April 16, 2012; (Plans expire April 16, 2015)

Subway property – site plan reviewed for ice cream parlor during workshop discussion– May 15, 2013

The Valley School – BOA special exception use hearing – May 8, 2013 (Approved)

Forest Conservation Plan approved – June 17, 2013 (fee-in-lieu paid 7/8/2013)

Site Plan and Improvement Plans approved by Planning Commission – August 19, 2013

Building permit issued – October 7, 2013

Thompson Funeral Home Revised Parking Lot Site Plan – conditionally approved April 22, 2013

SWM Plans conditionally approved by Frederick County – October 29, 2013

Annexations:

A.C. Jets Property- PC approval of annexation petition of 35.96 acres – December 21, 2009
Public hearing date - Monday, October 11, 2010
Annexation petition denied – October 11, 2010

County Park – Annexation agreement approved by BOCC – May 30, 2013
Annexation agreement approved by Town Board – June 10, 2013
Annexation recommended for approval by PC – September 16, 2013
Public Hearing held on December 5, 2013
County Park annexation approved by Town Board – December 9, 2013

Text Amendments:

Zoning Code review – ongoing

New State FRO Ordinance – Forest Preservation Act of 2013
Planning Commission review and recommendation – December 16, 2013
Public Hearing – January 2, 2014
Town Board approval – January 13, 2014

Active Adult text amendment – received language from Farhad – October 28, 2013
Planning Commission review – November 18, 2013 (no recommendation)
Planning Commission recommended approval with modifications – January 20, 2014

Reports:

Meetings:

Town of Middletown Zoning Department

To: Burgess & Commissioners and Middletown Planning Commission

From: Drew Bowen, Zoning Administrator

Date: 2/4/2014

RE: Monthly Zoning Update

BOA Hearings: none

Zoning Violations: Thompson Parking Lot

January 2014 Zoning Permits	Address	Permit #	M-town Received	Approved	County Approval
Smith – deck	6 Gladhill Drive	115313	12/20/2013	1/9/2014	Yes
Price – int. renovations	11 Crone Lane	115340	1/6/2014	1/10/2014	Yes
Sprint – ant. Addition	201 High Street	115305	1/3/2014	1/14/2014	Yes
BP Station – sub shop	211 E. Main Street	115551	12/5/2014	1/28/2014	Yes
Hough – refinish attic	23 E. Main Street	115691	1/30/2014	1/30/2014	Yes
Peltier - fence	501 West Green St.	Town	1/6/2014	1/7/2014	n/a
Smith - signage	116B N. Church St.	Town	12/20/2013	1/7/2014	n/a

**Public Works Monthly Report
February 6, 2014**

Streets and Utilities, Facilities

New Business

installed refurbished hydrants on Church and Broad, flash camera training, Snow/salt events 5 events (10th, 18th, 29th, 3rd, 5th), cleaned storm drains on Linden Broad and Church, changed fuel filter on 5500, repair table at townhall, pack up muffin monster for shipping, wash trucks, build frames in basement for library books, repair wiring for truck 8. Install fence on walk path, unloaded tables at townhall, cut grasses at Smithfield Circle, install new plow lights on 97 Chevy, change oil in snow blower, rebuild plow hitch on 5500 – hitch broken. Install new motor mounts on 97 Chevy, hood release and door handles (we will only be maintaining this truck in working order from this point forward – it is time to dispose of).

Water and Sewer

New Business

Water shut off at Glenbrook townhouse, Isolate hydro tanks at booster, Various curb box repairs, Feed pump rebuild, ordered new pumps for reservoir, Dialer installed at E WWTP, Snow removal multiple days, rebuild fluoride pump resolved low dosage, replaced heater in booster station, admin building cleanout, cold weather issues, MHS dirty water and mercury issue, operators applied for Class 3 License

Unbudgeted Expenses, New turbidimeter for WWTP \$1,100 (23yrs old), Muffin Monster at W WWTP \$10,644 (used CBPS budgeted unit), CBPS muffin monster failed 1/31 cost \$11,889.00 (orig budget \$9800), Pista Grit reducer \$1400.00

Sludge cost for FY \$26,970.00 33000 gal hauled, 37604 gal bedded **Total hauled 279000gal Bedded 190922gal**

Water Use (Average Daily for the Month, Flows stated in gallons per day)

Permit Limits (gal) 381,500/486,300 AD/MMU 250,000 AD 250,000 AD

MONTH	WATER USE		SPRING FLOW		East WWTP		West WWTP	
	past yr	present yr	past yr	present yr	past yr	present yr	past yr	present yr
January	291,000	301,000	137,000	129,000	270,000	270,000	235,000	258,000
February	275,000	286,000	141,000	137,000	199,000	280,000	172,000	288,000
March **	293,000	284,000	141,000	137,000	223,000	276,000	188,000	190,000
April **	311,000	305,000	141,000	137,000	172,700	185,000	188,000	129,000
May	296,000	306,000	140,000	132,000	192,761	210,000	204,000	176,000
June	304,000	297,000	140,000	132,000	206,907	204,000	229,000	179,000
July	300,000	292,000	123,000	115,000	173,000	197,258	124,000	157,000
August	300,000	293,000	96,000	98,000	162,000	168,000	120,000	133,000
September	309,000	310,000	78,000	69,000	159,000	140,900	133,000	122,000
October **	311,000	312,000	79,000	62,000	215,000	180,000	248,000	167,000
Novembr**	278,000	288,000	120,000	61,000	233,000	184,000	243,000	114,000
December	287,000	278,000	126,000	97,000	217,000	318,000	147,000	282,000

Avg Daily/yr 296250 296000 121833 108833 201947 217763 185917 182917
 Avg Yr Flw 108.13 108.04 44.47 39.72 73.71 79.48 67.86 66.76

**Hydrants flushed this month

April 11 696,000, April 12 563,000 gal Oct 12 778,000, April 13 684,039, Oct 13 660,700

Planned Work

replace the relief valve at the booster station, install relief valve at Well 15, SS cleaning in Glenbrook, Sewer Cleanout repairs in Foxfield, repair grit separator reducer

PROJECTS

Old Business

W WWTP: UV system repairs continuing, Connectors and main wiring to be repaired replaced next. Control panel partially rebuilt. No action.

Walnut Street Bridge: No action.

Develop Grease Trap Ordinance and Education Program: Have a DRAFT of the Ordinance completed. Develop details to match ordinance but now on hold due to other priorities. Size the interceptor for the FD banquet hall and have determined that the Ordinance is workable.

West Green Street: Plans to be reviewed. No action.

Water System: Hydraulic Model: No action, **System:** The January records indicate the reservoir is not leaking and we have maintained zero loss for the month.

Brookridge PS: Will need to upgrade panel with VFD's for 3 phase and purchase in next budget year. Cost is \$13,000.00. No action

Sidewalk Inspections: no completed this month, remaining areas to be completed is Brookridge.

Main St. Waterline Replacement: No action.

Streetscape: No action.

Street CIP: Eastern Circle scheduled for mill and overlay in the Spring. No action

Well 15 Filters: Restarted project and met with vendor regarding operation scheme and piping. Will continue to work on.

HVAC and Control System: Boiler segment has been replaced, additional maintenance will be performed this spring or summer. Repair cost \$2500.00

Reservoir Repairs: Kickoff meeting held on Aug 16. I have completed the review and returned it for corrections.

Anticipated reservoir relining and covers with pipe and structure modifications are estimated at \$700,000.00.

Locust Ct waterline Extension: Contractor will mobilize started on Dec 9th and worked thru the 19th. Substantially complete on January 20th and online. Remaining work will be completed when the weather is fit.

County Waterline Interconnection: No action

W WWTP: Muffin monster cutter cartridge replacement at \$10644.00 Installed.

Linden Blvd Walk Path: Drainage issue water ponding on path. Will need to have pipe installed to resolve.

New Business

MDE: completed all twelve Year end reports and submitted. Notified MDE of Mercury rumor at the MHS. No mercury was found in the analyzed lab sample

CBPS: Muffin Monster at this location was budgeted for replacement this year. Due to the failure of the W WWTP unit the budget item was used for that location. The CBPS unit failed on Jan 31 and we have ordered a replacement at a cost \$11,889.00

Chesterbrook: Reviewed original file for history of water and sewer dedication. New Owners have requested info.

Developments

Coblentz Road Subdivision: Received revised Asbuilts.

Foxfield: Active Adult: No action.

Coblentz Property: No action.

Fire Department Activities Building: Need to send a letter to Fire Department regarding the use and maintenance of the grease interceptor. No action.

Planned Work

Water System: Manganese Removal Well 15 – Design, relief valve purchase and install

W Green St: Review plans

Booster Station: Pipe leak repair, replace relief valve, paint skid.

Regulatory: Grease Ordinance completion.

E WWTP: design spray system for clarifier,

Municipal Center: Spot light for flag pole (drew)

Remsberg Park: Fence installation, paved path project, pavilion project.

Cross Stone: No action.

FD Site Plan: No action.

Projects on Hold:

Well Field Stream Restoration, School House Dr and Green Street Intersection, Elm Street Parking Lot (permit apps expired 3/2010). S Broad St.

Directors Current Project List

PRIORITIES

Well 15 Filters design and relief valve

Budget – cost summaries for elec , lab , chem

Locust Ct waterline construction completion.

Remsberg Park Tree issue

Order surge relief for well 15, parts for booster relief, flowmeter for East WWTP, recaulk exp joints, clean and paint booster skid, multitrode probe

Spring house membrane roof

Adjust regional PRV's 45 psi at Glenbrook HP

Info and letter to Vanmetre properties for waterline

Copies of HVAC plans to venders

Uv system repairs

Letter to hollow creek for backflow

Letter to Fire Department regarding grease trap maintenance

Hydraulic Model Maps – review and revise

Trace Locate Shopping Ctr W/L – meter in vault?

Pull transducer at Well 16 and send back

Contact APSC- Ewwtp Power correction Capacitance – reduces surging, install on service if not there

Well Field Generator Connection

Maple Street Waterline Replacement

Brookridge PS Control Upgrade

Order spot light for flag

Replace transducer at Golf Course pond

PLAN REVIEW

West Green St

BOOSTER STATION

Weld pinhole in Tee Replace relief valve and spool piece

Check P4 claval pilot or main valve reduced pumping

Repaint skid

Budget for pipe replacement

Inspect impellers and adjust PRV

RESERVOIR

Waterline to chem plant

Replacement Study

PARKS

Memorial Park Fountain NEW - Paul

Wiles Branch Park B Ball seal and stripe - Paul

Remsberg Park Fencing – TBD filed restoration 2 fields mid September

Memorial Park Partition Replacement Design

ROADS

Patching Contract

Mill and Overlay Eastern Circle



TO: The Burgess and Commissioners
FROM: Becky Reich, Main Street Manager
RE: Workshop Report
DATE: February 6, 2014

ECONOMIC DEVELOPMENT:

- Main Street is hosting a Ribbon Cutting on Saturday, February 22, 2014 at 10:00am for the Valley School on Green Street. We hope to see you there!

ORGANIZATION:

- Main Street Middletown is in the planning process for our budget for FY 2015 and we are excited about our expanding programs.
- Tim Coakley, Janice Rockwell, and Becky Reich met on January 16 to begin work on a Policy and Procedures Manual for cash handling, accounting, and grant administration.
- Tim Coakley, Greg Beal, and Michelle Beadle met on January 27 to begin work on our Strategic Plan as well as the Main Street Annual Work Plans (Having a written Strategic Plan and Annual Work Plans are requirements of the Maryland Main Street annual certification procedures).
- Our Board held our regular meeting on January 23, 2014.
- I will attend the required Maryland Main Street quarterly meeting on February 12, 2014 that will be held in Elkton, Maryland.

DESIGN:

- The Design Committee will meet earlier than scheduled to provide advisory review comments on the proposed design for Cross Stone Commons.
- The Design Committee is revising its design for the Civil War banners based on some of the research results of the Sesquicentennial Committee. We will present the designs for the banners soon!

PROMOTIONS:

- We have the 2014 Middletown Community Events calendar that is being printed. We will send this out to the entire Middletown zip codes as well as surrounding zip codes that feed into the Middletown schools.
- Sesquicentennial Update – we have received our first corporate sponsor outside of the Middletown Valley Bank, so a big thank you to Brad Meyers of Edward Jones! We are continuing to search out craft vendors.

GRANTS:

- Main Street Middletown was awarded a Heart of the Civil War Mini Grant for \$800 to produce a website specific for the advertisement of the Sesquicentennial. Once the Sesquicentennial is over, the website will still have a shelf life with its e-commerce capabilities and serve as a

companion piece to the brochure and outdoor exhibit signs being produced for Sesquicentennial.

- Main Street Middletown would like to reiterate our support of the Memorial Hall project. The core of our organization advocates for economic development and historic preservation. Main Street believes historic preservation and economic development work in conjunction with each other. Therefore, the Memorial Hall project aligns with the Main Street Middletown mission and the nationally recognized 4-Point Approach.

Main Street Middletown Appreciates Your Continued Support!



**Burgess and Commissioners
Middletown, Maryland**

Convenience Fees

Banking Institution	Processing Company	How Fees Collected
BB&T	Systems East, Inc.	Convenience Fee Collected for Town; Town Pays Credit Card Fees
M&T Bank	Hamer Enterprises	Convenience Fee Collected by Contractor; Town Pays NO Fees
Middletown Valley Bank	First Data	Does Not Offer Convenience Fee Collection
N/A	MuniciPAY	<i>Webinare Schedule for Friday, February 7, 2014, 11:00AM</i>



**Burgess and Commissioners
Middletown, Maryland**

**Line of Credit Bids
\$2,000,000**

Company	Rate	Term	Closing Costs	Deposit Requirements
BB&T	LIBOR + 2.350%	2 Years	\$ 600.00	Maintain Primary Operating Accounts at BB&T
M&T Bank	LIBOR + 2.10%	2 Years	\$ 1,000.00	Depository Relationship
Middletown Valley Bank	LIBOR + 2.01%	3 or 5 Years	\$ 2,225.00	Minimum Deposit Balance of \$350,000

LIBOR - London Interbank Offered Rate is the average interest rate estimated by leading banks in London that they would be charging if borrowing from other banks.

LIBOR as of 1/24/14 0.16%

Additional Questions from the Town Board

*\$350,000 Deposit & Interest Rate on these Funds

Company	Rate
BB&T	0.05%
M&T Bank	0.10%
Middletown Valley Bank	0.35%

Yearly Interest Cost on Current Outstanding Balance: \$ 401,361.82

Company	Rate	Effective Rate	Yearly Interest
BB&T	LIBOR + 2.350%	2.510%	\$ 10,074.18
M&T Bank	LIBOR + 2.10%	2.260%	\$ 9,070.78

Burgess and Commissioners of Middletown, Maryland



Town Personnel Policy Employee Handbook

Approved by the Burgess and Commissioners
October 8, 2007

**Burgess and Commissioners of
Middletown, Maryland**

**Town Personnel Policy
Employee Handbook**

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- IX. Employee Appeals**

Introduction

The Town of Middletown (Town) is committed to fair, clearly stated and supportive relationships between the organization and its staff. The personnel policies of the Town have been established in order to provide a guide to the personnel practices of the Town and to ensure consistency of personnel decisions. It is the intention of the Town to administer the personnel programs in a manner which complies with the letter and spirit of all applicable federal, state and local regulations. This document is designed to provide guidance to staff at the Town. It is not a part of any contract between the Town and its employees. It is only a set of informal guidelines for personnel practices. Notwithstanding the provisions of the personnel policies, all employees are "*at will employees*" which means that they may be terminated at any time with or without cause without subjecting the Town to a claim for breach of an employment contract.

Equal Opportunity

The policy and intent of the Town is to provide equal employment opportunity for all persons regardless of race, color, religion, national origin, marital status, political affiliation, status with regard to public assistance, disability, sex, or age.

The Town intends to respond affirmatively in its employment practices. Affirmative action applies to all aspects of employment practices including, but not limited to, recruiting, hiring, placement, promotion, demotion, transfer, training, compensation, benefits, layoff, recall, and termination. The Town seeks to do business with organizations that encourage equal employment opportunity.

Work Schedule

Work Week

Administrative Staff

Full-time employees are paid based on a 40 hour work week including ½ hour for lunch per work day. Regular work hours ~~hours~~ are established as 8:00AM – 4:00PM, Monday – Friday. Employees other than receptionists may vary their work hours with approval from the Town Administrator. Certain positions are considered Fair Labor Standards Act (FLSA) exempt. Those positions are listed as: Town Administrator and Director of Public Works, Operations & Construction and Assistant Director of Public Works.

Comment [MSOffice1]: This sentence was added based on Becky's comment.

Some administrative staff is required to attend evening meetings held by the Town Board and/or Commission(s) and/or Committee(s). Compensation for these additional hours of work is covered in the Compensation Section of this policy.

Maintenance Staff

Full-time employees are paid based on a 40 hour work week including ½ hour for lunch per work day. Regular work hour tours are established as 7:00AM – 3:00PM, Monday – Friday. In the event of extreme heat during the summer, the Director of ~~Public Works~~~~Operation and Construction~~ and/or the Town ~~Administrator~~~~Administrator~~ may authorize a change in starting time to avoid heat related health issues. Maintenance staff, in the Water & Sewer Department, is required to work weekends and holidays in order to maintain the treatment facilities of the Town. Compensation for these additional hours of work is covered in the Compensation Section of this policy.

Holiday Schedule

The TOWN observes the following holiday(s):

1. New Year's Day
2. Good Friday
3. Memorial Day
4. Independence Day
5. Labor Day
6. Thanksgiving Day
7. Day After Thanksgiving
8. Half Day on Christmas Eve
9. Christmas Day
10. Employee's Birthday

If the holiday falls on a Saturday, the preceding Friday is the observed holiday; if it falls on a Sunday, the following Monday is the observed holiday. Holiday time is classified as administrative leave. Administrative leave is defined as hours paid by employer for leave that is not deducted from an employee's vacation or sick time.

With regard to the Water & Sewer Department, the next succeeding weekday following the observed holiday is designated as the holiday time off.

Emergency Closings

In cases of severe weather or other unusual work conditions, i.e. no heat or air conditioning or no running water, the Burgess may grant administrative leave and/or issue an early dismissal to employees at the workplace. This includes both full-time and part-time employees.

Emergency Work

In response to emergency situations such as ~~as~~ waterline breaks, sewer clogs, snow storm events, etc., some employees, as identified by the Town Administrator, ~~and/or~~ Director of ~~Public Works Operations & Construction~~ and/or the ~~Assistant Director of Public Works~~, will be required to work to resolve the emergency. Compensation for these additional hours of work is covered in the Compensation Section of this policy.

Comment [MSOffice2]: Added per comment by Paul.

Compensation

~~Employees will be compensated based on the hourly rate and/or salary that they are offered at the time of hiring.~~ There are ~~two (2)~~ three (3) FLSA exempt staff positions in the Town. They are the Town Administrator, ~~and the Director of Public Works, and the Assistant Director of Public Works, Operations & Construction.~~ All other ~~non-exempt~~ positions in the Town are hourly.

Comment [MSOffice3]: Added per Annette's comment.

Overtime will be paid at a rate of 1.5 times the employee's normal hourly rate. Overtime will be paid for all hours worked in excess of 40 hours worked per week. Vacation, sick, holiday, jury duty, voting, administrative leave or bereavement leave are not hours physically worked and cannot be used to determine hours worked in excess of 40 hours per week. In addition, any hours worked outside the normal work week will be paid at an overtime rate. Weekend work will be paid at overtime rates ~~if~~ in excess of the 40 hours.

Comment [MSOffice4]: Added due to Becky's comment.

Telecommuting

Comment [MSOffice5]: Changes to the language were made based on Becky's comments.

Employees may be able to telecommute if it would benefit both the employee and the employer. Telecommuting is the practice of working at home or at a place closer to home instead of physically traveling to a central workplace. If an employee thinks that telecommuting would improve their ability to get their job done, an initial written request should be submitted to the Town Administrator. Once it has been determined by the Town Administrator that an employee is able to telecommute when necessary or as needed, that employee can send an e-mail request or request by phone instead of needing a written request.

The initial request should explain how telecommuting would be beneficial for the employee and the Town. The request should explain how the employee would be accountable and responsible, what equipment is necessary, and how communication barriers would be overcome.

In deciding if telecommuting will be permitted, the Town Administrator will look at factors such as position and job duties, performance history, related work skills, and the impact on the organization. In addition, compensation, benefits, work status, work responsibilities, and the amount of time expected to work each day or each pay period will stay the same as before starting telecommuting (unless changes are agreed upon in writing).

If telecommuting is to done on a regular basis as opposed to an as needed basis, the employee and the Town Administrator must agree upon the schedule and document it in writing. An employee cannot change his/her schedule until the Town Administrator approves the change.

Telecommuting is an alternative method for meeting the business needs of the Town of Middletown. It is not a universal employee benefit. The Town has the right to refuse to make telecommuting available to an employee. The Town also may terminate an existing telecommuting arrangement at any time.

Pay Period

Wages are disbursed bi-weekly on Friday's. The pay period is from Thursday – Wednesday. Employees are only offered the option of direct deposit ~~or paycheek~~. ~~There are 52 pays per year.~~ If a pay day falls on a holiday, ~~paycheeks~~ will be made available the day before. ~~If there are extenuating circumstances, pay might be made available early with the approval of the Town Administrator and the Burgess & Commissioners.~~

Comment [MSOffice6]: Changed to bi-weekly. Doug Whitley is opposed to the change to bi-weekly.

Comment [MSOffice7]: Sentence added per Annette's comment.

Time Sheets

Employees are responsible for computing and maintaining a weekly time sheet. Time sheets are to be submitted to the office no later than Thursday morning by 9:00am. Time sheets must be signed by the employee. Any reimbursement, such as mileage, safety clothing, or other Town related expenses must be included with the time sheet and include a copy of an invoice.

Compensatory Time

Compensatory time off is time off with pay in lieu of overtime pay for irregular or occasional overtime work. Non-Exempt employees must be compensated for every hour worked. Every hour physically worked over 40 hours, in a work week, must be compensated at one and one half times their normal rate of pay.

Performance Evaluations

Every employee will receive a performance evaluation yearly. Performance evaluations will be conducted during May and June of each year. Maintenance staff will have their performance evaluations conducted by the Superintendents of Water/Wastewater and Streets/Utilities. The Superintendents will have their performance evaluations conducted by the Director of Public Works and the Assistant Director of Public Works, Operations & Construction. Administrative staff will have their performance evaluations conducted by the Town Administrator. The Town Administrator will have a performance evaluation conducted by the Burgess.

Standards of Conduct

Dress Code

All Maintenance Staff are required to wear Town uniforms. The uniforms will be supplied by the Town and include laundry services. Included will be summer and winter uniforms. T-shirts will be offered to employees, but laundry service for t-shirts will be the responsibility of the employee. The Town will pay \$120.00 toward the purchase of one (1) new pair of boots and \$50.00 toward the purchase of one (1) set of coveralls each year.

All Administrative Staff are expected to wear appropriate business attire, unless specific duties for that day require other clothing.

Probationary Period

A new employee serves a probationary period of 180 days during which performance, progress, and attitude are closely observed. An employee may be terminated at any time during the probationary period. At the end of this probationary period, a formal appraisal is completed and the employee is removed from probationary status.

Resignation

An employee choosing to resign employment with the Town is asked to give at least two (2) weeks notice prior to the intended date of departure. All Town property, such as keys, uniforms, cellular phones, etc. must be turned into the Town prior to receiving the last pay. Any items that are not turned in will have the cost of the replacement deducted from the last pay. At the time of the effective date of the resignation, the employee shall be able to use any accrued annual leave or the employee shall be paid for all unused accrued annual leave. If the employee has used all annual leave due prior to resignation, all hours used in excess of those earned shall be deducted from the employee's final paycheck at the rate of salary paid at the time of resignation. No employee shall be compensated for any unused sick leave at the time of resignation.

Leave

Annual

Annual leave is accrued in accordance with the following time in service and based on 40 hours of straight-time pay and is accounted for on a calendar year:

<u>Years of Service</u>	<u>Hours Accrued per Week</u>
1 through completion of Year 3	1.54
4 through completion of Year 14	2.31
15 and Up	3.08

For full-time employees, hours accrued per calendar year translate to 2 weeks for ~~less than~~ 3 years of service ~~or less~~; 3 weeks for more than ~~4~~ 3 years but less than 15 years of service; 4 weeks for ~~more than~~ 15 years of service ~~or more~~. Although accrual of annual leave begins when an employee enters on duty, annual leave may be used only after the employee is no longer on probationary status.

Part-time employees and intermittent and/or temporary employees do not earn annual leave.

Employees may carry over 80 hours of annual leave at the end of each year, i.e. December 31st. Employees are allowed to cash out an additional 40 hours beyond the 80 hours that is allowed for carry over each year. Example: If on December 31st the employee has 130 hours of annual leave accumulated, 80 hours would carry over to the next year, 40 hours would be paid out to the employee, and 10 hours would be lost.

Employees are required to notify their direct supervisor of request for use of annual leave.

Family and Medical Leave Act (FMLA)

A. In addition to other types of leave mentioned in this chapter, eligible regular employees may

Comment [MSOffice8]: Language taken from LGIT's website.

qualify for FMLA leave.

Basic Leave Entitlement

Upon proper request to the Town Administrator, eligible regular employees may qualify for a total of twelve (12) work weeks of leave (paid or unpaid) during any 12 month period (measured backward from the first date the leave begins) for one or more of the following conditions:

- Birth of a child;
- Placement of a child with the employee for adoption or foster care;
- Care for spouse, child, parent or parent-in-law who has a serious health condition; or
- A serious health condition of the employee whether work-related or not.

Comment [MSOffice9]: Changes made based on Annette's comments. Changed son/daughter to child.

Military Leave Entitlement

Upon proper request to the Town Administrator, eligible employees with a spouse, child(ren), or parent on active military duty, or called to active duty status in the National Guard or Reserves in support of a contingency operation may qualify for up to twelve weeks during any 12 month period (measured backward from the first date the leave begins) to address certain qualifying exigencies which may include:

- Attending certain military events
- Arranging for alternative childcare;
- Addressing certain financial and legal arrangements;
- Attending certain counseling sessions;
- Attending post-deployment reintegration briefings

There is also a military caregiver leave that permits eligible employees to take up to 26 weeks of leave in a 12-month period (measured forward only) to care for a covered service member who has a serious disabling injury or illness incurred in the line of duty during active duty status.

1. All eligible accrued leave (e.g. annual, sick, holiday and/or compensatory) must be used before unpaid leave can be used. Both paid and unpaid leave will count toward the maximum total of 12 work weeks of FMLA leave within a 12 month period.

2. The Town will continue the employee's health care coverage at the regular employee's rate as long as all employee contributions are paid during the unpaid leave periods. However, if the employee does not return to work, the employee will be responsible for the Town's portion of the premiums for the unpaid leave period. Arrangements must be made with the Town Administrator.

3. During the unpaid FMLA leave periods, sick leave and annual leave will not be accrued.

4. While the employee is using FMLA leave, the employee's position will be protected, and the employee will return to the position at the same grade and rate of pay at which he/she left.

5. Whenever the need for FMLA leave is foreseeable, the employee is asked to provide 30 days advance written notice before the leave is to begin.

B. Whenever the leave request is for a serious health condition, the Town will require that a request for leave be supported with certification from the health care provider of the employee, spouse, child, parent or parent-in-law. The Certification of Physician or Practitioner form must be used.

1. If the validity of the certification is in doubt, the Town may request that the employee obtain a second opinion, at the Town's expense, from a health care provider designated by the Town.

2. If there is a conflict of opinion between the two health care providers, the Town may request the employee to obtain, at the Town's expense, an opinion from a third provider jointly approved by the Town and the employee.

C. Whenever the leave request is for military family leave, the Town will require that the request be supported by an appropriate certification, as outlined below:

1. Leave for a qualifying exigency will require a copy of the covered military member's active duty orders and certification providing the appropriate facts related to the particular qualifying exigency including contact information if the leave involves meeting with a third party;

2. Leave to care for a covered service member with a serious injury or illness will require certification completed by an authorized health care provider or by a copy of an Invitational Travel Order (ITO) or Invitational Travel Authorization (ITA) issued to any member of the covered service member's family.

D. FMLA leave shall end:

• When the employee, spouse, son, daughter, parent or parent-in-law is no longer affected by the serious health condition;

• If the employee fails to provide documentation to continue the leave when requested;

• When the employee has exhausted the maximum period of time eligible for FMLA leave. If additional time needed, the employee may request leave of absence in accordance with the Leave Without Pay section of the Employee Handbook. An absence

beyond the maximum time under FMLA leave is not protected by that law.

• If the employee accepts other employment.

Sick

Sick leave is accrued at the rate of two (2) hours for every 40 hours worked in straight-time pay status. Sick leave accrual is unlimited and accumulates throughout total employment with the Town. Sick leave in excess of three (3) consecutive workdays must be attested to by ~~of~~ a medical certificate from a physician.

Funeral Bereavement

Funeral leave, not to exceed three (3) paid days, may be granted in the event of a death of an immediate family member: - parent, spouse, child, brother, sister, grandparent, ~~grandchild and grandchild~~. If additional time is needed, an employee may request annual leave. With respect to other relatives - uncle, aunt, nephew, niece, ~~son and cousin~~ - an excused absence with pay is granted not to exceed one (1) day. In other cases, an employee may request annual leave.

Military

Employees absent on their annual two-week reserve or National Guard duty shall be considered on an excused leave of absence and may elect one of the following options related to their pay:

- The employee may take their vacation and retain their military pay.
- The employee may surrender their military pay to the ORGANIZATION, receive their regular salary and take their vacation at a later date.

- The employee may take unpaid leave and retain their military pay.

An employee called up to active duty is allowed an unpaid leave of absence to meet her/his military responsibilities.

Upon honorable discharge from active duty, the employee will be allowed ninety days to apply for reinstatement to her/his former job. The employee will be reinstated to the same job formerly held, with the same duties, same level of pay, benefits and seniority had s/he not been on active military duty. Employee benefits will not accumulate during the leave. The employee will be given a Consolidated Omnibus Budget Reconciliation Act notice for election to continue insurances during the leave.

Jury Duty

Court leave is granted with pay when an employee has been summonsed for jury duty or as a witness on behalf of the Town.

Leave without Pay

Leave without pay must be approved by the employee's direct supervisor. The request should include starting date, estimated duration, and purpose.

Benefits

The Town is committed to providing a flexible and cost-effective medical care, disability income, life insurance and retirement program for all its full-time employees. The Town reserves the right, in its discretion, however, to change the nature of the benefits offered to employees, or to change insurance carriers, deductibles, premiums, or other features of any benefit. In addition, the Town may decide to discontinue one or more benefits. Covered employees will be notified of such changes or discontinuations as soon as practicable. ~~The Town will provide insurance to part time employees based on a pro-rated amount based on the percentage of time worked. Example: An employee that works 20 hour/week would be eligible for 50% of the benefits offered to full time employees.~~

Health ~~Insurance~~ & Life Insurance

The Town provides all full-time employees with major medical, disability, and partial dental and vision coverage. ~~In addition, the Town provides full time employees with a life insurance policy with a face value of one times your yearly salary.~~ The Town pays the entire insurance premium for the full-time employee and 50% of the premium of any dependents.

Life Insurance

~~The Town provides full-time employees with a \$50,000 life insurance policy.~~

Workers Compensation

The Town provides Workers Compensation through the State of Maryland, Injured Workers Fund. Coverage limits are \$100,000 for bodily injury by accident; \$100,000 bodily injury by disease.

Retirement

~~Full-time Any employees who works more than 500 regular hours during a fiscal year is are~~ enrolled in the Maryland State Retirement and Pension System. ~~All~~ premiums are paid by the Town. An employee is eligible for full retirement benefits according to the following table, from the Maryland State Retirement and Pension System:

Comment [MSOffice10]: Drew to provide budget information .

<u>Age</u>	<u>Years of Service</u>
62	5
63	4
64	3
65 or Older	2
Any Age	30

No benefits are payable with less than two years of service. Employees become vested with the system after five (5) years of service. Benefits in the event of death are also payable under the Maryland State Retirement and Pension System to the employee's designated beneficiary. The employee's designated beneficiary may receive a lump-sum payment equal to the employee's annual salary if death occurs before retirement OR opt for monthly payments of benefits provided the employee was age 55 or older and had 15 years service or employee was age 62 or older.

~~The Town will provide retirement to part-time employees based on a pro-rated amount based on the percentage of time worked. Example: An employee that works 20 hour/week would be eligible for 50% of the benefits offered to full-time employees.~~

Termination Disciplinary Action

~~--Terminations--~~

Comment [MSOffice11]: Language taken from LGIT's website.

~~Discharge may become necessary due to the employee's lack of ability or failure to fulfill the requirements of the job. Discharges are always unpleasant and costly, and the decision to discharge is not made lightly. Advance notice may or may not be given depending on the circumstances surrounding the termination.~~

~~All terminating employees will have an exit interview. The purpose of the interview is to be certain the reasons for the employee's termination are not founded on a misunderstanding or erroneous situation and to solicit information on what the employee understands of the company and the company benefits. The interview will also cover what compensation the employee has~~

coming and when termination of benefits will occur. Employees are expected to turn in all property assigned to them at the time of termination.

--Progressive Discipline--

We believe it is important that all employees are treated fairly and that disciplinary actions are prompt, consistent, and impartial. The purpose of a disciplinary action is to correct the problem, prevent it from happening again, and prepare the employee for satisfactory performance in the future.

Progressive discipline means that we will normally take these steps in the following order:

1. The first offense may call for a verbal warning;
2. The next offense may be followed by a written warning;
3. Another offense may lead to a suspension; and,
4. Repeated offenses will lead to termination of employment.

Comment [MSOffice12]: Changed from 'may' to 'will' per comment by Paul.

If more than 12 months have passed since the last disciplinary action, the process will normally start over. Listed below are some of the reasons which may be causes for disciplinary action, but disciplinary action is not limited to the offenses listed below.

- A. Failure to perform assigned duties properly
- B. Insubordination (disobedience or refusal to perform assignments/duties)
- C. Chronic or habitual absenteeism or lateness
- D. Being absent without leave
- E. Inefficiency
- F. Violation of Town Ordinances, administrative regulations or department rules, policies, or procedures
- G. Conviction of violation of law bearing on job performance
- H. Inability to perform assigned duties properly
- I. Refusal to be examined by a Town appointed medical professional when so directed
- J. Conduct which is unbecoming of a Town employee
- K. Violation of a posted safety, fire prevention, health, or security rule
- L. Abuse of sick leave
- M. Unsatisfactory performance evaluation

In very serious situations, certain offenses may justify in termination of employment, without going through the usual progressive discipline steps. Those offenses are the following:

- A. Unauthorized use of, removal of, theft, or intentional damage to the property of the Town or another employee, independent contractor, or customer
- B. Giving false statements to any Town official or employee, or the public
- C. Use, sale, or possession of illegal drugs and/or alcohol on the job, on Town property, or in Town vehicles
- D. Accepting an inducement to perform or fail to perform

- E. Falsification of Town records (e.g. hours worked)
- F. A false statement in an employee's application for employment
- G. Under the influence of an illegal drug, a controlled dangerous substance, or alcohol while on the job
- H. Dishonesty or theft
- I. Endangering the safety of or causing injury to other personnel or the public

~~You should also look at the Standard of Conduct and Work Rules policy in this handbook. That policy lists examples of unacceptable conduct that might result in immediate suspension or termination of employment. However, some of the examples of unsatisfactory conduct listed may result in the progressive discipline process described above instead of immediate suspension or termination.~~

~~By using progressive discipline, we hope that most employee problems can be corrected at an early stage, benefiting both the employee and Town of Middletown.~~

Comment [MSOffice13]: No need for this paragraph. Examples are listed above.

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Discipline and/or discharge may result for many reasons including, but not limited to, inappropriate behavior and/or unsatisfactory performance. Inappropriate behavior is defined as including, but not limited to, misbehavior on the job, refusal to do work reasonably expected, wrongful use of or taking of agency property, conviction of a felony, ~~violation and violation~~ of any policies or practices of the Town.

Unsatisfactory performance means failure of an employee to meet performance standards, to complete tasks in a timely, competent way, or to maintain an adequate attendance record. Uncooperative behavior or negative attitudes that affect the work or morale of others may result in termination. At the discretion of the Burgess, any staff member facing termination for unsatisfactory performance may be given the option to resign as described in the above section under "Resignation."

Employee Appeals

Town employees have the ability to appeal the following items to the Burgess and Commissioners for their consideration:

- Termination

The decision of the Burgess and Commissioners shall be final.

Ethics

~~--Code of Ethics for Public Officers and Employees --~~

Comment [MSOffice14]: Language taken from LGIT's website.

It is the policy of the State that no officer or employee of a state agency or of a county, city, or other political subdivision of the State, and no member of the Legislature or legislative employee, shall have any interest, financial or otherwise, direct or indirect; engage in any business transaction or professional activity; or incur any obligation of any nature which is in substantial conflict with the proper discharge of his or her duties in the public interest.

To implement this policy and strengthen the faith and confidence of the people of the State in their government, there is enacted a code of ethics setting forth standards of conduct required of state, county, and city officers and employees, and of officers and employees of other political subdivisions of the State, in the performance of their official duties. It is the intent of the Legislature that this code shall serve not only as a guide for the official conduct of public servants in this State, but also as a basis for discipline of those who violate its provisions.

It is the policy of the State that public officers and employees, state and local, are agents of the people and hold their positions for the benefit of the public. They are bound to uphold the Constitution of the United States and the State Constitution and to perform efficiently and faithfully their duties under the laws of the federal, state, and local governments. Such officers and employees are bound to observe, in their official acts, the highest standards of ethics consistent with this code and the advisory opinions rendered by the State Commission on Ethics with respect hereto regardless of personal considerations, recognizing that promoting the public interest and maintaining the respect of the people in their government must be of foremost concern.

--Anti-Harassment Policy

We expect all employees to be treated with fairness, respect, and dignity. This includes customers and vendors as well as employees. Accordingly, any form of harassment based on an individual's race, color, sex, religion, national origin, age or disability is a violation of this policy and will be treated as a disciplinary matter.

The term harassment includes slurs and any other offensive remarks, jokes, graphic material, or other offensive verbal, written, or physical conduct. Unwelcome sexual advances, requests for sexual favors, and any other unwelcome, unbecoming verbal or physical conduct will not be tolerated and is not a condition of employment.

Neither submission to nor rejection of such conduct will be used as a basis for employment decisions. We are committed to maintaining a safe and healthy work environment and take all appropriate health and safety precautions consistent with current medical knowledge. Employees may not refuse to work with or cooperate with, withhold services from or otherwise harass, intimidate, degrade or isolate a co-worker because of a known or suspected disability or disease, or because of a co-worker's association with a person with a disability or disease. Any employee who believes that he or she has been subject of harassment shall immediately report the conduct to Town Administrator. If the employee believes that he or she has been the subject of harassment by the Town Administrator, then it shall be reported to the Burgess.

All complaints will be promptly investigated and all matters will be handled expeditiously.

Comment [MSOffice15]: Sentence added per comment by Annette.

confidentially, and in a professional manner so as to protect the offended individual and other individuals providing relevant information. Upon completion of a thorough investigation by the Town Administrator (or Burgess if need be), prompt and appropriate action will be taken. There will be no retaliation against anyone for stepping forward with a concern regarding any type of harassment. All employees are to cooperate with any investigation into a harassment complaint. False accusations of harassment cause harm to innocent people and such conduct will not be tolerated.

All steps necessary to prevent any form of harassment from occurring will be taken. All supervisors and managers are informed of this policy and have been instructed as to what constitutes proper and improper behavior. The Town is prepared to promptly take steps necessary to enforce this policy. Violations of this harassment policy will result in disciplinary action, up to and including discharge.

Employee Acknowledgement

I acknowledge that I have read and understood and received a copy of the policies outlined in this copy of the Town of Middletown Personnel Policy. I understand that these policies provide only a general reference and are not a full statement of Town's procedure nor are they a contract.

Employee signature _____ Date _____

ORDINANCE NO. _____

AN ORDINANCE TO AMEND TITLE 17, CHAPTER 17.52, SECTIONS, 17.52.050 AND 17.52.060 PERTAINING TO THE TIMING FOR THE SUBMISSION OF PLANS AND FEES FOR REVIEW AND APPROVAL BY THE MIDDLETOWN PLANNING COMMISSION; TO AMEND THE DOCUMENT REVIEW FEE SCHEDULE TO PROVIDE FOR INCREASES IN SOME FEES AND TO PROVIDE FOR THE ASSESSMENT OF AN ELECTRONIC FILING FEE FOR CERTAIN SUBMISSIONS.

SECTION I. BE IT ORDAINED AND ENACTED by the Burgess and Commissioners of the Town of Middletown, Maryland that Title 17, Chapter 17.52, Sections 17.52.050 and 17.52.060 of the Middletown Municipal Code be, and hereby is, amended as follows. Language being deleted is designated by being ~~[in brackets and stricken through.]~~ New language is designated by being in **BOLD CAPITAL LETTERS OR NUMBERS:**

TITLE 17 ZONING

Chapter 17.52 - Fees

17.52.050 Submission of plans and fees.

All plans and fees submitted for review and approval by the Middletown planning and zoning commission must be received at the town office of Middletown no later than noon on the Monday **TWO WEEKS** before the monthly Middletown planning and zoning meeting, which is the third Monday of every month, at **7:00** ~~[7:30]~~ p.m.

To partially defray the expense of administering various planning and zoning services, these fees shall be paid to the Town of Middletown as specified in each section of this fee policy. The amount of the fees shall be as established, from time to time, by resolution of the burgess and commissioners of the Town of Middletown. Any and all action required by the town will not be considered until all applicable fees have been paid in full.

17.52.060 Fees for subdivision and zoning procedures

The fees for various subdivision and zoning procedures may be established and modified, from time to time, by resolution passed and adopted by the burgess and commissioners.

BURGESS AND COMMISSIONERS OF MIDDLETOWN, MARYLAND
FEES FOR VARIOUS SUBDIVISION & ZONING PROCEDURES

Permits	Town Fee
<u>Residential Permits</u>	
Internal Improvements	25.00 standard fee
External Improvements	25.00 standard fee
<u>New Residence</u>	
Single Unit-	200.00 standard fee
Multi Unit-	200.00 + 100/add. unit
Demolition	{25.00} \$50.00 standard fee
<u>Commercial Permits</u>	
Internal Improvements	100.00 Standard fee
External Improvements	100.00 Standard fee
Structure Conversion	100.00 Standard fee
New Commercial	500.00 Standard fee
Demolition	{50.00} \$100.00 Standard fee
Change of Use	50.00 Standard fee other applicable fees
<u>Miscellaneous</u>	25.00 Minimum + all other applicable fees
<u>Construction</u>	<u>Town Fee</u>
<u>New Subdivision</u>	
Construction Inspection	1% of Total Cost Estimates; SWM, Sediment & Erosion, Public Improvements
<u>Development</u>	<u>Town Fee</u>
Concept Plan	{200.00} \$250.00 standard + 200.00 ENGINEERING FEE + 15.00/SHEET ELECTRONIC FILING FEE
<u>Site Plan</u>	
Residential	250.00 standard + 10/unit + 15.00/SHEET ELECTRONIC FILING FEE
All Other	{250.00} \$350.00 standard + 50/acre + 200.00 ENGINEERING FEE +

	15.00/SHEET ELECTRONIC FILING FEE
<u>Preliminary Plan Review</u>	
All Subdivisions	{250.00} \$350.00 + [40] 50/lot + 200.00 ENGINEERING FEE +15.00/SHEET ELECTRONIC FILING FEE
<u>Mass Grade Plan Review</u>	
All Subdivisions	250.00 standard + DPW fees + 15.00/SHEET ELECTRONIC FILING FEE
Improvement Plan Review	300.00/page + DPW fees
<u>Forestry Plan Review</u>	
Simplified Forest Plan	200.00 standard + 15.00/SHEET ELECTRONIC FILING FEE
Preliminary Forest Plan	200.00 standard + 4.00/acre + 15.00/SHEET ELECTRONIC FILING FEE
Final Forest Plan	200.00 standard + 4.00/acre + 15.00/SHEET ELECTRONIC FILING FEE
Inspection Fee	50.00 per inspection +1% of Total Cost Estimates
<u>Final Plat Review</u>	
Combined Prelim/Final	{150.00} 250.00 Standard + {25} 50/lot + ---- ENGINEERING FEE + 15.00/SHEET ELECTRONIC FILING FEE
Correction Plat	100.00 standard + 10/lot + 15.00/SHEET ELECTRONIC FILING FEE
Addition Plat	100.00 standard + 10/lot + 15.00/SHEET ELECTRONIC FILING FEE
Final Plat	{200.00} 300.00 standard + {15} 25/lot + 100.00 ENGINEERING FEE + 15.00/SHEET ELECTRONIC FILING FEE
<u>Resubmission</u>	50% of original standard fee + 25% ORIGINAL LEGAL FEE AND/OR ENGINEERING FEE + 15.00/SHEET ELECTRONIC FILING FEE
<u>Administrative</u>	<u>Town Fee</u>

<u>Board of Appeals</u>	
Variance	100.00 + advertising for non principal 200.00 + advertising for principal
Special Exception	300.00 + advertising
Administrative Error	200.00 + advertising
<u>Text Amendment</u>	300.00 + 200.00 advertising + ADVERTISING ABOVE 200.00 PAID BY APPLICANT
<u>Rezoning Fee</u>	{300.00} 400.00 + 20/acre + \$200.00 advertising
<u>Annexation Review</u>	1,000.00 + 50/acre + 150.00 LEGAL FEE + 200.00 advertising {All Town accrued legal fees will be paid by applicant prior to final approval}
<u>Recording Fee</u>	
Plats	75 standard fee + 5/plat to Court
All other Documents	50.00/document
<u>PW Agreement Review</u>	{150.00} 225.00 Standard + 150.00 LEGAL FEE
<u>HOA Doc. Review</u>	{200.00} 225.00 Standard + 150.00 LEGAL FEE
<u>Water & Sewer Master Plan Change</u>	500.00 Standard + 100.00 ENGINEERING FEE

SECTION II. BE IT FURTHER ENACTED AND ORDAINED that this Ordinance shall take effect twenty (20) calendar days following its approval by the Burgess and Commissioners.

INTRODUCED ON THE _____ DAY OF _____, 2014

PASSED ON THE _____ DAY OF _____, 2014

EFFECTIVE DATE: _____, 2014

ATTEST:

**BURGESS AND COMMISSIONERS
OF MIDDLETOWN**

Andrew J. Bowen, Town Administrator

By: _____
John D. Miller, Burgess

MEMORANDUM

Date: 1/23/2014

To: Burgess and Commissioners, Middletown
From: Cynthia K. Unangst, Middletown Staff Planner
RE: Sandwich board text amendment

The Middletown Planning Commission on January 20, 2014 reviewed the Sign regulations in relation to temporary sandwich board signs and recommends the following changes to the Town Board for their review, approval, and inclusion in the Town Code. The Planning Commission would like the Town Board to move ahead with the proposed changes at this time, instead of waiting until the time that the Town Board moves thru the Zoning Update process. For the most part, the revisions are based on the new sign regulations approved for the Town of Myersville.

17.36.020 - Definitions.

"**A-frame/sandwich board/T-frame (upside-down T)** sign." A sign that is constructed in the shape of an "A" also referred to as a "sandwich board" sign, composed of two back to back sign faces oriented in opposing directions aligned in the shape of the letter "A" or "T". This sign is used to identify goods and services available on the property on which the sign is located.

17.36.140 - Exempt signs.

A sign permit shall not be required for the following signs; provided, however, that all such signs shall comply with the other applicable requirements of this chapter:

1. Any public notice or warning required by a valid and applicable federal, state, or local law, regulation or ordinance;
2. Signs erected by the town, county, state, or federal government in furtherance of their governmental responsibility;
3. Signs prepared by or for the local, state or federal government marking sites or buildings of historical significance;
4. Political signs that do not exceed six (6) square feet in size;
5. Garage/yard sale signs that do not exceed six (6) square feet in size. Such signs may be displayed only one-day prior to the sale and must be removed within one day after the sale;
6. Incidental signs as defined herein;
7. Ballfield/sports complex signs and scoreboards that face the inside of a playing field;
8. ~~A-frame, sandwich board, or T-frame signs as defined herein;~~

17.36.150 - Temporary signs.

- A. Temporary commercial advertising signs of any size are not permitted in any district unless they comply with the requirements of this chapter, and such signs are deemed to be and shall constitute a public nuisance. The town may immediately remove any such sign(s), without prior notice to the owner or other

responsible person(s). The erection or installation of such signs shall be deemed a violation of this chapter and the owner or other person responsible for the sign shall be subject to a fine and enforcement measures as provided for in this chapter.

B. A permit is not required for the following types of temporary signs:

1. A temporary real estate sign advertising the sale or lease of the property on which the sign is displayed. For residential property, the sign shall not exceed six (6) square feet in size. For commercial and industrial property, the sign shall not exceed thirty-two (32) square feet in size.
2. Signs advertising subdivision openings, open houses or other real estate events being held within the town limits. Such signs may not exceed four (4) square feet in size per sign, and such sign(s) may only be displayed between the Friday before the event after 12:00 noon and 8:00 a.m. on the following Monday morning after the event. In the event that the Monday is a legal holiday, the sign must be removed by 8:00 a.m. on the following Tuesday morning. In the event that Friday is a legal holiday, the sign may be placed on the Thursday before the event after 12:00 noon.
3. Temporary and seasonal produce stand signs. Such signs shall not exceed twenty-four (24) square feet in size and no such sign shall exceed six (6) feet in height.
4. Construction signs. Such signs may only be installed after the issuance of a zoning permit, may not exceed one sign per street frontage, may not exceed six (6) feet in height and may not exceed twenty-four (24) square feet in size. A construction sign shall be removed prior to the issuance of a certificate of occupancy.
5. Contractor/artisan job site sign. Such signs shall not exceed six (6) square feet in size, shall be installed only on the property at which the work is being performed and shall be removed upon completion of the job or construction.
6. Temporary non-profit signs advertising events, activities, recruiting or fundraising efforts by community service groups, religious groups, children's or youth organizations, or student organizations. Such signs shall not exceed twenty-four (24) square feet in size and six (6) feet in height, and shall be removed upon completion of the effort being advertised.
7. A-Frame/sandwich board/T-frame signs which are placed in front of a business for the announcement of daily specials or featured promotions shall be allowed to be placed without a sign permit, so long as the board adheres to the following conditions:
 - a) Is only situated on the same property as the business which it is advertising,
 - b) That the board only be placed during business hours and removed and stored within the principal or covered accessory building not later than the close of business hours,
 - c) That the sign placement does not impede vehicular or pedestrian traffic, access to parking or obstruct the sightlines of either,
 - d) That the board is not fastened or erected on a sign pole,
 - e) That the board is only placed at grade and not elevated, suspended, protruding, or projecting,
 - f) That the board complies with the setback requirements in its respective zoning district,
 - a)g) That the sandwich board be a maximum size of 30 inches wide and 48 inches high.

C. A permit is required for the following types of temporary signs:

1. Temporary Residential Subdivision Signs. A temporary real estate sign advertising a subdivision within which the sign is located not exceeding seventy (70) square feet in size and located no closer than twenty-five (25) feet to the property line. Temporary shall be until construction is complete.
2. Special Event Sign. A temporary sign noting an event of general interest, such as a locally sponsored carnival or grand openings. Such signs shall be removed within five (5) days after the conclusion of the event. A permit shall be valid for a period of no longer than ninety (90) days from the date of issuance. Such signs shall not exceed thirty-two (32) square feet in size.

3. **Temporary Business Identification.** A temporary sign which identifies the opening or existence of a new business. Such signs shall not exceed twenty-four (24) square feet in size and shall be valid for a period of no longer than two (2) months from the date of issuance.

4. A-Frame/sandwich board/T-frame signs which are placed off-site of a business for the announcement of daily specials, featured promotions, or location of businesses off the principal roadways in town shall be allowed to be placed within the TC Town Commercial and GC General Commercial districts with a sign permit, so long as the board adheres to the following conditions:

a) Is situated within ¼ mile of the business which it is advertising.

b) That there be no more than one board per street and it is located outside of the right-of-way.

c) That only two off-site boards be permitted.

d) That the applicant must have written permission of the property owner for placement on their property.

e) That the board only be placed during business hours and removed not later than the close of business hours.

f) That the sign placement does not impede vehicular or pedestrian traffic, access to parking or obstruct the sightlines of either.

g) That the board is not fastened or erected on a sign pole.

h) That the board is only placed at grade and not elevated, suspended, protruding, or projecting.

i) That the board complies with the setback requirements in its respective zoning district.

j) That the sandwich board be a maximum size of 30 inches wide and 48 inches high.

D. Signs shall not be mounted on any type of utility pole or pole used to display or support traffic control signs or devices.