



AGENDA FOR THE TOWN MEETING

June 10, 2013

7:00 p.m.

PLEDGE TO THE FLAG

CALL TO ORDER

CONSENT AGENDA

- Financial Statements
- Town Minutes
 - May 13, 2013 – Town Meeting

PERSONAL REQUESTS FOR AGENDA:

“If I Were Mayor” – Maire Brennan 4th Grader AND Ms. Mari Stalnakar 4th Grade Teacher

Mr. James Goodman, President, MVFC – Town Presentation of Donation for Activities Center

STAFF REPORTS (From Workshop):

Community Deputy Report
Staff Planner
Zoning Administrator
Engineer’s Report
Main Street Manager

UNFINISHED BUSINESS:

- Ordinance 13-06-01 – Water & Sewer Rate Increase (Action Item#1)
- Constant Yield Tax Rate
- Budget Approvals
 - General Fund Operating (Action Item#2)
 - General Fund CIP (Action Item#3)
 - Water & Sewer Fund Operating (Action Item#4)
 - Water & Sewer CIP (Action Item#5)
- Annexation Agreement for Middletown Park (Action Item#6)
- Middletown Farmers Market Sign
- Broad Street Re-Opening Discussion
- Admar Annexation – Discussion of Water Allocation for Active Adult
- Fireman’s Lane Dedication to the Town

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 for 5K & 10K Run in Middletown](#) (*Action Item #7*)

PUBLIC COMMENTS:

Please state Name and Address for the Record

ANNOUNCEMENTS:

- *Monday, July 8, 2013 at 6:00PM – Room Dedication to Louise V. Snodgrass*
- *Town Meeting for June 24, 2013 CANCELLED due to MML Convention*

ADJOURNMENT

EXECUTIVE SESSION: (If Necessary)

Meetings for the month of June 2013

- | | | |
|---------------------------------------|---------------------------------|---------------|
| • <i>Planning Commission Workshop</i> | <i>Wednesday, June 12, 2013</i> | <i>7:00PM</i> |
| • <i>Planning Commission</i> | <i>Monday, June 17, 2013</i> | <i>7:00PM</i> |
| • <i>Parks & Recreation</i> | <i>Tuesday, June 18, 2013</i> | <i>7:00PM</i> |
| • <i>Water & Sewer Committee</i> | <i>CANCELLED</i> | |
| • <i>Main Street Board</i> | <i>Thursday, June 27, 2013</i> | <i>7:00PM</i> |

**TOWN OF MIDDLETOWN
DAILY CASH BALANCE STATEMENT
As Of June 3, 2013**

	Cash Balance
GENERAL FUND	
Operating Accounts	
<i>BB & T Operating Gen Fund</i>	\$ 691,606
<i>Petty Cash</i>	200
<i>BB & T Payroll</i>	13,715
	\$ 705,521
CIP Accounts	
<i>BB & T Index</i>	\$ 985,805
<i>PNC Investment</i>	205,558
	\$ 1,191,363
TOTAL GF FUNDS AVAILABLE	\$ 1,896,884
 Reserved Accounts *	
<i>BB&T Rainy Day Fund</i>	\$ 193,366
<i>BB&T Reserve - Fire Company</i>	
TOTAL GENERAL FUND RESERVES *	\$ 193,366
 WATER & SEWER FUND	
Operating Accounts	
<i>Middletown Valley Bank</i>	\$ 37,401
<i>BB & T Operating W/S Fund</i>	(264,734)
	\$ (227,333)
CIP Accounts	
<i>BB & T Index</i>	\$ 50,408
TOTAL W & S FUNDS AVAILABLE	\$ (176,925)
 Reserved Accounts *	
<i>MVB Bonds</i>	\$ 5,120
<i>BB&T Index - Sludge Removal</i>	65,963
<i>BB & T Index - I & I</i>	218,750
TOTAL WATER & SEWER RESERVES *	\$ 289,833

* These funds have been reserved for specific purposes and are not available for use.

Town of Middletown
Statement of Revenue & Expenditures
 General Fund
 Fiscal Year 2013
 For the 11 Months Ended May 31, 2013

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>OVER (UNDER) BUDGET</u>
<u>REVENUE</u>			
<u>LOCAL TAX</u>			
Real Property	\$ 1,065,363	\$ 1,078,339	\$ 12,976
Tangible Personal Property	27,000	36,708	9,708
Public Utilities	7,850	9,426	1,576
Franchise (Cable)	36,000	31,775	(4,225)
Penalties & Interest	<u>10,000</u>	<u>8,470</u>	<u>(1,530)</u>
	\$ 1,146,213	\$ 1,164,718	\$ 18,505
<u>STATE SHARED TAX</u>			
Admission & Amusement	\$ 32,950	\$ 26,562	\$ (6,388)
Highway Gasoline & Licenses	<u>38,876</u>	<u>22,895</u>	<u>(15,981)</u>
	\$ 71,826	\$ 49,457	\$ (22,369)
<u>COUNTY SHARED TAX</u>			
Income Taxes	\$ 675,440	\$ 498,237	\$ (177,203)
Tax Equity Grant	<u>561,699</u>	<u>561,699</u>	<u></u>
	\$ 1,237,139	\$ 1,059,936	\$ (177,203)
<u>LICENSES AND PERMITS</u>			
Beer, Wine and Liquor	\$ 1,950		\$ (1,950)
Business / Traders	4,000	3,023	(977)
Planning / Zoning Fees	<u>9,500</u>	<u>21,457</u>	<u>11,957</u>
	\$ 15,450	\$ 24,480	\$ 9,030
<u>PARKS AND RECREATION</u>			
Pavillion Fees	<u>\$ 1,900</u>	<u>\$ 1,750</u>	<u>\$ (150)</u>
	\$ 1,900	\$ 1,750	\$ (150)
<u>POLICE PROTECTION</u>			
State Grant	<u>\$ 15,126</u>	<u>\$ 11,345</u>	<u>\$ (3,781)</u>
	\$ 15,126	\$ 11,345	\$ (3,781)
<u>MISCELLANEOUS</u>			
Community Events			
Parking Citations		150	150
Bank Shares Grant	1,491	1,491	
Miscellaneous & Donations	<u>1,009</u>	<u>12,162</u>	<u>11,153</u>
	\$ 2,500	\$ 13,803	\$ 11,303
OPERATING REVENUES	\$ 2,490,154	\$ 2,325,489	\$ (164,665)
State Grants & Interest	\$ 123,836	\$ 1,713	\$ (122,123)
TOTAL REVENUE	\$ 2,613,990	\$ 2,327,202	\$ (286,788)

Town of Middletown
Statement of Revenue & Expenditures
 General Fund
 Fiscal Year 2013
 For the 11 Months Ended May 31, 2013

	ANNUAL BUDGET	YTD ACTUAL	OVER (UNDER) BUDGET
<u>EXPENDITURES</u>			
<u>LEGISLATIVE</u>			
Commissioner's Salary	\$ 12,000	\$ 10,000	\$ (2,000)
Communications	1,300	2,960	1,660
Dues & Subscriptions	7,300	7,312	12
Office Supplies & Exp	3,000	7,824	4,824
Advertising	1,000	431	(569)
Meetings & Conventions	7,700	7,409	(291)
	<u>\$ 32,300</u>	<u>\$ 35,936</u>	<u>\$ 3,636</u>
<u>EXECUTIVE</u>			
Burgess Salary	\$ 6,000	\$ 5,000	\$ (1,000)
	<u>\$ 6,000</u>	<u>\$ 5,000</u>	<u>\$ (1,000)</u>
<u>ELECTION</u>			
Clerk Fees			
Other Administrative Expenses			
<u>GENERAL SERVICES</u>			
<u>ADMINISTRATION</u>			
GS - Capital Outlay	\$ 5,200		\$ (5,200)
Administrative Salary	178,997	177,004	(1,993)
Postage & Printing	2,500	128	(2,372)
Communications	7,600	7,081	(519)
Computer Expenses	16,801	16,250	(551)
Office Supplies & Exp	16,271	22,722	6,451
Office Maintenance	52,719	57,094	4,375
Dues & Subscriptions	100	25	(75)
Professional Services	3,600	6,000	2,400
Meetings & Conventions	100	20	(80)
	<u>\$ 283,888</u>	<u>\$ 286,324</u>	<u>\$ 2,436</u>
<u>OPERATIONS</u>			
Maintenance Capital Outlay		\$ 67,900	\$ 67,900
Vehicle Capital Outlay		50,058	50,058
Director Salary	81,830	76,424	(5,406)
Maintenance Salary	37,596	32,756	(4,840)
Communications	5,866	5,931	65
Supplies & Expenses	11,100	15,048	3,948
Dues & Meetings		393	393
Landscaping/Beautification		5,249	5,249
Maintenance & Repairs	24,768	13,162	(11,606)
Tools & Equipment	2,200	2,721	521
	<u>\$ 163,360</u>	<u>\$ 269,642</u>	<u>\$ 106,282</u>

Town of Middletown
Statement of Revenue & Expenditures
 General Fund
 Fiscal Year 2013
 For the 11 Months Ended May 31, 2013

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>OVER (UNDER) BUDGET</u>
<u>PROFESSIONAL SERVICES</u>			
Independent Accounting	\$ 12,250	\$ 12,250	
Legal - Development		2,953	2,953
Legal - Ordinances	7,500	4,840	(2,660)
	<u>\$ 19,750</u>	<u>\$ 20,043</u>	<u>\$ 293</u>
<u>PLANNING & ZONING</u>			
Salary & Fees	\$ 43,916	\$ 38,867	\$ (5,049)
Other Expenses	1,292	1,397	105
	<u>\$ 45,208</u>	<u>\$ 40,264</u>	<u>\$ (4,944)</u>
<u>MAIN STREET PROGRAM</u>			
Manager Salary	\$ 24,912	\$ 27,204	\$ 2,292
Town Contribution	8,500	8,978	478
	<u>\$ 33,412</u>	<u>\$ 36,182</u>	<u>\$ 2,770</u>
<u>PUBLIC SAFETY</u>			
Fire Dept. Donation	\$ 15,000	\$ 65,000	\$ 50,000
School Crossing Guards	14,461	12,892	(1,569)
Community Deputy Program	390,883	266,723	(124,160)
	<u>\$ 420,344</u>	<u>\$ 344,615</u>	<u>\$ (75,729)</u>
<u>SANITATION & WASTE REMOVAL</u>			
Resident Trash & Yard Waste	\$ 287,937	\$ 270,139	\$ (17,798)
<u>RECREATION AND CULTURE</u>			
Parks - Capital Outlay	166,472	24,563	(141,909)
Park Salary	40,182	25,852	(14,330)
Park Electric	2,200	1,393	(807)
Maintenance & Repairs	20,900	10,894	(10,006)
Mowing	38,550	18,792	(19,758)
Remsberg Park - Interest	40,124	25,402	(14,722)
Remsberg Park - Principal	92,729	98,923	6,194
	<u>\$ 401,157</u>	<u>\$ 205,819</u>	<u>\$ (195,338)</u>

Town of Middletown
Statement of Revenue & Expenditures
 General Fund
 Fiscal Year 2013
 For the 11 Months Ended May 31, 2013

	ANNUAL BUDGET	YTD ACTUAL	OVER (UNDER) BUDGET
<u>HIGHWAYS AND STREETS</u>			
Streets - Capital Outlay	\$ 618,200	\$ 118,341	\$ (499,859)
Equipment - Capital Outlay	7,400	5,578	(1,822)
Salary	88,207	73,067	(15,140)
Street Lighting	153,600	125,892	(27,708)
Storm Water Management	1,500	612	(888)
Snow Removal	51,500	35,315	(16,185)
Repairs & Resurfacing	108,125	73,691	(34,434)
Signs	3,000	3,112	112
Truck Repair & Operation	19,045	27,734	8,689
Equipment Repairs & Ops	7,190	7,142	(48)
Mowing	31,744	15,952	(15,792)
East Green St - Interest	8,310	7,146	(1,164)
East Green St - Principal	10,500	10,500	
	<u>\$ 1,108,321</u>	<u>\$ 504,082</u>	<u>\$ (604,239)</u>
<u>OTHER EXPENSES</u>			
MT Historical Society - CIP	\$ 5,000	\$ 5,000	
Water & Sewer Fund Grant	11,780	58,981	47,201
Donations	100		(100)
Travel - Mileage	2,500	1,832	(668)
Community Events	61,950	46,390	(15,560)
Payroll Taxes	40,159	35,237	(4,922)
Insurance - Property	9,748	11,237	1,489
Insurance - Employee	106,829	113,382	6,553
Retirement/Pension	69,621	42,561	(27,060)
Web Page & Directory	5,700	3,452	(2,248)
Real Estate Taxes	712	753	41
Other	3,500	3,554	54
	<u>\$ 317,599</u>	<u>\$ 322,379</u>	<u>\$ 4,780</u>
TOTAL EXPENDITURES	\$ 3,119,276	\$ 2,340,425	\$ (778,851)
INCOME (LOSS) Exc. Cash Reserves	\$ (505,286)	\$ (13,223)	\$ 492,063
CASH RESERVES	\$ 1,466,088	\$ 1,139,855	\$ (326,233)
SURPLUS / (DEFICIT)	\$ 960,802	\$ 1,126,632	\$ 165,830

Town of Middletown
CIP Funds & Expenditures
 General Fund
 Fiscal Year 2013
 For the 11 Months Ended May 31, 2013

	ANNUAL BUDGET	YTD ACTUAL	OVER (UNDER) BUDGET
OPERATING REVENUE			
Revenue	\$ 2,490,154	\$ 2,325,489	\$ (164,665)
OPERATING EXPENSES			
Expenses	2,213,775	1,959,562	(254,213)
Loan Principal Payments	103,229	109,422	6,193
OPERATING SURPLUS (LOSS)	\$ 173,150	\$ 256,505	\$ 83,355
<u>OTHER FUNDS</u>			
POS - Development	\$ 22,395		\$ (22,395)
MVAA Remsberg Park	25,776		(25,776)
POS - Walking Trail Land Pu	42,000		(42,000)
SRTS - School Walking Trail	30,000		(30,000)
Interest	3,665	1,713	(1,952)
TOTAL OTHER FUNDS	\$ 123,836	\$ 1,713	\$ (122,123)
TOTAL FUNDS AVAILABLE	\$ 296,986	\$ 258,218	\$ (38,768)
<u>CIP PROJECTS & PURCHASES</u>			
MT Historical Society	\$ 5,000	\$ 5,000	
Computer Hardware	5,200		(5,200)
Maintenance Truck/Snow Plow		50,058	50,058
Case 580SN Loader/Backhoe		67,900	67,900
Hydraulic Breaker-Excavator	7,400	5,579	(1,821)
SWM Pond Fencing-Coblentz	18,200	16,563	(1,637)
Jefferson St Paving		54,200	54,200
Walking Trail Purchase-Lind	42,000		(42,000)
Walking Trail Design/Constr	66,801	17,302	(49,499)
Remsberg Park Netting	46,671		(46,671)
Wiles Branch Park Signs	6,000		(6,000)
Walkway Lighting	5,000	7,261	2,261
West Green St Improvements	100,000	41,882	(58,118)
Walnut Street Bridge	500,000	5,696	(494,304)
TOTAL CIP COSTS	\$ 802,272	\$ 271,441	\$ (530,831)
OPERATING & CIP SURPLUS (LOSS)	\$ (505,286)	\$ (13,223)	\$ 492,063
Cash Reserves	\$ 1,466,088	\$ 1,139,855	\$ (326,233)
TOTAL CASH SURPLUS	\$ 960,802	\$ 1,126,632	\$ 165,830

Town of Middletown
STATEMENT OF REVENUE and EXPENDITURES
WATER & SEWER
Fiscal Year 2013
For the 11 Months Ended May 31, 2013

	ANNUAL BUDGET	YTD ACTUAL	OVER (UNDER) BUDGET
<u>REVENUE</u>			
Water Revenue	\$ 532,440	\$ 407,830	\$ (124,610)
Sewer Revenue	532,440	404,789	(127,651)
Penalties/Reconnects	16,000	15,183	(817)
Rain Barrel Sales	2,250	1,575	(675)
General Fund Grant/Misc	11,780	63,754	51,974
TOTAL OPERATING REVENUE	\$ 1,094,910	\$ 893,131	\$ (201,779)
 <u>EXPENDITURES</u>			
<u>ADMINISTRATIVE</u>			
Office Salaries	\$ 49,168	\$ 38,891	\$ (10,277)
Communications	7,000	6,338	(662)
Postage	7,500	7,426	(74)
Office Supplies/Expense	9,700	6,790	(2,910)
Legal - Other	3,000	(1)	(3,001)
Meetings & Seminars	250	332	82
Advertising	500		(500)
Uniforms	2,600	2,303	(297)
Dues/Subscrip/Certifications	300	340	40
Travel	250		(250)
Payroll Taxes	18,016	18,545	529
Insurance - Prop. & Liability	12,000	6,964	(5,036)
Insurance - Workers Comp	12,000	10,446	(1,554)
Insurance - Health	44,195	47,020	2,825
Retirement/Pension	26,459	17,003	(9,456)
Real Estate Taxes	292	292	
Rain Barrel/Educational Programs	4,625	105	(4,520)
Waterline / I & I Loans	72,795	71,486	(1,309)
Sub-Total	\$ 270,650	\$ 234,280	\$ (36,370)
 <u>Vehicles & Equipment</u>			
1999 Truck	\$ 3,866	\$ 1,362	\$ (2,504)
2001 Truck	3,567	3,327	(240)
2008 Truck	3,067	2,963	(104)
2012 Truck		3,328	3,328
Misc Equipment	3,000	1,802	(1,198)
Bobcat Mini-Excavator		134	134
Case Backhoe	2,000	662	(1,338)
Sub-Total	\$ 15,500	\$ 13,578	\$ (1,922)

Town of Middletown
STATEMENT OF REVENUE and EXPENDITURES
WATER & SEWER
Fiscal Year 2013
For the 11 Months Ended May 31, 2013

	ANNUAL BUDGET	YTD ACTUAL	OVER (UNDER) BUDGET
WATER			
Salaries	\$ 105,957	\$ 101,608	\$ (4,349)
Water Distribution System			
Supplies	2,000	2,558	558
Repairs & Maintenance	45,600	37,896	(7,704)
Water Line Break Repairs	10,000	246	(9,754)
Chemicals	500		(500)
Tools & Equipment	1,000	6,339	5,339
Sub-Total	\$ 59,100	\$ 47,039	\$ (12,061)
Water Plant/Reservoir/Booster/Tower/BS Wellhouse			
Electric	\$ 36,325	\$ 23,256	\$ (13,069)
Supplies	1,500	1,492	(8)
Repairs & Maintenance	21,819	35,005	13,186
Chemicals	17,500	17,435	(65)
Tools & Equipment	2,450	4,062	1,612
Testing & Analysis	8,800	7,514	(1,286)
Sub-Total	\$ 88,394	\$ 88,764	\$ 370
Abandoned Well Costs			
TOTAL WATER EXPENSES	\$ 253,451	\$ 237,411	\$ (16,040)
SEWER			
Salaries	\$ 103,926	\$ 105,360	\$ 1,434
Sewer Collection System			
Cone Branch PS	21,811	10,334	(11,477)
Brookridge South PS	7,038	12,196	5,158
Foxfield PS	8,637	5,602	(3,035)
Sanitary Sewerlines & Manholes	22,600	19,582	(3,018)
I & I Accrual	75,000	68,750	(6,250)
Sub-Total	\$ 135,086	\$ 116,464	\$ (18,622)

Town of Middletown
STATEMENT OF REVENUE and EXPENDITURES
WATER & SEWER
Fiscal Year 2013
For the 11 Months Ended May 31, 2013

	ANNUAL BUDGET	YTD ACTUAL	OVER (UNDER) BUDGET
Wastewater Treatment Plants			
East Wastewater Treatment Plant			
Electric	\$ 33,880	\$ 30,309	\$ (3,571)
Supplies	5,000	2,221	(2,779)
Repairs & Maintenance	33,400	25,129	(8,271)
Chemicals	36,000	35,582	(418)
Tools & Equipment	2,500	5,831	3,331
Testing & Analysis	15,000	18,165	3,165
Sludge Hauling Expense	64,000	45,256	(18,744)
Sub-Total	\$ 189,780	\$ 162,493	\$ (27,287)
West Wastewater Treatment Plant			
Electric	\$ 17,411	\$ 15,933	\$ (1,478)
Supplies	750	944	194
Repairs & Maintenance	4,400	3,006	(1,394)
Chemicals	40,500	40,527	27
Tools & Equipment	10,100	7,407	(2,693)
Testing & Analysis	6,600	7,065	465
Sludge Hauling Expense	17,500	20,565	3,065
Sub-Total	\$ 97,261	\$ 95,447	\$ (1,814)
TOTAL SEWER EXPENSES	\$ 526,053	\$ 479,764	\$ (46,289)
TOTAL WATER/SEWER EXPENSES	\$ 1,065,654	\$ 965,033	\$ (100,621)
NET INCOME (LOSS)	\$ 29,256	\$ (71,902)	\$ (101,158)

Town of Middletown
CIP FUNDS and EXPENDITURES
WATER & SEWER
Fiscal Year 2013
For the 11 Months Ended May 31, 2013

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>OVER (UNDER) BUDGET</u>
<u>FUNDING SOURCES</u>			
Operating Revenue	\$ 1,094,910	\$ 893,131	\$ (201,779)
Operating Expenses	<u>1,065,654</u>	<u>965,033</u>	<u>(100,621)</u>
OPERATING INCOME (LOSS)	\$ 29,256	\$ (71,902)	\$ (101,158)
Debt Service Fee - New Homes	\$ 133,800	\$ 102,300	\$ (31,500)
Capital Improvement Fees	107,400	80,280	(27,120)
Improvement/Tap Fees	260,000	172,000	(88,000)
Water Meter Sales	15,500	3,709	(11,791)
Water Tower & Land Leases	157,225	151,520	(5,705)
Case Loader/Backhoe Trade In	<u> </u>	<u>10,500</u>	<u>10,500</u>
TOTAL OTHER REVENUE	\$ 673,925	\$ 520,309	\$ (153,616)
TOTAL FUNDS AVAILABLE	703,181	448,407	(254,774)
<u>DEBT SERVICE COSTS</u>			
Principal Payments			
BB&T Line of Credit	\$ 35,500	\$ 35,500	
CDA - Water Tower	92,650	92,650	
MDE - East WWTP	191,685	191,685	
Interest - All Loans	<u>69,633</u>	<u>63,277</u>	<u>(6,356)</u>
TOTAL DEBT SERVICE COSTS	\$ 389,468	\$ 383,112	\$ (6,356)
<u>WATER & SEWER PROJECTS</u>			
Main Street Waterline Program	\$ 155,000	\$ 105,335	\$ (49,665)
Walnut Bridge Waterline		5,000	5,000
Link2Site Upgrade at Brookridge	20,000		(20,000)
Maganese Removal System	15,000		(15,000)
Reservoir Kohler Generator		25,998	25,998
Maple St Waterline Replacement	8,000		(8,000)
Refrigerated Sampler - E WWTP		5,178	5,178
Chemical Storage Bldg - W WWTP	<u>30,000</u>	<u> </u>	<u>(30,000)</u>
TOTAL WATER & SEWER PROJECTS	\$ 228,000	\$ 136,511	\$ (91,489)
TOTAL CIP COSTS	\$ 617,468	\$ 519,623	\$ (97,845)
TOTAL FUNDS REMAINING	\$ 85,713	\$ (71,216)	\$ (156,929)

DRAFT

*BURGESS AND COMMISSIONERS
OF MIDDLETOWN MARYLAND*

TOWN MEETING MINUTES

REGULAR MEETING

May 13, 2013

The first monthly meeting of the Burgess and Commissioners of Middletown was called to order on May 13, 2013 by Burgess John D. Miller at 7:00 p.m. in the Middletown Municipal Center, 31 W. Main Street, Middletown, Maryland. Present were: Burgess Miller, Commissioners, Larry Bussard, Richard Dietrick, and Christopher Goodman. Commissioner Falcinelli arrived at 7:05 p.m.

Boy Scout James Bongard led the Pledge to the Flag.

CONSENT AGENDA

Financial Statements

Town Minutes – April 8, 2013 Town Meeting

Banner Pole Guidelines

Commissioner Bussard motioned to accept this consent agenda, seconded by Commissioner Goodman and passed with a 4-0 vote.

PERSONAL REQUEST FOR AGENDA:

Katherine Phillips, Middletown Farmers Market Manager – In March the Board agreed to having small directional signs being placed at the end of Middletown Parkway and Remsberg Park rather than a banner. Mrs. Phillips is asking the Board to consider a permanent sign (copy of her request is attached). This sign would be 3 ft. x 5 ft. with the Cornucopia-logo for farmer's market and also the Town and Main Street logo. The Town Administrator mentioned their banner is placed on the Newton property when the space is available. Commissioner Falcinelli would like to look at options as to where this permanent sign could be placed. Bob Smart, 7525 Coblenz Road mentioned Remsberg Park is in the County. Staff will contact Shannon Baum Sign and come up with draft signs and the Board will get back with Mrs. Phillips next week.

Burgess Miller asked the Board to consider the War Memorial Improvements since Mr. James McMahon was present. Mr. McMahon stated the Amvets have raised \$20,579 and has committed \$18,000 for this improvement, the remaining amount will be used to place additional names in the future. He also went on to say 4 (1 in Korea, 2 in Viet Nam and 1 in Desert Storm) were killed in action. Mr. McMahon feels

an additional \$14,000 is needed. Commissioner Bussard motioned to fund up to \$15,000 for the improvement to the War Memorial, seconded by Commissioner Goodman and passed with a 5-0 vote.

Dave Dunn, Frederick County Municipal Liaison – Commissioner Falcinelli ask Mr. Dunn about the Rain Tax. Mr. Dunn mentioned the State is mandating Counties to access a levy and the County Commissioner voted to access \$1.00 annually. Other Counties have levied up to \$25/annually.

UNFINISHED BUSINESS

Budget Workshop

General Fund Operating & CIP

Water & Sewer Fund Operating & CIP

Items discussed:

2% salary increase.

Shows \$100,000 grant from the General Fund to the Water/Sewer Fund to be used on water meter replacement with radio read meters.

2% Water/Sewer rate increase

Include grant information on line items when applicable

The Town Administrator mentioned that from now on POS funding will now 90 to 10 share instead of 75 to 25. Commissioner Falcinelli mentioned it is the goal of the Water/Sewer Committee for this fund to be self sufficient. Ike Wilson, Frederick News/Post asked the debt of Water/Sewer fund to the General Fund and was told \$250,000.00. By general consent, the Board agreed to advertise with the draft figures presented to them at this meeting. The Public Hearing will be June 6, 2013 at 7:00 p.m.

Broad Street Re-Opening Discussion – Mr. Coyne, SHA will meet with the Town on June 3, 2013 at 3:00 p.m. to discuss this re-opening.

War Memorial Improvements – Forward Funding – See Personal Request

Admar Annexation – Discussion of Water Allocation for Active Adult – Tabled until June

AT&T Response to Lease Amendment – AT&T countered with a \$500 a month increase. By general consent the Board asked Staff to present their final offer of \$600 per month increase.

Fireman's Lane Dedication to the Town – James Goodman, President of the Middletown Volunteer Fire Department was present. Items discussed:

Town currently plows to the fence

If dedicated to Town then the Town would need an easement to get to the hydrant

Do the Remsbergs and Magahas have easements with the fire department

If Town has this road then they would be maintaining this

Mr. Goodman has a board meeting next week and will get back to the Town in June.

REPORTS OF COMMITTEES

WATER & SEWER – Commissioner Falcinelli reported:

Water Status – 305,000 gallons of usage

Spring Flow – 137,000 gallons

Discharge – East WWTP 185,000 gallons and West WWTP 129,000 gallons

Small Reservoir – A leak has been fixed temporary. A valve leaking will be fixed during the next week or 10 days.

Hydrant Flushing – Was done the week of April 5, 2013

Committee meeting – No meeting this month

Rain Barrels – 35 barrels were sold, 4 still remain to be picked up. The Town received a grant in the amount of \$1,575 for these barrels.

PUBLIC WORKS – Commissioner Bussard reported:

Town Vehicles – removed salt spreaders and prep for storage

Memorial Park – cleaned and washed bathrooms and rebuilt water fountain

Municipal Center – Staff removed molding and cleaned paneling before carpet was installed

Remsburg Park – seed and top dress football field

Walnut Street – Will be close while school is closed for the summer.

Household Hazard Waste drop off – May 18, 2013 8 a.m. til noon at 5370 Public Safety Place

PLANNING COMMISSION – Commissioner Goodman reported:

Thompson Funeral Home – conditionally approved revised parking lot site plan

Fire Station – received concept plan

Fire Co. Activities Center – conditionally approved Improvement and revised site plans

Valley Child Care – Special exception approved by the Board of Appeals

Cross Stone Shopping Center – Special exception approved by the Board of Appeals

5 E. Main St. – Property owner is proposing to have ice cream and take out food in the area next to Subway.

PARKS & RECREATION

POS meeting – Scheduled for May 30, 2013, time to be determined.

FINANCE – Commissioner Dietrick reported:

Water/Sewer Fund – received a grant from the General Fund in the amount of \$63,754 in FY 2013.

Cone Branch Pump station is under budget while Brookridge Pump station is over budget (foreign debris being flushed down)

PUBLIC INFORMATION – Commissioner Falcinelli reported:

Community Directory – currently being updated. Patricia Hughes is helping with this update.

NEW BUSINESS

Planning Commission Annual Report – The draft was given to the Board for their review on May 2, 2013. Commissioner Bussard motioned to accept the Planning Commission Annual Report as presented, seconded by Commissioner Dietrick and passed with a 5-0 vote.

Appointment to Planning Commission and Board of Appeals – Burgess Miller stated Bob Miller and Fred Rudy have agreed to being re-appointed. Commissioner Bussard motioned to appoint Bob Miller to the Planning Commission (term ending 2018) and Fred Rudy to the Board of Appeals (term ending 2016), seconded by Commissioner Falcinelli and passed with a 5-0 vote.

Deputy Contract for FY 2014 – The contract in the amount of \$353,499 is \$16,240 less than last year. Commissioner Goodman motioned to accept the contract in the amount of \$353,499 as presented, seconded Commissioner Bussard. Commissioner Dietrick mentioned this contract covers all expenses not just salary. The motion before the Board passed with a 5-0 vote.

PUBLIC COMMENTS

James Bongard, 200 N. Pointe Ter. asked when Green Street would be finished. He mentioned he walks to school and does not feel safe on the street. Burgess Miller said this will go out for bid in October-November 2013 and work would begin a year from now.

Commissioner Falcinelli mentioned that Burgess Miller will be inducted into the Maryland Municipal League Hall of Fame as he has served 21 years on the Board.

ANNOUNCEMENTS

May 27, 2013 Town meeting cancelled in Observance of Memorial Day.

Burgess Miller announced employee Elmer Gouker will be retiring on May 22 after 20 years.

MEETINGS FOR THE MONTH

Planning Commission Workshop

Wednesday, May 15, 2013

7:00 p.m.

Planning Commission

Monday, May 20, 2013

7:00 p.m.

Parks & Recreation

Tuesday, May 21, 2013

7:00 p.m.

Main Street Board

Thursday, May 23, 2013

7:00 p.m.

ADJOURNMENT

With no further business to come before the Board, the meeting adjourned at 8:55 p.m.

Respectfully submitted,

Christine H. Moore
Administrative Assistant

ORDINANCE NO. 13-06-01

AN ORDINANCE TO AMEND TITLE 13, CHAPTER 13.12, SECTION 13.12.060 OF THE MIDDLETOWN MUNICIPAL CODE FOR THE PURPOSE OF REVISING THE RATE SCHEDULE FOR WATER AND SEWER SERVICE FOR RESIDENTIAL USER ACCOUNTS AND NON-RESIDENTIAL USER ACCOUNTS AND THE AMOUNT OF THE QUARTER-ANNUAL CAPITAL IMPROVEMENT FEE.

WHEREAS, the Town of Middletown is authorized to establish rates and charges for water and sewer service pursuant to Annotated Code of Maryland, Environment Article, Section 9-720 *et seq.* and Chapter 13.12 of the Middletown Municipal Code; and

WHEREAS, the Burgess and Commissioners of the Town of Middletown have reviewed and considered proposed changes to the water and sewer rates for both residential and non-residential user accounts and the capital improvement fee and find said changes to be reasonably related to the cost of providing such services; and

WHEREAS, notice of a public hearing on said changes was duly publicized in a newspaper of general circulation in the Town of Middletown; and

WHEREAS, after a public hearing was held on said rate changes, the Burgess and Commissioners deem it to be in the best interest of the Town of Middletown and its citizens to revise said rates in accordance herewith.

SECTION I. BE IT ORDAINED, RESOLVED AND ENACTED by the Burgess and Commissioners of the Town of Middletown, Maryland that Title 13, Chapter 13.12, Section 13.12.060 of the Middletown Municipal Code be amended as follows. Deleted language is designated by being in ~~[brackets and marked through]~~ and new language is designated by being in **BOLD NUMERALS OR BOLD CAPITAL LETTERS**, as the case may be:

13.12.060 Rate and fee schedules - Residential and non-residential users.

A. Residential users of water and sewer services and their accounts will be billed on a tiered system based upon the amount of quarter-annual usage of water and sewer service at the location at which service is provided. Water and sewer rates for such residential accounts shall be as follows:

For Quarter-Annual Usage Of:	The Rate is:
0 to 3000 gallons	[\$64.58] \$65.87
3,001 - 25,000 gallons	[\$9.16] \$9.34 per 1,000 gallons
25,001 - 30,000 gallons	[\$13.72] \$13.99 per 1,000 gallons
30,001 - 35,000 gallons	[\$18.31] \$18.68 per 1,000 gallons
35,001 - 40,000 gallons	[\$27.45] \$28.00 per 1,000 gallons
40,001 - 45,000 gallons	[\$32.01] \$32.65 per 1,000 gallons
45,001 - 50,000 gallons	[\$36.60] \$37.33 per 1,000 gallons
50,001 - 55,000 gallons	[\$54.88] \$55.98 per 1,000 gallons
55,001 - 60,000 gallons	[\$68.61] \$69.98 per 1,000 gallons
60,001 - 65,000 gallons	[\$82.32] \$83.97 per 1,000 gallons
65,001 - 70,000 gallons	[\$96.03] \$97.95 per 1,000 gallons
70,001 - 75,000 gallons	[\$109.77] \$111.96 per 1,000 gallons
75,001 gallons and above	[\$123.46] \$125.93 per 1,000 gallons

B. Nonresidential users of water and sewer services and their accounts will be billed based upon the size of the meter for the location at which service is provided. Water and sewer rates for such nonresidential accounts shall be as follows:

5/8 to 3/4 inch meter	[\$61.50] \$62.73 for 3,000 gallon base	[\$9.16] \$9.34 /1,000 gallons after base
1 inch meter	[\$86.07] \$87.79 for 4,200 gallon base	[\$9.16] \$9.34 /1,000 gallons after base
1 ½ inch meter	[\$110.67] \$112.88 for 5,400 gallon base	[\$9.16] \$9.34 /1,000 gallons after base
2 inch meter	[\$178.31] \$181.88 for 8,700 gallon base	[\$9.16] \$9.34 /1,000 gallons after base
3 inch meter	[\$676.34] \$689.87 for 33,000 gallon base	[\$9.16] \$9.34 /1,000 gallons after base
4 inch meter	[\$860.79] \$878.00 for 42,000 gallon base	[\$9.16] \$9.34 /1,000 gallons after base
6 inch meter	[\$1,291.19] \$1,317.01 for 63,000 gallon base	[\$9.16] \$9.34 /1,000 gallons after base

8 inch meter ~~[\$1,783.06]~~ **\$1,818.72** for 87,000 gallon ~~[\$9.16]~~ **\$9.34** /1,000 gallons
base after base

C. Unless otherwise exempted as hereinafter provided, each residential and non-residential user of water and sewer services shall pay a capital improvement fee of ~~[thirty dollars (\$30.00)]~~ **THIRTY-THREE DOLLARS (\$33.00)** per quarter the capital improvement fee shall be in addition to the fees charged pursuant to subsections A. and B. of this section, and shall be billed and included in the quarter-annual bills for each user. Each user, customer or account which is subject to and is obligated to pay the debt service charge required by Section 13.20.010 of the Middletown Municipal Code is and shall be exempt from the obligation to pay the capital improvement fee until January 1, 2020.

SECTION II: This Ordinance shall take effect twenty (20) calendar days following its approval by the Burgess and Commissioners.

INTRODUCED ON THE _____ DAY OF _____, 2013

PASSED ON THE _____ DAY OF _____, 2013

EFFECTIVE DATE: _____, 2013

ATTEST:

**BURGESS AND COMMISSIONERS
OF MIDDLETOWN**

Andrew J. Bowen, Town Administrator

By: _____
John Miller, Burgess



**Burgess and Commissioners
Middletown, Maryland**

Water & Sewer Rate Increase History

Date Effective	Date Enacted	Resolution #	Description	Increase in Rates
July-12	7/1/2012	12-01	Rate Increase	5%
July-11	7/25/2011	11-07-01	Capital Improvement Fee Increase	From \$25 to \$30/Quarter or 20% Increase
July-11	7/25/2011	11-02	Rate Increase	8% Base & 8% Additional Gallons
July-10	6/14/2010	10-06	Rate Increase	5% Base & 9.2% Additional Gallons
April-10	1/11/2010	10-01-01	Capital Improvement Fee	\$25/Quarter or \$100/Year
July-09	5/11/2009	09-03	Rate Increase	6%
July-08	6/9/2008	08-02	Rate Increase	15%
April-06	1/8/2006	06-04	Rate Increase	10% Base & 2% Additional Gallons
October-05	8/5/2005	05-01	Rate Increase for Tiers Only	14%-108% Depending on the Tier
April-02	9/10/2001	01-07	Creation of Non-Residential Billing	0%
January-02	11/7/2002	02-08	Rate Increase	8%
January-01	8/14/2000	00-06	Rate Increase	Establishment of Tiered Rates

WATER & SEWER RATE COMPARISON

ALL COSTS ARE BASED ON AN AVERAGE QUARTERLY USAGE OF 18,000 GALLONS

UTILITY SYSTEM NAME	RANK	WATER	SEWER	COMBINED	Other Fees	Total	Monthly
WSSC	1	\$ 166.32	\$ 119.88	\$ 286.20	\$ 105.00	\$ 391.20	\$ 130.40
WASHINGTON COUNTY	2	\$ 200.37	\$ 169.22	\$ 369.59	\$ 15.00	\$ 384.59	\$ 128.20
THURMONT	3	\$ 101.70	\$ 202.50	\$ 304.20	\$ 15.00	\$ 319.20	\$ 106.40
BRUNSWICK	4	\$ 138.88	\$ 163.89	\$ 302.77	\$ 15.00	\$ 317.77	\$ 105.92
FREDERICK COUNTY	5	\$ 102.86	\$ 180.26	\$ 283.12	\$ 15.00	\$ 298.12	\$ 99.37
MYERSVILLE	6	\$ 131.41	\$ 131.41	\$ 262.82	\$ 15.00	\$ 277.82	\$ 92.61
MIDDLETOWN - Proposed (DSF) - 2%	7	\$ 102.98	\$ 102.98	\$ 205.96	\$ 65.00	\$ 270.96	\$ 90.32
MIDDLETOWN - Existing (DSF)	8	\$ 100.99	\$ 100.99	\$ 201.98	\$ 65.00	\$ 266.98	\$ 88.99
WOODSBORO	9	\$ 89.20	\$ 161.08	\$ 250.28	\$ 15.00	\$ 265.28	\$ 88.43
MIDDLETOWN - Proposed (CIF) - 2%	10	\$ 102.98	\$ 102.98	\$ 205.96	\$ 48.00	\$ 253.96	\$ 84.65
WALKERSVILLE	11	\$ 71.68	\$ 162.00	\$ 233.68	\$ 15.00	\$ 248.68	\$ 82.89
EMMITSBURG	12	\$ 90.60	\$ 141.60	\$ 232.20	\$ 15.00	\$ 247.20	\$ 82.40
MIDDLETOWN - Existing (CIF)	13	\$ 100.99	\$ 100.99	\$ 201.98	\$ 45.00	\$ 246.98	\$ 82.33
FREDERICK CITY	14	\$ 114.13	\$ 114.13	\$ 228.26	\$ 15.00	\$ 243.26	\$ 81.09
MT. AIRY	15	\$ 90.96	\$ 87.60	\$ 178.56	\$ 36.00	\$ 214.56	\$ 71.52
HAGERSTOWN	16	\$ 31.39	\$ 91.76	\$ 123.15	\$ 82.50	\$ 205.65	\$ 68.55

DSF - Debt Service Fee

CIF - Capital Improvement Fee

***As of June 6, 2013**



Burgess and Commissioners of Middletown, Maryland

Fiscal Year 2014
Tax Rates

Town of Middletown - Property Tax Rate	\$	0.232 per \$100 assessed value
-----------------------------------------------	-----------	---------------------------------------

Town of Middletown - Personal Tangible Property Tax Rate	\$	0.580 per \$100 assessed value
-----------------------------------------------------------------	-----------	---------------------------------------

Months	Discount Rate	Interest Rate
July-10	2.00%	
August-10	1.00%	
September-10	Base	Base
October-10		0.67%
November-10		1.33%
December-10		2.00%
January-11		2.67%
February-11		3.33%
March-11		4.00%
April-11		4.67%
May-11		5.33%
June-11		6.00%

2013 Constant Yield Tax Rate Certification

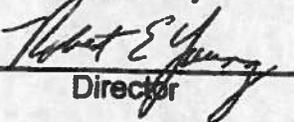
Taxing authority: **Middletown
in Frederick County**

1	1-Jul-2012	Gross assessable real property base	\$	470,494,689
2	1-Jul-2012	Homestead Tax Credit	-	<u>100,126</u>
3	1-Jul-2012	Net assessable real property base		470,394,563
4	1-Jul-2012	Actual local tax rate (per \$100)	x	<u>0.2320</u>
5	1-Jul-2012	Potential revenue	\$	1,091,315
6	1-Jul-2013	Estimated assessable base	\$	474,958,354
7	1-Jan-2013	Half year new construction	-	2,099,770
8	1-Jul-2013	Estimated full year new construction*	-	1,500,000
9	1-Jul-2013	Estimated abatements and deletions**	-	<u>1,697,799</u>
10	1-Jul-2013	Net assessable real property base	\$	469,660,785
11	1-Jul-2012	Potential revenue	\$	1,091,315
12	1-Jul-2013	Net assessable real property base	+	469,660,785
13	1-Jul-2013	Constant yield tax rate	\$	<u>0.2324</u>

EXEMPT

* Includes one-quarter year new construction where applicable.
**Actual + estimated as of July 1, 2013, including Homestead Tax Credit.

Certified by


Director

**TOWN OF MIDDLETOWN
GENERAL FUND
BUDGET FY 2013**

General Fund Operating Budget - FY 2014		
	DESCRIPTION	Proposed Budget FY 2014
REVENUE		
	LOCAL TAXES	1,177,076
	STATE SHARED TAXES	163,128
	COUNTY SHARED TAXES	1,340,723
	LICENSES, PERMITS & FEES	16,350
	PARKS & RECREATION	1,900
	POLICE PROTECTION	24,000
	MISC INCOME	10,000
	OPERATING REVENUE	2,733,177
EXPENSES		
	LEGISLATIVE	36,952
	EXECUTIVE	6,000
	ELECTION EXPENSES	700
	GENERAL SERVICES	396,707
	MAINTENANCE	155,393
	PROFESSIONAL SERVICES	20,000
	PLANNING & ZONING	45,301
	MAIN STREETS MANAGER	43,824
	PUBLIC SAFETY	384,648
	SANITATION & WASTE REMOVAL	275,447
	RECREATION & CULTURE	230,026
	HIGHWAYS & STREETS	496,333
	MISCELLANEOUS	313,034
	TOTAL OPERATING EXPENSES	2,404,365
	CIP Contribution	328,812
	Surplus / Deficit	-

**TOWN OF MIDDLETOWN
Water Sewer Operating Budget
FY 2013**

Water & Sewer Fund Operating Budget FY 2014	
	Proposed Budget FY 2014
Operating Revenue	1,224,322
Expenses	
Total Administrative	238,647
Water Salaries	114,769
Water Distribution	145,438
Water Resources	98,370
TOTAL WATER	358,577
Sewer Salaries	113,836
Sewer Collection System	135,504
East WWTP	179,500
West WWTP	106,420
TOTAL SEWER	535,260
Contingency Fund	75,876
TOTAL OPERATING EXPENSES	1,208,360
Surplus / Deficit	15,962

Town of Middletown
Water Sewer Fund
Capital Improvement Program

INCOME	FY '14	FY '15	FY '16	FY '17	FY '18
DEBT SERVICE FEE - NEW HOMES	\$136,800	\$139,000	\$142,600	\$146,000	\$149,400
CAPITAL IMPROVEMENT FEE	\$118,008	\$128,736	\$139,464	\$150,192	\$160,920
Land Leases	\$163,150	\$168,044	\$173,086	\$178,278	\$183,626
Tap Fees (See Growth Projections)	\$196,000	\$360,000	\$340,000	\$340,000	\$20,000
Other Income	\$80,648	\$15,961			
General Fund (Walnut St Bridge Waterline)	\$127,430				
Total Revenue	\$822,036	\$811,741	\$795,150	\$814,470	\$513,946
Debt Service					
WATER STORAGE TANK LOAN	\$112,703	\$111,736	\$111,468	\$111,820	
EAST WWTP LOAN	\$241,265	\$241,265	\$241,265	\$241,265	\$241,265
DEVELOPMENT PROJECTS					
Brookridge WTP (Loan Payments)	\$35,500	\$35,500	\$35,500	\$35,500	\$35,500
Total Debt Service	\$389,467	\$388,500	\$388,233	\$388,585	\$276,765
Net Income					
	\$432,569	\$423,241	\$406,916	\$425,885	\$237,182
Projects					
SYSTEM UPGRADE PROJECTS					
WATER SYSTEM					
Main Street Waterline Program		\$247,500	\$250,000	\$250,000	\$250,000
Waterline Replacement at Walnut St Bridge	\$127,430				
Reservoir - Dual Feed Cover/Liner Replacement	\$40,000	\$275,000	\$250,000		
Manganese Removal - Well #15	\$110,000				
Upgrade to VFD's Brookridge South WTP	\$19,000				
Mill & Overlay Reservoir Roadway		\$20,000			
Reservoir Fence Replacement/Relocation		\$18,900			
Stream Erosion - Well Field Restoration			\$125,000		
Generator Connection for Well Field				\$27,800	
Maple Street - Waterline Replacement	\$8,200				
WASTEWATER SYSTEM					
West WWTP - New Chemical Storage Building	\$30,000				
Influent Flume & Ultrasonic Meter		\$12,800			
West WWTP - Curtain Replacement		\$80,000			
Brookridge PS Vault Magmeter & Cabinet		\$11,000			
Cone Branch PS - Control Panel Upgrade		\$25,000			
Total Projects	\$334,630	\$690,200	\$625,000	\$277,800	\$250,000
Surplus / Deficit					
	\$97,939	(\$266,959)	(\$218,084)	\$148,085	(\$12,818)
***Footnote to Inlcude - Cash Reserves / (Loan from General Fund)	(\$249,273)	(\$418,293)	(\$636,377)	(\$488,291)	(\$501,110)
**Outstanding Balance on Brookridge WTP Loan	\$406,862	As of March 2013			
NON-CASH PROJECTS					
Inflow and Infiltration	\$68,500	\$49,500	\$280,500		
Sludge Removal - East WWTP	\$35,000				
Sludge Removal - West WWTP (Next Scheduled for 2032)					
Total Non-Cash Projects	\$103,500	\$49,500	\$280,500	\$0	\$0
** Outstanding Balance on Brookridge WTP Loan	\$406,861.82	As of March 2013			

ANNEXATION AGREEMENT

THIS ANNEXATION AGREEMENT made this _____ day of _____, 2013 by and between the Burgess and Commissioners of Middletown (hereinafter referred to as “the Town”) and the Board of County Commissioners of Frederick County, Maryland (hereinafter referred to as “the County”).

WHEREAS, the County is the owner of a parcel of land more fully described on the metes and bounds description attached hereto and incorporated by reference herein as “Exhibit A” (hereinafter “the Property”) which adjoins the corporate boundaries of the Town of Middletown, Maryland; and

WHEREAS, the Property is used primarily as a recreational park and is commonly referred to as “the Middletown Community Park”; and

WHEREAS, the Town desires to include the Property within the corporate limits of the Town of Middletown upon certain conditions; and

WHEREAS, the County is willing to have the Property annexed into and made a part of the Town of Middletown provided that certain conditions are agreed to relative to the annexation of the Property into the Town of Middletown; and

WHEREAS, the parties have reached an agreement concerning the terms and conditions of the annexation and they enter into this Annexation Agreement with the intent to be bound accordingly.

NOW, THEREFORE, in consideration of the mutual obligations, benefits and promises contained herein, the sufficiency of which is acknowledged by all parties hereto, the Town and the County hereby agree as follows:

1. This Annexation Agreement is expressly contingent on the enactment of a Resolution (hereinafter "the Annexation Resolution") by the Town annexing the Property into the Town of Middletown and upon the Annexation Resolution becoming effective either after the passage of the statutorily-required time period or, if the Annexation Resolution is petitioned to Referendum, then upon approval of the Annexation Resolution after the Referendum. The Annexation Resolution shall specifically incorporate this Annexation Agreement into the Annexation Resolution. In the event that the Annexation Resolution is not enacted or, if enacted, fails to become final and effective, then this Annexation Agreement shall be deemed void *ab initio*, and shall be of no force and effect as if it had never been executed.

2. The execution of this Annexation Agreement neither implies nor guarantees either legislative or voter approval or passage of the Annexation Resolution. This Annexation Agreement shall not be deemed to inhibit or affect the ability of the Town or its officials from properly performing their legislative functions, including but not limited to the rejection of and decision to deny approval of the Annexation Resolution.

3. The Property to be bound by this Annexation Agreement is that property which is described in the attached "Exhibit A". The Property shall be classified and zoned within the "Open Space" zoning district pursuant to Middletown Municipal Code, Chapter 17.28.

4. Future improvements proposed for the Property by the County pursuant to the County's adopted Park Master Plan (adopted in 1983/Revised in 1995 and 2009) shall be exempt

from the Town's planning review and approval process. Any future development of the Property and the Middletown Community Park situated thereon shall be consistent with the County's adopted Park Master Plan and with any future revisions or amendments to the Park Master Plan which revisions and amendments may be undertaken by the County within and at its sole discretion. The County has previously approved a skating facility for the Property which facility is not currently depicted on the Park Master Plan, and the County shall determine the precise location and parameters of this facility at a later date.

5. The Property shall be exempt from all municipal *ad valorem* real estate taxes.

6. The Property and the Middletown Community Park facilities situated thereon shall continue to be owned by the County and maintained by the applicable County division or agency, currently the Frederick County Division of Parks and Recreation. Maintenance shall conform to the appropriate County policies, standards, rules and regulations. The County and the Frederick County Division of Parks and Recreation shall be responsible for the operation of the Middletown Community Park facilities, including but not limited to security, the rental of the shelter(s) and ball field(s), and park programming. The County shall indemnify and hold Town harmless for any personal injury and/or property damage caused by, arising from or related to the duties and obligations to be undertaken by the County under this paragraph.

7. The Town shall be responsible for the costs of the Annexation of the Property, including but not limited to the costs of obtaining a survey of the Property, advertising and notice publication expenses, and recording costs.

8. This Annexation Agreement shall be incorporated into the Annexation Resolution, and the Annexation Resolution and this Agreement shall be recorded among the Land Records of Frederick County, Maryland.

9. This Agreement constitutes the entire understanding and agreement among and between the parties and supersedes all prior discussions, understandings, agreements and negotiations between the parties. This Agreement may be modified or amended only by a written instrument duly executed by the parties hereto.

10. This Agreement shall be governed by, construed, interpreted and enforced in accordance with the laws of the State of Maryland. This Agreement may be executed in as many counterparts as may be required, and each such counterpart shall be deemed to be an original.

WITNESS the hands and seals of the parties hereto by their respective duly authorized representatives.

ATTEST:

**BURGESS AND COMMISSIONERS
OF MIDDLETOWN**

Andrew J. Bowen, Town Administrator

By: _____ [SEAL]
John D. Miller, Burgess

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
OF FREDERICK COUNTY, MARYLAND**

Lori L. Depies, CPA, County Manager

By: _____ [SEAL]
Blaine R. Young, President

MJC 5/30/13

Exhibit A



Harris, Smariga & Associates, Inc.

Planners/Engineers/Surveyors
125 S. Carroll Street, Suite 100/Frederick, MD 21701
301-662-4488/FAX 301-662-4906

March 20, 2013
HSA Job No. 2382
Page 1 of 1

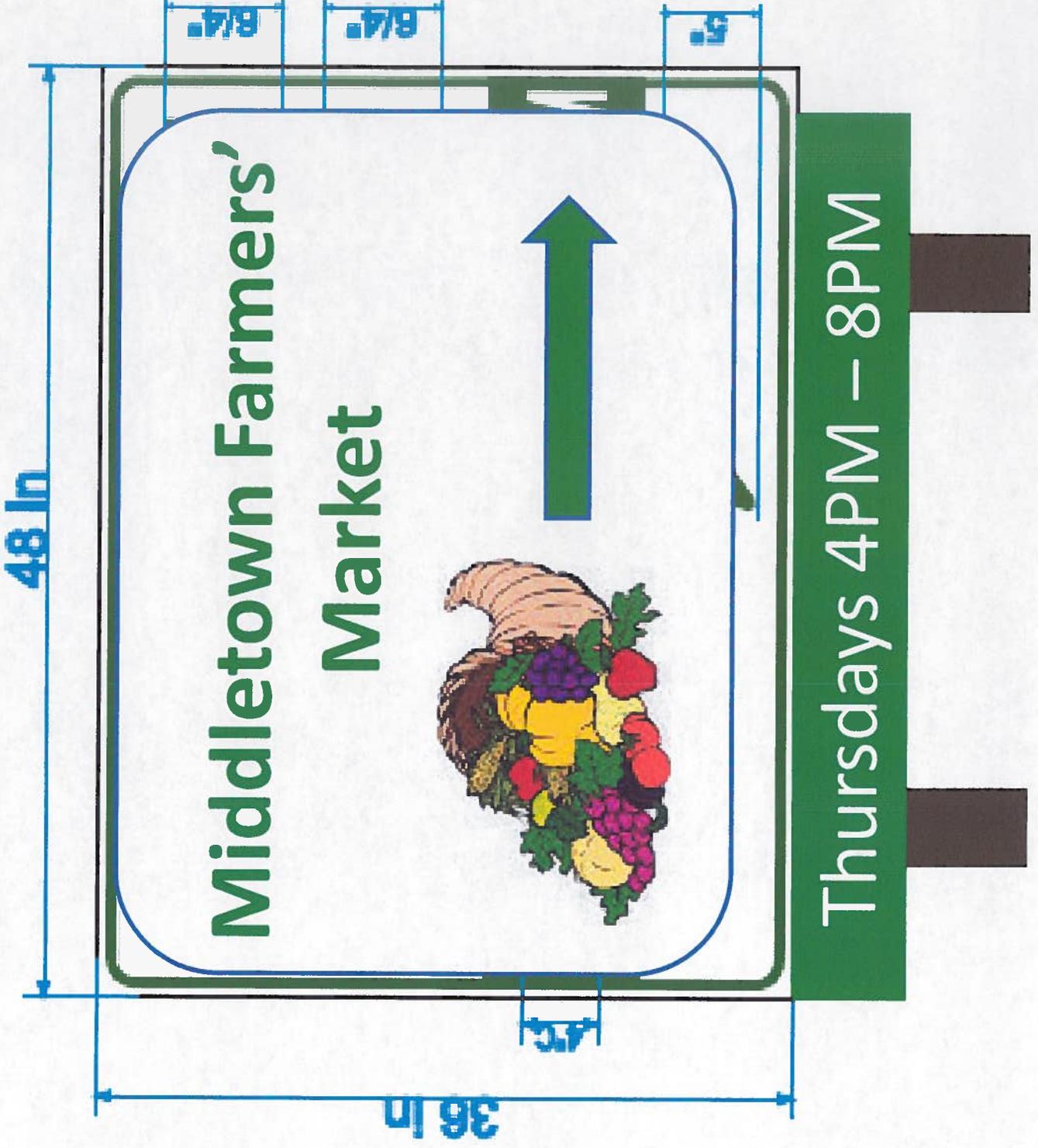
Description of *Farm Lot No. 1*

Beginning at a point in Coblentz Road which is the Northeast corner of Farm Lot No.1 as shown on a plat of subdivision entitled "Boundary Survey Farmland, Farm Lot No.1, Gaver Farm Lot", as recorded among the Land Records of Frederick County, Maryland in Plat Book 23 at Page 170. Thence running with and in said roadway the following two (2) courses and distances,

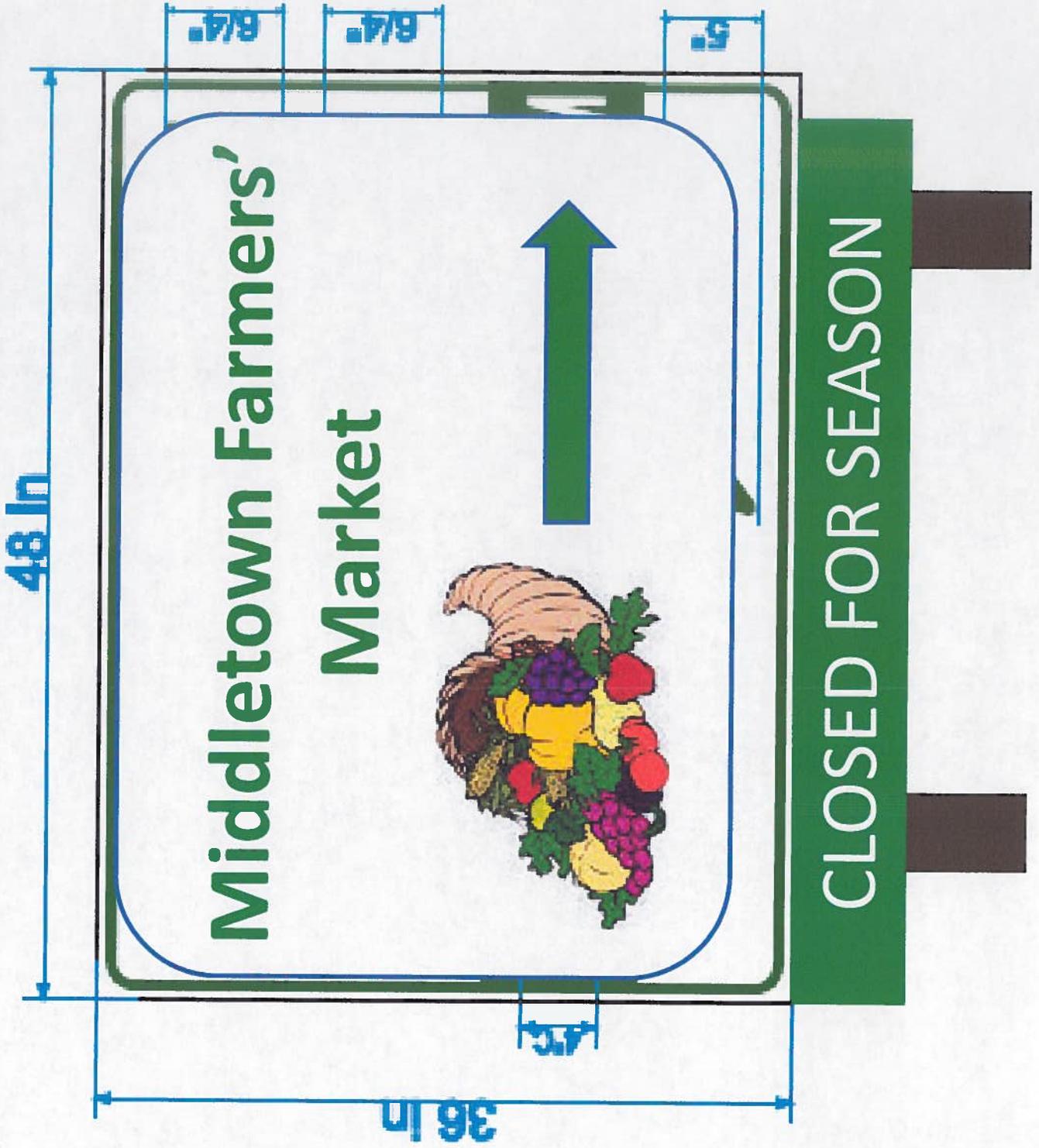
S. 09° 18' 00" W.	195.00'	to a point, thence
S. 22° 39' 06" W.	1262.25'	to a point, thence leaving said roadway and continuing with said Farm Lot No.1 outline the following five (5) courses and distances
S. 86° 33' 43" W.	899.81'	to a point, thence
N. 71° 26' 17" W.	1078.59'	to a Stone Found, thence
N. 04° 35' 08" E.	1262.82'	to a point, thence
N. 12° 54' 23" E.	320.92'	to a point, thence
S. 77° 28' 01" E.	2320.98'	to the Point of Beginning.

The area of land contained by the foregoing amounts to 3,441,740 Square Feet or 79.011 acres more or less.

Revised Signs from Town Workshop



Revised Signs from Town Workshop



84 in



Farmers' Market

Thursdays 4PM – 8PM



9"

9"

10"

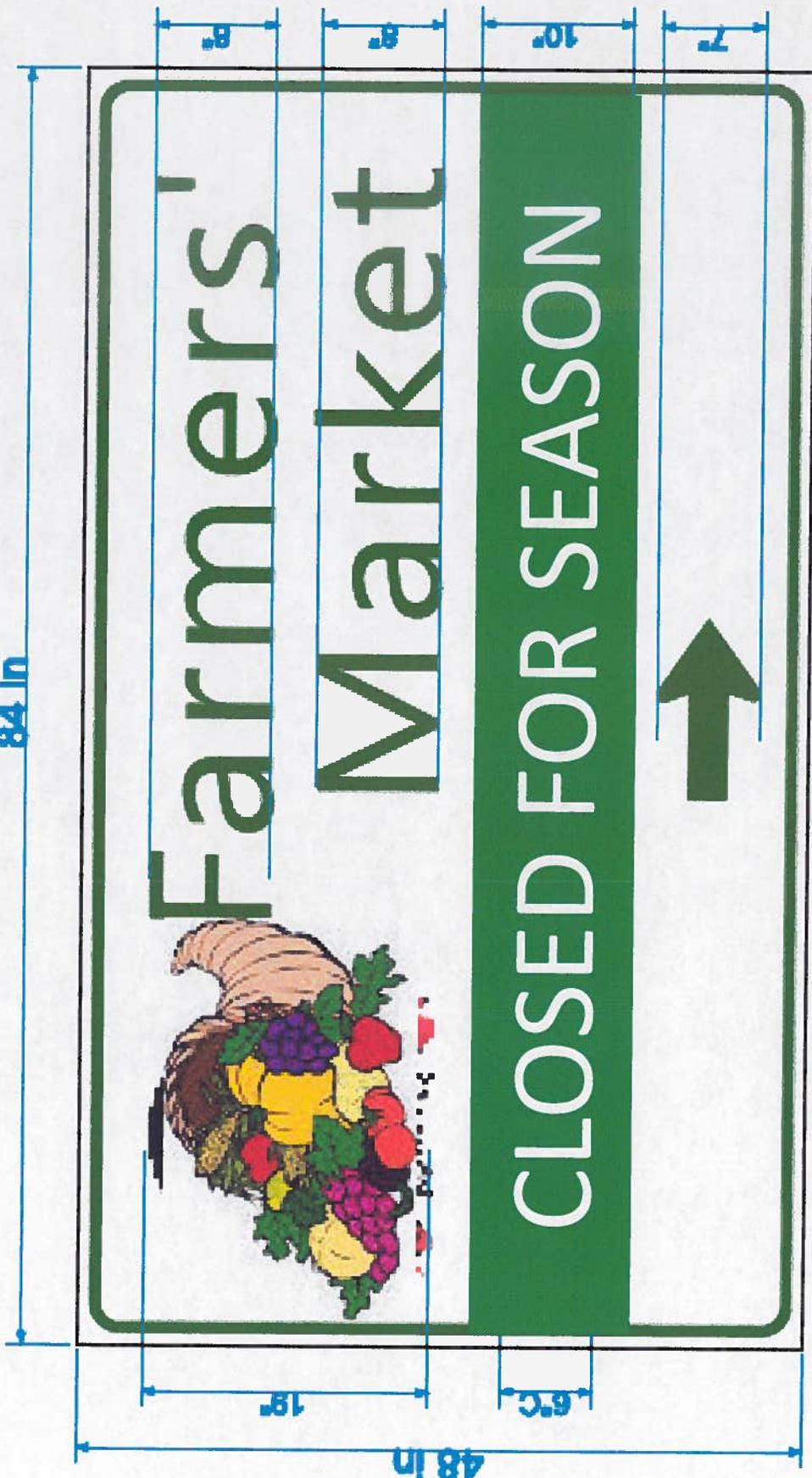
7"

18"

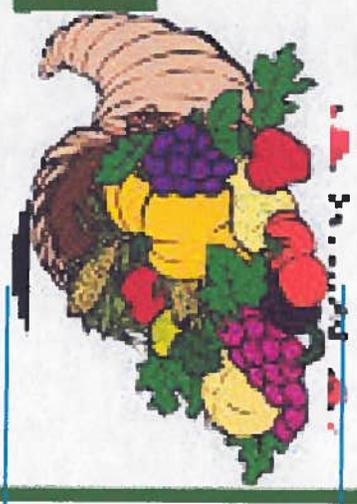
6.5"

48 in

84 in



Farmers' Market



CLOSED FOR SEASON



48 in

19 in

6.5 in

8 in

8 in

10 in

7 in

48 in



Farmers'
Market

Thursdays 4PM - 8PM



36 in

8/4"

8/4"

5"

4 1/2"

48 In

Farmers'
Market



CLOSED FOR SEASON



36 In

8/4"

8/4"

5"

4 1/2"







**Burgess and Commissioners
Middletown, Maryland**

Water Rights Evaluation
Admar Annexation

Original Calculations

Land Area	Little Catoctin	Cone Branch
	44	50
Water Rights - MDE	16,000	18,200

Total 34,200
Residential Growth Policy 250
Unit / EDU's 137

*Information from MDE Evaluation Report 6/14/07

OTHER INFORMATION

Sustainable Well Yields	Annual Average	Month of Maximum Use
Requested by Developer	57,000	86,400
MDE - Approval	42,000	82,100

Residential Growth Policy 300
Units / EDU's - MDE Approved #s 140 250
168

Requested Calculations

Land Area	Little Catoctin	Cone Branch
	44	50
Water Rights - MDE	16,000	18,200

Total 34,200
Active Adult Usage Number 200
Unit / EDU's 171

*Information from MDE Evaluation Report 6/14/07

OTHER INFORMATION

Sustainable Well Yields	Annual Average	Month of Maximum Use
Requested by Developer	57,000	86,400
MDE - Approval	42,000	82,100

Active Adult Usage Number 200
Units / EDU's - MDE Approved #s 210

Drew Bowen

From: tgordon3929@gmail.com on behalf of taylor gordon [taylor@atlanticedge.com]
Sent: Friday, June 07, 2013 10:29 AM
To: Drew Bowen
Subject: Re: Hi there!

Morning Drew,
The company name is Atlantic Edge and it's a profit enterprise.
Sorry for the delay I didn't realize I never sent my response the other day.

Thanks!
Taylor

On Fri, Jun 7, 2013 at 9:36 AM, Drew Bowen <Drew@ci.middleton.md.us> wrote:

Taylor:

The Burgess and Commissioner want to know who is sponsoring the event and where the funds are going before they grant approval. Is it a for profit enterprise or are the funds used in some sort of charity? If you can provide me this information before the end of the day today, I can keep your request for the 5K and 10K on the agenda for their review and approval. If I do not hear back from you, I have been told to remove your request from the agenda until we have that information.

Thanks Drew

Andrew J. Bowen

Town Administrator

31 West Main Street

Middletown, MD 21769

abowen@ci.middleton.md.us

301.371.6171 Ext. 12 (Office)

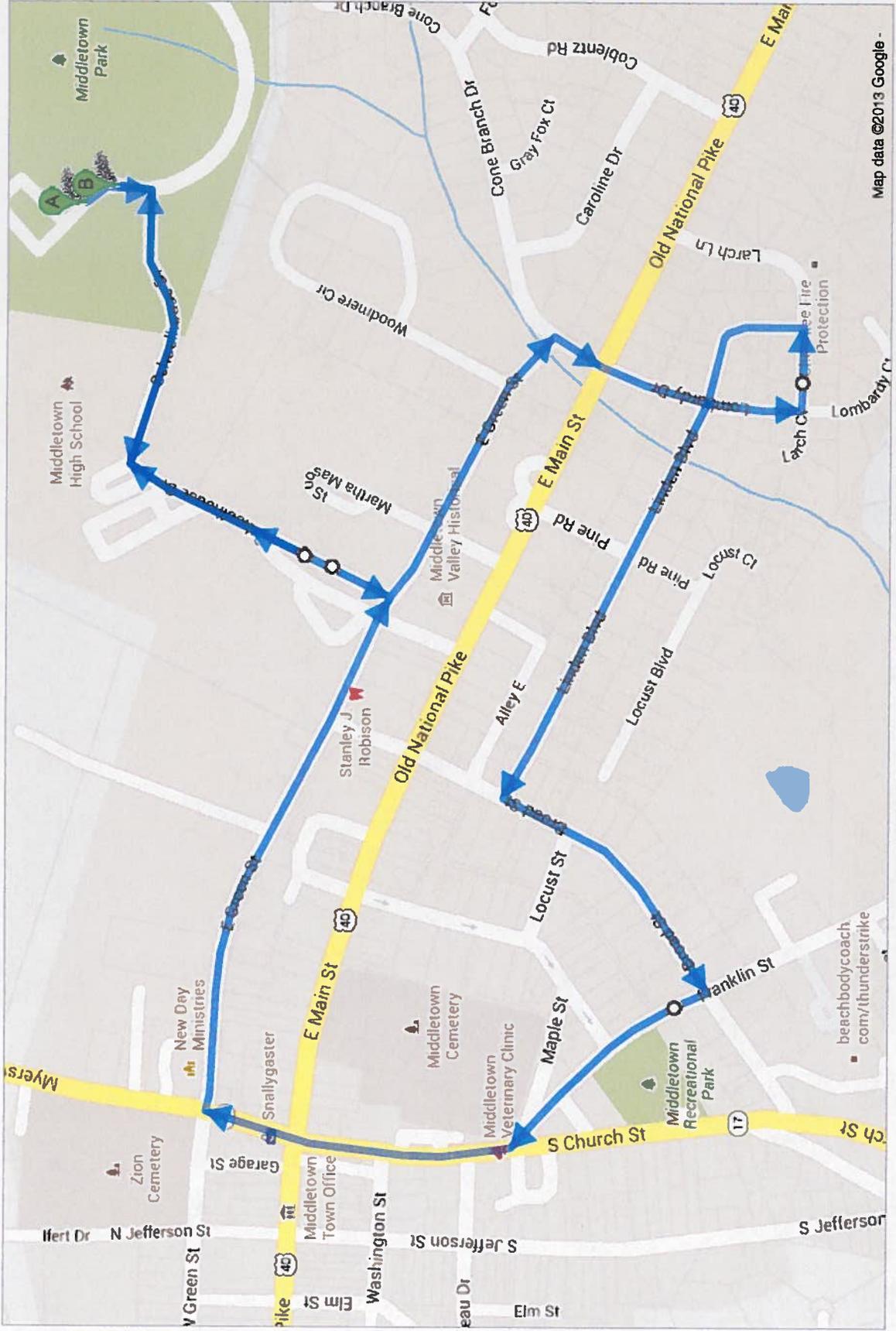
301.371.6474 (Fax)

240.674.8937 (Cell)

5K RACE
EVENT DATE 11/2/13



To see all the details that are visible on the screen, use the "Print" link next to the map.

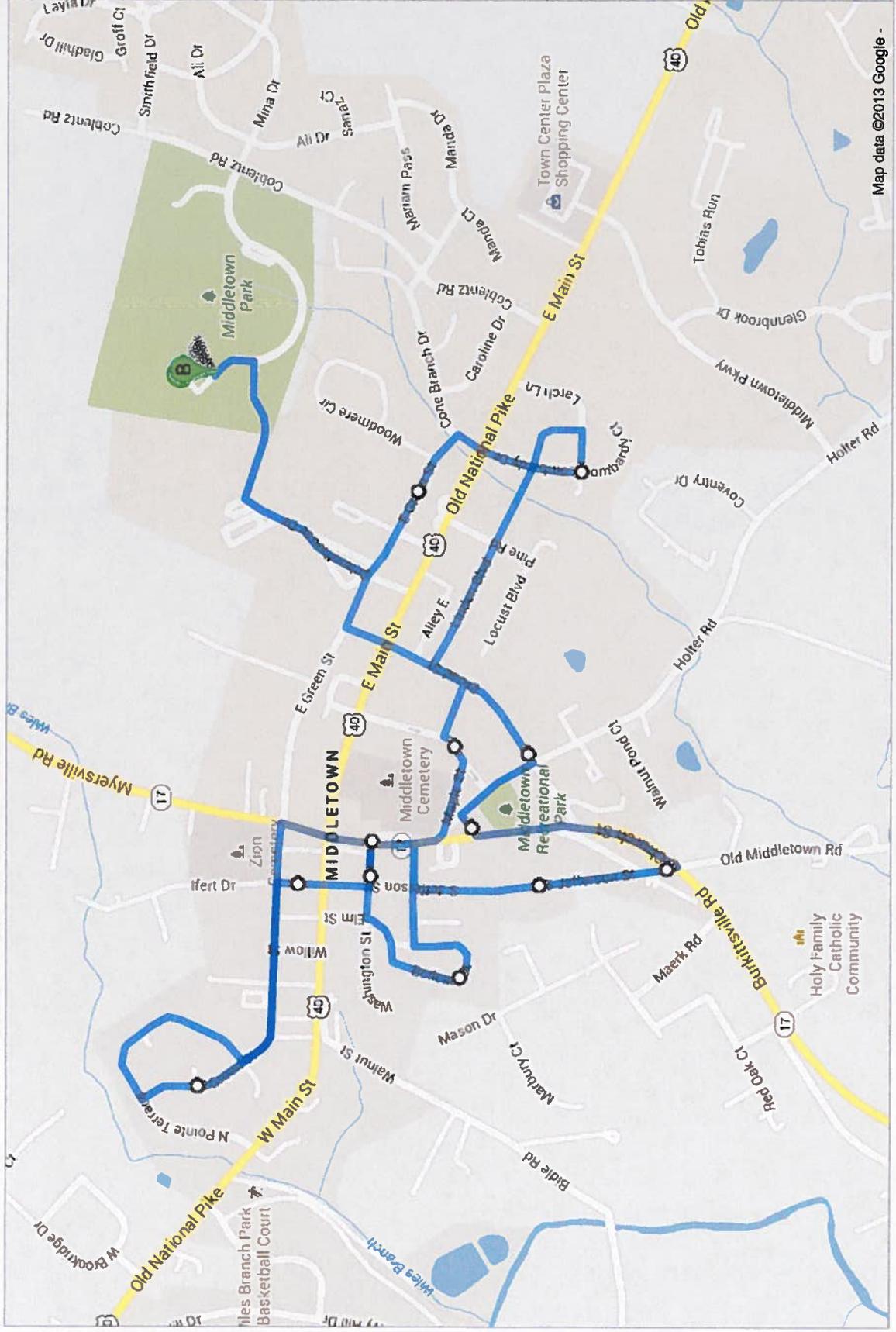


10K RACE



EVENT DATE 11/2/13

To see all the details that are visible on the screen, use the "Print" link next to the map.



Middletown Route

5K starts at the Middletown Park. Leave Pavilion and go RIGHT down

Schoolhouse Dr.

Take L- E. Green St.

R- Cone Branch Dr.

(Route 40 Crossover)

L- Larch Ln.

L- Linden Blvd.

L- Broad St.

R- Holter Rd.

R- S. Church St.

(Route 40 Crossover)

R- E. Green St.

L- Schoolhouse Dr.

Follow back up into the park and cross Finish Line.

10K starts at the Middletown Park. Leave Pavilion and go RIGHT down

Schoolhouse Dr.

Take L- E. Green St.

R- Cone Branch Dr.

(Route 40 Crossover)

L- Larch Ln.

L- Linden Blvd.

L- Broad St.

R- Locust St.

L- Prospect St.

R- Maple St.

R- S. Church St.

L- Boileau Dr.

L- Boileau Ct.

R- Washington St.

L- N. Church St.

L- W. Green St.

R- N. Pointe Terrace

L- W. Green St.

R- S. Jefferson St.

L- Washington St.

R- S. Church St.

R- Boileau Dr.

L- S. Jefferson St.

L- S. Church St.

R- Franklin St.

L- Broad St.

R- E. Green St.

L- Schoolhouse Dr.

Follow back up into the park and cross Finish Line.