



## **SPECIAL AGENDA FOR THE TOWN WORKSHOP**

**November 1, 2012**

**7:00 p.m.**

**7:00PM**      **Community Deputy Monthly Report**

**7:05PM**      **Public Hearing – Ordinance 12-11-01**

**AN ORDINANCE TO AMEND CHAPTER 17.32 OF THE MIDDLETOWN  
MUNICIPAL CODE TO ADD SECTION 17.32.125 PERMITTING THE  
SALE OF MOTOR VEHICLES IN ANY RESIDENTIAL DISTRICT  
SUBJECT TO CERTAIN CONDITIONS.**

**Regular Workshop Items**



## AGENDA FOR THE TOWN MEETING

November 12, 2012

7:00 p.m.

### PLEDGE TO THE FLAG

### CALL TO ORDER

### CONSENT AGENDA

- Financial Statements
- Town Minutes
  - October 22, 2012 – Town Meeting

### PERSONAL REQUESTS FOR AGENDA:

#### STAFF REPORTS (*From Workshop*):

Community Deputy Report

Staff Planner

Zoning Administrator

Engineer's Report

Main Street Manager

### UNFINISHED BUSINESS:

- Ordinance 12-11-01 – Permitting the Sale of Motor Vehicles in any Residential District Subject to Certain Conditions (*Action Item #1*)
- Discussion of Text Amendment for Allowing Parking Lots in R-2 Districts

### 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:**

- Discussion of FY 2014 Frederick County Tax Differential OR Tax Equity
- Discussion of Proposal from Want 2 Grow for Development of Committee Binders which would include Job Descriptions of Positions and Timelines for Events
- Discussion of Septic Bill and Plan Maryland

**PUBLIC COMMENTS:**

*Please state Name and Address for the Record*

**ANNOUNCEMENTS:**

*Albright Crumbacker Moul & Itell – Presentation of the Town's FY 2012 Audit – Monday, November 26, 2012 at 7:00PM at Town Meeting*

**ADJOURNMENT**

**EXECUTIVE SESSION:**

**Meetings for the month of November 2012**

- |                                       |                                     |               |
|---------------------------------------|-------------------------------------|---------------|
| • <i>Planning Commission Workshop</i> | <i>Wednesday, November 14, 2012</i> | <i>7:00PM</i> |
| • <i>Planning Commission</i>          | <i>Monday, November 19, 2012</i>    | <i>7:00PM</i> |
| • <i>Parks &amp; Recreation</i>       | <i>Tuesday, November 20, 2012</i>   | <i>7:00PM</i> |
| • <i>Main Street Board</i>            | <i>Thursday, November 22, 2012</i>  | <i>7:00PM</i> |
| • <i>Town Meeting</i>                 | <i>Monday, November 26, 2012</i>    | <i>7:00PM</i> |

**TOWN OF MIDDLETOWN  
DAILY CASH BALANCE STATEMENT  
As Of October 31, 2012**

	<b>Cash Balance</b>
<b>GENERAL FUND</b>	
<b>Operating Accounts</b>	
<i>BB &amp; T Operating Gen Fund</i>	\$ 782,254
<i>Petty Cash</i>	200
<i>BB &amp; T Payroll</i>	<u>70,748</u>
	<b>\$ 853,202</b>
<b>CIP Accounts</b>	
<i>BB &amp; T Index</i>	\$ 934,934
<i>PNC Investment</i>	<u>205,404</u>
	<b>\$ 1,140,338</b>
<b>TOTAL GF FUNDS AVAILABLE</b>	<b><u>\$ 1,993,540</u></b>
<b>Reserved Accounts *</b>	
<i>BB&amp;T Rainy Day Fund</i>	\$ 193,230
<i>BB&amp;T Reserve - Fire Company</i>	<u>50,000</u>
<b>TOTAL GENERAL FUND RESERVES *</b>	<b><u>\$ 243,230</u></b>
 <b>WATER &amp; SEWER FUND</b>	
<b>Operating Accounts</b>	
<i>Middletown Valley Bank</i>	\$ 13,139
<i>BB &amp; T Operating W/S Fund</i>	<u>(184,492)</u>
	<b>\$ (171,353)</b>
<b>CIP Accounts</b>	
<i>BB &amp; T Index</i>	\$ (34,413)
<b>TOTAL W &amp; S FUNDS AVAILABLE</b>	<b><u>\$ (205,766)</u></b>
<b>Reserved Accounts *</b>	
<i>MVB Bonds</i>	\$ 5,120
<i>BB&amp;T Index - Sludge Removal</i>	51,000
<i>BB &amp; T Index - I &amp; I</i>	<u>175,000</u>
<b>TOTAL WATER &amp; SEWER RESERVES *</b>	<b><u>\$ 231,120</u></b>

\* 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 4 Months Ended October 31, 2012

	ANNUAL BUDGET	YTD ACTUAL	OVER (UNDER) BUDGET
<b>REVENUE</b>			
<b>LOCAL TAX</b>			
Real Property	\$ 1,065,363	\$ 672,582	\$ (392,781)
Tangible Personal Property	27,000	21,231	(5,769)
Public Utilities	7,850	1,393	(6,457)
Franchise (Cable)	36,000		(36,000)
Penalties & Interest	10,000	7	(9,993)
	<u>\$ 1,146,213</u>	<u>\$ 695,213</u>	<u>\$ (451,000)</u>
<b>STATE SHARED TAX</b>			
Admission & Amusement	\$ 32,950	\$ 15,634	\$ (17,316)
Highway Gasoline & Licenses	38,876		(38,876)
	<u>\$ 71,826</u>	<u>\$ 15,634</u>	<u>\$ (56,192)</u>
<b>COUNTY SHARED TAX</b>			
Income Taxes	\$ 675,440	\$ 24,708	\$ (650,732)
Tax Equity Grant	561,699	280,850	(280,849)
	<u>\$ 1,237,139</u>	<u>\$ 305,558</u>	<u>\$ (931,581)</u>
<b>LICENSES AND PERMITS</b>			
Beer, Wine and Liquor	\$ 1,950		\$ (1,950)
Business / Traders	4,000	89	(3,911)
Planning / Zoning Fees	9,500	5,975	(3,525)
	<u>\$ 15,450</u>	<u>\$ 6,064</u>	<u>\$ (9,386)</u>
<b>PARKS AND RECREATION</b>			
Pavillion Fees	\$ 1,900	\$ 220	\$ (1,680)
	<u>\$ 1,900</u>	<u>\$ 220</u>	<u>\$ (1,680)</u>
<b>POLICE PROTECTION</b>			
State Grant	\$ 15,126	\$ 3,782	\$ (11,344)
	<u>\$ 15,126</u>	<u>\$ 3,782</u>	<u>\$ (11,344)</u>
<b>MISCELLANEOUS</b>			
Community Events			
Parking Citations		75	75
Bank Shares Grant	1,491		(1,491)
Miscellaneous & Donations	1,009	507	(502)
	<u>\$ 2,500</u>	<u>\$ 582</u>	<u>\$ (1,918)</u>
<b>OPERATING REVENUES</b>	<b>\$ 2,490,154</b>	<b>\$ 1,027,053</b>	<b>\$ (1,463,101)</b>
State Grants & Interest	\$ 123,836	\$ 552	\$ (123,284)
Loan Proceeds			
<b>TOTAL REVENUE</b>	<b>\$ 2,613,990</b>	<b>\$ 1,027,605</b>	<b>\$ (1,586,385)</b>

Town of Middletown  
Statement of Revenue & Expenditures  
General Fund  
Fiscal Year 2013  
For the 4 Months Ended October 31, 2012

	ANNUAL BUDGET	YTD ACTUAL	OVER (UNDER) BUDGET
<b><u>EXPENDITURES</u></b>			
<b><u>LEGISLATIVE</u></b>			
Commissioner's Salary	\$ 12,000	\$ 3,000	\$ (9,000)
Communications	1,300	705	(595)
Dues & Subscriptions	7,300	7,213	(87)
Office Supplies & Exp	3,000	5,798	2,798
Advertising	1,000	37	(963)
Meetings & Conventions	7,700		(7,700)
	\$ 32,300	\$ 16,753	\$ (15,547)
<b><u>EXECUTIVE</u></b>			
Burgess Salary	\$ 6,000	\$ 1,500	\$ (4,500)
	\$ 6,000	\$ 1,500	\$ (4,500)
<b><u>ELECTION</u></b>			
Clerk Fees			
Other Administrative Expenses			
<b><u>GENERAL SERVICES</u></b>			
<b><u>ADMINISTRATION</u></b>			
GS - Capital Outlay	\$ 5,200		\$ (5,200)
Administrative Salary	178,997	60,790	(118,207)
Postage & Printing	2,500	73	(2,427)
Communications	7,600	2,293	(5,307)
Computer Expenses	16,801	8,320	(8,481)
Office Supplies & Exp	16,271	5,840	(10,431)
Office Maintenance	52,719	6,925	(45,794)
Dues & Subscriptions	100	25	(75)
Professional Services	3,600	900	(2,700)
Meetings & Conventions	100		(100)
	\$ 283,888	\$ 85,166	\$ (198,722)
<b><u>OPERATIONS</u></b>			
Maintenance Capital Outlay			
Vehicle Capital Outlay		50,058	50,058
Director Salary	81,830	24,993	(56,837)
Maintenance Salary	37,596	5,942	(31,654)
Communications	5,866	1,681	(4,185)
Supplies & Expenses	11,100	3,556	(7,544)
Dues & Meetings		114	114
Maintenance & Repairs	24,768	4,781	(19,987)
Tools & Equipment	2,200	1,860	(340)
	\$ 163,360	\$ 92,985	\$ (70,375)

Town of Middletown  
Statement of Revenue & Expenditures  
General Fund  
Fiscal Year 2013  
For the 4 Months Ended October 31, 2012

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>OVER (UNDER) BUDGET</u>
<b><u>PROFESSIONAL SERVICES</u></b>			
Independent Accounting	\$ 12,250	\$ 10,500	\$ (1,750)
Legal - Development		532	532
Legal - Ordinances	<u>7,500</u>	<u>2,432</u>	<u>(5,068)</u>
	\$ 19,750	\$ 13,464	\$ (6,286)
<b><u>PLANNING &amp; ZONING</u></b>			
Salary & Fees	\$ 43,916	\$ 12,844	\$ (31,072)
Other Expenses	<u>1,292</u>	<u>468</u>	<u>(824)</u>
	\$ 45,208	\$ 13,312	\$ (31,896)
<b><u>MAIN STREET PROGRAM</u></b>			
Manager Salary	\$ 24,912	\$ 8,624	\$ (16,288)
Town Contribution	<u>8,500</u>	<u>7,100</u>	<u>(1,400)</u>
	\$ 33,412	\$ 15,724	\$ (17,688)
<b><u>PUBLIC SAFETY</u></b>			
Fire Dept. Donation	\$ 15,000		\$ (15,000)
School Crossing Guards	14,461	1,484	(12,977)
Community Deputy Program	<u>390,883</u>	<u>88,820</u>	<u>(302,063)</u>
	\$ 420,344	\$ 90,304	\$ (330,040)
<b><u>SANITATION &amp; WASTE REMOVAL</u></b>			
Resident Trash & Yard Waste	\$ 287,937	\$ 112,161	\$ (175,776)
<b><u>RECREATION AND CULTURE</u></b>			
Parks - Capital Outlay	166,472	8,461	(158,011)
Park Salary	40,182	13,343	(26,839)
Park Electric	2,200	424	(1,776)
Maintenance & Repairs	20,900	3,313	(17,587)
Mowing	38,550	14,489	(24,061)
Remsberg Park - Interest	40,124	11,767	(28,357)
Remsberg Park - Principal	<u>92,729</u>	<u>40,487</u>	<u>(52,242)</u>
	\$ 401,157	\$ 92,284	\$ (308,873)

Town of Middletown  
Statement of Revenue & Expenditures  
General Fund  
Fiscal Year 2013  
For the 4 Months Ended October 31, 2012

	ANNUAL BUDGET	YTD ACTUAL	OVER (UNDER) BUDGET
<b><u>HIGHWAYS AND STREETS</u></b>			
Streets - Capital Outlay	\$ 618,200	\$ 41,272	\$ (576,928)
Equipment - Capital Outlay	7,400		(7,400)
Salary	88,207	27,786	(60,421)
Street Lighting	153,600	50,067	(103,533)
Storm Water Management	1,500	414	(1,086)
Snow Removal	51,500		(51,500)
Repairs & Resurfacing	108,125	36,683	(71,442)
Signs	3,000	731	(2,269)
Truck Repair & Operation	19,045	5,667	(13,378)
Equipment Repairs & Ops	7,190	2,360	(4,830)
Mowing	31,744	10,967	(20,777)
East Green St - Interest	8,310	2,993	(5,317)
East Green St - Principal	10,500		(10,500)
	<u>\$ 1,108,321</u>	<u>\$ 178,940</u>	<u>\$ (929,381)</u>
<b><u>OTHER EXPENSES</u></b>			
MT Historical Society - CIP	\$ 5,000	\$ 5,000	
Water & Sewer Fund Grant	11,780	11,780	
Donations	100		(100)
Travel - Mileage	2,500	452	(2,048)
Community Events	61,950	30,506	(31,444)
Payroll Taxes	40,159	12,163	(27,996)
Insurance - Property	9,748	3,595	(6,153)
Insurance - Employee	106,829	60,726	(46,103)
Retirement/Pension	69,621	2,912	(66,709)
Web Page & Directory	5,700	596	(5,104)
Real Estate Taxes	712	712	
Other	3,500	478	(3,022)
	<u>\$ 317,599</u>	<u>\$ 128,920</u>	<u>\$ (188,679)</u>
<b>TOTAL EXPENDITURES</b>	<b>\$ 3,119,276</b>	<b>\$ 841,513</b>	<b>\$ (2,277,763)</b>
<b>INCOME (LOSS) Exc. Cash Reserves</b>	<b>\$ (505,286)</b>	<b>\$ 186,092</b>	<b>\$ 691,378</b>
<b>CASH RESERVES</b>	<b>\$ 1,466,088</b>	<b>\$ 1,139,855</b>	<b>\$ (326,233)</b>
<b>SURPLUS / (DEFICIT)</b>	<b>\$ 960,802</b>	<b>\$ 1,325,947</b>	<b>\$ 365,145</b>

Town of Middletown  
CIP Funds & Expenditures  
General Fund  
Fiscal Year 2013  
For the 4 Months Ended October 31, 2012

	ANNUAL BUDGET	YTD ACTUAL	OVER (UNDER) BUDGET
<b>OPERATING REVENUE</b>			
Revenue	\$ 2,490,154	\$ 1,027,052	\$ (1,463,102)
<b>OPERATING EXPENSES</b>			
Expenses	2,213,775	696,233	(1,517,542)
Loan Principal Payments	103,229	40,488	(62,741)
<b>OPERATING SURPLUS (LOSS)</b>	<b>\$ 173,150</b>	<b>\$ 290,331</b>	<b>\$ 117,181</b>
<b><u>OTHER FUNDS</u></b>			
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	552	(3,113)
<b>TOTAL OTHER FUNDS</b>	<b>\$ 123,836</b>	<b>\$ 552</b>	<b>\$ (123,284)</b>
<b>TOTAL FUNDS AVAILABLE</b>	<b>\$ 296,986</b>	<b>\$ 290,883</b>	<b>\$ (6,103)</b>
<b><u>CIP PROJECTS &amp; PURCHASES</u></b>			
MT Historical Society	\$ 5,000	\$ 5,000	
Computer Hardware	5,200		(5,200)
Maintenance Truck/Snow Plow		50,058	50,058
Hydraulic Breaker-Excavator	7,400		(7,400)
SWM Pond Fencing-Coblentz	18,200		(18,200)
Walking Trail Purchase-Lind	42,000		(42,000)
Walking Trail Construction	66,801	1,200	(65,601)
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	41,272	(58,728)
Walnut Street Bridge	500,000		(500,000)
<b>TOTAL CIP COSTS</b>	<b>\$ 802,272</b>	<b>\$ 104,791</b>	<b>\$ (697,481)</b>
<b>OPERATING &amp; CIP SURPLUS (LOSS)</b>	<b>\$ (505,286)</b>	<b>\$ 186,092</b>	<b>\$ 691,378</b>
Cash Reserves	\$ 1,466,088	\$ 1,139,855	\$ (326,233)
<b>TOTAL CASH SURPLUS</b>	<b>\$ 960,802</b>	<b>\$ 1,325,947</b>	<b>\$ 365,145</b>

Town of Middletown  
 STATEMENT OF REVENUE and EXPENDITURES  
 WATER & SEWER  
 Fiscal Year 2013  
For the 4 Months Ended October 31, 2012

	ANNUAL BUDGET	YTD ACTUAL	OVER (UNDER) BUDGET
<b><u>REVENUE</u></b>			
Water Revenue	\$ 532,440	\$ 140,618	\$ (391,822)
Sewer Revenue	532,440	140,329	(392,111)
Penalties/Reconnects	16,000	5,603	(10,397)
Rain Barrel Sales	2,250		(2,250)
General Fund Grant/Misc	11,780	11,780	
<b>TOTAL OPERATING REVENUE</b>	<b>\$ 1,094,910</b>	<b>\$ 298,330</b>	<b>\$ (796,580)</b>
 <b><u>EXPENDITURES</u></b>			
<b>ADMINISTRATIVE</b>			
Office Salaries	\$ 49,168	\$ 12,865	\$ (36,303)
Communications	7,000	2,148	(4,852)
Postage	7,500	5,116	(2,384)
Office Supplies/Expense	9,700	3,266	(6,434)
Legal - Other	3,000		(3,000)
Meetings & Seminars	250		(250)
Advertising	500		(500)
Uniforms	2,600	636	(1,964)
Dues/Subscrip/Certifications	300	220	(80)
Travel	250		(250)
Payroll Taxes	18,016	5,900	(12,116)
Sales & Use Tax			
Insurance - Prop. & Liability	12,000	2,490	(9,510)
Insurance - Workers Comp	12,000	3,567	(8,433)
Insurance - Health	44,195	26,927	(17,268)
Retirement/Pension	26,459	1,168	(25,291)
Real Estate Taxes	292	292	
Rain Barrel/Educational Programs	4,625		(4,625)
Waterline / I & I Loans	72,795	5,783	(67,012)
Sub-Total	\$ 270,650	\$ 70,378	\$ (200,272)
 <b>Vehicles &amp; Equipment</b>			
1999 Truck	\$ 3,866	\$ 818	\$ (3,048)
2001 Truck	3,567	1,496	(2,071)
2008 Truck	3,067	569	(2,498)
2012 Truck		1,653	1,653
Misc Equipment	3,000		(3,000)
Bobcat Mini-Excavator		30	30
Case Backhoe	2,000	153	(1,847)
Sub-Total	\$ 15,500	\$ 4,719	\$ (10,781)

Town of Middletown  
**STATEMENT OF REVENUE and EXPENDITURES**  
**WATER & SEWER**  
**Fiscal Year 2013**  
**For the 4 Months Ended October 31, 2012**

	ANNUAL BUDGET	YTD ACTUAL	OVER (UNDER) BUDGET
<b>WATER</b>			
Salaries	\$ 105,957	\$ 32,527	\$ (73,430)
<b>Water Distribution System</b>			
Supplies	2,000	665	(1,335)
Repairs & Maintenance	45,600	12,519	(33,081)
Water Line Break Repairs	10,000		(10,000)
Chemicals	500		(500)
Tools & Equipment	1,000	81	(919)
Sub-Total	\$ 59,100	\$ 13,265	\$ (45,835)
<b>Water Plant/Reservoir/Booster/Tower/BS Wellhouse</b>			
Electric	\$ 36,325	\$ 6,711	\$ (29,614)
Supplies	1,500	291	(1,209)
Repairs & Maintenance	21,819	9,896	(11,923)
Chemicals	17,500	7,156	(10,344)
Tools & Equipment	2,450	1,675	(775)
Testing & Analysis	8,800	2,303	(6,497)
Sub-Total	\$ 88,394	\$ 28,032	\$ (60,362)
Abandoned Well Costs			
<b>TOTAL WATER EXPENSES</b>	<b>\$ 253,451</b>	<b>\$ 73,824</b>	<b>\$ (179,627)</b>
<b>SEWER</b>			
Salaries	\$ 103,926	\$ 33,624	\$ (70,302)
<b>Sewer Collection System</b>			
Cone Branch PS	21,811	3,068	(18,743)
Brookridge South PS	7,038	6,820	(218)
Foxfield PS	8,637	1,827	(6,810)
Sanitary Sewerlines & Manholes	22,600	22,700	100
I & I Accrual	75,000	25,000	(50,000)
Sub-Total	\$ 135,086	\$ 59,415	\$ (75,671)

Town of Middletown  
 STATEMENT OF REVENUE and EXPENDITURES  
 WATER & SEWER  
 Fiscal Year 2013  
For the 4 Months Ended October 31, 2012

	ANNUAL BUDGET	YTD ACTUAL	OVER (UNDER) BUDGET
<b>Wastewater Treatment Plants</b>			
<b>East Wastewater Treatment Plant</b>			
Electric	\$ 33,880	\$ 8,307	\$ (25,573)
Supplies	5,000	838	(4,162)
Repairs & Maintenance	33,400	1,743	(31,657)
Chemicals	36,000	10,257	(25,743)
Tools & Equipment	2,500	32	(2,468)
Testing & Analysis	15,000	4,922	(10,078)
Sludge Hauling Expense	64,000	11,344	(52,656)
Professional Services			
Sub-Total	\$ 189,780	\$ 37,443	\$ (152,337)
<b>West Wastewater Treatment Plant</b>			
Electric	\$ 17,411	\$ 5,425	\$ (11,986)
Supplies	750	22	(728)
Repairs & Maintenance	4,400	1,429	(2,971)
Chemicals	40,500	19,502	(20,998)
Tools & Equipment	10,100	7,229	(2,871)
Testing & Analysis	6,600	2,060	(4,540)
Sludge Hauling Expense	17,500	6,850	(10,650)
Sub-Total	\$ 97,261	\$ 42,517	\$ (54,744)
<b>TOTAL SEWER EXPENSES</b>	<b>\$ 526,053</b>	<b>\$ 172,999</b>	<b>\$ (353,054)</b>
<b>TOTAL WATER/SEWER EXPENSES</b>	<b>\$ 1,065,654</b>	<b>\$ 321,920</b>	<b>\$ (743,734)</b>
<b>NET INCOME (LOSS)</b>	<b>\$ 29,256</b>	<b>\$ (23,590)</b>	<b>\$ (52,846)</b>

Town of Middletown  
**CIP FUNDS and EXPENDITURES**  
**WATER & SEWER**  
**Fiscal Year 2013**  
**For the 4 Months Ended October 31, 2012**

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>OVER (UNDER) BUDGET</u>
<b><u>FUNDING SOURCES</u></b>			
Operating Revenue	\$ 1,094,910	\$ 298,330	\$ (796,580)
Operating Expenses	<u>1,065,654</u>	<u>321,920</u>	<u>(743,734)</u>
<b>OPERATING INCOME (LOSS)</b>	<b>\$ 29,256</b>	<b>\$ (23,590)</b>	<b>\$ (52,846)</b>
Debt Service Fee - New Homes	\$ 133,800	\$ 33,950	\$ (99,850)
Capital Improvement Fees	107,400	26,760	(80,640)
Water Meter Sales	15,500	725	(14,775)
Water Tower & Land Leases	157,225	53,357	(103,868)
Improvement/Tap Fees	<u>260,000</u>	<u>30,000</u>	<u>(230,000)</u>
<b>TOTAL OTHER REVENUE</b>	<b>\$ 673,925</b>	<b>\$ 144,792</b>	<b>\$ (529,133)</b>
<b>TOTAL FUNDS AVAILABLE</b>	<b>703,181</b>	<b>121,202</b>	<b>(581,979)</b>
<b><u>DEBT SERVICE COSTS</u></b>			
<b>Principal Payments</b>			
BB&T Line of Credit	\$ 35,500	\$ 30,000	\$ (5,500)
CDA - Water Storage Tank	92,650		(92,650)
MDE - East WWTP	191,685		(191,685)
Interest - All Loans	<u>69,633</u>	<u>24,114</u>	<u>(45,519)</u>
<b>TOTAL DEBT SERVICE COSTS</b>	<b>\$ 389,468</b>	<b>\$ 54,114</b>	<b>\$ (335,354)</b>
<b><u>WATER &amp; SEWER PROJECTS</u></b>			
Main Street Waterline Program	\$ 155,000	\$ 105,285	\$ (49,715)
Link2Site Upgrade at Brookridge	20,000		(20,000)
Maganese Removal System	15,000		(15,000)
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>(30,000)</u>
<b>TOTAL WATER &amp; SEWER PROJECTS</b>	<b>\$ 228,000</b>	<b>\$ 110,463</b>	<b>\$ (117,537)</b>
<b>TOTAL CIP COSTS</b>	<b>\$ 617,468</b>	<b>\$ 164,577</b>	<b>\$ (452,891)</b>
<b>TOTAL FUNDS REMAINING</b>	<b><u>\$ 85,713</u></b>	<b><u>\$ (43,375)</u></b>	<b><u>\$ (129,088)</u></b>

*BURGESS AND COMMISSIONERS  
OF MIDDLETOWN MARYLAND*

TOWN MEETING MINUTES

DRAFT

REGULAR MEETING

October 22, 2012

The second monthly meeting of the Burgess and Commissioners of Middletown was called to order on, October 22, 2012, 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, Anthony Ventre and Christopher Goodman. Commissioner Falcinelli arrived at 7:40 p.m.

CONSENT AGENDA

October 4, 2012 – Public Hearing

October 8, 2012 – Town Meeting

Commissioner Bussard motioned to accept this consent agenda, seconded by Commissioner Goodman. Pam Dietrick, 707 E. Main St. said she was at the October 8 meeting representing Middletown Valley Community Garden Club not the Park Committee. The October 8 minutes will be changed; Under Parks & Recreation – Memorial Park, the first sentence should read The Board along with Pam Dietrick, member of the Middletown Valley Community Garden Assoc. discussed. The motion with this change passed with a 5 – 0 vote.

PERSONAL REQUEST FOR AGENDA

**Presentation by the Frederick County Charter Board for a Charter Form of Government for Frederick County** – Ken Coffey, Chairman, Jeff Holtzinger, Member and David Rogers of the Charter Education Coalition were present to discuss the proposed charter government (copy of Charter Highlights is attached) to be voted on November 6, 2012 and if passed would go into effect in 2014.

Alex Kundrick, 3 Crone Lane, asked if this would affect the Town's form of government and was told no.

Bob Smart, 7525 Coblentz Road, asked how this would affect the relationship between the Board of Education and County government under charter rule and was told probably no change with the exception that the County Executive would be working directly with the Board of Education.

Rich Gallagher, 23 Woodmere Circle, felt the Executive salary is too low and was told this position is for someone who is primarily focused on public service to the County not the money.

Since this delegation was here, Burgess Miller asked if the Board would want to act on the Proclamation that is under New Business. Commissioner Goodman motioned to adopt a Proclamation in support of the proposed Charter Form of Government in Frederick County, seconded by Commissioner Bussard and passed with a 5 to 0 vote.

UNFINISHED BUSINESS

No Unfinished business to conduct.

NEW BUSINESS

**Proclamation for Charter form of Government for Frederick County – See Request for Agenda**

**PUBLIC COMMENTS**

**Commissioner Bussard** mentioned the Sidewalk workshop held this past Saturday had 16 residents in attendance. The Director of Operations and Construction demonstrated patch work repair. Cost for repair supplies is approximately \$10.00 from local stores such as Home Depot. Burgess Miller explained the Town is enforcing the existing ordinance regarding sidewalks and Staff has set Fridays aside for appointments with residents on sidewalk issues.

**Bill Ryan**, attorney representing Donald B. Thompson Funeral Home – Mr. Thompson, also in attendance, installed a parking lot on his property located behind the Funeral Home without obtaining permits. The Planning Commission denied their request for this parking lot as this is a non conforming use and that parking lots are not a permitted use in the R2 zone. Mr. Ryan is drafting a text amendment to allow this parking lot in the R2 zone just for the Funeral Home, should this use cease as a Funeral Home then the text amendment would have the property revert back to its previous use, where parking lots would not be allowed. By general consent, the Board agreed to review the issue and entertain a text amendment as discussed and to hold all enforcement action and fees until the Town Board can review the issue fully. Commissioner Bussard does not want this to drag on and would like a resolution before the end of the year. Rich Gallagher, 23 Woodmere Circle, mentioned the County is involved with this issue with regard to stormwater management regulations.

**Pam Dietrick**, Middletown Rec. Council, asked if the upcoming spaghetti dinners dates be sent out on the Town's list serve. She stated all the fund received from these dinners go toward the Independence Day celebration. The Board would like to review the accountability of their funds before making a decision.

**ANNOUNCEMENTS**

**October 25, 2012 – Halloween Parade (Sponsored by the Lion's Club)**

5:45 p.m. - Costume Judging @ High School Tennis Courts

6:15 p.m. – Parade begins

Middletown Volunteer Fire Company after the parade for Treats.

Scarecrows – Burgess Miller announced the Scarecrow winners:

1<sup>st</sup> Place – Feed me Seymour

2<sup>nd</sup> Place – MES Recycling Rocks

3<sup>rd</sup> Place – Charlie Brown Christmas

Burgess Choice – Sharky the Hungry Shark

**ADJOURNMENT**

With no further business to come before the Board, the meeting adjourned at 8:00 p.m.

Respectfully submitted,

Christine H. Moore  
Administrative Assistant

**Town of Middletown Planning Department**

To: Burgess & Commissioners  
From: Cindy Unangst, Staff Planner  
Date: 10/31/2012  
RE: Monthly Planning Update

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**Major Subdivisions:**

**Coblentz on Green – Looking at a November submission**

Master Plan approval – approved November 10, 2008  
SWM Concept Plan – approved by County October 15, 2010  
Water Tap agreement approved by Burgess & Commissioners – March 2012

**Foxfield Section 4- FRO plantings have all been installed.** 19 homes still to be built.

**Foxfield Active Adult- FRO** for this development included in Foxfield Section 4. Homes are continuing build-out in this section - **1 left!**

**Minor Site Plans and Subdivisions:**

**2 East Main Street Change of Use Plan – Site Plan approved – October 15, 2012**

**AMVETS Expansion Plans – Site Plan approved – October 15, 2012**

**Chesterbrook Apts-** Site Plan approved – July 17, 2006

Improvement Plans signed by County – July 17, 2008  
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 – Sketch plan submitted – August 6, 2010**

Preliminary/Final Plat conditionally approved – November 15, 2010  
FSD & Forest Conservation Plan approved – November 15, 2010  
Improvement Plans conditionally approved – February 21, 2011  
SWM and Improvement Plans resubmitted – March 14, 2011  
Final Plat approved – July 18, 2011  
**Final Plat recorded– October 24, 2012**

**Fire Co Activities Center-** Site Plan conditionally approved – July 21, 2008

Site Plan resubmitted and SWM Concept/Dev. Plan submitted – Sept. 6, 2011  
Revised Site Plan conditionally approved – October 17, 2011  
SWM Plan approved by Frederick County – November 3, 2011

**Hollow Creek – Revised Site Plan approved and signed – October 14, 2010**

Revised Site Plan (leaderboard) approved – February 21, 2011

**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  
Revised Plans submitted to SCD for review – January 5, 2011

**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

**Main Cup Expansion Plans** – Site Plan approved – June 18, 2012  
**Revised plans approved – October 15, 2012**

**Main Street Groomers** – Site Plan approved – September 17, 2012 – **NOW OPEN**

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

**Miller (Ingalls)** – Concept and Phase I & II Plan submitted – September 20, 2010  
Approved and signed – September 27, 2010

**Newtown Property** – Concept Plan discussion – June 18, 2012  
**Concept Plan submitted – October 1, 2012**  
**Traffic Impact Study submitted – October 18, 2012**

**Putman** – Site Plan conditionally approved- November 17, 2008  
Forest Conservation Plan approved – June 16, 2009  
Improvement Plans conditionally approved – July 20, 2009  
Cost estimates for public improvements approved – May 13, 2010  
Improvement Plans approved and signed by all agencies – July 2010  
Revised Site Plan approved – April 16, 2012

**Saint Thomas More Academy Site Plan** – approved July 16, 2012  
**Site Plan amendment approved – October 15, 2012**

**Thompson Funeral Home Parking Lot Site Plan** – disapproved – **October 15, 2012**

**Annexations:**

**A.C. Jets Property-** PC approval of annexation petition of 35.96 acres – April 20, 2009  
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

**Reports:**

**Meetings:** **Septic Bill Tier mapping review with County Planners – October 3, 2012**

**Town of Middletown Zoning Department**

To: Burgess & Commissioners

From: Cindy Unangst, Zoning Administrator

Date: 10/31/2012

RE: Monthly Zoning Update

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**P & Z Issues:**

**Vehicle sales text amendment** - Planning Commission discussed draft text amendment pertaining to vehicles for sale within the Town at their September meeting and recommended approval to the Town Board with a couple of text deletions. The Town Board public hearing date is November 1, 2012.

**BOA Hearings:**

**Zoning Violations:**

**Freestanding pole on West Main Street – violation letter sent**

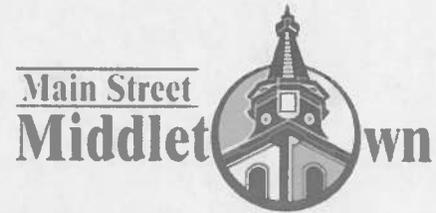
**Boat on Wiles Creek Circle – violation letter sent and boat since removed**

**Shed on Willow Street constructed without a permit–violation letter sent; permit since applied for**

**Boat on Linden Avenue – violation letter to be sent**

**Camper on Manda Court – violation letter to be sent**

**Meetings:**



**TO:** The Burgess and Commissioners  
**FROM:** Becky Reich, Main Street Middletown Manager  
**RE:** November Workshop Meeting  
**DATE:** November 1, 2012

**PROMOTION:**

- We had a very impressive turn-out for the ***Maryland Life pull-out advertisement*** - so much so that Middletown sold more ads than any other Main Street except Frederick! We will have ads on both the front and the back side of the map! I am so happy with this response! Thank you for contributing money to go towards this advertisement – I told everyone that the Town donated funds to help keep the business costs low.
- ***Small Business Saturday*** – Main Street is promoting Small Business Saturday again this year. Last year, the Maryland Main Street program purchased a 2-page spread in Maryland Life Magazine listing all of the Main Street communities and businesses who will have specials going on for Small Business Saturday. We are doing that once again. In addition, Main Street Middletown has purchased an Advertisement that will be run in the Valley Citizen on November the 15<sup>th</sup> to encourage people to shop Small Business Saturday.
- ***Christmas in the Valley*** – Main Street has ordered Christmas Stockings so we can offer the Miracle on Main Street Christmas Stocking Stuffer. To date, we have 7 businesses participating, although I feel certain this will go up after I talk to the businesses individually. Main Street will also promote the participating businesses a bit more through a display-sized poster.
- The ***Ribbon Cutting*** for Maggie's Bake Shop went very well! We were very happy with the turn-out! Thank you for attending the ceremony!
- At our October 25 Board of Trustees meeting, we ***de-briefed about Heritage Festival*** and we are making plans to tweak what we do to bring more people to our table.
- Main Street has invited members of the Historical Society, the Central Maryland Heritage League and the Maryland National Road Association to meet on Thursday, November 8, 2012 to debrief on the Sesquicentennial for this year and map out a plan for ***how to commemorate the ransom of Middletown for 2014. It would be great to have some direct Town involvement; if anyone is interested please let me know.***

**DESIGN:**

- The Planning Commission asked for Main Street to make comments on ***parking*** in light of the Main Cup expansion and new business openings in Middletown. Main Street did not address the number of parking spaces or the placement of parking spaces, but concentrated on parking signage and wayfinding. Main Street will present a fuller report to the Planning Commission, but some of the main points that we discussed included:
  - Long term it would be good to have something that is more uniform in its look, and ideally, have wayfinding signage that is similar to what is in Frederick City – signage

that is more visually appealing, visitor friendly, and helps to promote all aspects of Middletown – dining, shopping, cultural sites, and where to park.

- Long term, Main Street envisions way-finding signage placed at both ends of Town as well as on both directions on MD 17/Church Street to point to parking, shopping, and dining so we can direct visitors not only to Main Street, but to the growing presence along Green Street.
- Short term – if you find the Main Cup parking lot full and you exit out of the Main Cup lot, there isn't any signage within easy viewing to direct you to additional parking. The sign that is to the right on Washington Street could be moved closer to the Main Cup lot. If you want to get back onto MD 17/Church Street, there is no signage there to direct you to turn onto Main Street.
- When you turn right out of the Main Cup parking lot, the signage directs you to the Municipal Lot – which is the Elm Street parking lot. Main Street suggested adding some type of signage identifying this lot as the Elm Street Public Parking lot to differentiate it from private lots. Also the terminology Municipal Parking lot does not sound user-friendly – versus Visitor's Parking Lot or Public Parking Lot.
- If you are exiting out of Main Cup via the alley, there is no signage that would direct a visitor to turn left onto Main Street to get to either of the Town's public parking lots.
- Main Street will also update our webpage with additional information on where to park
- The Design Committee has reviewed the complete draft of the **Character Maintenance Book** and has made suggestions and edits. I have a draft RFP that the Design Committee will review as well as a final review of edits. This book is full of photos, a time line of Middletown history – it will be a very useful booklet!

#### **ECONOMIC DEVELOPMENT:**

- Main Street met with Beth Woodring, a consultant with the Small Business Development Center. Ms. Woodring has over 9-years of small business consulting experience and had some good ideas for possible business seminars. **Main Street and the SBDC are working together to create a marketing seminar for the businesses** and we have penciled in the dates of Tuesday January 15 and Wednesday January 16 as possible days.
- Main Street is pleased to be working with the Town Administrator and Planning and Zoning Administrator regarding the application of the new local tax credit.

#### **ORGANIZATION:**

- The Main Street Board of Trustees is in the process of inviting several people to join the Board. We are excited about each potential new Board member!
- The Maryland Main Street quarterly meeting will be held on November 8, 2012 in Centreville.
- I attended the Frederick County Tourism's Frontline Familiarization Tour of Civil War sites in Frederick County. This was an all-day event (and they even give you a Certificate of Accomplishment). I have a better understanding of how Tourism looks at the Civil War and all of the impacts it had on the County.

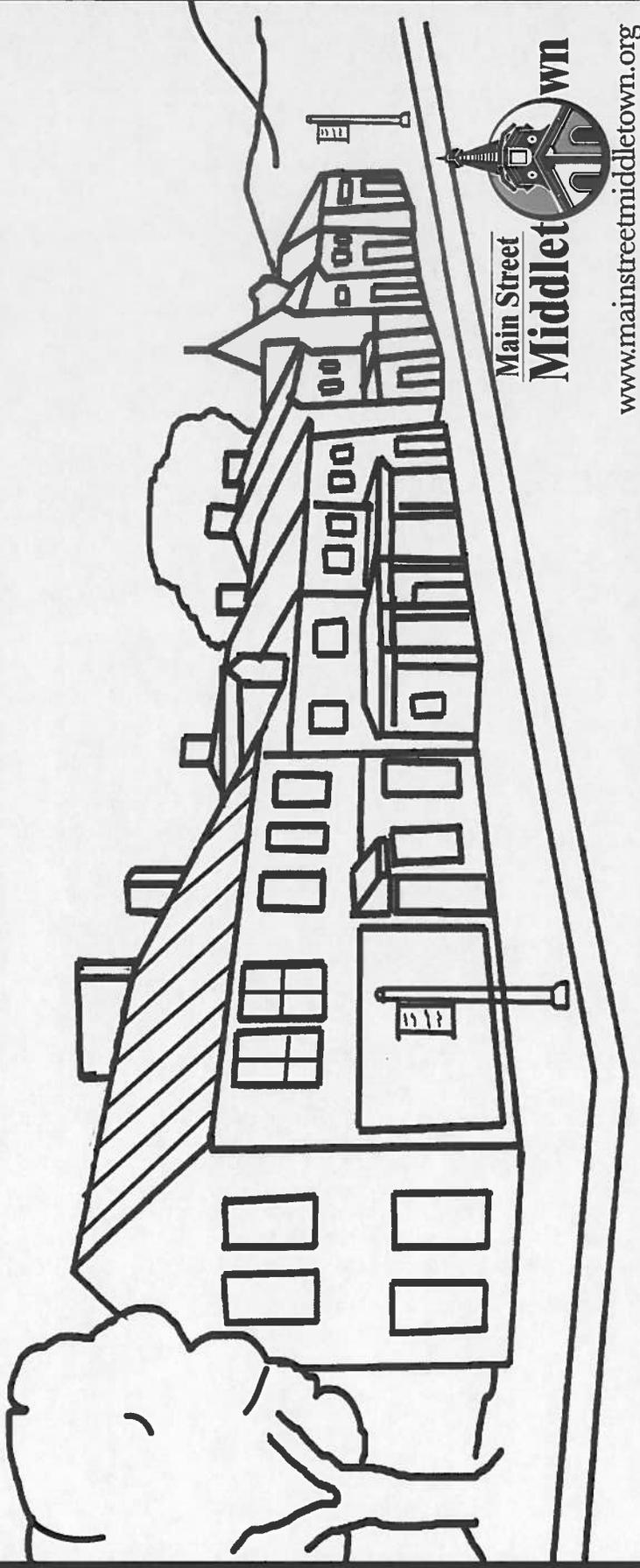
*As Always, Thank You for Your Continued Support of Main Street!*

*Support Your Local Businesses*

Shop Downtown Middletown

**SMALL BUSINESS SATURDAY**

**Saturday, November 24th**



Main Street

Middletown

wn

[www.mainstreetmiddletown.org](http://www.mainstreetmiddletown.org)

## Middletown Planning Office

### MEMORANDUM

Date: 10/31/2012

To: Middletown Burgess and Commissioners  
From: Cindy Unangst, Middletown Staff Planner  
RE: VEHICLE SALES INFORMATION

---

Prior to this time, vehicle sales on residential property have been treated much the same as yard sales.

"Yard sales" means sales of items limited to those items normally found at residential premises and shall not include heavy commercial, industrial or agricultural equipment.

#### **17.32.120 - Yard sales.**

Yard sales shall be permitted as accessory uses in all districts. Yard sales shall be limited to no more than three such events a year with a duration of no more than three consecutive days each. Items sold at yard sales shall be limited to those items normally found at a residential premises and shall not include heavy commercial, industrial or agricultural equipment.

The Middletown Planning Commission at their February 15, 2012 workshop discussed the issue of whether they should be treated the same and came up with the following discussion items:

Discussion items from PC workshop on February 15, 2012

- Text amendment should include the following:
  1. Vehicles must be legally parked. i.e. not parked on the grass
  2. Vehicles must be properly tagged to resident in the house.
- Regarding parking, see Section 17.32.060 in the Code. *All required parking areas and all access drives shall be paved with concrete or bituminous paving material or other dust free surface.*
- Regarding license issues, see Section 17.16.060B. in the Code. *The parking and storage of not more than one unlicensed or inoperative motor vehicle is permitted provided that such a vehicle is effectively screened from adjoining properties.*
- Regarding safety issues, see Section 17.32.080 in the Code. *On any corner lot in all districts there shall be no obstruction to traffic visibility, including shrubbery, trees and fences, within thirty-five (35) feet of the intersection of the two street property lines of*

*the corner lot. Also Section 10.12.010.i. Except as is necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, a person may not stop, stand or park a vehicle in any other manner which obstructs the free flow of traffic and which may jeopardize thereby the safety of the motoring public or of pedestrians.*

The issue was then discussed with the Town Board at the Joint Town Board workshop on May 7, 2012.

**The Middletown Planning Commission on September 17, 2012 by consensus recommended approval of a text amendment to establish Section 17.32.125 permitting the sale of motor vehicles in any residential district subject to certain conditions. The Planning Commission deleted two additional words (“and registered”) from what the Town Board had recommended as seen in the attached copy. After a review of the MVA definitions of titled, tagged and registered, the Planning Commission felt that as long as the vehicle is currently titled to a person who resides on the property, that it should be sufficient.**

**ORDINANCE NO. 12-11-01**

**AN ORDINANCE TO AMEND CHAPTER 17.32 OF THE MIDDLETOWN MUNICIPAL CODE TO ADD SECTION 17.32.125 PERMITTING THE SALE OF MOTOR VEHICLES IN ANY RESIDENTIAL DISTRICT SUBJECT TO CERTAIN CONDITIONS.**

**SECTION I. BE IT ORDAINED AND ENACTED** by the Burgess and Commissioners of Middletown that Title 17, Chapter 17.32 be, and it hereby is, amended by adding thereto the following as section 17.32.125:

**TITLE 17 - ZONING**

**CHAPTER 17.32 - DESIGN STANDARDS GENERALLY**

**17.32.125 SALES OF MOTOR VEHICLES IN RESIDENTIAL DISTRICTS**

**A. AS USED IN THIS SECTION, "MOTOR VEHICLE" IS DEFINED AS ANY SELF-PROPELLED DEVICE IN,OR BY WHICH ANY INDIVIDUAL OR PROPERTY IS OR MIGHT BE TRANSPORTED OR TOWED ON A HIGHWAY, AND INCLUDES, BUT IS NOT LIMITED TO AUTOMOBILES, TRUCKS, MOTORCYCLES, LOW-SPEED VEHICLES AND OFF-HIGHWAY RECREATIONAL VEHICLES.**

**B. SALES OF MOTOR VEHICLES ARE PERMITTED IN ANY RESIDENTIAL DISTRICT SUBJECT TO THE FOLLOWING:**

**1. ONLY ONE MOTOR VEHICLE MAY BE FOR SALE AT ANY ONE TIME.**

**2. THE MOTOR VEHICLE FOR SALE MUST BE CURRENTLY TITLED, IN THE NAME OF A PERSON WHO RESIDES ON THE PROPERTY WHERE THE MOTOR VEHICLE IS FOR SALE.**

**3. THE MOTOR VEHICLE FOR SALE MUST BE PARKED IN A DESIGNATED PARKING SPACE ON THE PROPERTY AS PROVIDED IN SECTION**

**17.32.060 AND MAY NOT BE PARKED ON YARDS OR OTHER GRASSY OR VEGETATIVE AREAS ON THE PROPERTY.**

**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 \_\_\_\_\_, 2012.**

**PASSED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012.**

**EFFECTIVE DATE: \_\_\_\_\_, 2012.**

**ATTEST:**

**BURGESS AND COMMISSIONERS  
OF MIDDLETOWN**

\_\_\_\_\_  
Andrew J. Bowen, Town Administrator

By: \_\_\_\_\_  
John Miller, Burgess

**TEXT AMENDMENT FOR DONALD B. THOMPSON FUNERAL HOME PARKING LOT**

**10/31/2012**

The lot at 32 East Green St. identified on Tax Map Parcel #03-0133583 and on deed "Fill in deed information" and plat dated November 2, 2011 by Frederick Seibert & Associates, Inc. currently zoned R2 - Medium Residential and to the rear of the Funeral Home at 31 East Main St. has also an allowed use as a parking lot in compliance with Frederick County Stormwater Requirements while the neighboring non-conforming use of a Funeral home exists.



# OFFICE OF THE COUNTY MANAGER FREDERICK COUNTY, MARYLAND

## Budget Office

Winchester Hall • 12 East Church Street • Frederick, Maryland 21701  
301-600-3191 • FAX 301-600-2305 • TTY Use Maryland Relay  
www.FrederickCountyMD.gov

# RECEIVED

OCT 10 2012

October 5, 2012

### COMMISSIONERS

Blaine R. Young  
*President*

C. Paul Smith  
*Vice President*

Billy Shreve

David P. Gray

Kirby Delauter

### COUNTY MANAGER

Lori L. Depies, CPA

### BUDGET OFFICE

Regina M. Howell, CPA  
*Budget Officer*

The Honorable John D. Miller  
Burgess of Middletown  
Town Office  
31 W. Main Street  
Middletown, MD 21769

TOWN OF MIDDLETOWN, MD.

Re: FY 2014 Property Tax Set Off

Dear Burgess Miller,

For fiscal year 2013, Middletown opted to receive the Frederick County property tax set off as a tax rebate payment. For the first time in fiscal year 2013, the County offered a tax differential option for municipalities. The City of Frederick and the Town of Myersville elected the tax differential option which resulted in a lower County property tax rate for their residents in lieu of a direct tax rebate payment to the municipality. We will continue to offer both options in fiscal year 2014.

Please submit your financial statements to the Budget Office by December 31, 2012 so that we may calculate estimated tax rebate amounts and tax differential rates in January. Final calculations should be available for municipalities in February 2013. If you wish to receive the set off in the form of a tax differential for FY14, please contact the Frederick County Budget Office by **March 7<sup>th</sup>, 2013**.

The FY14 property tax set off is scheduled for discussion at the October 11, 2012 County/Municipal meeting. If you have any questions, please feel free to contact me at 301-600-3191.

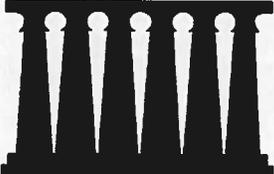
- BURGESS
- COMMISSIONERS
- ADMINISTRATOR
- PLANNING & ZONING

Sincerely,

Regina Howell,  
Budget Officer

cc: Lori L. Depies, County Manager

### CHARACTER COUNTS!



JOSEPHSON INSTITUTE OF ETHICS <sup>SM</sup>

TRUSTWORTHINESS • RESPECT  
RESPONSIBILITY • FAIRNESS  
CARING • CITIZENSHIP

CHARACTER COUNTS! and the Six Pillars of Character are service marks of the CHARACTER COUNTS! Coalition, a project of the Josephson Institute of Ethics.



## MEMORANDUM

**DATE:** November 1, 2012

**TO:** Burgess and Commissioners

**FROM:** Andrew J. Bowen, Town Administrator

**SUBJECT:** Proposal for Community Groups – Want 2 Grow

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The attached proposal from Want 2 Grow would be to develop an events system and process organization for Christmas in the Valley and the Middletown Arts & Activities Committee (MAAC) events.

The primary purpose for developing a binder with full description of each committee members role's and timeline for each event is to generate more volunteers, which has been difficult for the past two (2) years. In addition, once completed, the Town would have a detailed copy of how to put on these events which we currently do not have in our records.

The proposal provides and hourly cost and an estimate of time to complete. After communicating with both Chairperson's of Christmas in the Valley and MAAC, the total estimated cost for providing this information for the Town would be \$1,300.00.

# PROPOSAL

## Middletown Events



**CULTIVATING FRESH IDEAS DAILY**

147 West Patrick Street  
Frederick, MD 21701

office: 301-378-0011

want2growmktg.com





September 24, 2012

Middletown Town Government

Dear John and Drew:

I would like to thank you for allowing Want 2 Grow? the opportunity bid on your project!

Please know that I value each individual client and my ultimate goal is to help you achieve the results that you seek. I hope to be the guide to your vision and will utilize all of the tools at my disposal to help you implement your plan.

Attached you will find a proposal based on the services that we've discussed:

- Event systems, process and organization

I promise to engage in effective communication with you and request that you be available for meetings to address the project's progress at a frequency that suits your schedule.

I am thrilled to be submitting this proposal and look forward to the possibility of our working together!

Sincerely,

Amy Benton

[amy@want2growmktg.com](mailto:amy@want2growmktg.com)

240-446-4304 – phone

**CULTIVATING FRESH IDEAS DAILY**

147 West Patrick Street  
Frederick, MD 21701

office: 301-378-0011

[want2growmktg.com](http://want2growmktg.com)





## Event systems, process and organization

Want 2 Grow? will attend meetings, conduct interviews and build relationships with the all-volunteer committees that are producing multiple events for Middletown. As we collect our data we will compile it into notebooks and electronic formats so there is a history and operations manual for each event.

At the project's completion Want 2 Grow? will provide the client with binders and a full description of each committee member's role. Included will be the overall timeline for each event and other pertinent information for the successful implementation of each event.

Total time average time per month is estimated at 20 hours per month.

Hourly fee is \$65 per hour

Time span of the project October 15, 2012 – June 30, 2013

*This is a good faith estimate. Any hours that are unused will be carried forward. If during the course of the project it become evidently that we have grossly miscalculated our hours, we will contact the client immediately and discuss the how to address the situation.*

**CULTIVATING FRESH IDEAS DAILY**

147 West Patrick Street  
Frederick, MD 21701

 office: 301-378-0011

[want2growmktg.com](http://want2growmktg.com)





#### PRODUCTION TERMS

- All content must be delivered electronically (Word and PDF) or available on the web. All photos or graphics must be delivered in clean electronic or printed format. All content will be held by Want 2 Grow? until its return is requested unless it resides online.
- The estimated delivery date should be calculated from the day Want 2 Grow? receives all from the client unless stated otherwise in attached deliverables.
- Any tardiness on the part of the client in the delivery of work materials including, but not limited to: copy writing, photographs, images, illustrations and/or proof materials may result in an equivalent tardiness on the delivery of the work related thereto.
- Any and all other charges or alterations requested and or made after the signing of this contract and above and beyond the deliverables, will be reflected in writing using a separate contract and will reflect the current rates.
- Want 2 Grow? Works as a "work for hire" meaning that with signed project approval and full payment, the client will own rights to all graphics, logos, etc. produced by Want 2 Grow? Some images pulled from image databases may require a royalty or may be royalty free, either way the client generally will not own rights to that image unless they purchase the image.

#### PAYMENT TERMS

- A signed contract, signed terms and a one month retainer – (based on the overall contract/number of months of contract) deposit are due prior to project kickoff. Client will be billed monthly as agreed and payment is due within 30 days.
- Want 2 Grow? accepts cash and checks.
- Payments by check are to the order of Fruitlon LLC. All returned checks will be subject to a charge of \$25.00. All payments will be considered non-refundable.
- Any extra materials, such as stock photography, fonts, or shipping, will be billed to the client. This price is good for 30 days

#### LIABILITIES

- The client shall indemnify and hold harmless Want 2 Grow? and any and all subcontractors from any and all costs, expenses and/or damages on account of any and all manner of claims, demands, actions, and/or proceedings that may be instituted against Want 2 Grow?, on the grounds alleging that the work contracted hereby violates any copyright or propriety right of any person or that it contains any matter that is libelous, scandalous, or invading of any persons right to privacy. The Indemnity shall not apply to any infringement, which is due to designs developed by Want 2 Grow? or their subcontractors.
- Client agrees to exercise due diligence in its direction to us regarding preparation of materials and must be able to substantiate all claims and representations. Any materials that CLIENT provides to us must be free and clear to use and must not infringe upon any trademark, service mark, copyright and patent. CLIENT is responsible for all trademark, servicemark, copyright and patent infringement clearances. CLIENT is also responsible for arranging, prior to publication, any necessary legal clearance of materials we prepare.
- Want 2 Grow? may not be held liable for any and all damage or claims resulting from hardware or software failure or loss of data on a computer that Want 2 Grow? or subcontractor worked on for client. Unless it is determined that such failure or loss of data was due to gross negligence on the part of Want 2 Grow? and or their subcontractors.
- Want 2 Grow? and it's subcontractor's shall incur no liability whatsoever for any losses and/or damages caused as a result of any delivery delays. Want 2 Grow? does not promise any financial return to the client based on this project.

CULTIVATING FRESH IDEAS DAILY

147 West Patrick Street  
Frederick, MD 21701

office: 301-378-0011

want2growmktg.com





**CANCELLATIONS**

Should the work be canceled in progress, the client will be liable for paying for any completed work and effectuated expenses. Should the client fail and/or refuse to take delivery of the work, the total remaining balance will become immediately due and payable. Frution LLC will retain all materials or properties until all applicable payments of this contract have been satisfied.

I have read and agree to the attached contract terms:

Client

Signature By \_\_\_\_\_ Date \_\_\_\_\_

Want 2 Grow?

Signature By \_\_\_\_\_ Date \_\_\_\_\_

**CULTIVATING FRESH IDEAS DAILY**

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## Memorandum

To: Middletown Burgess & Commissioners

From: Cynthia Unangst, Staff Planner

Date: October 30, 2012

RE: Senate Bill 236 (Sustainable Growth & Agricultural Preservation Act of 2012)

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The Sustainable Growth & Agricultural Preservation Act of 2012 limits the spread of septic systems on large-lot residential development to reduce the last unchecked major source of nitrogen pollution into Chesapeake Bay and other waterways. By mapping future growth in "tiers," the law seeks greater accountability and predictability.

There are four tiers as follows:

Tier I – properties currently served by sewerage systems

Tier II – future growth areas planned for sewerage systems

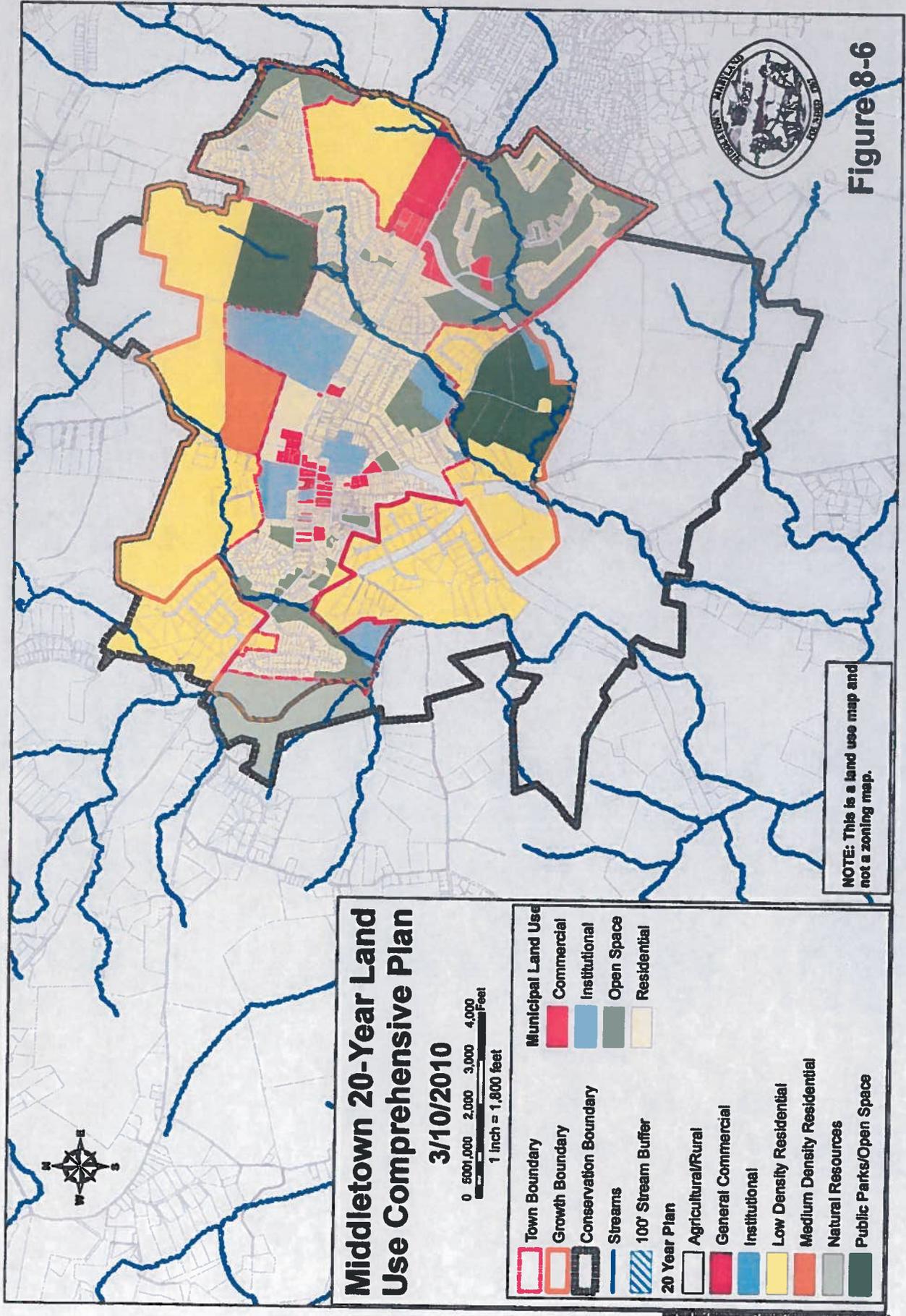
Tier III – large lot developments and "Rural Villages" on septic systems

Tier IV – preservation and conservation areas. No major subdivisions on septic.

Senate Bill 236 was introduced by Governor O'Malley and passed by the Maryland General Assembly in its 2012 Session. The goal of the law is to limit the disproportionate impacts of large subdivisions on septic systems on the State's farm and forest land, streams, rivers and Chesapeake and Coastal Bays. The Act provides an approach for planned development using on-site sewage disposal systems. Mapping the Growth Tiers (Tiers) is intended to be a straight-forward exercise based on existing local government plans and goals for growth and land preservation. Most of the Tier mapping should be a reflection of existing zoning, comprehensive plans and sewer service. Local jurisdictions are to map Tiers by December 31, 2012. Identification and mapping of the Tiers is voluntary; however, jurisdictions that do not map Tiers will not be able to approve major subdivisions outside of areas currently served by public sewerage systems.

Based on the Middletown 20-Year Land Use Comprehensive Plan map, which is part of the Middletown Comprehensive Plan, town staff would propose that all properties within the town limits be designated as Tier I (currently served by sewer) and all properties within the Town's Growth Boundary be designated as Tier II (future growth areas planned for sewer). See attached Land Use Plan map.

Also attached is Frederick County's draft Middletown Septic Tiers map which shows all properties within the town limits, as well as Remsburg Park, as Tier I, and the properties within the County's Community Growth Area as being within Tier II. Please note that the Town's Growth Boundary differs from the County's Community Growth Area on the north side of Town. Although the draft map from the County shows the two properties on the north side of town that are not within the Community Growth Area as Tier IV, staff has been informed that the County is going to designate those as Tier IIA. The County's definition of Tier IIA is "areas planned for public sewer NOT in a growth area." Even though all of this really doesn't matter in the long run, staff is pleased with the fact that those properties will be designated as Tier IIA instead of Tier IV.



# Middletown 20-Year Land Use Comprehensive Plan

3/10/2010

0 500' 1,000' 2,000' 3,000' 4,000' Feet  
1 inch = 1,800 feet

- |  |                            |  |               |
|--|----------------------------|--|---------------|
|  | Town Boundary              |  | Commercial    |
|  | Growth Boundary            |  | Institutional |
|  | Conservation Boundary      |  | Open Space    |
|  | Streams                    |  | Residential   |
|  | 100' Stream Buffer         |  |               |
|  | 20 Year Plan               |  |               |
|  | Agricultural/Rural         |  |               |
|  | General Commercial         |  |               |
|  | Institutional              |  |               |
|  | Low Density Residential    |  |               |
|  | Medium Density Residential |  |               |
|  | Natural Resources          |  |               |
|  | Public Parks/Open Space    |  |               |

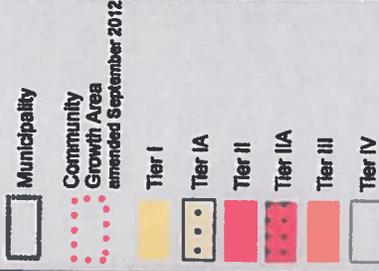
NOTE: This is a land use map and not a zoning map.



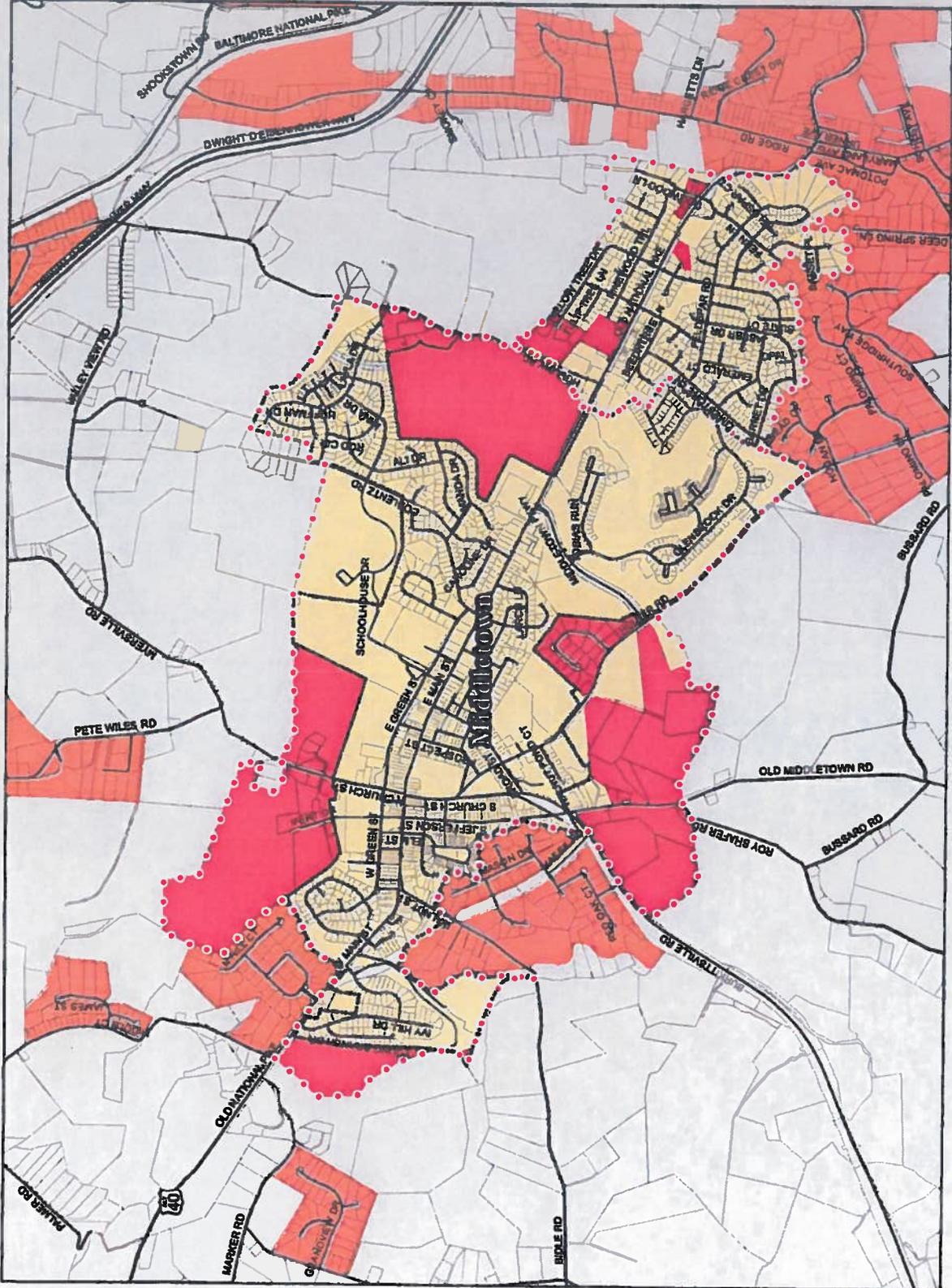
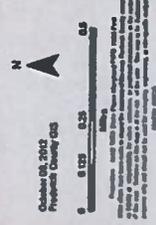
Figure 8-6

# Middletown Septic Tiers

Frederick County, Maryland  
Community Development  
Division



**DRAFT-**  
**October 3, 2012**



## Memorandum

To: Middletown Burgess & Commissioners

From: Cynthia Unangst, Staff Planner

Date: October 30, 2012

RE: PlanMaryland's Planning Areas

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PlanMaryland's Planning Areas are locations for coordinated planning, management and resource allocation according to MDP. The purpose of these areas, as articulated in PlanMaryland, is to identify where and how local and state government, as well as the private sector, can work together to achieve the goals and objectives of PlanMaryland and local comprehensive plans. A central tenet of Planning Areas and PlanMaryland itself is to improve coordination and collaboration among state agencies and between state and local governments.

The identification of Planning Areas is intended to build on the recognition of areas established through work already completed by local jurisdictions – reflecting the policies established in the local comp plan, implementing strategies enacted in local development regulations, and other implementation measures. Local jurisdictions are being asked to identify PlanMD Planning Areas at the same time as they are identifying Tiers. Tier I and Tier II areas are generally comprised of Targeted Growth and Revitalization Areas, Established Communities, and Future Growth Areas.

PlanMaryland establishes five "Place" Planning Area categories that local government can use to pursue objectives for growth, revitalization, land preservation and resource conservation. The Planning Areas are:

- Targeted Growth and Revitalization Areas
- Established Community Areas in Priority Funding Areas
- Future Growth Areas
- Large Lot Developed Areas, and
- Rural Resource Areas

Staff proposes that the GC, SC/LM and TC-zoned areas in Middletown be designated as Targeted Growth and Revitalization Areas, and the rest of town be designated as Established Community Areas in Priority Funding Areas. Also proposed would be for the properties within the Town's Growth Area be designated as Future Growth Areas.

Once the initial set of Planning Areas have been recognized by the State's Smart Growth Sub-cabinet, local jurisdictions can update their planning areas through the same process currently used to update PFAs, ensuring an expeditious response to changing conditions at the local level. Once identified, the Planning Areas do not have to change, although MDP would encourage each jurisdiction to reevaluate the appropriateness of each identified area during its six-year comprehensive plan assessment process.