# AGENDA FOR THE TOWN MEETING
**November 14, 2016**
**7:00 p.m.**

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

## PLEDGE TO THE FLAG

## CALL TO ORDER

## PUBLIC HEARING

**Ordinance 16-10-01**

AN ORDINANCE TO AMEND TITLE 17, CHAPTER 17.36, SECTION 17.36.140 OF THE MIDDLETOWN MUNICIPAL CODE TO REVISE THE EXEMPTION STANDARDS FOR SIGNS LOCATED ON BALLFIELDS AND SPORTS COMPLEXES.

## CONSENT AGENDA

- **Financial Statements**
- Town Meeting Minutes
  - **October 24, 2016 – Town Meeting**

## PERSONAL REQUESTS FOR AGENDA:

*Councilman Jake Romanell, Vice President of New Market Council &*
*Mayor Randy McClement, City of Frederick*
***Municipal Government Works Month***

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

Staff Planner
Main Street Manager
Engineers Report
Zoning Administrator

## UNFINISHED BUSINESS:

- **250th Celebration Budget Updates and Amendments**
- **Review of Cost Estimates for Additional Paving of Alleys – West Green Street Improvements Project**

## REPORT OF COMMITTEES:

| | |
|---|---|
| Water/Sewer | Commissioner Falcinelli |
| Public Works | Commissioner Bussard |
| Sustainability | Commissioner Dietrick |
| Planning Commission Liaison | Commissioner Catania |
| Parks & Recreation | Commissioner Goodman |
| Public Information | Commissioner Falcinelli |

## NEW BUSINESS:

- **Review of Lease for 30 West Main Street – Middletown Valley Bank**

## PUBLIC COMMENTS:

## ANNOUNCEMENTS:

- *Planning Commission Seats (3) Coming Up for Appointment*
- *Town Office Closed for Thanksgiving and Friday, November 25, 2016*
- *Small Business Saturday, November 26, 2016*

## ADJOURNMENT

**ORDINANCE NO. 16-10-01**

**AN ORDINANCE TO AMEND TITLE 17, CHAPTER 17.36, SECTION 17.36.140 OF THE MIDDLETOWN MUNICIPAL CODE TO REVISE THE EXEMPTION STANDARDS FOR SIGNS LOCATED ON BALLFIELDS AND SPORTS COMPLEXES.**

**SECTION I. BE IT ORDAINED AND ENACTED** by the Burgess and Commissioners of Middletown that Title 17, Chapter 17.36, Section 17.36.140 of the Middletown Municipal Code be, and hereby is, amended as follows. Language being deleted is designated by being ~~[in brackets and stricken through.]~~ New language is designated by being in **BOLD CAPITAL LETTERS OR NUMBERS:**

Title 17 – Zoning

Chapter 17.36 Signs

17.36.140 - Exempt signs.

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

A. – D. *{Unchanged}*

E. Ballfield/sports complex signs and scoreboards ~~[that face the inside of a playing field]~~ ~~**WHICH ARE LOCATED WITHIN THE IMMEDICATE VICINITY OF THE PLAYING FIELD OR THE SURROUNDING SPORTS COMPLEX; PROVIDED, HOWEVER, THAT THE TEXT, PICTURE, OR OTHER GRAPHIC ON SUCH SIGNS SHALL NOT VISIBLE TO PERSONS ON PROPERTY WHICH IS USED FOR RESIDENTIAL**~~

~~**PURPOSES UNLESS SUCH SIGN IS AT LEAST 100 FEET FROM THE CLOSEST BOUNDARY OF SUCH RESIDENTIALLY USED PROPERTY.**~~

F. *{Unchanged}*

**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 _____, 2016**

**PASSED ON THE _____ DAY OF _____, 2016**

**EFFECTIVE DATE: _____, 2016**

**ATTEST:**

**BURGESS AND COMMISSIONERS OF MIDDLETOWN**

By:_____

_____
Andrew J. Bowen, Town Administrator

John D. Miller, Burgess

# Town of Middletown
## Statement of Revenue & Expenditures
### General Fund
### Fiscal Year 2017
### For the 4 Months Ended October 31, 2016

| | ANNUAL BUDGET | YTD ACTUAL | OVER (UNDER) BUDGET |
|---|---|---|---|
| **REVENUE** | | | |
| **LOCAL TAX** | | | |
| Real Property | $ 1,228,459 | $ 779,771 | $ (448,688) |
| Tangible Personal Property | 37,108 | 14,794 | (22,314) |
| Public Utilities | 12,841 | | (12,841) |
| Franchise (Cable) | 49,940 | | (49,940) |
| Penalties & Interest | 10,357 | | (10,357) |
| | $ 1,338,705 | $ 794,565 | $ (544,140) |
| **STATE SHARED TAX** | | | |
| Admission & Amusement | $ 22,500 | $ 28 | $ (22,472) |
| Highway Gasoline & Licenses | 162,421 | 111,324 | (51,097) |
| | $ 184,921 | $ 111,352 | $ (73,569) |
| **COUNTY SHARED TAX** | | | |
| Income Taxes | $ 834,937 | $ 101,771 | $ (733,166) |
| Tax Equity Grant | 566,687 | 283,343 | (283,344) |
| | $ 1,401,624 | $ 385,114 | $ (1,016,510) |
| **LICENSES AND PERMITS** | | | |
| Beer, Wine and Liquor | $ 1,950 | | $ (1,950) |
| Business / Traders | 4,900 | 308 | (4,592) |
| Planning / Zoning Fees | 20,191 | 1,746 | (18,445) |
| | $ 27,041 | $ 2,054 | $ (24,987) |
| **PARKS AND RECREATION** | | | |
| Pavillion Fees | $ 1,900 | $ 1,094 | $ (806) |
| | $ 1,900 | $ 1,094 | $ (806) |
| **POLICE PROTECTION** | | | |
| State Grant | $ 26,187 | $ 6,547 | $ (19,640) |
| | $ 26,187 | $ 6,547 | $ (19,640) |
| **MISCELLANEOUS** | | | |
| Community Events | | | |
| Parking Citations | | | |
| Bank Shares Grant | 2,500 | | (2,500) |
| Miscellaneous & Donations | 5,000 | 2,636 | (2,364) |
| | $ 7,500 | $ 2,636 | $ (4,864) |
| **OPERATING REVENUES** | **$ 2,987,878** | **$ 1,303,362** | **$ (1,684,516)** |
| State Grants & Interest | $ 42,842 | $ 136 | $ (42,706) |
| **TOTAL REVENUE** | **$ 3,030,720** | **$ 1,303,498** | **$ (1,727,222)** |

# Town of Middletown
## Statement of Revenue & Expenditures
### General Fund
### Fiscal Year 2017
### For the 4 Months Ended October 31, 2016

| | ANNUAL BUDGET | YTD ACTUAL | OVER (UNDER) BUDGET |
|---|---|---|---|
| **EXPENDITURES** | | | |
| **LEGISLATIVE** | | | |
| Commissioner's Salary | $ 15,600 | $ 3,900 | $ (11,700) |
| Communications | 3,480 | 1,034 | (2,446) |
| Dues & Subscriptions | 7,400 | 6,763 | (637) |
| Office Supplies & Exp | 3,600 | 1,164 | (2,436) |
| Advertising | 750 | | (750) |
| Meetings & Conventions | 9,000 | 4,864 | (4,136) |
| | $ 39,830 | $ 17,725 | $ (22,105) |
| **EXECUTIVE** | | | |
| Burgess Salary | $ 10,200 | $ 2,550 | $ (7,650) |
| | $ 10,200 | $ 2,550 | $ (7,650) |
| **ELECTION** | | | |
| Clerk Fees | | | |
| Other Administrative Expenses | | | |
| **GENERAL SERVICES** | | | |
| **ADMINISTRATION** | | | |
| Administrative Salary | $ 247,131 | $ 78,530 | $ (168,601) |
| Postage & Printing | 200 | 62 | (138) |
| Communications | 6,977 | 2,384 | (4,593) |
| Computer Expenses | 28,400 | 10,540 | (17,860) |
| Office Supplies & Exp | 26,000 | 9,064 | (16,936) |
| Office Maintenance | 13,400 | 5,665 | (7,735) |
| Dues & Subscriptions | 150 | | (150) |
| Professional Services | 4,600 | 1,387 | (3,213) |
| Meetings & Conventions | 100 | | (100) |
| Water and Sewer Grant | | | |
| | $ 326,958 | $ 107,632 | $ (219,326) |
| **OPERATIONS** | | | |
| Maintenance Capital Outlay | | | |
| Vehicle Capital Outlay | | | |
| Director Salary | 97,355 | 55,120 | (42,235) |
| Maintenance Salary | 126,742 | 8,708 | (118,034) |
| Communications | 9,000 | 2,552 | (6,448) |
| Supplies & Expenses | 17,000 | 6,074 | (10,926) |
| Dues & Meetings | | | |
| Landscaping/Beautification | | | |
| Maintenance & Repairs | 21,633 | 5,787 | (15,846) |
| Tools & Equipment | 500 | 1,840 | 1,340 |
| | $ 272,230 | $ 80,081 | $ (192,149) |

# Town of Middletown
## Statement of Revenue & Expenditures
### General Fund
### Fiscal Year 2017
### For the 4 Months Ended October 31, 2016

| | ANNUAL BUDGET | YTD ACTUAL | OVER (UNDER) BUDGET |
|---|---|---|---|
| **PROFESSIONAL SERVICES** | | | |
| Independent Accounting | $ 16,000 | | $ (16,000) |
| Legal - Development | | 266 | 266 |
| Legal - Ordinances | 7,796 | 1,995 | (5,801) |
| | $ 23,796 | $ 2,261 | $ (21,535) |
| **PLANNING & ZONING** | | | |
| Salary & Fees | $ 51,872 | $ 14,647 | $ (37,225) |
| Other Expenses | 3,207 | 1,146 | (2,061) |
| | $ 55,079 | $ 15,793 | $ (39,286) |
| **MAIN STREET PROGRAM** | | | |
| Manager Salary | $ 43,680 | $ 14,111 | $ (29,569) |
| Town Contribution | 10,000 | 10,000 | |
| | $ 53,680 | $ 24,111 | $ (29,569) |
| **PUBLIC SAFETY** | | | |
| Fire Dept. Donation | $ 20,000 | | $ (20,000) |
| School Crossing Guards | 15,758 | 2,714 | (13,044) |
| Community Deputy Program | 401,611 | 97,950 | (303,661) |
| | $ 437,369 | $ 100,664 | $ (336,705) |
| **SANITATION & WASTE REMOVAL** | | | |
| Resident Trash & Yard Waste | $ 273,888 | $ 88,709 | $ (185,179) |
| **RECREATION AND CULTURE** | | | |
| Park Salary | 34,807 | 19,835 | (14,972) |
| Park Electric | 2,358 | 410 | (1,948) |
| Maintenance & Repairs | 26,450 | 14,208 | (12,242) |
| Mowing | 26,215 | 11,682 | (14,533) |
| Remsberg Park - Interest | 11,320 | 3,075 | (8,245) |
| Remsberg Park - Principal | 112,230 | 27,812 | (84,418) |
| | $ 213,380 | $ 77,022 | $ (136,358) |

Town of Middletown

# Statement of Revenue & Expenditures

General Fund

Fiscal Year 2017

For the 4 Months Ended October 31, 2016

| | ANNUAL BUDGET | YTD ACTUAL | OVER (UNDER) BUDGET |
|---|---|---|---|
| **HIGHWAYS AND STREETS** | | | |
| Salary | $ 48,841 | $ 29,166 | $ (19,675) |
| Street Lighting | 161,916 | 26,784 | (135,132) |
| Storm Water Management | 7,800 | 3,678 | (4,122) |
| Snow Removal | 75,000 | | (75,000) |
| Repairs & Resurfacing | 67,195 | 4,261 | (62,934) |
| Signs | 6,200 | 647 | (5,553) |
| Truck Repair & Operation | 48,600 | 5,037 | (43,563) |
| Equipment Repairs & Ops | 10,000 | 147 | (9,853) |
| Mowing | 32,696 | 14,336 | (18,360) |
| Interest | 60,927 | 6,686 | (54,241) |
| East Green St - Principal | 12,500 | | (12,500) |
| West Green St - Principal | 65,960 | | (65,960) |
| Case Loader - Principal | 15,158 | 14,004 | (1,154) |
| | $ 612,793 | $ 104,746 | $ (508,047) |
| **OTHER EXPENSES** | | | |
| MT Historical Society - CIP | $ 5,000 | $ 5,000 | |
| Donations | 100 | | (100) |
| Travel - Mileage | 4,578 | 356 | (4,222) |
| Community Events | 30,250 | 9,975 | (20,275) |
| Payroll Taxes | 56,578 | 16,369 | (40,209) |
| Insurance - Property | 14,064 | 4,633 | (9,431) |
| Insurance - Employee | 123,164 | 34,052 | (89,112) |
| Retirement/Pension | 75,062 | 4,681 | (70,381) |
| Web Page & Directory | 1,400 | | (1,400) |
| Real Estate Taxes | 1,242 | 800 | (442) |
| Bond Issuance Costs | | | |
| Other | 3,500 | 300 | (3,200) |
| | $ 314,938 | $ 76,166 | $ (238,772) |
| **TOTAL EXPENDITURES** | **$ 2,634,141** | **$ 697,460** | **$ (1,936,681)** |
| **INCOME (LOSS) Exc. Cash Reserves** | **$ 396,579** | **$ 606,038** | **$ 209,459** |
| **CASH RESERVES** | **$ 936,787** | **$ 685,292** | **$ (251,495)** |
| **SURPLUS / (DEFICIT)** | **$ 1,333,366** | **$ 1,291,330** | **$ (42,036)** |

# Town of Middletown
## CIP Funds & Expenditures
### General Fund
### Fiscal Year 2017
### For the 4 Months Ended October 31, 2016

| | ANNUAL BUDGET | YTD ACTUAL | OVER (UNDER) BUDGET |
|---|---|---|---|
| **OPERATING REVENUE** | | | |
| Revenue | $ 2,987,879 | $ 1,303,362 | $ (1,684,517) |
| **OPERATING EXPENSES** | | | |
| Expenses | 2,634,141 | 697,460 | (1,936,681) |
| **OPERATING SURPLUS (LOSS)** | **$ 353,738** | **$ 605,902** | **$ 252,164** |
| **OTHER FUND** | | | |
| POS - Development | $ 40,500 | | $ (40,500) |
| West Green Street Loan | 2,320,500 | 1,000,000 | (1,320,500) |
| RETAINED EARNINGS | 297,275 | | (297,275) |
| Interest | 2,342 | 136 | (2,206) |
| Other | 32,000 | | (32,000) |
| **TOTAL OTHER FUNDS** | $ 2,692,617 | $ 1,000,136 | $ (1,692,481) |
| **TOTAL FUNDS AVAILABLE** | **$ 3,046,355** | **$ 1,606,038** | **$ (1,440,317)** |
| **CIP PROJECTS & PURCHASES** | | | |
| West Green St Improvements | $ 2,253,056 | $ 1,031,378 | $ (1,221,678) |
| SHA Streetscape Lighting | 175,000 | | (175,000) |
| Broad Street Road Construction | 40,000 | | (40,000) |
| SWM Fence Replacements | 34,997 | | (34,997) |
| Locust Blvd/Ct Road Construction | 415,000 | | (415,000) |
| Pedestrian Safety - Franklin St. | 85,000 | | (85,000) |
| Remsberg Park - Walking Trail an | 45,000 | 10,017 | (34,983) |
| Memorial Park Playground Replace | 74,000 | 77,758 | 3,758 |
| 250th Celebration | 58,000 | | (58,000) |
| Municipal Center Kitchen | 8,000 | | (8,000) |
| Municipal Boiler Replacment | 30,000 | | (30,000) |
| Edco Scarifier Pavement | 4,300 | | (4,300) |
| Backhoe Replacement | 15,200 | 7,361 | (7,839) |
| Computer Replacements | 5,400 | | (5,400) |
| **Total CIP Costs** | **$ 3,242,953** | **$ 1,126,514** | **$ (2,116,439)** |
| OPERATING & CIP SURPLUS (LOSS) | $ (196,598) | $ 479,524 | $ 676,122 |
| Cash Reserves | $ 936,787 | $ 685,292 | $ (251,495) |
| **TOTAL CASH SURPLUS** | **$ 740,189** | **$ 1,164,816** | **$ 424,627** |

**Town of Middletown**
**STATEMENT OF REVENUE and EXPENDITURES**
**WATER & SEWER**
**Fiscal Year 2017**
**For the 4 Months Ended October 31, 2016**

| | ANNUAL BUDGET | YTD ACTUAL | OVER (UNDER) BUDGET |
|---|---|---|---|
| **REVENUE** | | | |
| Water Revenue | $ 577,350 | $ 162,224 | $ (415,126) |
| Sewer Revenue | 577,015 | 157,686 | (419,329) |
| Penalties/Reconnects | 21,950 | 4,107 | (17,843) |
| Rain Barrel Sales | 1,000 | | (1,000) |
| General Fund Grant/Misc | | | |
| **TOTAL OPERATING REVENUE** | **$ 1,177,315** | **$ 324,017** | **$ (853,298)** |
| **EXPENDITURES** | | | |
| **ADMINISTRATIVE** | | | |
| Office Salaries | $ 45,134 | $ 12,516 | $ (32,618) |
| Communications | 11,513 | 3,524 | (7,989) |
| Postage | 9,558 | 8,013 | (1,545) |
| Office Supplies/Expense | 12,600 | 1,989 | (10,611) |
| Legal - Other | 2,000 | | (2,000) |
| Meetings & Seminars | 500 | | (500) |
| Advertising | 500 | 559 | 59 |
| Uniforms | 3,925 | 1,316 | (2,609) |
| Dues/Subscrip/Certifications | 500 | | (500) |
| Travel | 200 | | (200) |
| Payroll Taxes | 23,600 | 6,910 | (16,690) |
| Insurance - Prop. & Liability | 8,500 | 2,894 | (5,606) |
| Insurance - Workers Comp | 8,718 | 2,363 | (6,355) |
| Insurance - Health | 52,831 | 11,746 | (41,085) |
| Retirement/Pension | 28,448 | 1,301 | (27,147) |
| Real Estate Taxes | 292 | 292 | |
| Rain Barrel/Educational Programs | 2,000 | | (2,000) |
| Waterline / I & I Loans | 6,908 | 32,498 | 25,590 |
| Bond Issuance Costs | | | |
| Sub-Total | $ 217,727 | $ 85,921 | $ (131,806) |
| **Vehicles & Equipment** | | | |
| 2016 Truck (Pearl) | $ 3,700 | | $ (3,700) |
| 2008 Truck (Darner) | 3,700 | 363 | (3,337) |
| 2012 Truck (Miller) | 3,700 | 1,068 | (2,632) |
| 2013 Truck (Whitney) | 3,700 | 241 | (3,459) |
| 2015 Meter Van (Hightman) | 3,700 | 1,192 | (2,508) |
| Misc Equipment | | | |
| Bobcat Mini-Excavator | 1,050 | | (1,050) |
| Case Backhoe | 6,050 | 552 | (5,498) |
| Sub-Total | $ 25,600 | $ 3,416 | $ (22,184) |

**Town of Middletown**
**STATEMENT OF REVENUE and EXPENDITURES**
**WATER & SEWER**
**Fiscal Year 2017**
**For the 4 Months Ended October 31, 2016**

| | ANNUAL BUDGET | YTD ACTUAL | OVER (UNDER) BUDGET |
|---|---|---|---|
| **WATER** | | | |
| Salaries | $ 139,545 | $ 43,583 | $ (95,962) |
| **Water Distribution System** | | | |
| Supplies | 3,572 | 260 | (3,312) |
| Repairs & Maintenance | 52,450 | 12,258 | (40,192) |
| Water Line Break Repairs | 5,000 | | (5,000) |
| Chemicals | 500 | | (500) |
| Tools & Equipment | 3,874 | | (3,874) |
| Sub-Total | $ 65,396 | $ 12,518 | $ (52,878) |
| **Water Plant/Reservoir/Booster/Tower/BS Wellhouse** | | | |
| Electric | $ 20,150 | $ 27,877 | $ 7,727 |
| Supplies | 2,000 | | (2,000) |
| Repairs & Maintenance | 31,700 | 10,160 | (21,540) |
| Chemicals | 23,943 | 7,302 | (16,641) |
| Tools & Equipment | 2,400 | | (2,400) |
| Testing & Analysis | 12,988 | 2,346 | (10,642) |
| Sub-Total | $ 93,181 | $ 47,685 | $ (45,496) |
| Abandoned Well Costs | | | |
| **TOTAL WATER EXPENSES** | **$ 298,122** | **$ 103,786** | **$ (194,336)** |
| **SEWER** | | | |
| Salaries | $ 121,920 | $ 35,924 | $ (85,996) |
| **Sewer Collection System** | | | |
| Cone Branch PS | 18,500 | 1,707 | (16,793) |
| Brookridge South PS | 9,735 | 569 | (9,166) |
| Foxfield PS | 6,500 | 958 | (5,542) |
| Sanitary Sewerlines & Manholes | 25,000 | 76 | (24,924) |
| I & I Accrual | 75,000 | 25,000 | (50,000) |
| Sub-Total | $ 134,735 | $ 28,310 | $ (106,425) |

**Town of Middletown**
**STATEMENT OF REVENUE and EXPENDITURES**
**WATER & SEWER**
**Fiscal Year 2017**
**For the 4 Months Ended October 31, 2016**

| | ANNUAL BUDGET | YTD ACTUAL | OVER (UNDER) BUDGET |
|---|---|---|---|
| **Wastewater Treatment Plants** | | | |
| **East Wastewater Treatment Plant** | | | |
| Electric | $ 29,647 | $ 1,202 | $ (28,445) |
| Supplies | 5,802 | 1,200 | (4,602) |
| Repairs & Maintenance | 35,800 | 1,081 | (34,719) |
| Chemicals | 40,844 | 5,441 | (35,403) |
| Tools & Equipment | 5,573 | 985 | (4,588) |
| Testing & Analysis | 34,187 | 6,730 | (27,457) |
| Sludge Hauling Expense | 60,000 | 13,067 | (46,933) |
| Sub-Total | $ 211,853 | $ 29,706 | $ (182,147) |
| **West Wastewater Treatment Plant** | | | |
| Electric | $ 23,084 | $ 896 | $ (22,188) |
| Supplies | 2,500 | 1,068 | (1,432) |
| Repairs & Maintenance | 6,050 | 854 | (5,196) |
| Chemicals | 61,258 | 15,739 | (45,519) |
| Tools & Equipment | 1,000 | 959 | (41) |
| Testing & Analysis | 10,459 | 2,834 | (7,625) |
| Sludge Hauling Expense | 22,650 | 5,750 | (16,900) |
| Sub-Total | $ 127,001 | $ 28,100 | $ (98,901) |
| **TOTAL SEWER EXPENSES** | **$ 595,509** | **$ 122,040** | **$ (473,469)** |
| **TOTAL WATER/SEWER EXPENSES** | **$ 1,136,958** | **$ 315,163** | **$ (821,795)** |
| **CONTINGENCY FUND - 3.5%** | **$ 39,794** | **$ 11,031** | **$ (28,763)** |
| **ADJUSTED WATER/SEWER EXPENSES** | **$ 1,176,752** | **$ 326,194** | **$ (850,558)** |
| **NET INCOME (LOSS)** | **$ 563** | **$ (2,177)** | **$ (2,740)** |

**Town of Middletown**

# CIP FUNDS and EXPENDITURES

**WATER & SEWER**

**Fiscal Year 2017**

**For the 4 Months Ended October 31, 2016**

| | ANNUAL BUDGET | YTD ACTUAL | OVER (UNDER) BUDGET |
|---|---|---|---|
| **FUNDING SOURCES** | | | |
| Operating Revenue | $ 1,177,315 | $ 324,017 | $ (853,298) |
| Operating Expenses | 1,203,662 | 315,163 | (888,499) |
| **OPERATING INCOME (LOSS)** | **$ (26,347)** | **$ 8,854** | **$ 35,201** |
| Cash Reserves | $ 251,799 | $ 251,799 | |
| Debt Service Fee - New Homes | 139,000 | 35,300 | (103,700) |
| Capital Improvement Fees | 149,298 | 37,241 | (112,057) |
| Inflow & Infiltration - Reserve A | 75,000 | 75,000 | |
| Improvement/Tap Fees | 710,000 | 204,200 | (505,800) |
| Water Tower & Land Leases | 192,028 | 69,855 | (122,173) |
| Main Street Waterline Loan | 2,895,000 | 2,895,000 | |
| **TOTAL OTHER REVENUE** | **$ 4,412,125** | **$ 3,568,395** | **$ (843,730)** |
| **TOTAL FUNDS AVAILABLE** | **4,385,778** | **3,577,249** | **(808,529)** |
| **DEBT SERVICE COSTS** | | | |
| **Principal Payments** | | | |
| MVB Line of Credit | $ 200,000 | | $ (200,000) |
| CDA - Water Tower | 107,000 | | (107,000) |
| MDE - East WWTP | 210,349 | | (210,349) |
| Main Street Waterline & Reservoi | 127,200 | | (127,200) |
| Interest - All Loans | 217,561 | 9,143 | (208,418) |
| **TOTAL DEBT SERVICE COSTS** | **$ 862,110** | **$ 9,143** | **$ (852,967)** |
| **WATER & SEWER PROJECTS** | | | |
| CIP - Main Street Waterline - Con | $ 2,895,000 | $ 34,331 | $ (2,860,669) |
| CIP - Fluoride Systems | 8,000 | 10,157 | 2,157 |
| CIP - Welll Field Restoration | 125,000 | 3,410 | (121,590) |
| CIP - Scada Control System | 310,000 | | (310,000) |
| CIP - Booster Station Pump Bypass | 25,000 | | (25,000) |
| CIP - Fire Hydrant Elm & Washingt | 8,000 | | (8,000) |
| Water Meter Purchases | 65,250 | 43,354 | (21,896) |
| CIP - West WWTP - Curtain Replace | 60,000 | 4,882 | (55,118) |
| CIP - West WWTP - Chemical Storag | 15,000 | | (15,000) |
| CIP - East WWTP Bar Screen Refurb | 40,000 | | (40,000) |
| CIP - East WWTP - Influent Flume | 16,000 | | (16,000) |
| CIP - Inflow & Infiltration | 75,000 | | (75,000) |
| Brookridge PS Vault Magmeter | 11,000 | | (11,000) |
| Brookridge PS - 3 Phase VFD | 25,000 | | (25,000) |

Town of Middletown

# CIP FUNDS and EXPENDITURES

## WATER & SEWER

## Fiscal Year 2017

## For the 4 Months Ended October 31, 2016

| | ANNUAL BUDGET | YTD ACTUAL | OVER (UNDER) BUDGET |
|---|---|---|---|
| Cone Branch PS - New Pumps | $ 31,000 | | $ (31,000) |
| **TOTAL WATER & SEWER PROJECTS** | **$ 3,709,250** | **$ 96,134** | **$ (3,613,116)** |
| **TOTAL CIP COSTS** | **$ 4,571,360** | **$ 105,277** | **$ (4,466,083)** |
| **TOTAL FUNDS REMAINING** | **$ (185,582)** | **$ 3,471,972** | **$ 3,657,554** |

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

## TOWN MEETING MINUTES

**REGULAR MEETING** **October 24, 2016**

The second monthly meeting of the Burgess and Commissioners of Middletown was called to order on October 24, 2016, by Burgess Miller at 7:00 p.m. in the Middletown Municipal Center, 31 W. Main Street, Middletown, Maryland. Present were: Commissioners Larry Bussard, Jennifer Falcinelli, Rick Dietrick, Tom Catania and Christopher Goodman.

**CONSENT AGENDA**
*Town Minutes – October 24, 2016 – Town Meeting*
Commissioner Bussard motioned to accept this consent agenda as submitted, seconded by Commissioner Goodman and passed unanimously.

**Personal Requests for Agenda:**

**Unfinished Business:**
**Review of MOU with Middletown Valley Bank for Display of Town Christmas Tree –** Motion by Commissioner Falcinelli to approve the MOU with Middletown Valley Bank for the use of the vacant lot for display of the Town Christmas Tree, seconded by Commissioner Bussard. Motion carried 6-0.
**Discussion of Contracting for Town Christmas Tree Display and Storage** – Drew presented several options from a Company called Plantasia that will provide, set up, tear down and store an artificial tree. Drew stated that the Town of Myersville has went with this option this year as well. After much discussion motion by Commissioner Bussard to approve the quote to lease a 16' tree at $9,500, seconded by Commissioner Falcinelli. Motion carried 6-0.
**Middletown Certification for a Sustainable Community –** Burgess Miller showed the Board the Sustainable plaque that he, Cindy, and Becky were presented at last week's conference.

**NEW BUSINESS:**
**Proclamation of Business Appreciation Week –** Burgess Miller read the proclamation and proclaimed the week of October 24-28 Business Appreciation Week.

**ANNOUNCEMENTS:**
*Middletown Halloween Parade – Saturday, October 29th at 5pm.*
*Closure of bathrooms at Memorial Park – November 4, 2016.*

**ADJOURNMENT**
Meeting adjourned at 7:50pm.

Respectfully submitted,

Ann Griffin
Office Manager

# Proclamation

The Burgess and Commissioner of Middletown, proclaim November to be Municipal Government Works Month.

**WHEREAS,** the Town was incorporated in 1833; and

**WHEREAS,** Maryland is home to 156 other municipalities; and

**WHEREAS,** municipal government represents the most responsive level of government, allowing citizens to have direct access to elected officials; and

**WHEREAS,** in an effort to educate citizens about municipal government and the importance of their participation, the Town of Middletown is proud to promote municipal government awareness; and

**WHEREAS,** municipalities have enhanced the quality of life for their respective residents maintaining natural and historic sites and structures and helping to make Maryland a great place to live, work, play and explore.

**NOW, THEREFORE, BE IT PROCLAIMED** that the Burgess and Commissioners of Middletown, Maryland hereby joins the Maryland Municipal League in declaring November 2016 to be Municipal Government Works Month in Middletown.

| | |
|---|---|
| Burgess John Miller | Commissioner Larry Bussard |
| Commissioner Tom Catania | Commissioner Rick Dietrick |
| Commissioner Jennifer Falcinelli | Commissioner Christopher Goodman |

# Town of Middletown Planning Department

To: Burgess & Commissioners and Middletown Planning Commission

From: Cindy Unangst, Staff Planner

Date: 10/31/2016

RE: Monthly Planning Update - November

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## Major Subdivisions:

**Coblentz on Green** - Master Plan Amendment approved - March 11, 2013
Preliminary plans signed – May 29, 2013
Improvement plans conditionally approved – October 16, 2013
Final FRO Plan approved – April 21, 2014
Final Plats conditionally approved – November 17, 2014
Plats 1 & 2 recorded at Courthouse – May 17, 2016
Model home Certificate of Occupancy received – October 6, 2016

## Site Plans and Minor Subdivisions:

**Cross Stone Commons** – BOA Special Exception Use Hearing – May 8, 2013
Revised architectural plans approved by PC – March 17, 2014
Final FRO Plan approved – May 19, 2014
Revised Site Plan conditionally approved – October 20, 2014
Phase 1 Improvement Plans conditionally approved – October 20, 2014
Phase 2 Improvement Plans conditionally approved – March 16, 2015 (Plans expire 3/16/2018)
Building permit for Building #3 applied for – June 24, 2016
Plat of Correction conditionally approved – September 19, 2016

**Fire Station** – Fire Station plat conditionally approved – October 16, 2013
**BOA approved height variance request - October 20, 2016**
**Revised Site Plan conditionally approved – October 17, 2016 (Plans expire 10/17/19)**

**Franklin Commons/Chesterbrook Phase 2** - Site Plan approved – July 17, 2006
Improvement Plans approved and signed – September 16, 2008
Phase 2 Site Plan conditionally approved – January 19, 2015 (Plans expire 1/19/2018)
Phase 2 FRO plan conditionally approved – January 19, 2015
Phase 2 Improvement Plans conditionally approved – Sept. 21, 2015 (Plans expire 9/21/2018)
Mylars signed – January 4, 2016

**Horman Apartments**- Site Plan approved – April 21, 2008
Improvement Plans conditionally approved – May 17, 2010
Currently approved SWM plans remain valid until May 4, 2017
Mylars signed – September 11, 2015
Letter sent out to property owner – August 25, 2016

**Jiffas** – Site Improvement Plan conditionally approved – October 20, 2008
Forest Conservation Plan approved – October 20, 2008
Architectural plans approved by PC – March 16, 2015
BOA hearing for variance requests (approval received) – March 29, 2016

**Miller (Ingalls)** – Concept and Phase I & II Plan approved & signed – September 27, 2010
Revised Concept Plan reviewed by PC – September 16, 2013
Site plan conditionally approved by PC – July 20, 2015 (Plans expire July 20, 2018)

**Nicholson** - Final Plat submitted for review – March 2, 2015
Subdivision plat conditionally approved by PC – June 20, 2016

**Putman** – Forest Conservation Plan approved – June 16, 2009
Revised Site Plan Extension request approved for 6-months – March 16, 2015
Revised Improvement Plans conditionally approved – March 16, 2015

**Richland Driving Range** – Concept plan reviewed by PC – January 18, 2016
Site Plan reviewed by PC – May 16, 2016
Revised Site Plan conditionally approved by PC – June 20, 2016 (Plans expire June 20, 2019)

**School complex** – PC reviewed plans for comment to Town Board – June 20, 2016

**Technology MD Network Company permit application – submitted September 22, 2016**

**Zion Lutheran property demolition site plan** - approved by PC - August 15, 2016
Building demolished – week of September 26th
**Zion Lutheran property demolition site plan – submitted October 20, 2016**

**Annexations:**

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

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**Text Amendments: Sign ordinance revision for exemption standards for signs located on ballfields**

**Reports:**

**Meetings:** **Next Middletown Green Team Meeting – November 16, 2016**

**Next Joint town board/planning commission workshop – Monday, November 7, 2016**

TO: The Burgess and Commissioners
FROM: Becky Reich, Main Street Middletown
RE: November Workshop Report
DATE: November 2, 2015

**ORGANIZATION:**

- The Main Street Board partnered with the Frederick County Library Middletown Branch for The Heat is On 5K and Fun Run. We netted a little over $3000 and plan to provide the Middletown branch with $800 in a donation that will be used to purchase items to support the STEM program areas.

**ECONOMIC DEVELOPMENT:**

- The Economic Development Committee coordinated with the Frederick County Office of Economic Development a successful Business Appreciation Week, which landed us on WHAG's evening and late news. We presented our Business Partner of the Year award to Rhosymedre Design for their consistent support of Main Street, but more importantly, taking Main Street concepts and applying them to the business with success.
- The Economic Development Committee is hosting a Lunch and Learn event on Friday, November 6 for the Main Street businesses. Our guest presenter will be Sandy Sponaugle, owner of Platinum PR. Sandy was named PR Professional of the Year in 2013 by the American Advertising Federation, and recently returned from speaking at the International Economic Development Conference in Alaska. We are thrilled to have a speaker of this caliber come to offer marketing tips to Main Street businesses.
- Ribbon Cuttings –
    - November 6, 2015 at 2:00pm at Boggs Environmental's Open House
    - Saturday, November 21, at 10:00am at The Clothes Closet

**PROMOTIONS:**

- The Promotions Committee is working on dividing up the materials we received for Small Business Saturday. We received two large boxes of promotional materials. The amount of materials sent was in relation to the number of businesses we felt were likely to participate in some type of Small Business Saturday promotion. With over 200 cloth Shop Small Bags, postcards to send to customers, posters, fliers, doormats, and even cute dog bandanas, there are great materials to assist our businesses in bringing people to Middletown.
- It is not too early to start thinking about Christmas in the Valley! Within the first day of mentioning the event, we already have three businesses signed up for the Stocking Stuffer promotion, Miracle on Main Street. Main Street is also working closing with Jennifer Falcinelli on planning this year's event.

- The Promotions Committee presented the following idea to the Main Street Board of Trustees, and now Main Street seeks approval from the Burgess and Commissioners to allow decorative newel posts be placed outside of the businesses during the holiday season. Main Street received grant funding to enhance the holiday décor, and has funds to produce an estimated 15-20 decorative newel posts.

**DESIGN:**

- The Design Committee made a recommendation to the Main Street Board concerning wayfinding signage. The Main Street Board of Trustees would like more information and have asked the Promotions Committee to provide a more detailed analysis on the subject.

**GRANTS:**

- Main Street Middletown has completed a grant requesting funds to update the Middletown Main Street blue brochure. The brochure was completed in 2009 and needs refreshing.
- Main Street Middletown will turn in a grant to the Heart of the Civil War Heritage Area on November 13 to request for funds for historic plaques for Town buildings.

**250th ANNIVERSARY:**

- The Steering Committee will have its first meeting on Tuesday, November 17 at 5:30 pm at Town Hall. We are all very excited about getting a framework of project ideas set.

*Main Street Middletown Appreciates the Continued Support of The Main Street Program!*

**SHOP SMALL BUSINESS SATURDAY, NOVEMBER 28, 2015**

# Town of Middletown Zoning Report

To: Burgess and Commissioners

From: Ron Forrester, Zoning Administrator

Date: 11/3/16

RE: Monthly Zoning Update – October 2016

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Board of Appeals (BoA) Meeting: The Middletown BoA met in public session on Thursday, October 20, 2016 to review an appeal (Case #MT-B-16-3) for two variances from the rear and side yard setback distances on a property in an Open Space (OS) zoned district in accordance with Section 17.28.040(B) of the Middletown Municipal Code. This section of the code requires all yard setback distances for structure twenty-five (25) feet or taller to be 2.5 times the height of the building. In this case, the yard setback requirements are seventy-one (71) feet three (3) inches for a twenty-eight (28) feet six (6) inches tall structure (fire station). The first request was for a variance of twenty (20) feet three (3) inches from the rear yard setback since the current rear yard setback distance is fifty-one (51) feet. The second request was for a variance of ten (10) feet nine (9) inches from the right side yard setback requirement since the current side yard setback distance is sixty (60) feet and six (6) inches. These variances were requested by Frederick County officials in order to construct a new fire station on the site for the MVFC. The BoA members approved the variances as requested by a vote of 3-0.

**Zoning Violations:**

(1) Signage issues at Middletown High School (MHS). 200 School House Drive. Zoning Administrator sent violation letter on April 27, 2016 to Executive Director of Facilities for the Frederick County Public School noting unauthorized signs at and near the MHS football/track facility. Two freestanding commercial signs (one sign was for DARCARS of Frederick) were noted. Temporary Commercial signs are not permitted in any district in Middletown in accordance with Section 17.36.150A of the municipal code and should be removed. Additionally, numerous banner signs were attached to the fence around the football/track facility. Section 17.36.140 of the municipal code allows signs to be affixed to fences of ballfields/sport complexes and scoreboards as long as they face the inside of the playing field and are in good repair. Many of the banner signs noted were on the outside of the fence with commercial advertisements on them facing the outside of the field/complex and were not securely fastened to the fence. Subsequent site visits (in September and October) noted that the business advertising signs on the fence around the MHS stadium have been replaced and were all in good repair. It was also noted that the two free standing "business" signs were still on the in violation of the municipal code. Open.

(2) Unregistered/inoperable motor vehicles parked in driveway. 5 Young Branch Drive. Home owner sent a zoning violation letter on June 10, 2016 for having two unregistered motor vehicles parked in driveway of residential property. Motor vehicles were not screened from adjoining properties in accordance with Section 17.16.060 of the Middletown Municipal Code. A second zoning violation letter (certified letter) was sent to homeowner on July 25, 2016. This is the third time over the last two and one-half years that this homeowner has been cited for parking/storing unregistered/inoperative motor vehicle in the driveway of his residential property. Certified letter sent July 25, 2016 never picked-up by homeowners. Violation letter returned to town office undelivered. Site visit on August 24, 2016 noted that unregistered/inoperative vehicle still parked in driveway. I

discussed this violation with wife of property owner and she said that they had not received notification letters. I gave her my business card and reiterated that the inoperative/unregistered vehicle parked on driveway was a violation of municipal code and needed to be resolved. A third zoning ordinance violation notification letter was sent on September 8, 2016 and a violation notice was posted to the front door of the house along with another copy of the violation letter. The son of property owner called and said the Subaru Impresa parked in the driveway was registered and had license tags on it. I visited property and took a picture of vehicle. I requested from the town administrator that the registration be verified. The town deputies determined that the tags on the Subaru Impresa in the driveway were actually tags from a Subaru Outback wagon. I'll continue to work with town administrator to identify registration status of vehicles parked in driveway or on Young Branch Drive in front of residence. Open.

(3) Recreational equipment (utility trailer) parked on street in front of residential property. 4 Sanaz Court. A zoning violation letter was sent to property owner on September 2, 2016 for having recreational equipment (utility trailer) parked on street in front of residential property which violates Section 17.32.140 of the municipal code. Subsequent visits to property noted that utility trailer still parked on street. Revisited property on September 29, 2016 and found the utility trailer was no longer parked on street in front of residence but was now parked in rear yard but not completely screened from adjoining properties. Open.

(4) Unregistered/inoperative vehicles parked in driveway. 605 East Main Street. A zoning violation letter was sent to property owner on September 16, 2016 for having at least one and maybe two unregistered/inoperative motor vehicles parked in driveway that were not screened from adjoining properties in accordance with Section 17.32.060(J)(2) of the Middletown Municipal Code. Subsequent visit determined that one unregistered vehicle is still parked in driveway in front of two car garage. Open.

(5) Large Dumpster stored on side yard of residential property. 10 Washington Street. A zoning violation notification letter was sent to property owners on September 23, 2016 for having a large trash dumpster placed in side yard of residential property that was not approved in accordance with Section 17.32.045 of the Middletown Municipal Code. Additionally, the property owners were cited for parking one or more motor vehicles in the side yard of their property on grass. Section 17.32.060(J) (3) of the code states that a person may only park a motor vehicle on an impervious surface. Examples of "impervious surfaces" defined in the Section 17.04-030 of the code are concrete, asphalt or gravel surface. Owners submitted a zoning certificate to the zoning administrator on October 26th to approval the parking of a large trash dumpster on their property until January 31, 2017 to support several major renovation projects to residential structure. Closed.

(6) Real Estate Sign on Roof of Model Home – Middletown Glen. 2 Gaver Drive. A zoning violation notification letter was sent on October 5, 2016 to Middletown Common Holdings, LLC regarding a large real estate sign "Now Selling Decorated Model – Ryan Homes" that had been placed on the roof of the model home in the Middletown Glen subdivision. The zoning violation notification letter noted that a large temporary real estate sign placed on the roof of any building in a residentially zoned district (R3/NTR) in the Town of Middletown is not authorized by the Middletown Municipal Code. The developer was asked to remove the sign from the roof of the model home as soon as possible. Additionally, I drove to the model home and addressed several signage violations with the Ryan Homes sale manager Mike Pilch. I provided him an electronic copy of Chapter 17.36 - Signs of the municipal code. The sign was removed within ten business days of receipt of zoning ordinance violation notification letter. Closed.

(7) Unregistered/inoperable vehicle parked on grass by driveway. 28 East Green Street. Property owner sent zoning ordinance violation notification letter on October 17, 2016 for parking an unlicensed motor vehicle (Ford F-150 pickup) on grass in a residentially zoned district that was not effectively screened from adjoining properties. Additionally, Section 17.32.060 (J) (3) of the code states that a person may only park a motor vehicle on an impervious surface. Examples of "impervious surfaces" defined in the Section 17.04-030 of the

code are concrete, asphalt or gravel surface. Subsequent site visits found Ford F-150 pickup removed from residential property. Closed.

(8) Boat on trailer (Recreational Equipment) parked on driveway. 28 East Green Street. Property owner sent zoning ordinance violation notification letter on October 31, 2016 for parking recreational equipment (boat on a trailer) on driveway in side yard of residential property that was not effectively screened from adjoining properties in accordance with Section 17.32.140 of municipal code. Open.

**Miscellaneous Zoning Issues**: None.

| October 2016 Zoning Certificates - completed | Address | Permit # | M-town Received ZC | RForrester Approved | County Approval |
|---|---|---|---|---|---|
| Robin Bevington – installation of forty-one (41) roof mounted solar panels by SolarCity Corporation. | 103 Ali Drive | 149832 | 10/4/16 | 10/5/16 | yes |
| Marc Shirley – installation of privacy lattice panels next to patio in rear yard of property. Four (4) panels to be installed. Each panel; is four (4) feet by eight (8) feet. Contractor is Brian Rapp. | 108 Ali Drive | 149839 | 10/5/16 | 10/5/16 | yes |
| Middletown Commons Holdings, LLC (***Middletown Glen***)(contractor: Ashton Manor Environmental) – (1) Construct two (2) twelve (12) feet by twelve (12) feet Wood Pergolos in Green-Greenspace at intersection of Ingalls Drive and Dean Lane; (2) install Mini Shelters & cluster box mail units (3 location); and (3) Construct paver patio/block retaining wall. | 36 East Green Street | 149494 | 9/14/16 | 10/17/16 | yes |
| Hogan Properties (Cross Stone Commons (CSC)) – change of use/change of tenant for Building #3 in CSC Shopping Center. Tenant is Upcounty Donuts, LLC. | 200 Middletown Parkway | 150123 | 7/27/16 | 10/28/16 | yes |
| Jordon Stickelman – installation of twenty-nine (29) roof mounted solar panels by Vivint Solar | 214 North Pointe Terrace | 150388 | 10/18/16 | 10/18/16 | yes |

| October 2016 Zoning Certificates - completed | Address | Permit # | M-town Received ZC | RForrester Approved | County Approval |
|---|---|---|---|---|---|
| Eva Lucht - installation of twenty-eight (28) roof mounted solar panels by Solar City Corporation | 108 Manda Drive | 150469 | 10/18/15 | 10/19/16 | yes |
| Amy Winchester – install bathroom in existing office and rearrange several interior rooms (Anthony Owen Remodeling – contract) | 203 Franklin Street | 150645 | 10/25/16 | 10/25/16 | yes |
| Adele & Kevin Air – request to park large trash dumpster on property to support several renovation projects. | 10 Washington Street | Town | 10/26/16 | 10/27/16 | no |
| Jeane Rosen & Steven Greenbaum – extending current 3.5 foot picket fence in rear/side yard of property by fifty-five (55) feet to front of primary residential structure next to driveway. | 30 East Main Street | Town | 10/28/16 | 10/28/61 | no |

| Zoning Certificate submitted– in progress | Address | Permit # | M-town Received ZC | RForrester Approved | County Approval |
|---|---|---|---|---|---|
| Burgess and Commissioners of Middletown – construct a 27' x 27' pavilion & picnic tables at Wiles Branch Park. | 700 Knoll Side Place | 150571 | 7/13/16 | | yes |

| Zoning Certificate submitted -- actions pending and/or suspended | Address | Permit # | M-town Received ZC | RForrester Approved | County Approval |
|---|---|---|---|---|---|
| Amir Bhat – install fire place and gas line from 100 gallon propane tank after tank is installed. | 19 Young Branch Drive | | 2/2/16 | | yes |
| Dennis Jiffas – construction of two-unit townhouse structure on corner lot. (Variance of 22' from front yard setback on Summers Drive approved by BoA on 3/29/16). | 406 West Green Street | | 3/29/16 | | yes |

| Zoning Certificate submitted -- actions pending and/or suspended | Address | Permit # | M-town Received ZC | RForrester Approved | County Approval |
|---|---|---|---|---|---|
| Angel Nerona – installation of thirty-nine (39) roof-mounted solar panels by SolarCity Corporation. | 13 Wagon Shed Lane | | 6/21/16 | | yes |
| Bill Heaton – install an eighteen (18) feet round above ground swimming pool in rear yard. Pool is four (4) feet tall. | 703 East Main Street | | 8/8/16 | | yes |
| Timothy Warner – installation of twenty-eight (28) roof-mounted solar panels by SolarCity Corporation. | 212 Layla Drive | | 8/12/16 | | yes |
| Dinah Esworthy – remodeling second floor bathroom by Hurd Builders Specialty Projects LCC. | 52 Boileau Court | | 10/26/16 | | yes |
| James P. Malecki, Jr. – install propane gas logs in existing masonry fire place. Gas line on outside of house to be extended to provide gas to log insert. | 8 Caroline Drive | | 10/18/16 | | yes |

# Project Budget

**250th Commeration of Middletown's Founding**

| Line Item # | Work Item (Description) | Payments | Estimated Project Costs | Costs Not Covered by Grant or Paid out of Other Line Items | Total Project Cost |
|---|---|---|---|---|---|
| 1 | Town Hall Make-Over Meeting Room to Exhibit Gallery | | | | $0.00 |
| 2 | Consultant Fees (Sr Planner, Graphic Designer, Writer) | | $15,010.00 | | $15,010.00 |
| | Sr Planner (66 hours x $85 = $5610) | | | | $0.00 |
| | Museum Planner (74 hours x $60 = $4440) | | | | $0.00 |
| | Graphic Designer (62 hours x 80 = $4960) | | | | $0.00 |
| 3 | Production of Window Exhibits | | $4,800.00 | | $4,800.00 |
| 4 | Production of Introductory Panel | | $2,200.00 | | $2,200.00 |
| 5 | Other Costs (travel, supplies, film, $ needed for copyrights) | | $105.00 | | $105.00 |
| 6 | Display Cases - DG has suggested using the downstairs case & using this $$ to help pay for drone flight software | | $16,000.00 | | $16,000.00 |
| 7 | Installation of Cases - STAFF TIME | | | $500.00 | $500.00 |
| 8 | Advertisement of Grand Opening - MAY BE picked up by MSM | | | $338.00 | $338.00 |
| 9 | | | | | $0.00 |
| 10 | Walking Tour | | | | $0.00 |
| 11 | Historian (125 Staff & Volunteer Hours | | | $2,840.00 | $2,840.00 |
| | (4 Volunteers at 20 hours each x 23/hour = $1840) | | | | $0.00 |
| | (Staff at 45 hours x 22/hour = $990) | | | | $0.00 |
| 12 | Graphic Designer (20 hours @ $100/hour) | | $2,000.00 | | $2,000.00 |
| 13 | Printing 2500 copies | | $2,000.00 | | $2,000.00 |
| 14 | | | | | $0.00 |
| 15 | ~~Mobile APP (quote from MyMobileTownGuide.com)~~ | | | | $0.00 |
| | WALKING TOUR TO TOWN WEBSITE VIA STORY MAPPING THROUGH GIS | | $2,000.00 | | $2,000.00 |
| 16 | Formatting Data to Upload (Staff Time $22 x 24 hours) | | | $528.00 | $528.00 |
| 17 | | | | | $0.00 |
| 18 | Speaker Series (Speaker Fee $100 per Speaker) | | $600.00 | | $600.00 |
| 19 | Advertisement ($76 x 15) - MSM looking to Partner with CMHL to Cover these Costs | | | $1,140.00 | $1,140.00 |
| | Design of 2-sided, full color rack card (When the Grant was written, I had a volunteer commit to the task. Now, I have to pay Bruce). I am pulling $$ from below in the Graphic design costs to make the banners to pay him his fees. This also includes paying for his 250th Logo | | $775.00 | | $775.00 |
| | Printing 2500 Cards to distribute | | $550.00 | | $550.00 |
| | | | | | $0.00 |
| 21 | Round Table Discussions | | | | $0.00 |
| 22 | Printed Invitations | | $150.00 | | $150.00 |
| 23 | Videographer ($100 per event) | | $400.00 | | $400.00 |
| 24 | Food (4 Dinners for 15 people @ $15 per head) | | | | $0.00 |
| 25 | | | | | $0.00 |
| 26 | | | | | $0.00 |
| | | | | | $0.00 |
| 32 | | | | | |
| | TOTALS | | $46,590.00 | $5,346.00 | $51,936.00 |
| | Minus Grant | | $10,000.00 | | $51,936.00 |
| | | | $36,590.00 | | |

# BURGESS AND COMMISSIONERS OF MIDDLETOWN

## GENERAL CAPITAL IMPROVEMENT BUDGET
## FY 2017 - FY 2021

| | | FY '17 | FY '18 | FY '19 | FY '20 | FY '21 | | |
|---|---|---|---|---|---|---|---|---|
| | **INCOME** | | | | | | | |
| | CASH RESERVES | $936,787 | $386,451 | $271,432 | $94,075 | $32,707 | | |
| | INTEREST INCOME | $2,342 | $966 | $679 | $235 | $82 | | |
| | OPERATING INCOME From Previous Years | $297,275 | $353,739 | $300,000 | $350,000 | $400,000 | | |
| | IMPROVEMENT FEE | | $261,000 | $207,000 | $36,000 | | | |
| | PROGRAM OPEN SPACE and Community Parks & Playground | $40,500 | $40,500 | $6,021 | | | | |
| | Grant for 250th Celebration | $32,000 | | | | | | |
| | Loan - West Green Street | $2,320,500 | | | | | | |
| | OTHER | | $16,000 | | | | | |
| | SUB-TOTAL | $3,629,404 | $1,058,656 | $785,132 | $480,310 | $432,789 | | |
| | **PROJECTS** | | | | | | | |
| Ranking | **Highways & Streets** | | | | | | | |
| 1.00 | WEST GREEN STREET IMPROVEMENTS | $2,253,056 | $120,424 | $120,229 | $120,603 | $120,542 | | |
| | SHA Streetscape Lighting | $175,000 | | | | | | |
| 1.83 | Boileau Court - Mill & Overlay | | | | | | $220,000 | |
| | Broad St. - Franklin Street (Inlets and Road Reconstruction) | $40,000 | $500,000 | | | | | |
| 2.17 | Broad St. - Main to Locust Alley (Road Reconstruction) | | | $300,000 | | | | |
| 2.33 | Elm Street Parking Lot Upgrades - Reconfiguartion and Paving | | | | | $300,000 | | |
| 2.50 | Linden Blvd. (Broad Street to Pine Street) | | | | | $35,000 | | $400,000 |
| 2.50 | Locust Blvd. & Court (Road Reconstruction) | $415,000 | | | | | | |
| | Lombardy Court - Selective Patching, Mill & Overlay | | | | $78,000 | | | |
| | Manda Court - Mill & Overlay | | | | $68,000 | | | |
| | Manda Drive - Mill & Overlay | | | | $125,000 | | | |
| | Prospect St. (Road Reconstruction) | | | | $35,000 | $500,000 | | |
| | Washington Street Retaining Wall | | $5,000 | $25,000 | | | | |
| | Young Branch Drive - Mill & Overlay | | | | | | $95,000 | |
| | Pedestrian Bridge Rehabilitation | | | $15,000 | $15,000 | | | |
| | Pedestrian Safety Improvements - Franklin Street (Prospect to Primary School) | $85,000 | $16,000 | | | | | |
| | SWM Fence Replacements | $34,997 | | $12,000 | | | | |
| | **Recreation & Culture** | | | | | | | |
| | Remsberg Park - Walking Trail and Bridge over Cone Branch Creek (90% Grant; POS 10% Town $4, | $45,000 | | | | | | |
| | Middletown Park - Skatespot (75% Grant POS; 25% Skateboard Group - Town Share $0) | | | $8,028 | | | | |
| | Memorial Park - Playground Replacement & Rehab | $74,000 | $45,000 | | | | | |
| | 250th Celebration Event | $58,000 | | | | | | |
| | **General Services Administration & Operations** | | | | | | | |
| | Municipal Center - HVAC Replacement | | $80,000 | | | | | |
| | Municipal Center - Kitchen Cabinets & Countertop Replacement | $8,000 | | | | | | |
| | Municipal Center - Boiler Replacement to Natural Gas | $30,000 | | | | | | |
| | Phone System Upgrade | | | $30,000 | | | | |
| | Edco Scarifier Pavement Marker Remover | $4,300 | | | | | | |
| | Dump Truck Replacement | | | $150,000 | | | | |
| | Inspection Vehicle Replacement | | | $25,000 | | | | |
| | Backhoe Replacement Lease (4 years) | $15,200 | $15,200 | | | | | |
| | Computer Replacements (3 Computers/Year) | $5,400 | $5,600 | $5,800 | $6,000 | $6,200 | | |
| | SUB-TOTAL | $3,242,953 | $787,224 | $691,057 | $447,603 | $961,742 | | |
| | **SURPLUS/(DEFICIT)** | **$386,451** | **$271,432** | **$94,075** | **$32,707** | **-$528,953** | | |

11/3/2016

KINSLEY SITEWORK
14702 Crown Lane, Hagerstown, MD 21740 • 410.313.4900

# Change Order Proposal

Direct Line: (240) 313-4900
Email: tbell@rkinsley.com

**October 21, 2016**

**J.R. Hawkins, PE**
**CIP Project Manager**
**Town of Middletown, MD**
**31 West Main Street**
**Middletown, MD 21769**

**Kinsley Construction, Inc. is pleased to submit a quotation to provide all labor, equipment and materials required to complete the referenced project as outlined herein.**

| Code | Description | Quantity | Units | Price | Total |
|---|---|---|---|---|---|
| | ***PAVEMENT REPAIR & UPGRADES*** | | | | |
| | GARAGE STREET: | | | | |
| 7110 | 2" MILLING | 1,312.00 | SY | $6.60 | $8,659.20 |
| 7120 | PAVING FABRIC OVERLAY | 1,312.00 | SY | $4.60 | $6,035.20 |
| 7130 | 2" SURFACE ASPHALT | 1,312.00 | SY | $13.90 | $18,236.80 |
| | GARAGE STREET TOTAL >>> | | | | $32,931.20 |
| | TOWN HALL PARKING LOT: | | | | |
| 7210 | 2" MILLING | 1,446.00 | SY | $6.00 | $8,676.00 |
| 7220 | PAVING FABRIC OVERLAY | 1,600.00 | SY | $4.50 | $7,200.00 |
| 7230 | 2" SURFACE ASPHALT | 1,600.00 | SY | $13.90 | $22,240.00 |
| 7240 | PATCH W/ 5" G.A.B., 3" BASE ASPHALT | 154 | SY | $53.50 | $8,239.00 |
| | TOWN HALL PARKING LOT TOTAL >>> | | | | $46,355.00 |
| | WILLOW STREET: | | | | |
| 7310 | FULL DEPTH MILLING | 548 | SY | $22.75 | $12,467.00 |
| 7320 | 6" STONE SUBBASE | 548 | SY | $12.30 | $6,740.40 |
| 7330 | 4" BASE ASPHALT | 548 | SY | $28.75 | $15,755.00 |
| 7350 | 2" MILLING (PARKING AREA) | 551 | SY | $7.80 | $4,297.80 |
| 7360 | PAVING FABRIC OVERLAY (PARKING AREA) | 551 | SY | $6.10 | $3,361.10 |
| 7370 | 2" SURFACE ASPHALT (BOTH AREAS) | 1,099.00 | SY | $12.50 | $13,737.50 |
| | WILLOW STREET TOTAL >>> | | | | $56,358.80 |

| Code | Description | Quantity | Units | Price | Total |
|---|---|---|---|---|---|
| | **BUSSARD DRIVE:** | | | | |
| 7410 | 2" MILLING | 367 | SY | $9.40 | $3,449.80 |
| 7420 | 1-1/2" WEDGE & LEVEL | 222 | SY | $8.00 | $1,776.00 |
| 7430 | PAVING FABRIC OVERLAY | 367 | SY | $8.60 | $3,156.20 |
| 7440 | 2" SURFACE ASPHALT | 367 | SY | $15.80 | $5,798.60 |
| | **BUSSARD DRIVE TOTAL >>>** | | | | **$14,180.60** |
| | **KOOGLE DRIVE:** | | | | |
| 7510 | 2" MILLING | 487 | SY | $10.60 | $5,162.20 |
| 7520 | PAVING FABRIC OVERLAY | 487 | SY | $6.70 | $3,262.90 |
| 7530 | 2" SURFACE ASPHALT | 487 | SY | $16.90 | $8,230.30 |
| | **KOOGLE DRIVE TOTAL >>>** | | | | **$16,655.40** |
| | **TOTAL >>>** | | | | **$166,481.00** |

## NOTES AND CLARIFICATIONS

1. This proposal will be attached to the contract as a means of clarification describing the items of work to be completed by Kinsley Construction, Inc. Our scope of services will be strictly limited to the items as they are listed herein.
2. Price is based on one mobilization.
3. All millings to be disposed of at Remsberg Park.
4. Striping, topsoil, seeding or sodding is not included.
5. Special caulking and sealants are not included.
6. Undercutting and subsequent backfilling of soft or yielding subgrade areas will be removed at an extra cost, additional to this proposal.
7. All work is to be completed during regular work hours Monday through Friday, 10hrs/day, 50hrs/week maximum.

Thank you for the opportunity to provide a quotation for this project. If you have any questions related to this proposal please do not hesitate to contact me.

Sincerely,

*Tommy Bell*

Estimator
**Kinsley Construction, Inc.**

# LEASE

**THIS LEASE** made this _____ day of _____ 2016, by and between **Middletown Valley Bank**, a financial institution of the state of Maryland, having an address of 24 W. Main Street, Middletown, Maryland 21769 (hereinafter called "Landlord") and **the Burgess and Commissioners of Middletown,** a Maryland municipal corporation, having an address of 31 W. Main Street, Middletown, Maryland 21769 (hereinafter called "Tenant").

**WITNESSETH:** That for and in consideration of the mutual promises and covenants herein contained, the Landlord and Tenant hereby agree as follows:

1. **LEASED PREMISES:** Landlord hereby leases unto Tenant and Tenant leases from Landlord all that parcel of unimproved land located at 30 West Main Street, Middletown, Maryland, Tax Identification #03-129829, which property was acquired by Landlord by deed dated July 28, 1993 from Anna J. Hoffman, attorney-in-fact for Sarah H. Derr, said deed being recorded among the Land Records of Frederick County, Maryland at Liber 1913, folio 583, EXCLUDING, therefrom, however, all that portion of said land which is currently paved and used for parking vehicles ("the Property"). The Property leased hereunder is depicted generally as that area outlined in red on the attached Exhibit "A".

2. **TERM:** The term of this Lease shall be for a period of ten (10) years commencing on the ____ day of _____, 2016, and terminating, of its own terms and without further notice, on the _____day of _____, 2026.

3. **RENT:** Tenant shall not be required to pay, and shall not pay, any rent during the Lease term. Tenant shall, however, pay any and all such real estate taxes and assessments levied annually against the property which may come due during the lease term; provided, however, that such taxes and assessments shall be pro rated for the first and last year of the lease so that Landlord and Tenant shall each pay their respective proportionate shares for those years. Tenant

shall indemnify and hold Landlord harmless against any such taxes or assessments for which Tenant is responsible under the terms of this Lease.

4. **USE OF PROPERY:** Tenant and Landlord have entered into this Lease with the joint goal of providing park and recreational land to be used by the general public. Therefore, Tenant shall use and occupy the Property solely for the purpose of a public park and recreational area. Tenant shall generally make repairs and maintain the Property in a clean, sanitary and safe condition and to the same degree of quality as it does with its other similar park and recreational areas in the Town of Middletown. Such maintenance shall include, but not be limited to maintenance of landscaping, trees and shrubs, mowing of grass, removal of snow and ice from sidewalks which are on or adjoin the Property, and trash removal.

5. **ADDITIONS AND IMPROVEMENTS**: Tenant shall be entitled to construct and install on the Property such additions, improvements, elements and amenities which are typical to parks and public recreational areas ("Amenities"). Amenities may include, but are not limited to, water fountains, sitting walls, decorative pavers, signs, and areas for public displays of art work and items of historical or cultural significance or interest. The design, construction, installation, repair and maintenance of any and all of the Amenities shall be at the sole cost and expense of Tenant, and Tenant shall indemnify and hold Landlord harmless against any liability for such expenses. Prior to the installation of or alteration to any Amenities, the Town shall submit the plans for such Amenities to the Landlord for review and approval. No Amenities shall be installed or altered without the prior written consent of Landlord, which consent shall not unreasonably be withheld, delayed or conditioned. The installation and maintenance of the Amenities must conform to any and all applicable building code standards, as well as any and all other applicable requirements of the federal, state and local governments. Within ninety (90) days of the expiration of this Lease, Tenant shall remove, at its sole expense, any and all Amenities which were installed on the Property during the term of the Lease.

6. **UTILITIES:** Tenant shall be solely responsible for the payment of all bills, statements or charges for utilities which serve the Property, including but not limited to water,

sewer and electricity. In the event that the Property is not served by any required or desired utility at the commencement of this Lease, then Tenant shall be solely responsible for having the Property connected to such utility service. Landlord, as the owner of the Property, shall cooperate fully with Tenant in any application for connection to such utility services. If the utility service provider requires that the utility account be entered in the name of Landlord as owner of the Property, and Landlord pays such utility bill, statement or invoice, then Tenant shall promptly either pay such bill, statement or invoice or reimburse Landlord for such expense.

7. **QUIET ENJOYMENT:** Tenant shall have the peaceful and quiet use of the demised premises in keeping with the public nature of parks and public recreational areas and without hindrance or interruption by Landlord.

8. **INDEMNIFICATION:** Tenant shall indemnify and hold Landlord harmless from and against any and all claims, actions, damages, liability and expenses, including reasonable attorney's fees, in connection with loss of life, personal injury and/or damage to property arising from or out of any occurrence in, upon or at the Property, or the occupancy or use by Tenant of the Property or any part thereof, or occasioned wholly or in part by any act or omission of Tenant, its agents, servants, employees, assignees, or invitees. In the event that Landlord, without fault on its part, is made a party to any litigation commenced by or against Tenant, then Tenant shall protect and hold Landlord harmless, and shall pay all costs, expenses and reasonable attorney's fees incurred or paid by the Landlord in connection with such litigation.

9. **INSURANCE:** Tenant shall take such measures as are necessary to have the Property covered under and included in the Tenant's policy of liability insurance to the same extent as the Tenant covers other municipal property owned or leased by it.

10. **NO PARTNERSHIP:** Nothing contained in this lease shall be deemed or construed to create a partnership or joint venture of or between Landlord and Tenant, or create any other relationship between the parties hereto other than that of Landlord and Tenant.

11. **INSPECTION:** Tenant has inspected the premises and accepts same in as is condition.

12. **ENTIRE AGREEMENT:** This Lease contains the entire and only agreement between the parties, and no oral statements or representations or prior written matter not contained or referred to in this instrument shall have any force or effect. This lease shall not be modified in any way except by a writing subscribed by both parties hereto. The failure of the Landlord or Tenant to insist upon strict performance by the other or any of the covenants or conditions of this lease in any one or more instances shall not be construed as a waiver of relinquishment for the future of any such covenants or conditions, but the same shall be and remain in full force and effect. No waiver of any provision of this Lease shall be deemed to have been made, unless it is in writing and signed by the party to be charged therewith.

13. **BINDING EFFECT OF LEASE:** It is agreed that all rights, remedies and liabilities herein given to or imposed upon either of the parties hereto, shall extend to their respective heirs, executors, administrators, successors and assigns.

14. **ASSIGNMENT**: This Lease may not be assigned, conveyed or transferred by either party without the prior written consent of the other party.

15. **RECORDING SHORT FORM LEASE:** As a lease which term exceeds seven (7) years, this Lease is to be recorded in the Land Records, or alternatively, a Memorandum of Lease may be recorded. Upon request of either party, the other party shall execute any such Memorandum of Lease in a form required by Maryland law.

**IN WITNESS WHEREOF**, the parties hereto have caused this Lease to be executed by their respective duly authorized officers.

*{Signatures on following page}*

**LANDLORD:**

**ATTEST:**

**MIDDLETOWN VALLEY BANK**

_____
Witness

By:_____[SEAL]
Robert Goetz, Jr., President

_____
Date

**TENANT:**

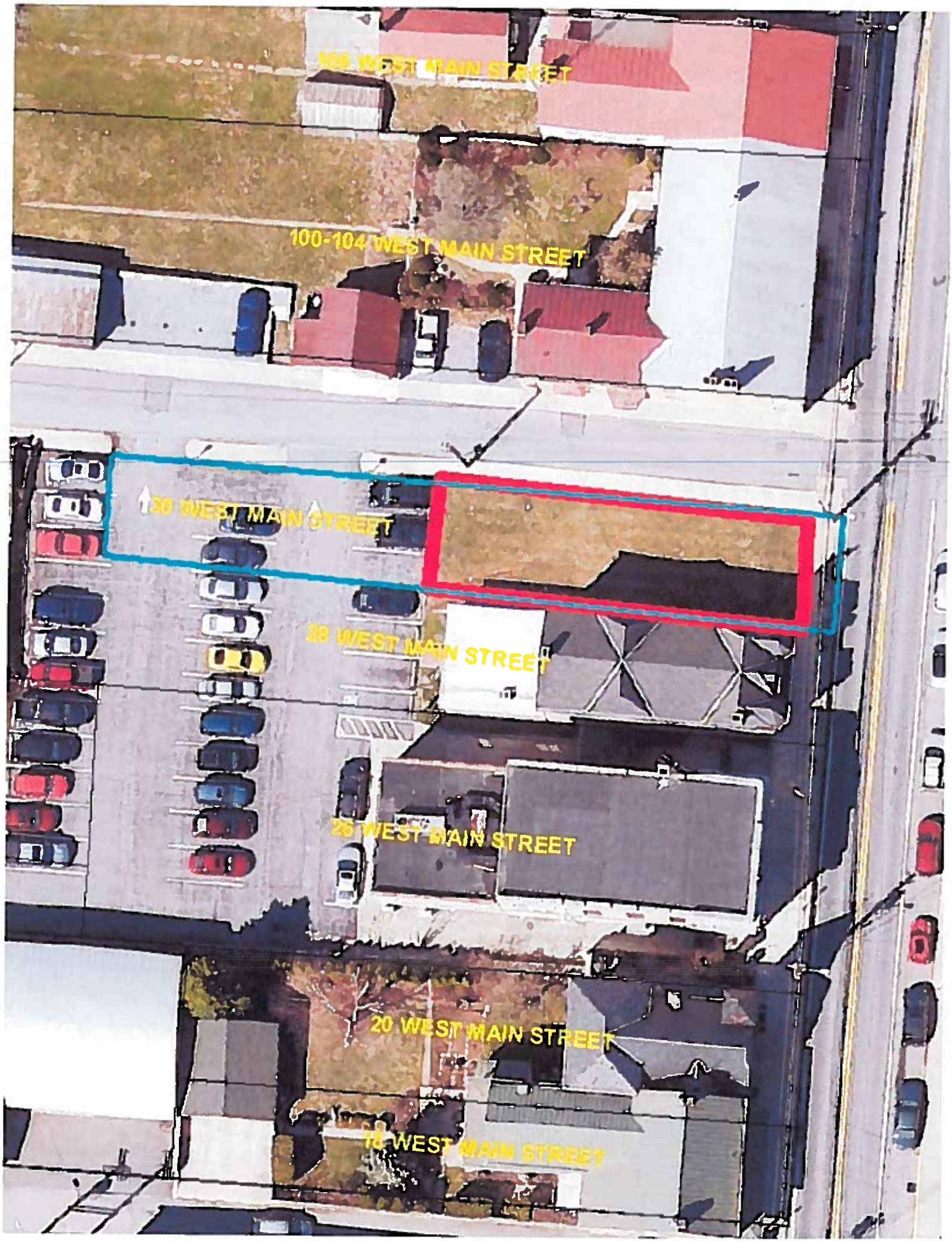
**ATTEST:**

**BURGESS AND COMMISSIONERS OF MIDDLETOWN**

_____
Andrew J. Bowen
Town Administrator

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

_____
Date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