



AGENDA FOR THE TOWN MEETING

October 12, 2015

7:00 p.m.

PLEDGE TO THE FLAG

CALL TO ORDER

CONSENT AGENDA

- [Financial Statements](#)
- Town Meeting Minutes
 - [September 14, 2015 Public Hearing & Town Meeting](#)

Red Indicates – Action Item
Green Indicates – Ordinance Introduction
[Blue Indicates – Link to Additional Information](#)

PERSONAL REQUESTS FOR AGENDA:

UNFINISHED BUSINESS:

- [Position Open on Middletown Board of Appeals](#)
- [Hollow Creek Golf Course Revised Estoppel Certificate & Agreement](#)
- Discussion of Public Parking along Franklin Street

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:

- [Proclamation of Business Appreciation Week 2015](#)
- [Request for Funds for Graveyard on South Jefferson Street](#)
- Discussion of 2 Hours Parking in Elm Street Public Parking lot

PUBLIC COMMENTS:

ANNOUNCEMENTS:

Hydrant Flushing – October 12-16, 2015

Scarecrow Decorating Contest & Walk – Saturday, October 17, 2015

Halloween Parade – Thursday, October 29, 2015 at 7:30PM

ADJOURNMENT

BURGESS AND COMMISSIONERS OF MIDDLETOWN MARYLAND

TOWN MEETING MINUTES

REGULAR MEETING

September 14, 2015

The first monthly meeting of the Burgess and Commissioners of Middletown was called to order on September 14, 2015, by Burgess Miller at 7:00 p.m. in the Middletown Municipal Center, 31 W. Main Street, Middletown, Maryland. Present were: Commissioners Jennifer Falcinelli, Larry Bussard, Rick Dietrick, Tony Ventre and Christopher Goodman.

CONSENT AGENDA

Financial Statements

Town Minutes – July 27, 2015 public hearing and regular meeting.

Commissioner Bussard motioned to accept this consent agenda as corrected, seconded by Commissioner Goodman and passed unanimously.

Unfinished Business:

Ordinance 15-08-01 – Amendments to Special Exception Uses – An Ordinance to amend Title 17, Chapter 17.48 of the Middletown Municipal Code relating to requirements for special exception uses; to delete provisions relating to special exception uses for boarding and lodging houses, hospitals and sanitariums, and offices for interior design services; to clarify various sections of that chapter and to make other grammatical, stylistic and non-substantive revisions. Burgess Miller stated that on page 5 we need to correct number 3 Concept plan review and comment instead of commendation by the Planning Commission. Burgess stated that we should go through the ordinance and verify that all say “review and comment”.

Motion by Commissioner Bussard to approve Ordinance 15-08-01 as presented with the correction “review and comment”, seconded by Commissioner Dietrick. Motion carried 6-0.

Dog Park Rules and Applications – Included in the packets are the Rules and Registration form. Commissioner Ventre stated that the only thing that needs to be corrected on the registration form is delete the residents only after \$4 for each additional dog. Commissioner Ventre stated that it will \$4 for each additional dog for residents and non-residents. Commissioner Ventre also provided the Commissioners with Dog Park Waiver and Hold Harmless Agreement.

Motion by Commissioner Ventre to approve all 3 documents as corrected, seconded by Commissioner Goodman. Motion carried 5-1(Bussard voted against).

Review of Proposals for Parking Lot at 13 West Main Street – Drew showed the 3 different proposals prepared by Arro for the proposed parking area behind 13 West Main Street. Proposal one shows 18 spaces, proposal 2 shows 17 spaces and proposal 3 shows 14 spaces. Burgess Miller stated that it will be a 30 year lease, it will be developed and maintained by the Town but at any given time the property is sold and the new owner does not wish to honor the lease, the parking lot will revert back to a grassy area and the Town will be reimbursed their cost. Burgess Miller also stated that Mr. Kehoe is requesting the use of 7 spots during his prime time which is June, July & August.

Commissioner Dietrick stated that we are making an asset to this property. Commissioner Dietrick stated that Mr. Kehoe is benefiting from this at the Town’s expense.

Commissioner Goodman stated that if we are leasing this land then we should have full control of and no reserved spaces.

Bob Smart, 7525 Coblenz Road – stated that in the original proposal seen Mr. Kehoe wanted 4 spaces for his employees. Now if we are not going to exit from his property why does he want 4 spaces?
After much discussion this item failed to move forward.

Discussion of Legislation to require banks/mortgage companies to register vacant or foreclosed properties – Burgess Miller stated that after hearing this, it is not what the Town is looking for.

Position Open on Middletown Board of Appeals – Burgess Miller stated that the current Temporary Alternate does not wish to move to actual member. We will advertise for the position on the website and in the Citizen.

REPORTS OF COMMITTEES –

WATER & SEWER – Commissioner Falcinelli reported:

Water Use – 318,000 gal. per day, Spring flow – 106,000 gals. Per day, EWWTP treated 163,000 gals. WWTP treated 126,000 gals.

Locust Blvd. waterline is underway.

Water/Sewer Meeting September 23, 2015 at 7pm.

PUBLIC WORKS – Commissioner Bussard reported:

The guys have been busy painting crosswalks, installing waterline at dog park, and repairing inlets throughout Town.

Hailey project has started.

West Green Street has been pushed back with all the deadlines Bruce has had to deal with on the Main Street Waterline project.

PLANNING COMMISSION – Commissioner Goodman reported:

No plans on last month's agenda. This month we have the Chesterbrook Improvement Plans and the Washington Gas line from town to the Catholic Church on Rt. 17.

PARKS and RECREATION – Commissioner Ventre reported:

Had some vandalism to the doggie do bag containers.

Parks meeting September 22, 2015 at 7pm.

Drew stated that when the guys installed the waterline for the dog park, they also installed a yard hydrant for the Garden people to use. We can put a lock on it so that it is only used by the Garden people.

Drew also wanted to know when the Board wanted to open the dog park. Drew stated that the equipment has been ordered for the security system. The Board agreed to wait to officially open the dog park until everything has been installed.

FINANCE – Commissioner Dietrick reported:

We were able to get better loan interest rates than we originally planned.

PUBLIC INFORMATION – mock website. Drew showed the Commissioners the draft websites. The Board agreed that they liked draft #1.

NEW BUSINESS:

Hollow Creek Golf Course Request for Estoppel Certificate & Agreement - Drew stated that this conveys with the new property owners. Property must remain open space. According to our attorney this agreement is for the lender to make sure that the Town cannot come in and take over the property. The Town Board asked for the Town Attorney to revise the agreement to specific to this issue. This item will come back before the Town Board for approval.

Discussion of Legislative Initiatives from the County Executive – no comment on letter from County Executive.

Discussion of Exploratory Group to Organize 250th Anniversary Celebration of the Town in 2017 –
Burgess Miller stated that Becky has agreed to co-chair this event.

Discussion of National Night Out – Commissioner Goodman will be gathering information to report back to the Board at the next Town Meeting.

PUBLIC COMMENT:

Mike Tabor – parking problem since 1988 on South Church Street in the vicinity of 205-107 South Church Street. Would like to see the Town put 2 hour parking in on Franklin Street.

Mr. Tabor also stated that he would like to see the lighting program be extended on Church Street, he feels it would be a great asset.

ANNOUNCEMENTS:

ADJOURNMENT

Meeting adjourned at 8:15pm. with the Board entering into Executive Session.

Respectfully submitted,

Ann Griffin
Office Manager

Town of Middletown
Statement of Revenue & Expenditures
 General Fund
 Fiscal Year 2016
 For the 3 Months Ended September 30, 2015

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>OVER (UNDER) BUDGET</u>
<u>REVENUE</u>			
<u>LOCAL TAX</u>			
Real Property	\$ 1,139,955	\$ 704,424	\$ (435,531)
Tangible Personal Property	35,540	8,831	(26,709)
Public Utilities	10,356		(10,356)
Franchise (Cable)	48,062	11,908	(36,154)
Penalties & Interest	9,607	(1)	(9,608)
	<u>\$ 1,243,520</u>	<u>\$ 725,162</u>	<u>\$ (518,358)</u>
<u>STATE SHARED TAX</u>			
Admission & Amusement	\$ 16,500		\$ (16,500)
Highway Gasoline & Licenses	154,758		(154,758)
	<u>\$ 171,258</u>		<u>\$ (171,258)</u>
<u>COUNTY SHARED TAX</u>			
Income Taxes	\$ 721,465	\$ 71,559	\$ (649,906)
Tax Equity Grant	555,964	138,991	(416,973)
	<u>\$ 1,277,429</u>	<u>\$ 210,550</u>	<u>\$ (1,066,879)</u>
<u>LICENSES AND PERMITS</u>			
Beer, Wine and Liquor	\$ 1,950		\$ (1,950)
Business / Traders	4,900		(4,900)
Planning / Zoning Fees	19,606	13,265	(6,341)
	<u>\$ 26,456</u>	<u>\$ 13,265</u>	<u>\$ (13,191)</u>
<u>PARKS AND RECREATION</u>			
Pavillion Fees	\$ 1,900	\$ 285	\$ (1,615)
	<u>\$ 1,900</u>	<u>\$ 285</u>	<u>\$ (1,615)</u>
<u>POLICE PROTECTION</u>			
State Grant	\$ 24,928		\$ (24,928)
	<u>\$ 24,928</u>		<u>\$ (24,928)</u>
<u>MISCELLANEOUS</u>			
Community Events			
Parking Citations			
Bank Shares Grant	2,500		(2,500)
Miscellaneous & Donations	5,000	(61)	(5,061)
	<u>\$ 7,500</u>	<u>\$ (61)</u>	<u>\$ (7,561)</u>
OPERATING REVENUES	\$ 2,752,991	\$ 949,201	\$ (1,803,790)
State Grants & Interest	\$ 189,172	\$ 17	\$ (189,155)
TOTAL REVENUE	\$ 2,942,163	\$ 949,218	\$ (1,992,945)

Town of Middletown
Statement of Revenue & Expenditures
General Fund
Fiscal Year 2016
For the 3 Months Ended September 30, 2015

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>OVER (UNDER) BUDGET</u>
<u>EXPENDITURES</u>			
<u>LEGISLATIVE</u>			
Commissioner's Salary	\$ 12,300	\$ 1,000	\$ (11,300)
Communications	3,480	532	(2,948)
Dues & Subscriptions	7,370	7,091	(279)
Office Supplies & Exp	3,600	211	(3,389)
Advertising	750	454	(296)
Meetings & Conventions	<u>9,000</u>	<u>576</u>	<u>(8,424)</u>
	\$ 36,500	\$ 9,864	\$ (26,636)
<u>EXECUTIVE</u>			
Burgess Salary	<u>\$ 6,667</u>	<u>\$ 500</u>	<u>\$ (6,167)</u>
	\$ 6,667	\$ 500	\$ (6,167)
<u>ELECTION</u>			
Clerk Fees	\$ 450		\$ (450)
Other Administrative Expenses	<u>250</u>		<u>(250)</u>
	\$ 700		\$ (700)
<u>GENERAL SERVICES</u>			
<u>ADMINISTRATION</u>			
Administrative Salary	\$ 227,019	\$ 59,952	\$ (167,067)
Postage & Printing	200		(200)
Communications	10,471	1,119	(9,352)
Computer Expenses	22,600	6,975	(15,625)
Office Supplies & Exp	27,200	3,851	(23,349)
Office Maintenance	52,680	4,890	(47,790)
Dues & Subscriptions	150		(150)
Professional Services	3,600	600	(3,000)
Meetings & Conventions	100		(100)
Water and Sewer Grant	<u>80,000</u>	<u>80,000</u>	
	\$ 424,020	\$ 157,387	\$ (266,633)
<u>OPERATIONS</u>			
Maintenance Capital Outlay			
Vehicle Capital Outlay			
Director Salary	93,227	21,484	(71,743)
Maintenance Salary	35,015	5,553	(29,462)
Communications	9,000	1,545	(7,455)
Supplies & Expenses	13,000	3,136	(9,864)
Dues & Meetings			
Landscaping/Beautification			
Maintenance & Repairs	27,950	5,291	(22,659)
Tools & Equipment	<u>3,161</u>	<u>310</u>	<u>(2,851)</u>
	\$ 181,353	\$ 37,319	\$ (144,034)

Town of Middletown
Statement of Revenue & Expenditures
 General Fund
 Fiscal Year 2016
 For the 3 Months Ended September 30, 2015

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>OVER (UNDER) BUDGET</u>
<u>PROFESSIONAL SERVICES</u>			
Independent Accounting	\$ 12,500		\$ (12,500)
Legal - Development			
Legal - Ordinances	<u>7,500</u>	<u>1,387</u>	<u>(6,113)</u>
	\$ 20,000	\$ 1,387	\$ (18,613)
<u>PLANNING & ZONING</u>			
Salary & Fees	\$ 48,946	\$ 9,098	\$ (39,848)
Other Expenses	<u>3,109</u>	<u>336</u>	<u>(2,773)</u>
	\$ 52,055	\$ 9,434	\$ (42,621)
<u>MAIN STREET PROGRAM</u>			
Manager Salary	\$ 43,522	\$ 9,689	\$ (33,833)
Town Contribution	<u>18,000</u>	<u>10,000</u>	<u>(8,000)</u>
	\$ 61,522	\$ 19,689	\$ (41,833)
<u>PUBLIC SAFETY</u>			
Fire Dept. Donation	\$ 20,000		\$ (20,000)
School Crossing Guards	17,408		(17,408)
Community Deputy Program	<u>365,101</u>	<u>4,576</u>	<u>(360,525)</u>
	\$ 402,509	\$ 4,576	\$ (397,933)
<u>SANITATION & WASTE REMOVAL</u>			
Resident Trash & Yard Waste	\$ 276,901	\$ 58,014	\$ (218,887)
<u>RECREATION AND CULTURE</u>			
Park Salary	46,911	14,118	(32,793)
Park Electric	1,800	340	(1,460)
Maintenance & Repairs	44,100	6,220	(37,880)
Mowing	26,215	7,371	(18,844)
Remsberg Park - Interest	14,632	3,896	(10,736)
Remsberg Park - Principal	<u>108,917</u>	<u>26,991</u>	<u>(81,926)</u>
	\$ 242,575	\$ 58,936	\$ (183,639)

Town of Middletown
Statement of Revenue & Expenditures
General Fund
Fiscal Year 2016
For the 3 Months Ended September 30, 2015

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>OVER (UNDER) BUDGET</u>
<u>HIGHWAYS AND STREETS</u>			
Salary	\$ 93,356	\$ 21,944	\$ (71,412)
Street Lighting	165,600	26,297	(139,303)
Storm Water Management	4,670	567	(4,103)
Snow Removal	70,000		(70,000)
Repairs & Resurfacing	57,300	2,036	(55,264)
Signs			
Truck Repair & Operation	50,700	6,164	(44,536)
Equipment Repairs & Ops	10,000	306	(9,694)
Mowing	32,696	9,216	(23,480)
Interest	6,941	14,447	7,506
East Green St - Principal	12,000		(12,000)
Case Loader - Principal	15,158	13,973	(1,185)
	<u>\$ 518,421</u>	<u>\$ 94,950</u>	<u>\$ (423,471)</u>
<u>OTHER EXPENSES</u>			
MT Historical Society - CIP	\$ 5,000	\$ 5,000	
Donations	100		(100)
Travel - Mileage	2,783	931	(1,852)
Community Events	19,750	2,537	(17,213)
Payroll Taxes	54,257	11,708	(42,549)
Insurance - Property	13,866	3,119	(10,747)
Insurance - Employee	118,839	22,917	(95,922)
Retirement/Pension	65,725	3,315	(62,410)
Web Page & Directory	5,000	8,132	3,132
Real Estate Taxes	1,242	800	(442)
Bond Issuance Costs		11,709	11,709
Other	3,500	707	(2,793)
	<u>\$ 290,062</u>	<u>\$ 70,875</u>	<u>\$ (219,187)</u>
TOTAL EXPENDITURES	\$ 2,513,285	\$ 522,931	\$ (1,990,354)
INCOME (LOSS) Exc. Cash Reserves	\$ 428,878	\$ 426,287	\$ (2,591)
CASH RESERVES	\$ 1,186,719	\$ 935,026	\$ (251,693)
SURPLUS / (DEFICIT)	\$ 1,615,597	\$ 1,361,313	\$ (254,284)

Town of Middletown
CIP Funds & Expenditures
 General Fund
 Fiscal Year 2016
 For the 3 Months Ended September 30, 2015

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>OVER (UNDER) BUDGET</u>
OPERATING REVENUE			
Revenue	\$ 2,752,991	\$ 949,201	\$ (1,803,790)
OPERATING EXPENSES			
Expenses	2,513,284	522,931	(1,990,353)
OPERATING SURPLUS (LOSS)	\$ 239,707	\$ 426,270	\$ 186,563
<u>OTHER FUND</u>			
POS - Development	\$ 144,205		\$ (144,205)
West Green Street Loan	1,000,000		(1,000,000)
RETAINED EARNINGS	304,008		(304,008)
Interest	2,967	17	(2,950)
Other			
TOTAL OTHER FUNDS	\$ 1,451,180	\$ 17	\$ (1,451,163)
TOTAL FUNDS AVAILABLE	\$ 1,690,887	\$ 426,287	\$ (1,264,600)
<u>CIP PROJECTS & PURCHASES</u>			
West Green St Improvements	\$ 1,000,000	\$ 908	\$ (999,092)
Franklin - Patching, Mill & Over	60,000		(60,000)
Broad Street Road Construction	20,000		(20,000)
SWM Fence Replacements	21,984		(21,984)
Walking Trail - East Main to Lin	25,750		(25,750)
Remsberg Park Bleachers	12,150	11,884	(266)
Remsberg Park Walking Trail	45,000		(45,000)
Remsberg Park Totlot	25,076		(25,076)
Wiles Branch Dog Park	47,872	11,103	(36,769)
Wiles Branch Park Shingles	3,100		(3,100)
Foxfield Walk Path/Booster Overl	24,100		(24,100)
Municipal HVAC	90,000		(90,000)
Municipal Carpet (2nd Floor)	20,000		(20,000)
Municipal Boiler Replacment	30,000		(30,000)
Maintenance HVAC	4,500		(4,500)
Vehicle Replacements	65,000		(65,000)
Computer Replacements	5,400		(5,400)
Backhoe Lease	15,200	13,973	(1,227)
Historical Society Donation	5,000	5,000	
Total CIP Costs	\$ 1,520,132	\$ 42,868	\$ (1,477,264)
OPERATING & CIP SURPLUS (LOSS)	\$ 170,755	\$ 383,419	\$ 212,664

Town of Middletown
CIP Funds & Expenditures
General Fund
Fiscal Year 2016
For the 3 Months Ended September 30, 2015

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>OVER (UNDER) BUDGET</u>
Cash Reserves	\$ 1,186,719	\$ 935,026	\$ (251,693)
TOTAL CASH SURPLUS	<u><u>\$ 1,186,719</u></u>	<u><u>\$ 935,026</u></u>	<u><u>\$ (251,693)</u></u>

Town of Middletown
STATEMENT OF REVENUE and EXPENDITURES
WATER & SEWER
Fiscal Year 2016
For the 3 Months Ended September 30, 2015

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>OVER (UNDER) BUDGET</u>
<u>REVENUE</u>			
Water Revenue	\$ 594,558	\$ 153,980	\$ (440,578)
Sewer Revenue	596,089	153,274	(442,815)
Penalties/Reconnects	15,038	4,355	(10,683)
Rain Barrel Sales	1,575		(1,575)
General Fund Grant/Misc	<u>80,000</u>	<u>80,000</u>	
TOTAL OPERATING REVENUE	\$ 1,287,260	\$ 391,609	\$ (895,651)
<u>EXPENDITURES</u>			
<u>ADMINISTRATIVE</u>			
Office Salaries	\$ 50,907	\$ 7,989	\$ (42,918)
Communications	7,500	1,971	(5,529)
Postage	9,280	9,000	(280)
Office Supplies/Expense	12,000	190	(11,810)
Legal - Other	2,000		(2,000)
Meetings & Seminars	500		(500)
Advertising	500		(500)
Uniforms	998	626	(372)
Dues/Subscrip/Certifications	500		(500)
Travel	200		(200)
Payroll Taxes	24,559	6,112	(18,447)
Insurance - Prop. & Liability	8,500	2,742	(5,758)
Insurance - Workers Comp	8,214	1,325	(6,889)
Insurance - Health	53,824	8,442	(45,382)
Retirement/Pension	23,678	1,125	(22,553)
Real Estate Taxes	292	292	
Rain Barrel/Educational Programs	2,500		(2,500)
Waterline / I & I Loans	32,979	32,498	(481)
Bond Issuance Costs		<u>125,568</u>	<u>125,568</u>
Sub-Total	\$ 238,931	\$ 197,880	\$ (41,051)
<u>Vehicles & Equipment</u>			
1999 Truck	\$ 3,700		\$ (3,700)
2008 Truck	3,200	15	(3,185)
2013 Truck	3,400		(3,400)
2015 Meter Van	3,700	255	(3,445)
Misc Equipment	7,000	1,363	(5,637)
Bobcat Mini-Excavator		114	114
Case Backhoe		<u>25</u>	<u>25</u>
Sub-Total	\$ 21,000	\$ 1,772	\$ (19,228)

Town of Middletown
STATEMENT OF REVENUE and EXPENDITURES
WATER & SEWER
Fiscal Year 2016
For the 3 Months Ended September 30, 2015

	ANNUAL BUDGET	YTD ACTUAL	OVER (UNDER) BUDGET
WATER			
Salaries	\$ 133,411	\$ 29,505	\$ (103,906)
Water Distribution System			
Supplies	3,200	756	(2,444)
Repairs & Maintenance	70,950	7,678	(63,272)
Water Meters	65,250	108,961	43,711
Water Line Break Repairs	5,000		(5,000)
Chemicals	500		(500)
Tools & Equipment	4,330	676	(3,654)
Sub-Total	\$ 149,230	\$ 118,071	\$ (31,159)
Water Plant/Reservoir/Booster/Tower/BS Wellhouse			
Electric	\$ 26,900	\$ 2,887	\$ (24,013)
Supplies	2,000	936	(1,064)
Repairs & Maintenance	27,350	4,610	(22,740)
Chemicals	18,226	3,380	(14,846)
Tools & Equipment	2,400		(2,400)
Testing & Analysis	12,988	1,143	(11,845)
Sub-Total	\$ 89,864	\$ 12,956	\$ (76,908)
Abandoned Well Costs			
TOTAL WATER EXPENSES	\$ 372,505	\$ 160,532	\$ (211,973)
SEWER			
Salaries	\$ 124,358	\$ 34,465	\$ (89,893)
Sewer Collection System			
Cone Branch PS	20,000	12,933	(7,067)
Brookridge South PS	10,000	1,423	(8,577)
Foxfield PS	6,500	982	(5,518)
Sanitary Sewerlines & Manholes	23,952	13,946	(10,006)
I & I Accrual	75,000	18,750	(56,250)
Sub-Total	\$ 135,452	\$ 48,034	\$ (87,418)

Town of Middletown
STATEMENT OF REVENUE and EXPENDITURES
WATER & SEWER
Fiscal Year 2016
For the 3 Months Ended September 30, 2015

	ANNUAL BUDGET	YTD ACTUAL	OVER (UNDER) BUDGET
Wastewater Treatment Plants			
East Wastewater Treatment Plant			
Electric	\$ 33,279	\$ 5,049	\$ (28,230)
Supplies	5,469	162	(5,307)
Repairs & Maintenance	35,357	3,340	(32,017)
Chemicals	40,844	2,971	(37,873)
Tools & Equipment	8,400	98	(8,302)
Testing & Analysis	34,187	3,064	(31,123)
Sludge Hauling Expense	57,000	10,760	(46,240)
Sub-Total	\$ 214,536	\$ 25,444	\$ (189,092)
West Wastewater Treatment Plant			
Electric	\$ 17,934	\$ 4,693	\$ (13,241)
Supplies	2,500	787	(1,713)
Repairs & Maintenance	11,750	490	(11,260)
Chemicals	61,258	18,060	(43,198)
Tools & Equipment	1,000		(1,000)
Testing & Analysis	10,459	1,056	(9,403)
Sludge Hauling Expense	22,650	4,312	(18,338)
Sub-Total	\$ 127,551	\$ 29,398	\$ (98,153)
TOTAL SEWER EXPENSES	\$ 601,897	\$ 137,341	\$ (464,556)
TOTAL WATER/SEWER EXPENSES	\$ 1,234,333	\$ 497,525	\$ (736,808)
CONTINGENCY FUND - 3.5%	\$ 43,202	\$ 17,413	\$ (25,788)
ADJUSTED WATER/SEWER EXPENSES	\$ 1,277,535	\$ 514,938	\$ (762,596)
NET INCOME (LOSS)	\$ 9,725	\$ (123,329)	\$ (133,055)

**Town of Middletown
CIP FUNDS and EXPENDITURES
WATER & SEWER**

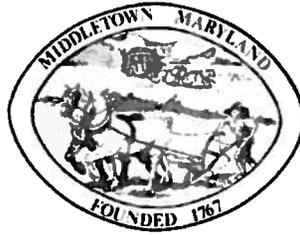
Fiscal Year 2016

For the 3 Months Ended September 30, 2015

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>OVER (UNDER) BUDGET</u>
<u>FUNDING SOURCES</u>			
Operating Revenue	\$ 1,287,260	\$ 391,609	\$ (895,651)
Operating Expenses	<u>1,234,333</u>	<u>497,525</u>	<u>(736,808)</u>
OPERATING INCOME (LOSS)	\$ 52,927	\$ (105,916)	\$ (158,843)
Cash Reserves	\$ 120,000	\$ 120,000	
Debt Service Fee - New Homes	138,800	34,900	(103,900)
Capital Improvement Fees	139,464	34,755	(104,709)
Inflow & Infiltration - Reserve A	75,000	75,000	
Improvement/Tap Fees	1,060,000	20,000	(1,040,000)
Water Tower & Land Leases	184,642	39,604	(145,038)
Main Street Waterline Loan	<u>2,250,000</u>	<u>2,250,000</u>	
TOTAL OTHER REVENUE	\$ 3,967,906	\$ 2,574,259	\$ (1,393,647)
TOTAL FUNDS AVAILABLE	4,020,833	2,468,343	(1,552,490)
<u>DEBT SERVICE COSTS</u>			
Principal Payments			
MVB Line of Credit			
CDA - Water Tower	102,800		(102,800)
MDE - East WWTP	205,519		(205,519)
Brookridge WTP	200,000		(200,000)
Main Street Waterline & Reservoir	60,540		(60,540)
Interest - All Loans	44,766	73,531	28,765
TOTAL DEBT SERVICE COSTS	\$ 613,625	\$ 73,531	\$ (540,094)
<u>WATER & SEWER PROJECTS</u>			
CIP - Well #15 Mag/Iron Removal	\$ 160,000		\$ (160,000)
CIP - Main Street Waterline - Eng			
CIP - Main Street Waterline - Con	2,000,000		(2,000,000)
CIP - Reservoir Cover Replacement	440,000		(440,000)
CIP - Wellll Field Restoration	125,000		(125,000)
CIP - Reservoir - Fence Replaceme	38,105		(38,105)
CIP - Booster Station Pump Bypass	8,000		(8,000)
CIP - Locust Court Waterline	310,000		(310,000)
CIP - Broad to East Green Waterli	40,000		(40,000)
CIP - West WWTP - Aerator Replace	8,000		(8,000)
CIP - East WWTP Bar Screen Refurb	40,000		(40,000)
CIP - Cone Branch Pump Station Pu	31,000		(31,000)
CIP - Inflow & Infiltration	75,000		(75,000)

Town of Middletown
CIP FUNDS and EXPENDITURES
WATER & SEWER
Fiscal Year 2016
For the 3 Months Ended September 30, 2015

	<u>ANNUAL BUDGET</u>	<u>YTD ACTUAL</u>	<u>OVER (UNDER) BUDGET</u>
2015 Meter Tech Van	\$ 46,500		\$ (46,500)
TOTAL WATER & SEWER PROJECTS	\$ 3,321,605		\$ (3,321,605)
TOTAL CIP COSTS	\$ 3,935,230	\$ 73,531	\$ (3,861,699)
TOTAL FUNDS REMAINING	\$ 85,603	\$ 2,394,812	\$ 2,309,209



Applicants for Board of Appeals

- Alim Abdulghany – 10 Ivy Hill Drive
- Christine Beachley – 37 Boileau Court
- Peter Canonico – 208 Lombardy Court
- Tim Coakley – 20 West Main Street
- Robert Wilkes – 207 Layla Drive
- Jeffrey Zerhusen – 9 Hoffman Drive

ESTOPPEL CERTIFICATE AND AGREEMENT

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THIS ESTOPPEL CERTIFICATE AND AGREEMENT made this ___ day of _____, 2015, by the BURGESS AND COMMISSIONERS OF MIDDLETOWN, MARYLAND (the "Town"); RICHLAND ENTERPRISE, LLC, a Maryland limited liability company (the "Owner"), for the benefit of CAPITAL BANK, N.A. ("Lender").

WHEREAS, Lender has agreed to make certain loans to Owner secured by a Deed of Trust and Security Agreement (the "Deed of Trust"), on the property commonly known as the Hollow Creek Golf Course, described in "EXHIBIT A" attached hereto (the "Property"); and

WHEREAS, Owner owns the fee simple interest in the Property; and

WHEREAS, Lender has agreed to make such loan upon reliance on the certifications and agreements set forth herein.

NOW THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) in hand paid, the receipt and sufficiency of which are hereby acknowledged, the parties hereto hereby certify and agree as follows:

1. Town acknowledges and agrees that as long as no action is or has been taken to develop all or any portion of the Property for any use or purpose other than for open space uses or purposes which are or may be permitted under the Town's zoning laws, (Title 17 of the Middletown Code of Ordinances), including, but not limited to, its current use as a golf course, Town will take no action to obtain ownership or control of the Property pursuant to Title 17, Section 17.40.040 of the Middletown Code of Ordinances (hereinafter referred to as an "Enforcement Action"). An action to develop all or any portion of the Property shall include, but not be limited to, the submission of (1) an application to rezone all or any portion of the Property, or (2) an application for a zoning certificate for approval of a structure or use not authorized in an Open Space zoning district under Title 17 of the Middletown Code of Ordinances.

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2. In the event of a default by Owner under the Deed of Trust, and prior to the Lender taking any of the measures to enforce the Deed of Trust set forth in this paragraph, notice of such default shall be provided by Lender to Town. Town agrees that, upon ~~its receipt~~ the giving of such notice of ~~Default~~ default in accordance with the provisions hereof, and prior to the Town taking any Enforcement Action, Lender shall be allowed such reasonable time as may be required to (A) institute and complete the foreclosure of the Deed of Trust pursuant to a power of sale, whether by judicial proceedings or other lawful means (including the acceptance of a deed in lieu of foreclosure). ~~Completion of the foreclosure shall be through the ratification of the sale by a court of competent jurisdiction and the settlement on the transfer of title to such property to the foreclosure sale purchaser or such purchaser's assignee.~~ (B) -appoint a receiver, or (C) exercise the right of Lender or the receiver to enter and take possession of the Property, to manage and operate the same and to collect the sub-rentals, issues and profits therefrom. For the purposes hereof, completion of the foreclosure shall be through the ratification of the sale by a court of competent jurisdiction and the settlement on the transfer of title to such property to the foreclosure sale purchaser, or such purchaser's assignee. Town agrees not to accept a deed to the

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Property from Owner under or pursuant to an Enforcement Action without the written consent of Lender at any time while Lender retains a lien on the Property under the Deed of Trust or any subsequent ~~amendment~~ amendment or successor Deed of Trust thereto. Lender acknowledges the current use of the Property as a golf course, and has valued the Property based on such use.

3. Whenever either the Town or Lender gives, sends or provides any notice or communication to Owner which relates to an anticipated Enforcement Action or the enforcement of the Deed of Trust, then Town and Lender will also give, send or provide to the other a copy of any such notice. Each such notice from and/or to Town and Lender shall be delivered either by certified or registered mail, return receipt requested, or by personal delivery to the address specified below. No such notice to Owner shall be deemed to have been given unless and until a copy thereof shall have been so given to both Town and Lender. Town agrees that any term, covenant or condition which is required to be met, performed, complied with or satisfied by Owner shall be sufficient and of the same force and effect if such covenant or condition is met, performed, complied with or satisfied by Lender.

4. This Estoppel Certificate and Agreement shall terminate and expire of its own terms, without any notice or action by Town, at such time as the Owner's obligations secured by the Deed of Trust are paid in full and the security of the Deed of Trust is released regardless of whether a written Release of that Deed of Trust is recorded among the Land Records of Frederick County

5. The agreements set forth herein shall be binding upon the parties hereto, their successors and assigns.

BURGESS AND COMMISSIONERS OF MIDDLETOWN

By: _____
John D. Miller, Burgess
31 West Main Street
Middletown, Maryland 21769
Attn: Town Administrator

CAPITAL BANK, N.A.

By: _____
Paul Merritt,
Senior Vice President
One Church Street
Suite 300
Rockville, Maryland 20850
Attn: Paul Merritt

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**RICHLAND ENTERPRISE, LLC, a Maryland
limited liability company**

By: _____ [SEAL]
Fan Yang, Manager

By: _____ [SEAL]
Michael Yang, Manager

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WHEREAS, Main Street Middletown is a local nonprofit organization dedicated to enhancing the sense of place, quality of life, and economic vitality of the Middletown Community; who strives to bring together citizens, businesses, and government as well as county and statewide partners to revitalize, preserve, promote, and support the historic downtown area

WHEREAS, Main Street Middletown and the Town of Middletown wish to acknowledge that Middletown businesses play a pivotal role in strengthening our community by their dedication to bringing excellence to their profession, business, and to the community; thereby enhancing the economic well-being of all Middletown citizens; and

WHEREAS, the Middletown Burgess and Commissioners are pleased to recognize the accomplishments of our entrepreneurs and local business leaders that contribute greatly to the vitality of our community; and

WHEREAS, it is fitting to offer the citizens of Middletown a unique opportunity to recognize Middletown's businesses for the essential role they play in moving Middletown forward;

NOW, THEREFORE, We, the Burgess and Commissioners, by virtue of the authority vested in us as Burgess and Commissioners of Middletown, Maryland, do hereby proclaim the week of October 19-23, 2015 as

BUSINESS APPRECIATION WEEK

IN WITNESS WHEREOF, We have hereunto set our hands and caused the Seal of Middletown, Maryland to be affixed this _____ day of _____ in the year of our Lord, two thousand thirteen.

Burgess John Miller

Commissioner Larry Bussard

Commissioner Rick Dietrick

Commissioner Jennifer Falcinelli

Commissioner Christopher Goodman

Commissioner Anthony Ventre

September 3, 2015

Mr. Andrew J. Bowen
Town Administrator
Burgess & Commissioners
31 West Main Street
Middletown, MD 21769

RECEIVED
SEP 09 2015
TOWN OF MIDDLETOWN, MD

Dear Mr. Bowen;

Middletown, and the history that envelops us, is a source of pride for every member of the community. Some of you may be aware of a little piece of our town history. The Carrollton Manor Chapter of the Daughters of the American Revolution released a book entitled, "The Forgotten: The Middletown African Methodist Episcopal Cemetery". The cemetery is located in the 300 block of Jefferson Street in Middletown. The original church was in front of the cemetery and was destroyed by fire in 1883.

The steps leading to the Church foundation and past to the cemetery are crumbled and falling apart, making access up the grassy incline to the stone church marker and old church photo difficult.

The loved ones buried in the cemetery were an integral part of the formation of Middletown; building roads, homes, and caring for our children in the very early days, part of the backbone that makes this town the great community that it is.

A standout at the cemetery is U.S. Army PVT Harman W. Cartnail, a veteran of World War II, who enlisted in the Army on July 3, 1942 in Baltimore, MD. Army records indicate he was enlisted for the duration of the war or other emergency, plus six months.

Over the years, many local churches and civic organizations have mowed, chopped, cleaned, and raked this area only to have it revert to its "Forgotten" condition. With the help of several town residents and local churches, this space is being returned to its original beautiful appearance and I personally have seen this transformation occurring.

My request is for a financial donation to help complete the needed upgrades such as repairing the steps, and/or assistance with cleanup of the grounds such as tree removal, plantings, and raising up and securing headstones. According to the Town of Middletown, this property is not owned by anyone and it is our community responsibility to ensure this historical site is maintained for all to enjoy.

Thank you for your support in helping to repair and maintain a cornerstone of Middletown history.

Kind Regards,



Christine Rawlings

- BURGESS
- ADMINISTRATION
- PUBLIC WORKS
- PLANNING & ZONING
- WATER & SEWER