



AGENDA FOR THE TOWN MEETING

September 22, 2014

7:00 p.m.

PLEDGE TO THE FLAG

CALL TO ORDER

CONSENT AGENDA

- Town Minutes
 - [September 4, 2014 – Public Hearings](#)
 - [September 8, 2014 – Town Meeting](#)

PERSONAL REQUESTS FOR AGENDA:

- *Presentation of Middletown Civil War Media Project – David Guiney*

UNFINISHED BUSINESS:

- **Dog Park Grant Approval**
- **CGI Communications – Video Showcase Program**

NEW BUSINESS:

- Discussion of e-Billing for Water Bills
- Streetscape Update & Discussion
 - Waterline Design
 - Stormwater Management Facilities on Town Property
- **Review of Municipal Growth Element**

PUBLIC COMMENTS:

Please state Name and Address for the Record

ANNOUNCEMENTS:

- *The Town asking for volunteers to serve on the Town's Ethics Commission. Please submit a letter of interest to the Town Office.*

Executive Session – (If Necessary)

ADJOURNMENT

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

BURGESS AND COMMISSIONERS OF MIDDLETOWN MARYLAND

TOWN MEETING MINUTES

PUBLIC HEARING

September 4, 2014

The Public Hearing of the Burgess and Commissioners of Middletown was called to order on September 4, 2014 by Burgess Miller at 7:00 p.m. in the Middletown Municipal Center, 31 W. Main Street, Middletown, Maryland. Present were: Commissioners Larry Bussard, Jennifer Falcinelli, Tony Ventre, Richard Dietrick, and Christopher Goodman.

PUBLIC HEARING – Ordinance 14-08-03 – Ordinance to amend Title 17 of the Middletown Municipal Code to provide definitions for the terms “Adult Entertainment Activities” and “Adult Entertainment Business”; to authorize the use of property as an Adult Entertainment Business provided it is not located within 1,500 feet of other property used as a school, park, child day care center, church or house of worship, or another adult entertainment business.

Cindy stated that there has been some misunderstanding from the residents as to why we are proposing this ordinance. Our current ordinance does allow for “Adult Entertainment Business” within the commercial districts in Town. This is to put more strict rules as to where such business can go. Cindy also read some language from other counties in Maryland that have provisions on where such business can go. One of counties also had a provision included in their ordinance that no such business can be within 600 ft. of a residential property.

Kevin Corcoran, 709 E. Main Street – stated that he was one of the resident that had a misunderstanding as to why the Town was wanting to approve this ordinance but now with Cindy’s explanation he understands. Mr. Corcoran also stated why not have the language in the ordinance about being away from residential properties? Mr. Corcoran stated the bigger the buffer the better.

It was the consensus of the Board to add the language in that Adult Entertainment Businesses cannot be within 600’ of any residential property.

Ordinance 14-08-04 – Ordinance to amend title 17 of the Middletown Municipal Code to authorize the use of property for purposes of residential cluster development in the R-20 zoning district; to enact Chapter 17.42 to establish regulations for the use of property for purposes of residential cluster developments; to state the purposes for and to define certain

terms relating to residential cluster developments; to establish criteria for development as a residential cluster development; to state the requirements for a site development plan for a residential cluster development and to establish criteria for Planning Commission review of such site plans ; to require the establishment of a homeowners association for a residential cluster development; to amend Section 17.48.015 to authorize an active adult community to be developed as a residential cluster development as a special exception under stated conditions.

Cindy stated the Planning Commission discussed the proposal from the Town Board to separate out the cluster development regulation from the active adult regulations. The Planning Commission did not make a recommendation for or against this; no action was taken after the discussion.

The Town Attorney has drafted an ordinance in which the cluster development regulations are a separate section of the Code and are a permitted use in the R-20 district. The draft ordinance includes the provisions for active adult communities that are on parcels less than 100 acres and are developed as a cluster development, and the provision that driveways in the active adult communities need to be a minimum of 20 feet from a public or local street.

Barbara Reeder, 4 Groff Court – stated that she doesn't want to see cluster housing, cluster housing is not for seniors. Mrs. Reeder asked if a concept plan has been submitted yet? Mrs. Reeder stated that she doesn't want to see another "Villages" be built on this property. Mrs. Reeder wants to see more open space.

Burgess Miller stated that it is too early in the process to have a concept plan for this parcel as it hasn't even been annexed into town, we are just enacting cluster development regulations and amending the active adult regulations at this time.

Commissioner Goodman stated that with this ordinance there will be only 2 units per acre vs the 82 lots on 14 acres currently in the "Villages".

Gloria Kundrick, 3 Crone Lane – stated that she lives in the "Villages" and doesn't not see a problem with how that area was developed. Mrs. Kundrick stated that it doesn't feel like you are on top of each other as some think that is why I moved to the area.

With no further comment, the public hearing adjourned at 8:22pm.

Respectfully submitted,

Ann Griffin
Office Manager

BURGESS AND COMMISSIONERS OF MIDDLETOWN MARYLAND

TOWN MEETING MINUTES

REGULAR MEETING

September 9, 2014

The first monthly meeting of the Burgess and Commissioners of Middletown was called to order on September 9, 2014, by Burgess Miller at 7:00 p.m. in the Middletown Municipal Center, 31 W. Main Street, Middletown, Maryland. Present were: Commissioners Larry Bussard, Rick Dietrick, Jennifer Falcinelli, Tony Ventre and Christopher Goodman.

CONSENT AGENDA

Town Minutes – August 25, 2014 Regular meeting

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

PERSONAL REQUESTS FOR AGENDA:

- *Presentation of Community Garden Recognition to Youth Gardeners* – Burgess Miller presented the Youth Gardeners with certificates.
- *Andy Mackintosh – AC Jets* – Mr. Mackintosh wanted to know if the Board has come to a conclusion yet in regards to the AC Jets property. Burgess Miller stated that the Board has not come to a conclusion, that they have had some preliminary discussions but no decision has been made. Mr. Mackintosh stated that he would like to have an open discussion with the Board to discuss what they would want to see in this development. Burgess Miller stated that the Board and the Planning Commission have a joint meeting in October and this will be on the agenda. Burgess Miller advised Mr. Mackintosh that possibly by December we may have more information or even a decision.
- *Brandi Wynne, 205 Broad Street* – stated that she submitted a letter to Burgess Miller about the speed on Broad Street. Mrs. Wynne stated that there are a lot of children on this street now. Mrs. Wynne stated that there are 9 children from Locust Street to Franklin Street that are in either the elementary school or the primary school and these children have to walk to/from the schools. Mrs. Wynne stated that she has to cross her children to the other side of the street as there is no sidewalk that goes all the way down to Franklin Street from her house on the north side of Broad Street. Commissioner Goodman stated that since the staff painted the speed limit signs on S. Jefferson Street he has not heard of any complaints since. Burgess Miller stated that the Town staff will update the signage along Broad Street, ask that the resident deputies make their presence known and paint the speed limit on the street as we did on S. Jefferson St.

Unfinished Business:

Ordinance 14-08-03 – Adult Entertainment Business – Burgess Miller stated that this Ordinance not to advocate for this type of business but to be more restrictive of where a business of this nature can go in town. Burgess Miller stated that the public hearing was held on September 4, 2014 at that time we heard from a resident asking to include language in the ordinance to be 600 feet from residential properties. The Board agreed to add this language to the Ordinance. The Ordinance now needs to go back to the Planning Commission for their review and we will have to have another public hearing.

Ordinance 14-08-04 – Active Adult Regulations & Cluster Developments – Motion by Commissioner Goodman to approve Ordinance 14-08-04 as presented, seconded by Commissioner Dietrick. Motion carried 6-0.

Design Manual Amendments – Burgess Miller stated that the Staff Planner found some things within our Design Manual that need to be updated. Those amendments pertain to the SWM Design, Storm Drain design and Streets & Roads design. Motion by Commissioner Bussard to approve the Design Manual Amendments as presented, seconded by Commissioner Ventre. Motion carried 6-0.

Discussion of Dog Park – Yearly Operational Costs – Drew stated that he spoke to Paul Dial with Frederick County Parks & Rec. Mr. Dial stated that their dog parks are heavily used. Mr. Dial stated that their parks have 2 areas for small dogs and 2 areas for large dogs, they alternate the areas for the dogs to use so that the grass does not get torn up too bad. Drew stated that it would cost approximately \$2,500 a year for the Town to maintain these areas. Commissioner Ventre stated that he has had a few people volunteer for the dog park committee. Burgess Miller stated the this grant will on the September 22nd Town Meeting for a vote to accept or reject.

REPORTS OF COMMITTEES –

WATER & SEWER – Commissioner Falcinelli reported:

Spring flow: 115,000 gal., East WWTP 133,000 gal., and WWTP 138,000 gal.

Lead & copper samples have been collected and data submitted to MDE.

Water & sewer committee meeting – September 17, 2014 at 7pm.....webinar on ebilling.

Hydrant flushing – October 13-17, 2014.

PUBLIC WORKS – Commissioner Bussard reported:

The maintenance guys have been busy – power washed & stained the walking bridges, painted curbs throughout town.

New dump truck is to arrive in a few weeks

Reminder that it is the property owner’s responsibility to cut back the trees/bushes to make the sidewalks clear for the kids to walk to/from school.

Bulk Trash pick-up scheduled for Oct. 25, 2014.

Patching contract – about 50% done.

PLANNING COMMISSION – Commissioner Goodman reported:

No meeting in August. On the Agenda for September is Asian Café overflow parking, Middletown Valley Apts. Revised plan, Cross Stone Commons and discussion about gun retail business regulations.

PARKS & RECREATION – Commissioner Ventre reported:

The park committee would like to install a bench at Remsberg Park, the Board was ok with the location of this bench.

Park signage – Park Committee did not like what was drafted by Ms. Baker, they are going to meet with her and see if she can do what they want.

Baseball field – MVAA wants to move forward with the baseball field. They are wanting the Town to contribute 25% of the total cost.

FINANCE – Commissioner Dietrick reported:

Davenport & Associates – was here on September 4, 2014 went over the Town’s financial situation.

PUBLIC INFORMATION – Commissioner Falcinelli reported:

2nd draft of the Directory has been done, hoping to get it to the printers within the next week.

NEW BUSINESS:

Resolution for Sustainable Maryland Certified Municipal Certification Program – Motion by Commissioner Ventre to approve the Resolution as presented, seconded by Commissioner Falcinelli. Motion carried 6-0.

Proclamation for Constitution Week – Burgess Miller stated that September 17, 2014, marks the two hundred twenty-seventh anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention. It was the consensus of the Board to approve this proclamation.

Water Meter Technician – Job Description – Motion by Commissioner Falcinelli to approve the job description for the water meter technician as presented, seconded by Commissioner Bussard. Motion carried 6-0.

Smithfield House for sale – Burgess Miller stated that Jim Nicholson who currently owns Gladhill furniture also owns the Smithfield house which is the oldest house in town. Mr. Nicholson came to the Town and stated that he would sell the house to the Town for \$150,000. The Board agreed that they are not interested in purchasing the house.

PUBLIC COMMENT: None

ANNOUNCEMENTS:

The Town is asking for volunteers to serve on the Town’s Ethics Commission. Please submit a letter of interest to the Town Office.

4.12.010 There is a Middletown Ethics Commission that consists of three (3) members who are appointed by the Burgess and confirmed by the Commissioners each to serve two years or until a successor takes office. Each member of the Ethics Commission shall be a resident of the Town of Middletown at all times during their term of office. The members of the Ethics Commission may be compensated for performing their duties at such rate as may be determined from time to time by resolution of the Burgess and Board of Commissioners. Volunteers cannot be members of any other committee with the Town.

ADJOURNMENT

Meeting adjourned at 8:15pm. with the Board entering into Executive Session for a personnel matter.

Respectfully submitted,

Ann Griffin
Office Manager

The 2014 Community Showcase Video Program

CGI Communications, Inc.
130 East Main Street, 5th Floor
Rochester, NY 14604
(800) 398-3029 phone
(866) 429-8611 fax

Name: Drew Bowen
Title: Town Administrator
Address: 31 West Main St.
City, State, Zip: Middletown, MD, 21769
Phone: 301-371-6171
Email: abowen@ci.middletown.md.us
Website: www.middletown.md.us

This agreement is between CGI Communications, Inc. ("CGI") and the Town of Middletown, MD (the "Town") and shall remain in effect from the date it is signed by both parties until the third anniversary of the date that the completed and approved Community Video Program is made available for viewing via a link on the www.middletown.md.us homepage, including any alternate versions of your homepage, for viewer access on different devices. Any termination or modification of this Agreement shall not take effect until the expiration of the current term.

CGI shall provide a Community Video Program as follows:

- One Welcome video from your Mayor or other civic leader
- Up to 2 additional videos to showcase various aspects of your community, for a total of three 1 minute community highlight videos
- One Community Organization chapter to promote charities, nonprofits and community development organizations
- Script writing and video content consultation
- A videographer will come to your location to film videos
- We reserve the right to use still images and photos for video production
- All aspects of video production and editing, from raw footage to final video including professional voiceovers and background music
- Final draft of Community Video Showcase content subject to your approval (up to 3 sets of revisions allowed). Any request for approval of revision, including final draft, shall be deemed approved if no response received by us within thirty (30) days of request
- Patented OneClick™ Technology and encoding of all videos into multiple streaming digital formats to play on all computer systems, devices, browsers, and Internet connection speeds; recognized player formats include WindowsMedia and QuickTime
- Store and stream all videos on CGI's dedicated server
- Business sponsors allowed on the perimeter of video panels
- Businesses will be allowed to purchase various digital media products and services from CGI and its affiliates
- Duration of sponsor participation will be one to two years and CGI is solely responsible for sponsorship fulfillment including all related aspects of marketing, production, printing, and distribution
- Viewer access of the Community Video Program from your website shall be facilitated by CGI, providing HTML source code for a graphic link to be prominently displayed on the www.middletown.md.us website homepage as follows: "Coming Soon" graphic link designed to coordinate with existing website color theme to be provided within 10 business days of execution of this agreement; "Video Tour" graphic link to be provided to replace the "Coming Soon" link upon completion and approval of videos
- CGI will own copyrights of the master Community Video Program
- The Town will assume no cost or liability for this project and CGI will honor any request for termination of sales upon 30 day Notice and only if the Town continuously provides the Community Video linkage from its Homepage for the duration of this contract

The Town of Middletown shall:

- Provide a letter of introduction for the program on its letterhead
- Assist with the content and script for the Community Video Showcase
- Grant CGI the right to use Town's name in connection with the preparation, production, and marketing of the Program
- Display the "Coming Soon" graphic link prominently on the www.middletown.md.us homepage within 10 business days of receipt of HTML source code
- Display the "Video Tour" link, of no less than 150 by 400 pixels, prominently on its www.middletown.md.us homepage, including any alternate versions of your home page, for viewer access on different devices for the entire term of this agreement
- Ensure that this agreement remains valid and in force until the agreed upon expiration date, regardless of administration
- Grant full and exclusive streaming video rights for CGI and its subsidiaries, affiliates, successors and assigns to stream all video content on Community Video Program and all related CGI Programs, including but not limited to its "Community Video Network"
- Represent and warrant that any and all photographs, videos, and other content it submits to us for use in any video or other production does not infringe on any third party's copyrighted material, trademark or other intellectual privacy or publicity rights and shall defend and indemnify us from any such claim or action

This Agreement constitutes the entire agreement of the parties and supersedes any and all prior communications, understandings and agreements, whether oral or written. No modification or claimed waiver of any provision shall be valid except by written amendment signed by the parties herein.

We, the undersigned, have read and understand the above information and have full authority to sign this agreement.

The Town of Middletown, MD

Signature:

Name (printed):

Title:

Date:

CGI Communications, Inc.



Name (printed): Nicole Rongo

Title: Vice President of Marketing

Date: September 4, 2014



FREQUENTLY ASKED QUESTIONS

Who is CGI Communications, Inc.?

Formed in 1988, CGI Communications, Inc. is a leading provider of high-impact marketing solutions to communities and small businesses. CGI is one of Upstate New York's top growth companies, receiving the Top 100 Award for 6 years since 1999 in the Greater Rochester Area.

Are there any hidden costs?

No. There is never a point where your municipality will ever see an invoice for any services we provides.

What if no businesses sign up for sponsorship?

Even if zero sponsors participate, your Community will still receive the program at no cost. There is no threshold or minimum sponsorship requirement.

How long does the video production take?

Video production is typically takes 10 to 14 weeks from inception to completion.

What is the relationship between CGI and the United States Conference of Mayors, the National League of Cities, and National Association of Counties?

CGI works closely with the USCM and NLC to provide a myriad of digital marketing tools to showcase and promote individual municipalities nationwide. Our Community Showcase Program is an opportunity that both members and non-members can participate in. In addition, CGI is a Premier Corporate Member of NACo and have partnered with hundreds of counties on our County Showcase Program.

Who fulfills the sponsorship element of the Community Video Program?

CGI takes care of all sponsorship fulfillment, however if your community would like to recommend businesses that you would like to see have first right of refusal, we encourage and welcome you to do so.

Do we have a choice of what season we are filmed in?

Absolutely! It is our goal to film municipalities in the season you feel best represents your community as a whole. Keep in mind however, being a free program our production calendar fills up quickly no matter what time of year.

Do we need an Official Representative in our Welcome video?

Absolutely not! It is your community's choice on whether or not you would like to have a civic leader represented in the welcome video.

Does our city have a choice in what type of establishments can participate in the sponsorship fulfillment?

Of course! Your community has a say in the types of businesses that are featured. We simply need to know prior to the beginning of the sponsorship fulfillment campaign. For further information, please request CGI's Sponsor Policy.

Is there a special rate for non-profit organizations that want to get involved?

We provide a Community Organizations chapter that creates an opportunity for local non-profits to garner

DATE

Dear Valued Business Owner:

The Town of Middletown excited to announce a partnership with CGI Communications, Inc. to produce a series of online videos highlighting all our community has to offer its residents, visitors, and businesses.

Technology has changed the world and businesses must adapt or risk falling behind. For many businesses, getting noticed online is a challenge, particularly when competing with big brands with large marketing departments and seemingly endless marketing budgets. But more and more local companies are finding success cutting through the clutter with online video.

Statistics show that **video improves online visibility and drives more action** online than plain images and text. According to the BIA Kelsey Group, viewers engage more after watching a video, with clicks for more information increasing by 30-40% and phone inquiries by 16-20%.

With an easily viewable interface on the official Town website www.middletown.ms.ud their video program will encourage viewers to learn more about area attractions, economic development opportunities, quality of life, and so much more. The Town of Middletown is dedicated to highlighting the advantages of living and working in our community, and we feel that this program can do just that!

CGI will be contacting you to educate you further on their digital marketing tools and how to enhance your online presence. We encourage you to consider participating in this program as it provides an exciting new opportunity to showcase your business and our community. If you have questions about this advertising opportunity, please contact me at _____.

Best Regards,

Signatory

Middletown Planning Office

MEMORANDUM

Date: 9/18/2014

To: Burgess and Commissioners, Middletown

From: Cynthia K. Unangst, Middletown Staff Planner

RE: GROWTH BOUNDARY OVERVIEW FROM COMP. PLAN

Here is a brief overview of the Municipal Growth Element from the town's comprehensive plan for you to consider as you look towards the future growth of the Town. Attached is also the Growth Boundary Map for you to reference as well. Please let me know if you have any questions.

Municipal Growth Goals

- *Manage the rate of growth to be consistent with the provision of adequate services and infrastructure.*
- *Maintain the historical rural community nature of the Town.*
- *Continue to provide a sustainable quality of life for residents of the town.*

Annexation & Growth Area

Fifteen Growth Area parcels have the potential for new development; these parcels total approximately 538 acres and are currently being used for agricultural purposes. Middletown's Growth Area has the potential for approximately 829 dwelling units with an estimated population of 2,196 using the Town's R-20 zoning household size. Additional water and sewer demand associated with this level of growth is 248,700 gallons per day (gpd) respectively.

Within the Municipal Growth Element is a list of 12 Annexation Policies that the Town indicates will apply to all future annexations. These are located on pages 8-10 and 8-11 of the Comprehensive Plan.

Assumptions for the Growth Boundary Area

The Growth Boundary Area analysis for Middletown is based on the following assumptions:

- Build-out capacity for these properties utilizes the MDP methodology, which assumes that 25% of the land will be used for roads, open space, and other uses unrelated to dwelling units or commercial/industrial buildings.

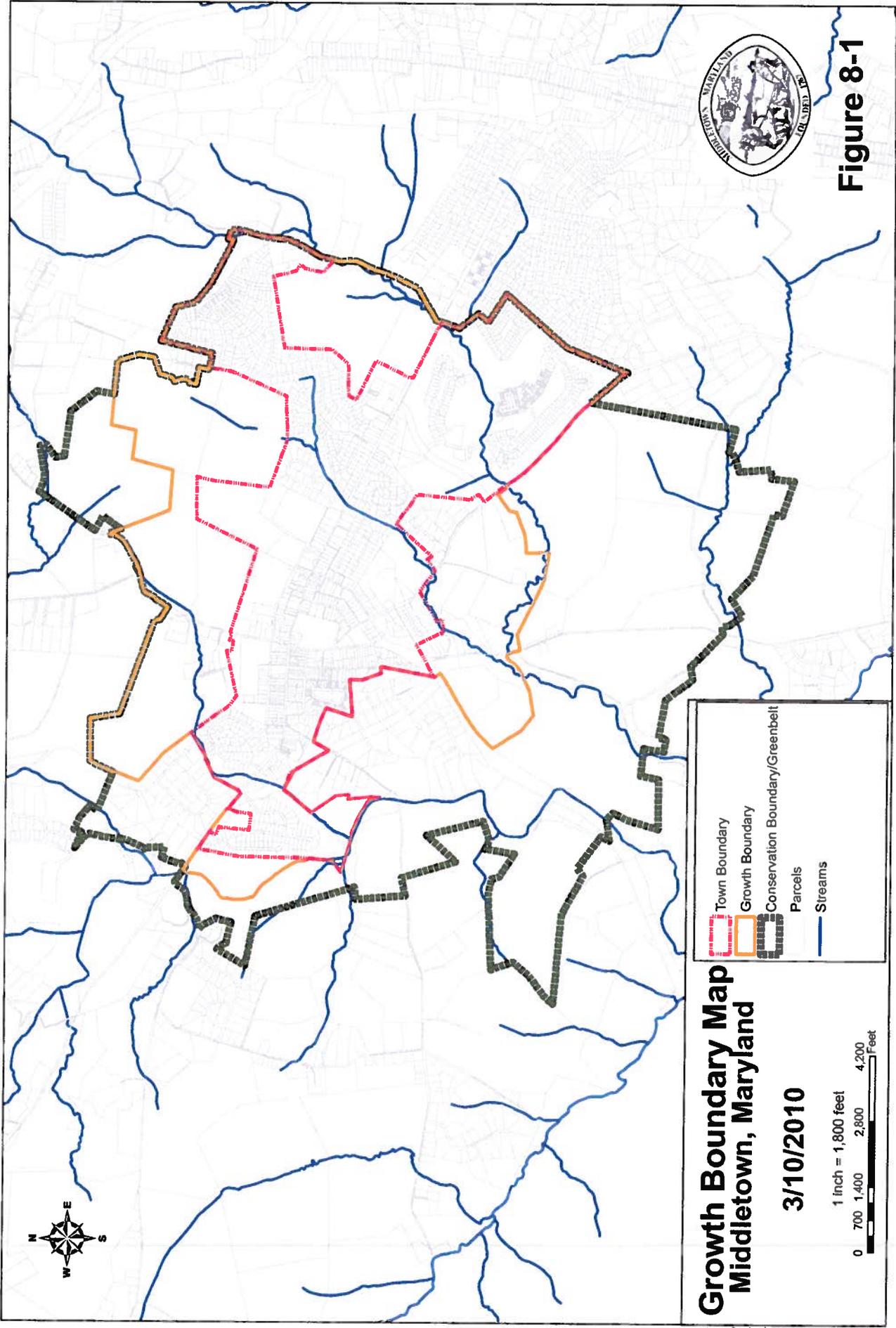
- Growth Boundary Area capacity assumes a dwelling unit density based on current Town residential R-20 zoning, which requires a minimum lot size of 20,000 square feet.
- The resulting total developable area in the Middletown Growth Boundary Area is approximately 403.5 acres. This equates to 829 dwelling units, and a commercial area of 27 acres.
- Growth Boundary Area population projections assume Middletown's average household size will decline in proportion with the MDP projected average household size for Frederick County over time.
- Annexation of most of the Middletown Growth Area is not anticipated within the planning period from 2010 to 2030.

Table 8-9
Impacts of Middletown Growth on Public Facilities & Services
Growth Area Planning Period - Beyond 2030

Classification	Growth Boundary Areas
Dwelling Units	829
Population	2,196
New Residential Water/Sewer Demand (gpd)	248,700
New Non-residential Water/Sewer Demand (gpd)	2,226
School (new students)	363
- High School	157
- Middle School	99
- Elementary/Primary School	107
Library (gfa)	1,650
Police (personnel)	2
Recreation Land (acres)	none

SUMMARY

Middletown population projections are based on an average annual growth rate of 5 % which is indicative of measured growth. The projections rely on the basic assumption that the Coblenz property and other infill developments will commence construction after 2010 and develop at an average rate of 25 dwelling units per year (250 dwelling units per decade). Regardless of when actual development commences (2010 or later), or how quickly it proceeds (10 units per year or 30 units per year), the impacts over time will be the same and will need to be addressed. Given the Town's limited water supply and sewage capacity, it is not expected that rapid growth would be either possible or desired in the near future. For this reason it is critical that the Town anticipate these consequences of growth and have policies and strategies in place to address them well in advance of need.



Growth Boundary Map Middletown, Maryland

3/10/2010

1 inch = 1,800 feet
0 700 1,400 2,800 4,200 Feet

-  Town Boundary
-  Growth Boundary
-  Conservation Boundary/Greenbelt
-  Parcels
-  Streams

Figure 8-1

x:\projects\comp plan\growth boundary map - figure 8-1.mxd