



AGENDA FOR THE TOWN MEETING

September 9, 2013

7:00 p.m.

PLEDGE TO THE FLAG

CALL TO ORDER

CONSENT AGENDA

- Town Minutes
- August 26, 2013 – Town Meeting

PERSONAL REQUESTS FOR AGENDA:

- *Anna Peterson, Chairperson, National Society Daughters of the American Revolution – Constitution Week Proclamation*
- *Mike Tabor, Middletown Business Association – Donation to Town for Drinking Fountain in Memorial Park in Memory of Sam Smith*

STAFF REPORT:

Community Deputy Report

Staff Planner

Zoning Administrator

Engineer's Report

Main Street Manager

UNFINISHED BUSINESS:

- Discussion of Memorial Hall
- Introduction of Annexation Resolution for Middletown Park

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:

- [Centric Proposal on Printer Savings Program](#)
- [Sustainability Application and Draft SC Area Map & Resolution](#)
- Personnel Policy – Establish Review Committee

PUBLIC COMMENTS:

Please state Name and Address for the Record

ANNOUNCEMENTS:

ADJOURNMENT

EXECUTIVE SESSION: (If Necessary)

Meetings for the month of September 2013

- | | | |
|---------------------------------------|--------------------------------------|---------------|
| • <i>Planning Commission Workshop</i> | <i>Wednesday, September 11, 2013</i> | <i>7:00PM</i> |
| • <i>Planning Commission</i> | <i>Monday, September 16, 2013</i> | <i>7:00PM</i> |
| • <i>Parks & Recreation</i> | <i>Tuesday, September 17, 2013</i> | <i>7:00PM</i> |
| • <i>Water & Sewer Committee</i> | <i>Wednesday, September 18, 2013</i> | <i>7:00PM</i> |
| • <i>Town Meeting</i> | <i>Monday, September 23, 2013</i> | <i>7:00PM</i> |
| • <i>Main Street Board</i> | <i>Thursday, September 26, 2013</i> | <i>7:00PM</i> |

**BURGESS AND COMMISSIONERS
OF MIDDLETOWN MARYLAND**

TOWN MEETING MINUTES

REGULAR MEETING

August 26, 2013

The second monthly meeting of the Burgess and Commissioners of Middletown was called to order on August 26, 2013, 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, Richard Dietrick, Tony Ventre and Christopher Goodman.

CONSENT AGENDA

Town Minutes – August 12, 2013 Town meeting

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

PERSONAL REQUEST FOR AGENDA:

Wyatt Hopson – Pizza Gardener of the Year – Burgess Miller presented Wyatt with a certificate.

Solar Photovoltaic Array Proposal – RER Energy Group – Burgess Miller welcomed Jim Kurtz, Chris Flynn, Steven Schwartz, and Chris Dellinger from RER Energy Group to the meeting. Drew stated that he and Burgess Miller have met with Chris Dellinger on a number of occasions to discuss our options. Jim Kurtz, President of RER Energy Group made a presentation to the Board. The Board would like a greater return than what was presented tonight. The estimated yearly savings to the Town in RER's proposal was \$9,429.00. Burgess Miller stated that the Town is looking for a savings of approximately \$35,000/year to in effect zero-out the electric bill from the East WWTP. It was agreed that RER Energy Group would continue to work with Drew to see what they can come up with and come back before the Town Board with an updated proposal.

Unfinished Business:

5K/10K Race – Atlantic Edge Discussion – tabled as no-one was present from Atlantic Edge.

ANNOUNCEMENTS

ADJOURNMENT

With no further business to come before the Board, the meeting adjourned at 8:35p.m.

Respectfully submitted,

Ann Griffin
Office Manager

Middletown, Maryland



Constitution Week PROCLAMATION

WHEREAS: September 17, 2013, marks the two hundred twenty-sixth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS: It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

WHEREAS: Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

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 September 17 through 23 as

CONSTITUTION WEEK

AND ask our citizens to reaffirm the ideals of the Framers of the constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

IN WITNESS WHEREOF, We have hereunto set our hands and caused the Seal of Middletown, Maryland to be affixed this _____ day of _____ of 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

Town of Middletown Planning Department

To: Burgess & Commissioners and Middletown Planning Commission

From: Cindy Unangst, Staff Planner

Date: 9/3/2013

RE: Monthly Planning Update

Major Subdivisions:

Coblentz on Green – SWM Concept Plan – approved by County October 15, 2010
Water Tap agreement approved by Burgess & Commissioners – March 2012
Planning Commission approved Forest Stand Delineation/Forest Conservation Plan – Jan 2013
Master Plan Amendment approved - March 11, 2013
Planning Commission conditionally approved preliminary plan – March 18, 2013
Improvement plans should be coming soon

Foxfield Section 4- FRO plantings have all been installed. 14 homes still to be built.
1st year FRO review – 67% compliance – 232 additional trees planted (May 2013)

Minor Site Plans and Subdivisions:

AMVETS Expansion Plans – Site Plan approved – October 15, 2012; (Plans expire 10/15/2015)

Chesterbrook Apts/Middletown Valley Apts - Site Plan approved – July 17, 2006
Improvement Plans approved and signed – September 16, 2008
SWM waiver received from County – May 12, 2011
SWM admin waiver shall expire on May 4, 2017; final plans approved prior to May 4, 2013.

Coblentz Grove minor subdivision – Preliminary/Final Plat conditionally approved – Nov. 15, 2010
FSD & Forest Conservation Plan approved – November 15, 2010
Improvement Plans conditionally approved – February 21, 2011
Final Plat approved – July 18, 2011 (recorded – October 24, 2012)
Building permits applied for – October 30, 2012

Cone Branch Walking Trail – Concept plans approved – March 19, 2012
Improvement plans conditionally approved – January 21, 2013

Fire Co Activities Center- SWM Plan approved by Frederick County – November 3, 2011
Revised Site Plan conditionally approved – April 22, 2013
Improvement Plans conditionally approved – April 22, 2013
Building permit issued – May 24, 2013

Fire Station – Concept plan submitted to PC for comments – April 22, 2013
Concept Site Plan reviewed by PC at their August meeting

Hollow Creek – Revised Site Plan approved and signed – October 14, 2010
Revised Site Plan (leaderboard) approved – February 21, 2011; (Plans expire February 21, 2014)

Hollow Creek Golf Course SWM Pond #1 Revision plans submitted to County 12/1/2010
Plans approved by County – December 22, 2010
Revised Plans submitted for PC review – December 30, 2010
Revised Plans submitted to SCD for review – January 5, 2011

Horman Apartments- Site Plan approved – April 21, 2008
Improvement Plans conditionally approved – May 17, 2010

Jiffas – Site Improvement Plan conditionally approved – October 20, 2008
Forest Conservation Plan approved – October 20, 2008

Middletown H.S. Stadium Concession Stand Expansion Plan – approved June 18, 2012
(Plans expire June 18, 2015)

Middletown H.S. C-container site plan – conditionally approved February 18, 2013
Approval extended until October 18, 2013

Miller (Ingalls) – Concept and Phase I & II Plan submitted – September 20, 2010
Approved and signed – September 27, 2010
Revised Concept Plan submitted – September 3, 2013

More Ice Cream site plan – conditionally approved – June 17, 2013
Change of Use permit approved – July 2, 2013

Newton Property (Cross Stone Commons) – Concept Plan discussion – June 18, 2012
Concept Plan submitted – October 1, 2012
Traffic Impact Study submitted – October 18, 2012
BOA Special Exception Use Hearing – May 8, 2013 (Conditionally approved)
Revised Concept Plan reviewed by PC – May 20, 2013
FRO Plan submitted – July 22, 2013
Addition Plat reviewed by PC – August 19, 2013
Site Plan reviewed by PC – August 19, 2013

Potomac Gun Depot – plans conditionally approved – February 18, 2013
Revised site plan conditionally approved – June 17, 2013

Putman – Site Plan conditionally approved- November 17, 2008
Forest Conservation Plan approved – June 16, 2009
Improvement Plans approved and signed by all agencies – July 2010
Revised Site Plan approved – April 16, 2012; (Plans expire April 16, 2015)

Right A Way Powder Coating site plan – conditionally approved – June 17, 2013
Change of use permit approved – August 27, 2013

Subway property – site plan reviewed for ice cream parlor during workshop discussion– May 15, 2013

The Valley School – BOA special exception use hearing – May 8, 2013 (Approved)
Forest Conservation Plan approved – June 17, 2013 (**fee-in-lieu paid 7/8/2013**)
Demolition Plan approved – July 15, 2013
Site Plan and Improvement Plans approved by Planning Commission – August 19, 2013

**Thompson Funeral Home Revised Parking Lot Site Plan – conditionally approved April 22, 2013
SWM Plans submitted to Frederick County – August 14, 2013**

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 – October 11, 2010

County Park – Annexation agreement approved by BOCC – May 30, 2013
Annexation agreement approved by Town Board – June 10, 2013

Reports:

Meetings: Frederick County Quarterly Planners Meeting – September 13, 2013

Town of Middletown Zoning Department

To: Burgess & Commissioners and Middletown Planning Commission

From: Cindy Unangst, Zoning Administrator

Date: 9/3/2013

RE: Monthly Zoning Update

P & Z Issues:

Zoning Code review - ongoing

BOA Hearings:

Zoning Violations: none

August 2013 Zoning Permits	Address	Permit #	M-town Received	C Unangst Approved	County Approval
Waller – int. renovations	28 Walnut Street	111179	7/19/2013	8/1/2013	yes
Dennison – add bathroom	116B N. Church St.	111464	7/25/2013	8/2/2013	yes
Admar Homes – sfd	11 Hoffman Drive	111520	8/1/2013	8/16/2013	yes
HelloGorgeous-new tenant	4 West Main St.	112026	8/22/2013	8/22/2013	yes
RightAWay-propane tank	116B N. Church St.	111986	8/15/2013	8/27/2013	yes
LAM Properties-demolition	East Green Street	112103	6/3/2013	8/27/2013	yes
RightAWay - new tenant	116B N. Church St.	109796	5/24/2013	8/27/2013	yes
Bowers – small shed	1 N. Pointe Terrace	Town	7/19/2013	8/2/2013	n/a
Karnes – fence	401 W. Main St.	Town	8/16/2013	8/21/2013	n/a
Smith – small shed	6 Gladhill Drive	Town	8/28/2013	8/29/2013	n/a

**Public Works Monthly Report
September 4, 2013**

Streets and Utilities, Facilities

New Business

restore swale at Foxfield washed out. Water locates at Eastern Circle, painted crosswalks, stop bars and curbs at various locations, televise Kesners SS line, repaired 110 Prospect service replaced curb stop, replaced valve box on prospect, EWWTP platform braces replaced, check fire extinguishers, cut and trimmed trees various locations and sprayed bag worms, repaired and replace caps on parkway fences (27 new caps), checked play ground equipment, repaired rail fences at Cone Branch Estates and North Point. chemical building exhaust hood installation, repair sanitary sewer and storm drain damaged by Gas contractor (unmarked), part out surplus equipment, Chevy dump not running sent to shop, replace rails in Foxfield SWM pond, Fredrick Fence contract for fence replacement at North Point, replace circulator pump at Townhall, raised oil filter on townhall furnace, 5 storm drain inlet reconstruction Mina and Ali, worked on backhoe and Stihl blower. sprayed infield at Memorial Park ball field, new ropes on flags at Memorial Park, lamps to recycle, repair water valve at Main St residence (schedule service replacement across Main St), completed all curb painting in Town

Water and Sewer

New Business

Plant inspections by state inspector, Pressure wash and paint the RAS line, Repair air release in reservoir vault (need to replace valve). Send Stage 2 DBPR tests to State, investigate plug valve replacement and telescopic valve repair at W WWTP, replaced all water meters on Walnut St, Cleaned wet wells at CBPS, Brookridge and Foxfield, Change oil in sludge pump, install manual air release at transducer in reservoir vault, change out BW pump in Filter building (need to replace thermal overload), Rootx applied to Gladhill and Routzhan cleanouts. Investigate high Chlorine complaints, check springs, change lubricants in blowers and rake gear box.

Sludge cost for FY \$8,990.00 36000 gal hauled, 58786 gal bedded **Total hauled 93000gal Bedded 66686gal**

Water Use (Average Daily for the Month, Flows stated in gallons per day)

Permit Limits (gal) 381,500/486,300 AD/MMU 250,000 AD 250,000 AD

MONTH	WATER USE		SPRING FLOW		East WWTP		West WWTP	
	past yr	present yr	past yr	present yr	past yr	present yr	past yr	present yr
January	333,000	291,000	142,000	137,000	241,000	270,000	206,000	235,000
February	275,000	286,000	141,000	137,000	199,000	280,000	172,000	288,000
March **	293,000	284,000	141,000	137,000	223,000	276,000	188,000	190,000
April **	311,000	305,000	141,000	137,000	172,700	185,000	188,000	129,000
May	296,000	306,000	140,000	132,000	192,761	210,000	204,000	176,000
June	304,000	297,000	140,000	132,000	206,907	204,000	229,000	179,000
July	300,000	292,000	123,000	115,000	173,000	197,258	124,000	157,000
August	300,000	293,000	96,000	98,000	162,000	168,000	120,000	133,000
September	303,000	309,000	70,000	78,000	211,000	159,000	163,000	133,000
October **	322,000	311,000	83,000	79,000	240,000	215,000	218,000	248,000
Novembr**	369,000	278,000	102,000	120,000	228,000	233,000	255,000	243,000
December	343,000	287,000	134,000	126,000	267,000	217,000	258,000	147,000

Avg Daily/yr 312417 294917 121083 119000 209697 217855 193750 188167

Avg Yr Flw 114.03 107.64 44.20 43.44 76.54 79.52 70.72 68.68

**Hydrants flushed this month

Apr 10 used 660,000 gal, Nov 10 680,000 gal, April 11 696,000, April 12 563,000 gal Oct 12 778,000, April 13 684,039

Planned Work

replace the relief valve at the booster station, valve installation at reservoir, SS cleaning in Glenbrook, Rebuild UV at W WWTP, Sewer Cleanout repairs in Foxfield, Repair valve boxes.

PROJECTS

Old Business

EWWTTP: Replaced platform supports

W WWTP: Will be testing UV system for repairs.

WWTP NPDES PERMIT RENEWAL: Permit has been publically advertised.

Walnut Street Bridge: The bridge is complete and ready for traffic but the roadway approaches remain under construction with curb and gutter being replaced and the roadway being removed and aggregate base installed to facilitate local traffic. When all curb work is complete the roadway will be graded and base paving installed. The contractor is projecting the week of the 16th for base paving. Projected final cost at this time is \$493,000. Budget is \$500,000.00

Develop Grease Trap Ordinance and Education Program: Have a DRAFT of the Ordinance completed. Develop details to match ordinance but now on hold due to other priorities. Size the interceptor for the FD banquet hall and have determined that the Ordinance is workable.

West Green Street: Plans to be reviewed. No action. Received email and photo documentation of the stripped walkway from the School Board representative. Does not meet Board criteria for a walkway. Will be responding in the near future.

Water System: Hydraulic Model: No action, **System:** Leak rate at the reservoir is currently 24,000 gallons per day down from 30,000. We anticipate this work to be performed in September, public notice will be required as well as water use restrictions. The firm is in the process of getting us in the schedule and it will likely be late September or early October.

Brookridge PS: Will need to upgrade panel with VFD's for 3 phase and purchase in next budget year. Cost is \$13,000.00. No action

Sidewalk Inspections: no report

Main St. Waterline Replacement: Reviewed proposals for the waterline design and have requested in the CIP budget. Design needs to be completed to provide to SHA streetscape project. No action.

Streetscape: Need to review plans and provide comments to SHA. No action.

Street CIP: Eastern Circle scheduled for mill and overlay this fall.

Foxfield Path Lights: Mulch has been installed. Project complete.

Well 15 Filters: Continue working with 2 vendors for equipment selection. No action.

Energy Use Audit: Met with vendor and accepted a proposal to change out all existing T12 U tube florescent lamps to T8 lamps and electronic ballasts and other misc lighting. This is a 80/20 cost share with Potomac Edison but we have obtained the \$7200.00 value at no cost to the Town. Projected energy savings is \$2049.00 per year. Installation is expected in October.

HVAC and Control System: Need to provide plans to contractors. No action.

Townhall: Training Room AC/ Heatpump Replacement cost is \$7,200.00 and has been installed. Will be completing the control conversion in the next week.

Well 9: Potomac Edison will be adding a third transformer to balance the voltage.

Reservoir Repairs: Kickoff meeting held on Aug 16. Completion of study in 8 weeks.

War Memorial: Excavation for footing completed and placing concrete footings.

New Business

CBPS: Pump #1 rebuilt at cost of \$12,200.00. Next rebuild (5yrs) will require new impellar.

Locust Ct waterline Extension: Easement documents 80% complete and design 80% complete. Will meet with MidAtlantic in next couple weeks to review and get price proposal.

Developments

Coblentz Road Subdivision: Asbuilts progressing

Foxfield Active Adult: No action

Coblentz Property: Met with Developer regarding storm drainage. Have provided IP plans to Consultant for water modeling update and projection of usage and PRV settings.

Fire Department Activities Building: Need to send a letter to Fire Department regarding the use and maintenance of the grease interceptor. Waterline construction beginning week of Sept 9.

Brookridge WellHouse: Need to file SWM Asbuilts.

Planned Work

Walnut St Bridge: Construction, Inspections

Booster Station: Pipe leak repair, replace relief valve, paint skid.

Water System: Manganese Removal Well 15 – Design, relief valve purchase and install

Regulatory: Grease Ordinance completion.

Operations: Surge device installation at Foxfield PS.

E WWTP: design spray system for clarifier,

Municipal Center: Spot light for flag pole,

Foxfield PS: Installation of surge device.

Projects on Hold:

Well Field Stream Restoration, School House Dr and Green Street Intersection, Elm Street Parking Lot (permit apps expired 3/2010). S Broad St.

Directors Current Project List

PRIORITIES

Green St Ped walkway – school request
Locust Ct waterline easement, design and construction.
Training Room 2nd source heat setup
Adjust regional PRV's 45 psi at Glenbrook HP
County Interconnect Springline testpits replace valve and add valve. Disconnect bypass.
Info and letter to Vanmetre properties for waterline
Walnut St Bridge Inspection ongoing each week – pay estimate end of month
Copies of HVAC plans to venders
Hydrant test at firemans lane
Well 15 Filters design and relief valve
Uv system repairs
Letter to hollow creek for backflow
Letter to Fire Department regarding grease trap maintenance
Reservoir and booster station asbuilt info for WRA , kickoff meeting.
Hydraulic Model Maps – review and revise
Trace Locate Shopping Ctr W/L – meter in vault?
Program CBPS dialer – Doug
Pull transducer at Well 16 and send back
Contact APSC- Ewwtp Power correction Capacitance – reduces surging, install on service if not there
Foxfield PS Surge Device install summer 13
Well Field Generator Connection
Maple Street Waterline Replacement
Brookridge PS Control Upgrade
Reprogram E WWTP Dialer
Order spot light for flag

PLAN REVIEW

Brookridge SWM ASbuilt
Cross Stone Review
FD Site Plan
Valley School IP Estimate
Thompson SWM
West Green St

BOOSTER STATION

Weld pinhole in Tee Replace relief valve and spool piece
Check P4 claval pilot or main valve reduced pumping
Repaint skid
Repair p1 and p2
Budget for pipe replacement
Inspect impellers and adjust PRV
Add needle or globe valve to turb line

RESERVOIR

Clean empty fluoride day tank
Clean wash down hydroxide scales
Air release on tubing
Install new 2" air release
Waterline to chem plant

PARKS

School Walking Path TBD
Memorial Park Fountain NEW - Paul
Wiles Branch Park B Ball seal and stripe - Paul
Remsberg Park Fencing – TBD filed restoration 2 fields mid September
Memorial Park Partition Replacement Design



TO: Burgess and Commissioners
FROM: Becky Reich, Main Street Manager
RE: Workshop Report
DATE: September 5, 2014

ORGANIZATION:

- The Main Street Board of Trustees held our regularly scheduled meeting on August 22, 2013.
- Main Street Middletown is pleased to announce that we have a Main Street-Planning Commission Liaison, Ron Forrester! Ron volunteered to serve in this capacity and will certainly be an asset for Main Street as we discuss projects with similar interests, such as the discussions on way-finding signage, parking, etc.
- Maryland Main Street visited us August 15 to discuss the Middletown Main Street program and check in with stakeholders to see where the program stands overall. One aspect that was commented upon is the strong working relationship between the Town and Main Street.
- My Certified Tourism Ambassador for the Journey Through Hallowed Ground designation has been renewed for another year. This means that I have visited sites, read tourism related articles, and attended JTHG events all in efforts to insure consistent messaging and customer service levels are achieved throughout the JTHG Heritage Area.
- The City of Walkersville has requested to meet with me to discuss the Main Street program because, in their words, they see the success of the Middletown Main Street program and would like to model their program after ours.

PROMOTION:

- Main Street Middletown is participating in the Heritage Festival scheduled for September 26! We are participating in the parade and are producing Carnival Cut-Outs that will have a historical figure theme (such as a turn-of-the century farmer). These can be used at various events; again, a longer-shelf-live product with multiple uses is a good use of our funds. We are also working with the Middletown Valley Bank and other non-profits to spread out the Main Street brochure and Sesquicentennial rack card.
- Sesquicentennial – we are moving ahead with planning this event and I have completed a Letter of Intent to the Humanities Council of Maryland to help with expenses.
 - The Sesquicentennial Committee met August 6 with a large turnout. We have divided ourselves into smaller working committees – the walking tour, marketing, etc.
 - The larger, Heart of the Civil War Heritage Area Sesquicentennial group meets September 4. Middletown is also meeting with a smaller working group, the Ransom Towns, so that we can look at marketing our events and the larger theme jointly.
 - Main Street is meeting on Wednesday, September 4 in the late evening with a historian; exhibit designer, and graphic designer to divide up the tasks associated with getting the interpretative signs completed.
 - Main Street will meet with the State on Thursday, September 5 to discuss the administration of the Heritage Area grant for Sesquicentennial.
 - The Main Street Manager has been tracking down bands and re-enactors.
 - The Main Street Manager met with Greg Wigle (Catoctin Construction) who is heading up a Fundraising Campaign with the businesses for this event.
- I have been asked to speak to the Frederick County Leadership class as they tour through Middletown on Thursday, September 12 about our Town and our upcoming Sesquicentennial events

DESIGN:

- The Design Committee will meet on Thursday, September 8, 2013.
- The Design Committee is working hand-in-hand with Sesquicentennial to obtain banners/swags/bunting to decorate the Town. We have \$750 (\$375 to spend; \$375 match) as well as a credit with the banner company.
- The Design Committee worked with the Heritage Festival to review and provide suggestions on the look and design of the new Heritage Festival street banners.
- The Design Committee will work with the Planning Commission to review the architectural drawings of the new development that is going to occur outside of the Main Street District (at the corner of US 40 Alt and the Parkway).
- The Design Committee is also investigating street planters and furniture as we would like to see a unifying element to the entire Main Street district.
- The Main Street Manager met with the graphic designer Bruce Morgan on Monday, August 19th to discuss edits and changes to the character maintenance book. We are making progress!

ECONOMIC DEVELOPMENT:

- Main Street Middletown has made strides on the Inventory of Businesses with the information as specified from Main Street Maryland, but there are many businesses that need follow-up. I am looking for volunteers who would like to go talk and visit with the businesses personally.
- We have been asked to identify businesses for Business Appreciation Week which is scheduled for October 7-11. Main Street would like to formally ask the Burgess and Commissioners to make a Business Appreciation Week proclamation at the October Burgess and Commissioners meeting.

GRANTS:

- Heart of the Civil War Heritage Area Grant – Memorial Hall – Main Street Middletown is attending the required meeting on Grant Administration on Thursday, September 5 as a partner to the Town
 - Main Street Middletown will attend the meeting with LGIT and the Town Administrator on September 11, 2013 to discuss Memorial Hall.
 - Main Street Middletown has reached out to the Maryland Historical Trust about scheduling an appointment for their staff to review Memorial Hall. I do not have a scheduled date for a visit yet.
- Heart of the Civil War Heritage Area Grant – Sesquicentennial – See Promotions
- Main Street Middletown has sent a Letter of Intent to the Maryland Humanities Council for grant money to help with Sesquicentennial expenses.
- Maryland Technical Assistance Grant – this Grant is administered through the Maryland Main Street program and is due on September 10, 2013. Main Street is working on this grant application.

THANK YOU FOR YOUR SUPPORT OF MAIN STREET MIDDLETOWN!

RESOLUTION NO. 13-01

A RESOLUTION INITIATED BY THE BURGESS AND COMMISSIONERS OF THE TOWN OF MIDDLETOWN TO CHANGE THE BOUNDARIES OF THE TOWN OF MIDDLETOWN, MARYLAND BY THE ANNEXATION INTO THE CORPORATE LIMITS OF THE TOWN OF 79.011 ACRES OF REAL PROPERTY, MORE OR LESS.

WHEREAS, the Burgess and Board of Commissioners desire to have certain property owned by Frederick County, Maryland hereinafter described annexed into and made a part of the Town of Middletown, Maryland; and

WHEREAS, the property to be annexed consists of 79.011 acres of real property, more or less, (hereinafter referred to as “the Property”), and the Property is more fully described on the metes and bounds description prepared by Harris, Smariga and Associates, Inc. dated March 20, 2013 which is attached hereto and incorporated by reference herein as Exhibit “A”; and

WHEREAS, the Property is owned entirely by the Board of County Commissioners of Frederick County and the Board of County Commissioners is therefore the owner of over 25% of the assessed valuation of the Property to be annexed, and there are no persons residing in or on the Property to be annexed; and

WHEREAS, the Board of County Commissioners has consented to the annexation of the Property into the corporate limits of the Town of Middletown; and

WHEREFORE, the Property is adjacent to and contiguous with the existing corporate limits of the Town of Middletown and its annexation will not create any unincorporated area completely surrounded by land now located or to be located within the corporate limits of Middletown.

NOW, THEREFORE, BE IT ENACTED AND RESOLVED by the Burgess and Commissioners of Middletown as follows:

SECTION I: The boundaries of the Town of Middletown, Maryland are extended and enlarged by adding to the Town of Middletown and making a part thereof all that real property consisting of 79.011 acres, more or less, which is described on the metes and bounds description entitled "Description of Farm Lot No.1" prepared by Harris, Smariga & Associates, Inc. and dated March 20, 2013 which description is attached hereto and incorporated by reference herein as Exhibit "A".

SECTION II: Except as otherwise provided herein, the Property and any persons now or in the future residing thereon, if any, shall be subject to the provisions of the Charter of the Town of Middletown and all ordinances and regulations enacted pursuant thereto.

SECTION III: The Property shall be annexed into the corporate limits of the Town of Middletown on the following conditions:

A. The Town of Middletown shall pay all of the expenses and costs incurred for the annexation of the Property.

B. Except as hereinafter provided, the Property shall be classified in the "Open Space" zoning classification pursuant to Title 17 of the Middletown Municipal Code which provides for uses which are substantially similar to and not more restrictive than the zoning for the Property under Frederick County law.

C. An Annexation Agreement dated August 8, 2013 was entered into by and between the Burgess and Commissioners of Middletown, Maryland and the Board of County Commissioners of Frederick County, and said Annexation Agreement is attached to this Resolution as Exhibit "B". The Annexation Agreement, and all of the terms and conditions thereof, are incorporated by reference herein and are made a part of this Resolution as though fully set forth herein.

SECTION IV: The Corporate Boundaries of the Town of Middletown, as established by Article II, Section 201 of the Town Charter (as amended), are hereby amended to add thereto the Property annexed by this Resolution.

SECTION V: This Resolution shall become effective on the forty-fifth (45th) day following its enactment, unless a Petition for Referendum, in proper form and in conformity with the requirements of Article 23A, Section 19 of the Annotated Code of Maryland, is submitted to the Burgess of the Town of Middletown.

PASSED AND ENACTED this ____ day of _____, 2013 by the Burgess and Commissioners of the Town of Middletown by a vote of _____ **FOR**, _____ **AGAINST** and _____ **ABSTAINING** and _____ **ABSENT**.

ATTEST:

**BURGESS AND COMMISSIONERS
OF MIDDLETOWN**

Andrew J. Bowen,
Town Administrator

By: _____
John Miller, Burgess

I HEREBY CERTIFY THAT A PUBLIC HEARING WAS HELD ON THIS RESOLUTION NO. _____ ON THE _____ DAY OF _____, 2013. I FURTHER CERTIFY THAT NOTICE OF THE TIME, DATE, PLACE AND PURPOSE OF THE PUBLIC HEARING WAS PUBLISHED IN THE VALLEY CITIZEN NEWSPAPER ON THE FOLLOWING DATES:

_____, 2013
_____, 2013
_____, 2013
_____, 2013.

THE PUBLIC HEARING WAS HELD NOT LESS THAN FIFTEEN DAYS AFTER THE LAST PUBLICATION OF NOTICE.

Andrew J. Bowen, Town Administrator

Date: _____

ANNEXATION AGREEMENT

THIS ANNEXATION AGREEMENT made this 8th day of August, 2013 by and between the Burgess and Commissioners of Middletown (hereinafter referred to as "the Town") and the Board of County Commissioners of Frederick County, Maryland (hereinafter referred to as "the County").

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

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

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

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

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

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

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

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

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

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

from the Town's planning review and approval process. Any future development of the Property and the Middletown Community Park situated thereon shall be consistent with the County's adopted Park Master Plan *as amended*; provided, however, that the Town will be consulted and will have the opportunity to provide material input as to any proposed use of the property which deviates substantially from the Park Master Plan then in effect.. The County has previously approved a skating facility for the Property which facility is not currently depicted on the Park Master Plan, and the County shall determine the precise location and parameters of this facility at a later date.

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

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

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

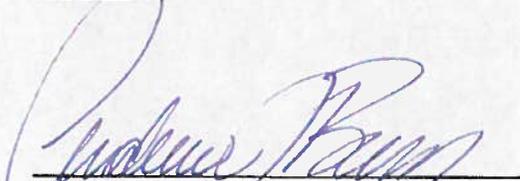
8. This Annexation Agreement shall be incorporated into the Annexation Resolution, and the Annexation Resolution and this Agreement shall be recorded among the Land Records of Frederick County, Maryland.

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

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

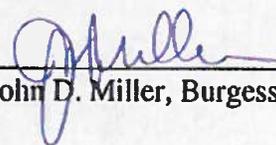
WITNESS the hands and seals of the parties hereto by their respective duly authorized representatives.

ATTEST

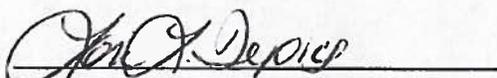


Andrew J. Bowen, Town Administrator

**BURGESS AND COMMISSIONERS
OF MIDDLETOWN**

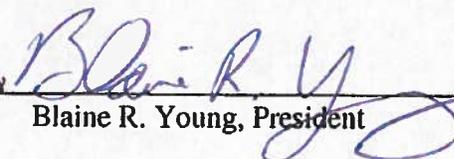
By:  _____ [SEAL]
John D. Miller, Burgess

ATTEST:



Lori L. Depies, County Manager

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

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

MJC 7/13/15

Exhibit A



Harris, Smariga & Associates, Inc.

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

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

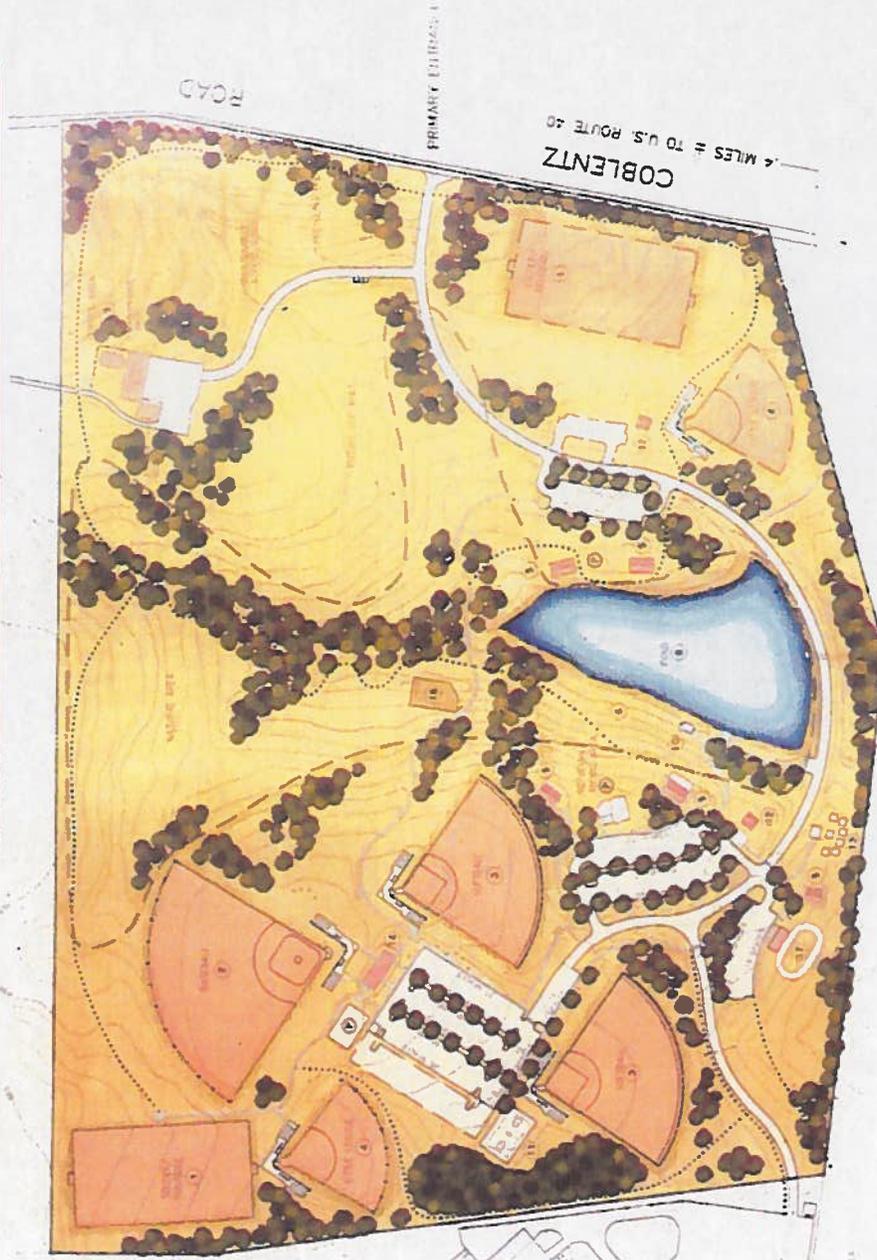
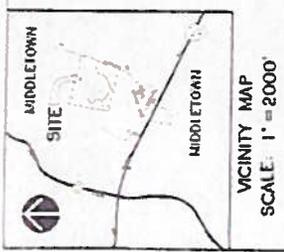
Description of *Farm Lot No. 1*

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

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

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

A skate spot was approved by the BOCC in 2009, with a location to be determined at a later date. It is also referred to in the Middletown Community Park Annexation Agreement

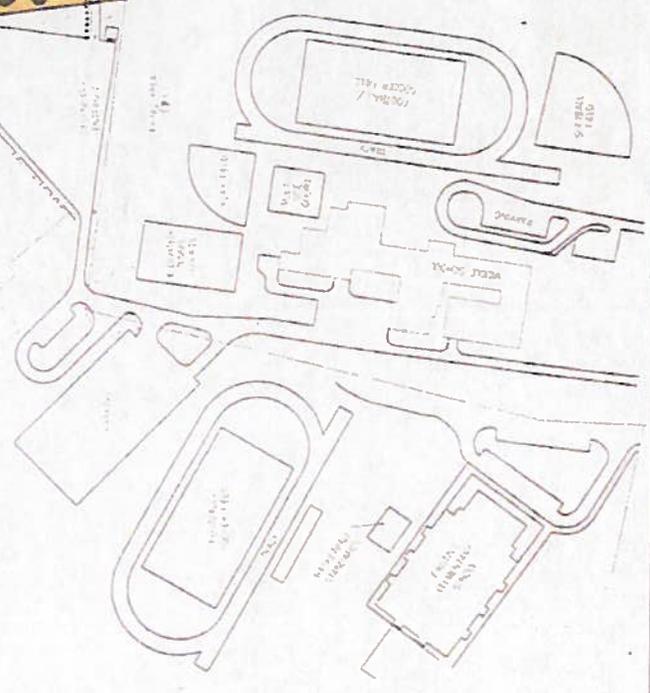


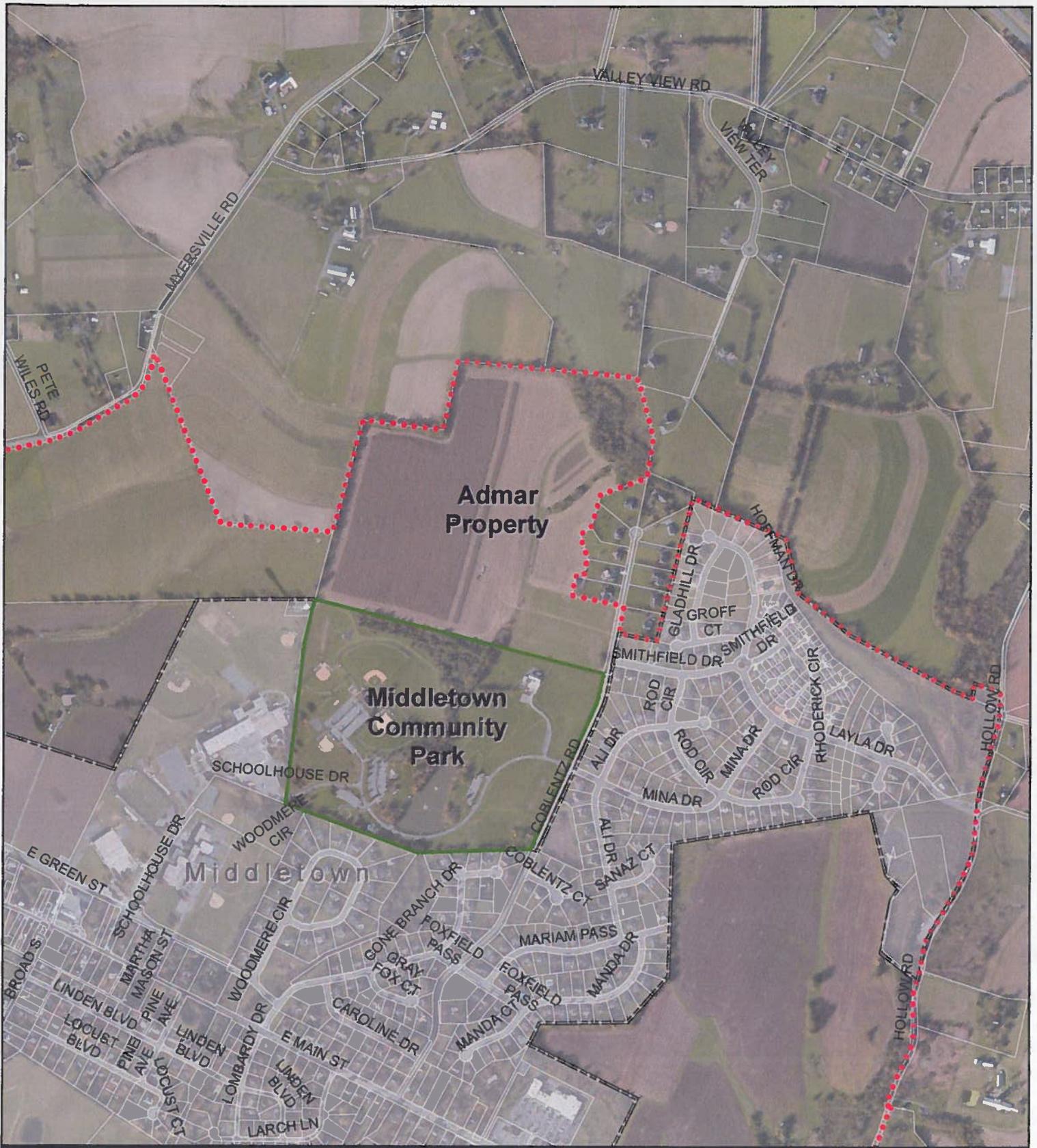
MASTER PLAN
MIDDLETOWN
COMMUNITY PARK
 FREDERICK COUNTY BUREAU OF
 PARKS AND RECREATION
 FREDERICK, MARYLAND

VIVA

- FACILITY LEGEND**
- SOCCER / FOOTBALL
 - BASEBALL
 - SOFTBALL (LIGHTED)
 - LITTLE LEAGUE
 - OPEN PICNIC SHELTER
 - INDIVIDUAL PICNIC AREA
 - PICNIC AREA
 - SPRING FED POUD
 - MAINTENANCE AREA
 - STAGE
 - BASKETBALL COURT (LIGHTED)
 - RESTROOM BUILDING
 - MARBLE COURTS
 - CONCESSIONS / RESTROOM
 - MEMORIAL TREE GROVE
 - WILD FLOWER MEADOW
 - MODEL CAR RACE TRACK

- LEGEND**
- TRAIL CIRCUIT
 - PAVED PATH
 - PLAY AREA
 - PEDESTRIAN BRIDGE
 - NATURAL AREA
 - FUTURE BALLETILDS/
PARKING LOTS





Middletown Community Park

Frederick County, Maryland

Community Development Division
Comprehensive Planning

 Middletown Growth Area (2010 Town Plan)

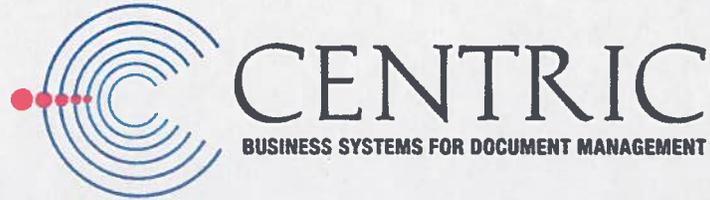
 Park Boundary

 Middletown Municipal Area



November 27, 2012
Frederick County GIS

Projection: NAD 1983 State Plane Maryland FIPS 1900 Feet
While efforts have been made to ensure the accuracy of this map, Frederick County accepts no liability or responsibility for errors, omissions, or positional inaccuracies in the content of this map. Reliance on this map is at the risk of the user. This map is for illustration purposes only and should not be used for surveying, engineering, or site-specific analysis.
00061



QuickView Findings

A Centric Print Study Conducted for:

The Burgess and Commissioners of
Middletown, MD

Total Print Management Solution

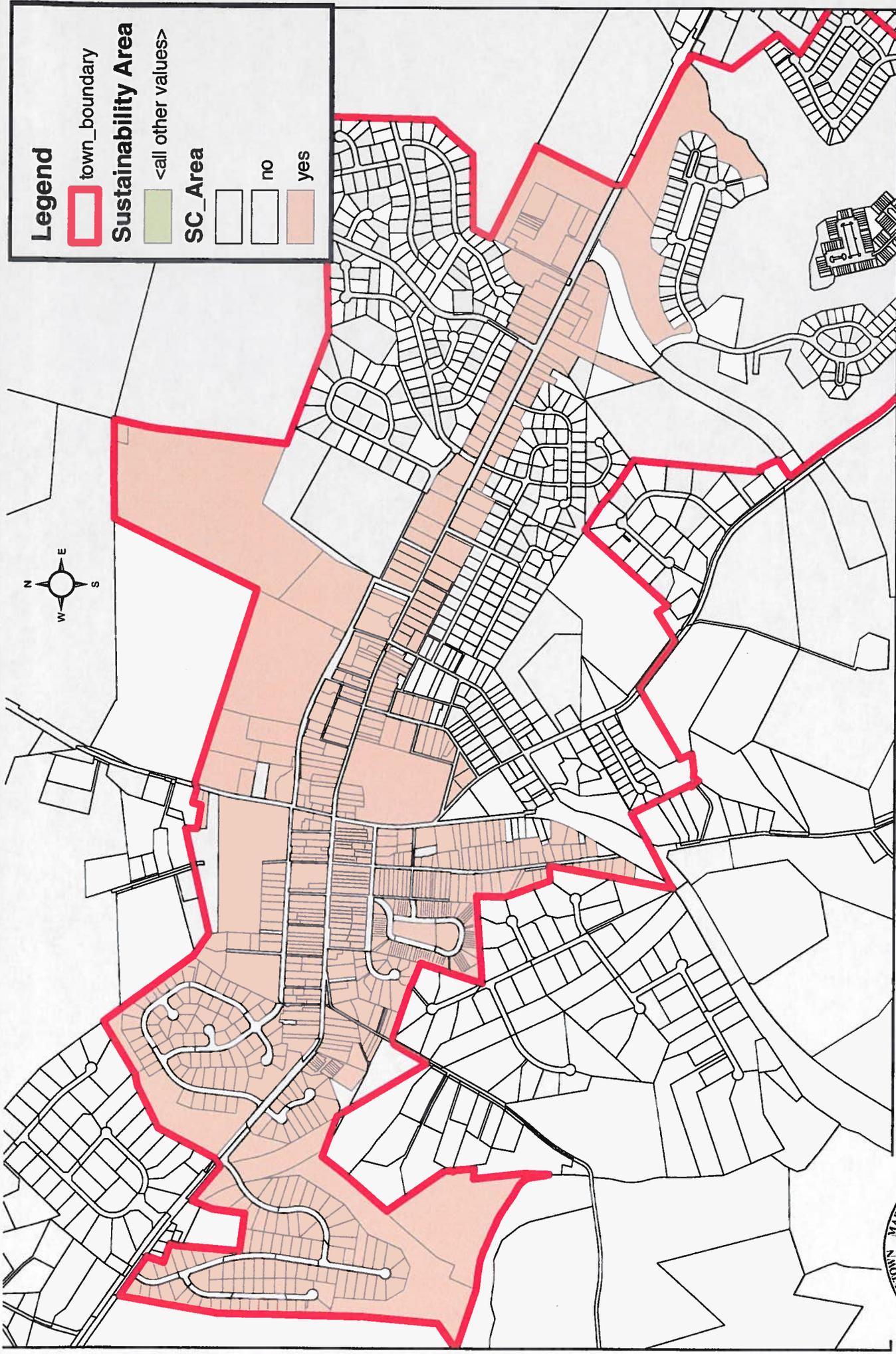
Presented by: Brian Merson
Account Executive

Middletown Burgess & Commissioners - Printer Fleet

IP Address	Description / User	Manufacturer	Model	Serial #	Date of First Meter	Mono Meter	Color Meter	Date of Second Meter	Mono Meter	Color Meter	Avg. Monthly Usage Mono	Avg. Monthly Usage Color	Mono Cost Per Page	Color Cost Per Page	Avg. Monthly Expenditures		Avg. Monthly Expenditures Total
															Monochrome	Color	
192.168.1.14	Main Copier	Xerox	ColorQube 9201	8RE237743	4/24/2013	174,332	28,577	5/24/2013	186,587	29,100	0	523	\$0.0060	0.0290	\$73.78	\$15.17	\$73.78
	(Color Level 2)				4/24/2013		74,490	5/24/2013	78,481	0	4,112		0.0790	0.2550	\$324.85	\$324.85	
192.168.1.157	Drew	HP	Color LaserJet 2550	CNKG30672	4/24/2013	17,106	21,298	5/10/2013	17,177	21,419	N/A	N/A	0.0550	0.2550	\$76.64	\$0.00	\$76.64
	Cris	HP	LaserJet P1505	CNBK301219	4/24/2013	74,158			75,193		1,035	0	0.0741		\$47.43	\$0.00	\$47.43
	Ann	HP	LaserJet 1320	CNRC684H92	4/24/2013	51,174			51,983		809	0	0.0586		\$98.05	\$0.00	\$98.05
	Cindy	HP	Color LaserJet 1600	CNCT4Y2RL	4/24/2013	9,359	12,258	5/24/2013	9,495	12,504	136	246	0.0699	0.3599	\$98.55	\$88.55	\$98.55
	Mayor's Office	HP	LaserJet CP1025nw	CNBG833540	4/24/2013	135	150	5/24/2013	135	150	0	0	0.0908	0.4701	\$0.00	\$0.00	\$0.00
	Deputy's Office	Brother	HL-2070N	H7J598770	4/24/2013	3,646			4,061		415	0	0.0485		\$20.14	\$20.14	\$20.14
	Maintenance Shop	Brother	HL-2070N	F7J175642	4/24/2013	2,082			2,171		89	0	0.0485		\$4.32	\$4.32	\$4.32
	Wastewater Plant	HP	M1217mfw	CNG7C7L050	5/8/2013	1,765			1,935		234	0	0.0887		\$20.73	\$20.73	\$20.73
															\$252.55	\$428.56	\$681.11
															\$178.77	\$88.55	\$267.32



Model	Item #	Description	Cost	CPP								
				5%	10%	12.5%	15%	15.0%				
Color LaserJet 2550		Drum Black	\$ 170.99	20000	10000	8625	7500	0.0085	0.0085	0.0085	0.0085	0.0085
	Q3964A	Toner Color	\$ 170.99	5000	2500	2188	1875	0.0342	0.0342	0.0342	0.0342	0.0342
	Q3960A	Toner Black	\$ 101.69	5000	2500	2188	1875	0.0407	0.0465	0.0465	0.0465	0.0465
	Q3961A	Cyan	\$ 101.69	4000	2000	1750	1500	0.0508	0.0581	0.0581	0.0581	0.0581
	Q3962A	Magenta	\$ 101.69	4000	2000	1750	1500	0.0508	0.0581	0.0581	0.0581	0.0581
	Q3963A	Yellow	\$ 101.69	4000	2000	1750	1500	0.0508	0.0581	0.0581	0.0581	0.0581
LaserJet P1505	CB436AD	Toner Black	\$ 129.59	4000	2000	1750	1500	0.0648	0.0741	0.0741	0.0741	0.0741
LaserJet 1320	Q5949X	Toner Black	\$ 153.89	6000	3000	2625	2250	0.0513	0.0586	0.0586	0.0586	0.0586
Color LaserJet 1600	Q6000A	Toner Black	\$ 76.49	2500	1250	1094	938	0.0612	0.0699	0.0699	0.0699	0.0699
	Q6001A	Cyan	\$ 84.59	2000	1000	875	750	0.0846	0.0967	0.0967	0.0967	0.0967
	Q6003A	Magenta	\$ 84.59	2000	1000	875	750	0.0846	0.0967	0.0967	0.0967	0.0967
	Q6002A	Yellow	\$ 84.59	2000	1000	875	750	0.0846	0.0967	0.0967	0.0967	0.0967
LaserJet CP1025nw	CE314A	Drum Black	\$ 73.79	14000	14000	14000	14000	0.0053	0.0053	0.0053	0.0053	0.0053
	CE314A	Drum Color	\$ 73.79	3500	3500	3500	3500	0.0211	0.0211	0.0211	0.0211	0.0211
	CE310A	Toner Black	\$ 51.29	1200	600	525	450	0.0855	0.0977	0.0977	0.0977	0.0977
	CE311A	Cyan	\$ 51.29	1000	500	438	375	0.1026	0.1171	0.1171	0.1171	0.1171
	CE313A	Magenta	\$ 51.29	1000	500	438	375	0.1026	0.1171	0.1171	0.1171	0.1171
	CE312A	Yellow	\$ 51.29	1000	500	438	375	0.1026	0.1171	0.1171	0.1171	0.1171
HL-2070N	TN-350	Toner Black	\$ 106.19	5000	2500	2188	1875	0.0425	0.0485	0.0485	0.0485	0.0485
M1217mfw	CE285A	Toner Black	\$ 62.09	1600	800	700	600	0.0776	0.0887	0.0887	0.0887	0.0887



DRAFT Sustainability Area
Town of Middletown - Frederick County



DRAFT

RESOLUTION NO. _____

A RESOLUTION OF THE BURGESS AND COMMISSIONERS OF MIDDLETOWN TO DESIGNATE THE TOWN OF MIDDLETOWN AS A SUSTAINABLE COMMUNITY, PURSUANT TO THE ATTACHED SUSTAINABLE COMMUNITY MAP AND SUSTAINABLE COMMUNITY PLAN (THE "PLAN") AS FURTHER DESCRIBED IN THE SUSTAINABLE COMMUNITY APPLICATION (THE "APPLICATION"), FOR APPROVAL EITHER DIRECTLY BY THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (THE "DEPARTMENT") OF THE STATE OF MARYLAND OR THROUGH THE SMART GROWTH SUB-CABINET OF THE STATE OF MARYLAND.

WHEREAS, the Burgess and Commissioners of Middletown recognize that there is a significant need for reinvestment and revitalization of the communities in the Town of Middletown; and

WHEREAS, the Burgess and Commissioners of Middletown propose to (i) designate the areas in the Town of Middletown as outlined and shown as the shaded areas on the attached map (the "Area"), as a Sustainable Community, and to (ii) adopt the Plan, as further described in the Application, for the purposes of contributing to the reinvestment and revitalization in the Area; and

WHEREAS, the Area is located within a Priority Funding Area pursuant to *State Finance and Procurement* Article, §5-7B-02, Annotated Code of Maryland (part of "the Smart Growth Act"); and

WHEREAS, the applicable law and the Community Legacy Program regulations require a local government to submit an application to the Department in order to become a designated

Sustainable Community, and to adopt a satisfactory Sustainable Community Plan in order to be eligible to receive financial assistance under the Community Legacy Program.

NOW, THEREFORE BE IT RESOLVED, by the Burgess and Commissioners of Middletown that it does hereby (i) endorse the designation of the Area as a Sustainable Community; and (ii) adopts the Sustainable Community Plan described in the Application.

BE IT FURTHER RESOLVED THAT, the Burgess is hereby requested to endorse this Resolution, indicating his approval by signature hereof; and,

BE IT FURTHER RESOLVED THAT, the following persons are hereby authorized to execute documents and take any action necessary to carry out the intent of these resolutions:

<u>Name</u>	<u>Office/Title</u>	<u>Signature</u>
John D. Miller	Burgess	_____
Andrew J. Bowen	Town Administrator	_____

and,

BE IT FURTHER RESOLVED THAT, copies of this Resolution shall be sent to the Secretary of the Department of Housing and Community Development of the State of Maryland for consideration by the Smart Growth Sub-Cabinet; and

BE IT FURTHER RESOLVED that this Resolution shall take effect twenty (20) calendar days following its approval by the Burgess and Commissioners.

INTRODUCED ON THE _____ DAY OF _____, 2013

PASSED ON THE _____ DAY OF _____, 2013

EFFECTIVE DATE: _____, 2013

ATTEST:

**BURGESS AND COMMISSIONERS
OF MIDDLETOWN**

Andrew J. Bowen, Town Administrator

By: _____
John D. Miller, Burgess

I hereby certify that Resolution Number _____ is true and correct and duly adopted by the Burgess and Commissioners of Middletown.

Andrew J. Bowen, Town Administrator