



**AGENDA FOR THE
WATER & SEWER COMMITTEE MEETING
February 23, 2022
7:00 p.m.**

- **Monthly Water & Sewer Operations Report**
- **Draft Water Resource Element of the Comprehensive Plan**
- **Review of RFQ Evaluations**
- **Update on ARPA Water & Sewer Projects**
- **Discussion of Waivers for Late Fees Due to USPS**

**Public Works Monthly Report
February 3, 2022**

COMPLETED WORK

Public Works

Disk filter cleaned and inspected. Muffin Monster replacements and other budget items started. Multiple snow related events in January.

New Projects or Requests

Unbudgeted Expenses:

No sludge hauled savings (+\$2990/month), July, August, September, October, November = \$14950.00
Well 14 Pump OOS \$4,500 replacement.

Sludge cost for FY \$ 0,000.00, 000 gal hauled, 24,497 gal bedded **Total hauled** 0,000 gal **Bedded** 60,197 Gal

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

Permit Limits (gal) **387,000/504,000 AD/MMU** **250,000 AD** **250,000 AD**
Base flow **176,000** Base flow **159,000**

MONTH	WATER USE		SPRING FLOW		East WWTP		West WWTP		Rain
	past yr	present yr	past yr	present yr	past yr	present yr	past yr	present yr	
January	317,614	300,936	100,405	85,469	260,000	241,963	224,000	147,012	2.5
February	297,096	300,936	133,808	109,250	258,000	291,000	352,000	179,000	4.9
March **	298,579	297,775	140,805	144,800	225,000	281,442	214,000	208,134	2.7
April **	290,726	316,218	143,076	147,075	214,000	221,150	222,000	220,184	3.5
May	290,109	318,004	143,632	149,126	239,000	234,000	327,000	261,000	5.3
June	306,095	327,808	139,857	136,400	185,000	183,167	175,000	183,360	4.15
July	329,237	312,871	106,703	95,242	167,000	176,000	147,000	144,000	2.9
August	300,267	321,358	80,583	72,415	178,000	185,000	168,000	154,000	8.2
September	300,687	300,680	64,513	91,340	175,000	312,000	147,000	342,000	10.2
October **	313,370	318,893	52,296	88,721	173,000	213,309	128,000	198,997	3.2
November**	285,014	287,629	50,700	86,898	194,000	204,000	137,000	143,000	1.05
December	29,383	287,269	68,898	81,035	305,000	180,706	199,000	101,370	1.9

Avg Daily/yr	279,848	307,531	102,106	107,314	214,417	226,978	203,333	190,171
Avg Yr Flw	102.14	112.25	37.27	39.17	78.26	82.85	74.22	69.41

**Hydrants flushed this month

October 2019 531,958, Spring 2020 not flushed. Fall 2020 582,024 Spring 2021 704,842 Fall 2021 744,925

Sewer Flow

June flow down from May -24% EWWTP and -32% WWTTP combined flow 366,527. July flow down from June -1% EWWTP and -16% WWTTP. August flow up from July +20% EWWTP and +18% WWTTP, Sept flow up from August +47% EWWTP, 98% WWTTP October flow down -41% EWWTP, -40% WWTTP, November flow down -7% EWWTP, -30% WWTTP. December flow down -9% EWWTP, -27% WWTTP

Planned Work

HVAC Replacements, UV lights??
MDE water inspection corrections and emergency plan update
Continue Fire Hydrant ID tag and numbering system installation
Regulatory: Grease Ordinance completion.
Bid Sludge Hauling and Chemicals.
Reed Bed Development cost analysis.

ARP Budget and WS Projects: Water Line Replacements: Linden Blvd, Remsberg, Springline. Staff has met to develop project priorities. DPW has initiated 3 projects at this date (I&I, Remsberg Park Connector Water). Franklin Street waterline 95% complete, online. Remsberg Water Line cost proposal has been received \$480,000 Design and Construction. Linden Blvd waterline replacement in progress with design and construction cost.

Open Projects

I & I Walnut to Jefferson St.: Submitted plans for permit, easement document created. Construction documents at 95% and ready to bid when the budget is available. **Easements In Progress.** 11/17/2021 plans resubmitted to county for permit
ADA sidewalk ramp reconstructions: No Action

W WWTP. Meeting with MDE to begin the project and discuss the process and procedure. Request for Qualifications is on website and due Feb 2 received 7. Grant application submitted prior to Jan 31, 2022.

Develop Grease Trap Ordinance and Education Program: No Action

Water System:

Hydraulic Model:

System: Emergency Response Plan Certification is due Dec 31, 2021 99% complete.

Broad St Streetscape: Storm drain is 75% complete and project is a month behind (material delays), sanitary sewer cleanout installations 100% complete. Focus work is currently storm drain and sidewalks, base pave the south end of Broad (between Locust and Franklin) when weather changes.

SSO and I&I: Regulating flow daily to meet the flow discharge in our permits. Public Announcement for I & I Project and to disconnect illegally connected sump pumps (provide early notice). MDE has sent a letter of assessment for SSO's back to 2019. Agreeing to settle for \$3157.00 we will appeal with information to support our appeal. No response as of yet. . I and I contract from Loguidice and Barton executed, kickoff date Feb 11.

MDE /Permits: East WWTP Discharge Permit (exp Dec 2021) submitted 22 months prior to expiration and then revised 14 months before expiration. MDE advertised the reapplication. We have requested an increase in discharge flow from 250,000 to 350,000. New West Plant permit is active and new spreadsheets and MOR have been created. New permit requirements to be addressed to MDE within 6 months. Renewal for the Irrigation PS has been completed.

MDE MS4 Permit Reports: Completed, due Oct 2021.

West Wastewater Treatment Plant: No issues.

East WWTP: Permit renewal complete (exp Dec 2021).

Municipal Center: no action

Maintenance Facility: Contract has been executed with Triad Engineering. We have received a preliminary sketch. No action.

Washington Street: 95% drawings provided to Board for review and presentation to residents November 2020 meeting. Resident requests need to be resolved. Updated consultant with changes and submitted for permits, staff has specs at 99%. Expect a spring bid date.

Pedestrian Blinker signs: One in reserve waiting for a location. No action

Wiles Branch Stream Rehabilitation: Survey work has begun. Change order to add additional length to Main St. No Action

Linden Boulevard Culvert Replacement: RFP meeting with Frederick Seibert completed. Proposal has been received and is being reviewed. Proposal amount of \$31,600 was accepted and awarded. Change order to add additional length to Main St. (MS4 qualification). Consultant in design process. No action

Brookridge PS: Clogging pumps has occurred several times in the last month. Preparing schematic design for consultant. No action

Booster Station Process Pipe Upgrade: Continue to review submitted shop drawings. Anticipated start is delayed till March. Materials have been received and March 1 start date is likely.

Developments

Middletown Library: Improvement plans have been reviewed. No action

ADMAR Annexation: Design for treatment plant in progress, MDE is provided documents regarding the appropriation request. Meeting with MDE and developer regarding the WTP in November. Received IP's for first review.

Chesterbrook IP's: Third building under construction. Developer is waiting for Franklin ST waterline to be completed to proceed on the turn and accel lane.

Middletown Municipal Hall: Approved water meter vault submittal.

Horman Property Caroline's View: 9 Condo Units. Received revised guarantee and approved. No action.

Future Budget Considerations

W&S: Comprehensive sewer plan, West WWTP ENR plant replacement (non process component for Town budget).
upsized CB pumps, regional pressure monitors.

GF: Additional 1 ton truck. New Skilled labor position

Part 1: Vision & History of Water Resources

With the adoption of HB 1141 in the 2008 Maryland General Assembly, the Town is now required to prepare a Water Resource Element in our Comprehensive Plan. The purpose of this element is to evaluate the land use plan and its potential impact on local water resources. These resources include ground and surface water supplies, as well as streams and rivers that are tributaries of the Chesapeake Bay.

Section 1: Vision

Maintain a safe, secure and adequate drinking water supply to accommodate the needs of the current population as well as future generations, while protecting and enhancing the quality of the areas surface water, groundwater, and wetlands. Promoting coordinated planning with other federal, state, and local agencies responsible for drinking water, wastewater water, and stormwater management.

Section 2: Physical Overview

The Middletown water system is supplied by twenty-three (23) wells and four (4) major groups of springs located on the west side of the Catoclin Mountain, north of town. The Middletown water system draws from the Catoclin Mountain Aquifer. Raw water sources are stored in a 1-million-



Town of Middletown - Water Distribution System

gallon ground storage tank. Raw water from the raw water tank flows directly to our water treatment plant (WTP 01). The raw water tank and the treatment plant are located just west of Hollow Road about one mile north of the intersection with US Alternate 40. Water treatment consists of adding caustic soda, for pH adjustment, chlorine, as a disinfectant to protect against microbial contaminants. From the plant, the water is pumped to our 400,000 gallon elevated storage tank. Two other sources of raw water are treated by

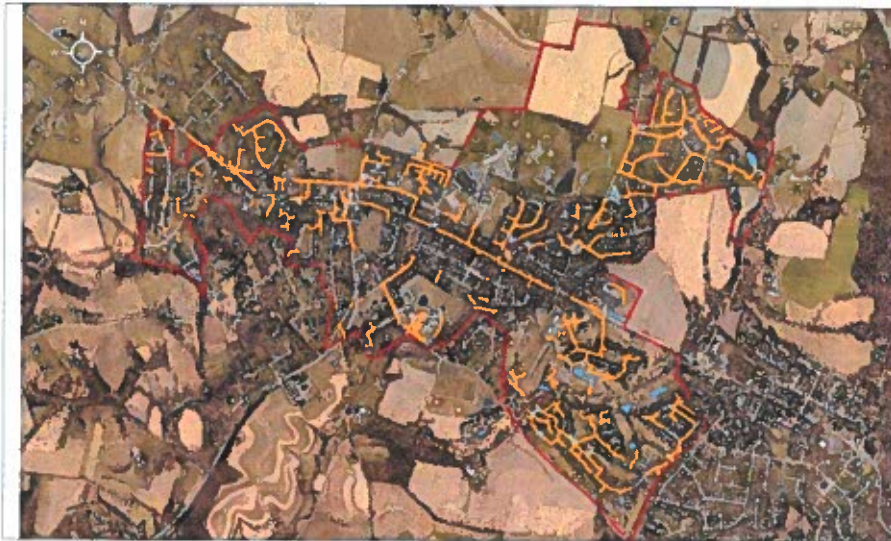
independent water treatment plants and flow directly into the distribution system. Those wells are 15 (WTP 02) and 22 and 23 (WTP 03 – Brookridge). Both facilities remove iron and manganese and disinfect the water for public consumption.

The sanitary sewer system has three (3) drainage basins, with three (3) sewage pump stations; Brookridge South (BSPS), Cone Branch (CBPS), and Foxfield (FPS). These pump stations send sewerage to one of two wastewater treatment facilities; East Wastewater Treatment Plant (East WWTP) or West Wastewater Treatment Plant (West WWTP). The East WWTP discharges into Hollow Creek while the West WWTP empties into Catoclin Creek.



Town of Middletown - Sanitary Sewer Collection System

Stormwater management facilities are located throughout the Town. These facilities vary in from the early days of stormwater management to integral bio-retention style stormwater management. Most of the facility in the Town are owned and maintained by the Town. The rest are owned and maintained by private ownership or homeowner's associations. These facility discharge to local streams in the areas such as; Hollow Creek, Cone Branch Creek, Wiles Branch Creek, Tanners Run, and Catoclin Creek.

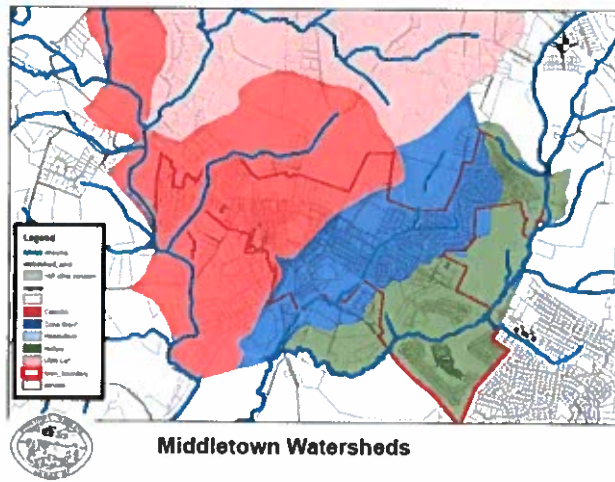


Town of Middletown - Stormwater Drainage

Part 2: Existing Water Resources

Section 1: Watersheds

Catoctin Creek flows through the Middletown Valley, an intermountain area characterized by heavily rolling land and narrow streams. The valley is surrounded on three sides by the Catoctin and South Mountain ridgelines. These mountain ranges form the boundary of the Catoctin Creek watershed, which accounts for approximately 25% of Frederick County's total land area. Although Catoctin Creek Watershed is the watershed referred to in overviews regarding the Middletown Valley, for the purposes of allocation of water rights, the Maryland Department of the Environment (MDE) has broken down the Catoctin Creek Watershed into other sub-section for legal allocations to users of the watershed.



Commented [DB1]: Add specific examples with future annexation areas such as AC Jets, Topper, Wiles, etc.

MDE uses the principal that water rights are based on control/ownership of land within each watershed. These rights are then reviewed through MDE determining the water balance within the aquifer using the formula below:

	WATERSHEDS			
	Catoctin Creek	Cone Branch	Hollow Creek	Bussard Creek
Gross Acreage By Digital Planimetry	369	527	648	10
Net Acreage Available for Allocation (Assumes 10% impervious surface)	332	474	581	9
Drought (1-in-10) Ground Water Availability (432 gpd/ac)	143,447	204,898	251,185	3,888
Set-Aside for Maintenance of a 7Q10 Base Flow (16 gpd/ac)	4,982	7,116	8,721	135
Groundwater Potentially Available in the Watershed (gpd)	138,465	197,783	242,464	3,753
Groundwater Potentially Available in the Watershed (gpm)	96.17	137.95	168.36	2.61
Currently Allocated by Appropriation Permit (gpd)	25,500	73,500	308,000	0
Available Allocation (gpd)	112,966	124,283	-65,536	3,753
Potential Units (EDU's)	452	497	0	15

Commented [DB2]: Provide an explanation of why the Hollow Creek Aquifer is over allocated.

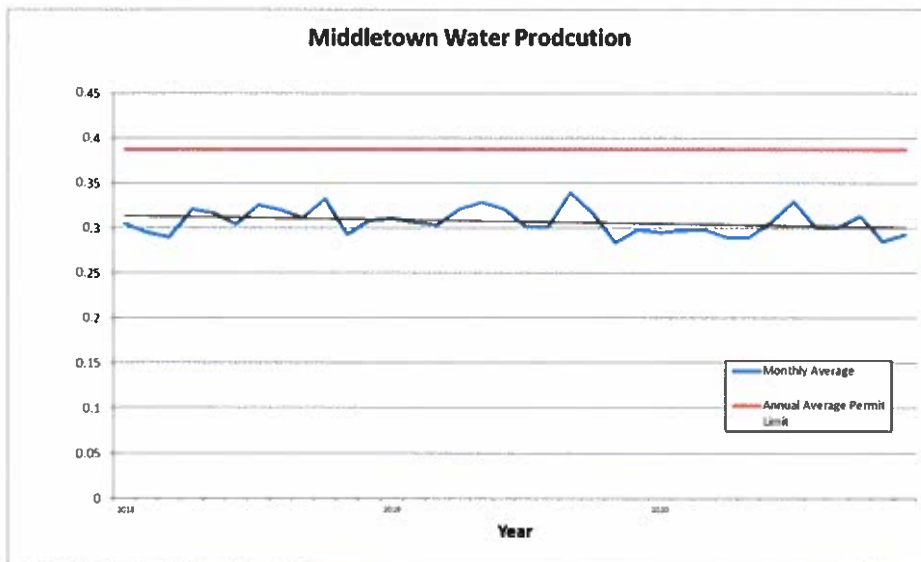
It is important to recognize that the maximum allocation of water, using the MDE water balance for the Middletown Valley aquifer, makes it challenging to meet the Smart Growth Density of 3.4 units/acre. This factor must be considered in determining future zoning densities for the Town.

Part 3: Water Resources Demand

Section 1: Existing Demand

Water resource has two (2) elements; existing demand and future demand. As of the beginning of 2020, the Town of Middletown has 1,708 water service accounts. The existing demand for these accounts varies seasonally, with the three (3) years average daily demand at 0.307 million gallons/day (MGD).

Commented [DB3]: Add additional information regarding our Water Capacity Report and how it ties back to our Land Use Plan.



Section 2: Future Demand

The future demand for water resource in Middletown is directly related to the anticipated growth in Frederick County. Frederick County projects a population of 331,700 by 2040, which is an increase of approximately 60,000 people. This population increase would result in a need for approximately 37,400 new dwelling units. These new residential dwelling units are targeted to occur in the County's Community Growth Areas which includes the Town of Middletown.

**Table 7-1
Town of Middletown
2040 Projected Water Resources Needs**

Projected 2040 Population	5092 ¹	Projected 2040 Household Size	2.68 ²
Current 2020 Population	4943 ³	Current 2020 Household Size	2.70
Projected Additional Population 2020-2040	894	Current 2020 Annual Average Daily Water Use (gpd)	307,000
Projected Additional Dwellings Needed	334	Projected Annual Average Additional Residential Water Needed (gpd) ⁴	100,200
Projected Additional Non-Residential Needs – acres	44 ⁵	Projected Annual Average Additional Non-Residential Water Needed (gpd)	2,226

Commented [DB4]: Working with Cindy to update these numbers with Middletown numbers, not the County. Address concerns over the census data conflicts with our records.

The future water resource needs of Middletown can be estimated using the above-referenced population projection; it is assumed that by 2040 an additional 100,200 gallons per day of drinking water supply will be needed to service Middletown residents. It is also assumed that by 2040 an additional 2,226 gallons per day of water supply will be needed to service non-residential users in Middletown.

Section 3: Water Allocations

As stated previously, the fact that the amount of water MDE will allow per acre is low in the context of land development. Because of that reason, it is critical that the Town consider carefully where and what density the Town applies to land within its growth area. To that end, the Town

Current Appropriation Permits

Watershed	Annual Average (GPD)	Month of Maximum Use (GPD)	Permit Number	Expiration Date
Hollow Creek	308,000	390,800	FR1974G025 (07)	4/1/2022
Catoctin Creek	25,500	33,200	FR1974G125 (02)	8/30/2022
Gone Branch	53,500	80,000	FR1974G225 (06)	5/1/2023
Total	387,000	504,000		

has established a policy that land will be developed in the Town based on the water rights that the land to be developed brings with it. Although the

transfer of water allocations between watersheds is permitted by MDE, the Town does not allow

¹ According to the Maryland Department of Planning

² According to the Maryland Department of Planning

³ According to Frederick County population statistics

⁴ Based on Middletown requirement that developers must provide 250 gallons of allocable water per unit (gpd).

⁵ Based on General Commercial acreage within town's growth boundary.

those transfers due to potentially being left with undeveloped land in an aquifer with no future allocations available under current state guidelines.

Commented [DB5]: In Section 3 - We will add, as examples, the impact of major potential subdivisions like A Jets, Topper Property, Wiles Property as to how that will effect the water balance in each of the watersheds.

Part 4: Water Supply

In Middletown, the drinking water system is supplied by twenty-three (23) groundwater wells and four (4) major groups of groundwater springs located on the west side of the Catoctin Mountain, north of town. Water from these springs flow by gravity to a new million-gallon concrete ground storage tank, which was completed construction in 2021. These drinking water supplies are obtained from ground water sources, as opposed to surface water. There are no private wells in the Town of Middletown.

Ground water is stored in aquifers and crevices beneath the ground that are recharged by precipitation. In an unconfined aquifer, the most common in the Middletown valley, ground water moves horizontally before it is discharged into a stream or other surface water body, such as a seep, spring, or wetland. Stream flow directly correlates with the rise and fall of the water table; both are impacted by climatic and drought conditions.

Disruptions to the natural hydrologic cycle by land use affects availability of both ground water and surface water supplies. The steady increase in the area's population that is expected over the next twenty years poses a significant impact to the availability of this limited natural resource. Increased development reduces water recharge areas and has the potential for introducing new pollutants and contaminants to watersheds. This section assesses the availability of groundwater and presents its limitations.

The available supply of groundwater in Middletown is dependent upon the underlying geologic conditions. In most areas, the water bearing characteristics of the geology offer low storage capacity and low transmissibility. An extensive stream network and the nature of fine particle soils contribute to these characteristics. The United States Geologic Survey (USGS) and Maryland Geological Survey have generalized the water yielding character of Frederick County's aquifers and organized them by hydrogeomorphic region. Middletown is located in the Piedmont Crystalline region.

The poorest aquifers, in terms of yield and capacity, include fractured rock aquifers which are typical in the Piedmont Crystalline regions. In addition to geology, climatic conditions impact groundwater. Seasonal variation in groundwater table level is a primary limitation to its use as a reliable water supply. In a recent evaluation of the Catoctin Creek watershed, it was concluded that groundwater may be an adequate source during average precipitation years, but under drought conditions, groundwater supplies are not adequate to meet existing demand and support the biological and natural resources of the watershed⁶. Groundwater supply limitations are typically

⁶ 2006. MDE. *An Evaluation of Water Resources in the Catoctin Creek Watershed, Frederick County, Maryland.*

accentuated during the summer months. Mid-June through mid-September is historically the driest time of the year and groundwater supply declines significantly during the summer months.

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Other Elements/Sections to be included to the Water Resource Chapter

#1 - Water Resources Goals

Achieving the Town's water resources goals will take a coordinated effort by its citizens, the town's government, and its businesses. Each has a role to play in protecting the Town's water resources for future generations. The overarching goals for the Town of Middletown's water resources are:

1. Maintain a safe, secure and adequate drinking water supply to accommodate the needs of the current population as well as future generations.
2. Protect and enhance the quality of the Town of Middletown's surface waters, ground water resources, and wetlands, with the goal of exceeding all environmental regulatory requirements.
3. Invest in water and sewer infrastructure that will provide ample treatment capacity for projected demand and reduce total maximum daily loading (TMDL) of pollutants to rivers and streams.
4. Promote coordinated planning with other federal, state and local agencies responsible for drinking water, wastewater, and stormwater management.
5. Engage Middletown's citizens in watershed conservation and promote a stewardship ethic.

#2 - Drinking Water Policies

1. Diversify sources of public drinking water and explore alternatives in order to meet future demand.
2. Employ demand management strategies and conservation measures (water pricing, recycling and reuse) to maximize use of existing resources.
3. Stage new real estate development projects according to the availability and adequacy of drinking water supply.
4. Include individual well construction on adjacent town limit properties within the growth boundary for future water service connection.
5. Encourage and support research and monitoring of local groundwater conditions, aquifer recharge, watersheds and streams.

Drinking Water Action Items

1. Replace aging water main lines and other aging water-related infrastructure.
2. Establish a water recharge easement program to increase the land area within the town limits for recharge purposes.
3. Coordinate with Frederick County on the feasibility of interconnections with the County distribution system for emergency situations.
4. Enhance its water conservation education program for citizens and businesses in Middletown stressing summertime (peak) demand management and an overall household reduction in water use (in gpd).
5. Develop a water-resources-based GIS database for review of development plans and proposals.
6. Identify and advocate appropriate County protection measures in the Town's wellhead, springhead, and headwater areas that lie outside the town boundaries.
7. Require complete data regarding the availability and reliability of groundwater resources to assist in making land use decisions.
8. Continue coordination with the County to collect and share consistent drinking water data.

#3 - Wastewater Policies

1. Stage new real estate development according to the availability and adequacy of wastewater service.
2. Consider the inclusion of adjacent properties on individual well and septic construction for future water/sewer service connection as part of the comprehensive planning process.
3. Enhance its residential, commercial and industrial water conservation measures in order to reduce inflow to the wastewater treatment facilities.
4. Reduce inflow and infiltration into the wastewater collection system.
5. Reduce point source pollution that results from wastewater disposal.

Wastewater Action Items

1. Complete additional I & I work over the next 10-20 years in the Capital Improvements Program budget.
2. Develop effective disposal of sludge removal.

Middletown RFQ Results

FIRM	SCORE
RK and K	867.7
Whitman Requardt	823.7
George Miles and Buhr	811.0
Barton and Loguidice	726.5
Gannet Fleming	702.0
Gwin Dobson and Forman	499.0
Herbert Rowland and Grubic	418.7

Middletown RFQ Rating

Name of Firm / Reviewer	Experience of Firm	Experience of Staff	Completeness of Proposal	Special Attributes	Avg Score/Total	Comments
Weighted value	35	30	20	10	1000	
Gannet Fleming					702	
1	7	7.5	7.5	7	690	Concerned with length employment of primary engineer, very experienced,
2	5	7	5	4	525	NO ENR 1 eng w exp
3	8	6	7	6	660	has prof exp w firm
4	10	9.7	9.5	10	930	substantial middletown exp, no subs
5	7	7	8	9	705	Familiar, other projects with Middletown
George Miles and Buhr					811	
1	10	10	9	9	920	Exceptional exp, consistent team for years, include examples of sim projects
2	10	9	9	10	900	
3	9	9	7	7	795	
4	10	5.7	7.5	1	680	
5	8	8	8	8	760	Good package, emphasizes experince with MDE. Strong team.
Barton and Loguidice					726.5	
1	7.5	6.5	9	6	697.5	Not much MD exp, 2 firm team is not desirable, error in spl attribute ref
2	6	8	9	5	680	Depends on BC
3	7	7	7	5	645	
4	10	8.7	9	6	850	some middletown exp, sub contract the process
5	8	8	8	8	760	Good MD experience, RFQ was thought out.
Whitman Requardt					815.7	
1	9	10	9	9	885	Very exp, spl attributes not as good as others
2	7	8	9	5	715	Focus on large plants
3	10	10	8	8	890	
4	9.7	8.7	9.5	4	828.3	no middletown exp, env sub only
5	8	8	8	8	760	Strong team and variety of projects
RK and K					867.7	
1	10	9.5	10	10	935	most complete and responsive, had a section for addressing special attributes
2	9	9	9	9	855	
3	10	10	8	10	910	
4	9.7	9.3	10	4	858.3	most complete proposal
5	8	8	9	8	780	specific attributes section touts system consolidation
Herbert Rowland and Grubic					418.7	
1	1	1	1	0	85	Intro letter NG, lots of BNR but package plant exp, design staff no IC, electrical noted. Not qualified
2	3	2	7	2	325	No ENR exp
3	7	7	5	2	575	
4	5.7	5	7.5	5	548.3	
5	6	6	6	5	560	Lack of MDE experience and interworkings and State of Maryland regs
Gwin Dobson and Forman					499	
1	1	1	1	0	85	Does not understand MDE has primacy, scope of services is odd inclusion, No MD ENR exp, NO MDE exp not qual
2	5	6	8	2	535	No MD projects
3	6	4	4	0	410	
4	8	8.3	8.5	3	730	
5	7	8	9	7	735	One Maryland project, physically impressive RFQ package.

Notes

- Multiple reviewer ratings were converted to 1-10 points for each category from the total value. For example a category was valued at 30 points a the 1-10 scale. Multiple reviewers use the 30/30/20/10 category.
- During the review process I discovered I had not used the latest rating sheet provided by our Consultant
- Prior to the reviews I determined we would not use the References Category to eliminate multiple contacts to listed references. I did contact a couple of listed references that I have personally worked with in the past. There is no disbenefit of removing this category.



**Burgess and Commissioners of Middletown
Middletown, Maryland**

American Rescue Plan Budget

**Total ARPA Funds:
\$ 4,721,364.00**

Approved CIP Projects ARPA Qualified	Budget	Comments
Reservoir Improvements	\$ 152,663	Completed
Booster Station - Upgrade; Pumps; VFD's; Piping	\$ 331,257	Contract Awarded - March 1, 2022 Start; Weather dependent
Booster Station - New Magmeter	\$ 5,000	Added to Booster Station Contract
Booster Station - Roof Replacement/Building Painting	\$ 5,000	Added to the Booster Station Contract
SCADA System Installation - Phase II & III	\$ 60,000	Waiting for Pricing Quote
Water & Sewer Facilities Study	\$ 40,000	No Action
Water Meter Replacements	\$ 40,695	On going
Regional PRV Pressure Monitors	\$ 5,000	No Action
Well Field Pump Replacement	\$ 9,200	Ordered the Pumps
Well 15 Turbidmeter Replacement	\$ 4,000	Completed
Brookridge South PS - Spare Pump	\$ 6,000	No Action
Cone Branch Pump Station - Roof Replacement	\$ 20,000	No Action
East WWTP - Bar Screen Refurbishment	\$ 55,000	Completed
East WWTP - New Filter Tank	\$ 400,000	Contacted Manufacturers
East WWTP - Dewatering Solution Sludge Tank - Engineering	\$ 15,000	No Action
East WWTP - Influent Flume & Ultrasonic Meter	\$ 20,000	No Action
East WWTP - Filter Building Roof Replacement	\$ 30,000	No Action
East WWTP - Sludge Removal Reed Beds	\$ 35,000	Permit Process to be Started
East WWTP - Sludge Mag Meter	\$ 15,000	No Action
West WWTP Muffin Monster Refurbish	\$ 17,000	No Action
Reed Bed Pumps Service/Rebuild	\$ 5,000	No Action
Effluent PS New Louver Damper	\$ 2,000	No Action
Admin Bldg New Front Door	\$ 2,000	No Action
CBPS SCADA Valve	\$ 13,000	No Action
CBPS Muffin Monster Replacement	\$ 15,000	No Action
CBPS Spare Transducer	\$ 3,000	No Action
Inflow & Infiltration Study & Construction	\$ 375,000	Kick Off Meeting Friday, 2/11/2022
Sub-Total	\$ 1,680,815	
Surplus/(Deficit)	\$ 3,040,549	

Additional Water & Sewer Projects ARPA Qualified	Amounts	Priority	Comments
Remsberg Park Waterline	\$ 410,000		Hired Engineering Firm to start the design
Franklin to Broad Waterline	\$ 200,000		Completed
Linden to Conebranch Waterline	\$ 352,000		Plans send to Contractor for Pricing
Inflow and Infiltration Project	\$ 955,915		Received Quote from Contractor - Send letters for Construction Right-of-Ways Needed for Project
Broad Street Reconstruction - Water & Sewer Costs	\$ 238,454		Contact Awarded - In Progress
Sub-Total	\$ 2,156,369		
Total of Water & Sewer Projects	\$ 3,837,184		
Surplus/(Deficit)	\$ 884,180		

ARPA Projects - NON Water & Sewer	Amounts	Priority	Comments
Support of Non-Profit Businesses	\$ 100,000		Board Approved Program
Support of Profit Businesses	\$ 409,000		Board Approved Program
Wiles Branch Stream Restoration (MS-4)	\$ 400,000		Design Contact Awarded - In Progress
Reimbursement to Main Street for Business Support During Covid	\$ 40,275		
Payroll Reimbursement/Hazardous Duty Pay	\$ 21,800		Completed
LifeSize - Interactive for Virtual Meetings	\$ 21,326		Completed
Sub-Total	\$ 992,401		
Total ARPA Projects	\$ 4,829,584		
Total ARPA Funds	\$ 4,721,364		
Surplus/(Deficit)	\$ (108,220)		

Paving Project Related to Savings from ARPA Funds	Amounts	Priority	Comments
Manda Drive & Manda Court - Mill & Overlay	\$ 90,210.00		Completed

Total Paving Projects \$ 90,210.00

Legend	
	Completed Project
	In Progress
	No Action



MEMORANDUM

DATE: February 22, 2022

TO: Water & Sewer Committee

FROM: Andrew J. Bowen, Town Administrator

SUBJECT: Water Bill Late Fees

ISSUE

Should the Burgess and Commissioners make changes to the Water & Sewer Billing Policies to allow for Staff to waive late fees for accounts that did not receive their bill in the mail?

BACKGROUND

The Burgess and Commissioners adopted Water & Sewer Billing Policies to grant staff the ability to administer accounts, specifically changes in their bill, under certain conditions. For at least the last two (2) years, the USPS delivery of mail is not reliable. The Town itself has had numerous incidents of items being mailed to the Town we never received or checks we mailed to vendors that never arrive or absentee ballots not being received for Town Election. Many residents are upset that Staff cannot waive late fees.

RECOMMENDATION

Staff is asking for direction from the Water & Sewer Committee.

ATTACHMENTS

Town Code Section 13.12.040 – Billing Policies and Procedures

13.12.040 - Billing policies and procedures.

- A. The provisions in this section are policy procedures only and constitute guidelines which do not create any requirements or standards which, upon non-compliance, will give rise to any claim, cause of action, or basis for non-payment for services rendered. The failure of the town to comply strictly with any of these policy procedures and guidelines is not a waiver or relinquishment of any of the rights of the town to seek payment for water and sewer services rendered nor does such failure create any defense to the obligation of the user to pay for water and sewer services rendered.
- B. Water and sewer bills are issued quarter-annually and mailed in January, April, July and October of each year for water and sewer usage during the preceding three months. All water and sewer accounts will be established in the name of the property owner where service is rendered. Bills are mailed in the name of the property owner to the property address. The town will, however, upon written request by the property owner, mail bills to the property owner to such other address as designated by the property owner and will also mail bills in the name of the property owner but in the care of a designated property management company at that company's address. No accounts will be established and no bills will be mailed in the name of tenants. Late notices, disconnection notices and any other notices will be mailed in the name of the property owner to the property address or to such other address or to such property management company as has been designated by the property owner for the mailing of bills.
- C. Payments of water and sewer bills are due in full on or before thirty (30) days from the date of the bill. Partial payment of bills will not be accepted. All bills may be paid at any of the following locations or in the following manner: 1. Middletown Municipal Center, 31 W. Main Street, Middletown, Maryland from 8:00 a.m. to 4:00 p.m. Monday through Friday; 2. Middletown Valley Bank main and branch offices; 3. BB&T Bank, Middletown branch office; 4. By mailing payment to the Middletown Municipal Center, 31 W. Main Street, Middletown, MD 21769. 5. By on-line banking, if such payment procedure is available through the customer's bank or other financial institution and is compatible with the procedures and billing systems of the town.
- D. Interest on Unpaid Bills. Interest at the rate of one and one-half percent per month shall be charged on and added to the amount of any bill which remains unpaid more than thirty (30) days after the date of the issuance of the bill. Additional interest of one and one-half percent of the amount of the unpaid portion of the bill shall continue to be charged for each month that the bill remains unpaid.
- E. Late Notices. A notice of late payment will be issued for any bill which remains unpaid for more than thirty (30) days after the date of the issuance of the bill. A second notice of late payment and a notice of disconnection of service will be issued for any bill which remains unpaid for more than sixty (60) days after the date of the issuance of the bill. The notice of disconnection of service will state the date by which payment of the water and sewer bill must be made in full in order to avoid the disconnection of service. No further notices will be provided prior to disconnection of service. Notices will be mailed to the property owner, or if applicable, the designated property management company, at the address to which bills are mailed pursuant to subsection B. The notice of disconnection of service will be mailed by certified mail, return receipt requested. A twenty dollar (\$20.00) administrative fee shall be added to any bill for which a notice of disconnection of service is mailed. An additional administrative fee of twenty dollars (\$20.00) shall be assessed against such bill for each subsequent quarter during which the bill remains unpaid and the water service remains disconnected.
- F. Disconnection and Reconnection Policy. 1. Payment in full of the water and sewer bill must be made prior to the disconnection date stated in the notice of disconnection of service. If payment is presented on the disconnection date stated in the notice of disconnection of service, payment must be paid in cash, money order, or by credit card in person at the Middletown Municipal Center by 9:30 a.m. of that date, and if such payment is not received by that time, the disconnection of water service will begin at 10:00 a.m. No service will be disconnected if the balance due on the bill is

less than fifty dollars (\$50.00). 2. For service to be reconnected after disconnection, a reconnection fee must be paid in the following amounts: For a first occurrence—Fifty dollars (\$50.00): for a second occurrence within any twelve (12) consecutive month period—One hundred dollars (\$100.00): for a third or more occurrence within any twelve (12) consecutive month period—One hundred fifty dollars (\$150.00). In order to have service reconnected, the unpaid balance of the bill and the reconnection fee must be paid, in full, by cash, money order, or by credit card in person at the Middletown Municipal Center.

- G. **Returned Checks.** A charge will be added to the water and sewer bill for any check which is returned as non-payable for any reason, including but not limited to, non-sufficient funds. The amount of the added charge will be that amount which is charged to the town by the returning bank or financial institution. If a non-payable check submitted in payment of a bill is returned to and received by the town after the date on which the service was to be disconnected as stated in a notice of disconnection of service, then water service will be disconnected immediately without any further notice, including the notices provided for in subsection E.
- H. **Rental Properties.** Property owners are responsible for the payment of any overdue bills, interest charges or disconnection, reconnection and administrative fees, and the town will not seek payment of such expenses from tenants of the property owner.
- I. **Meter Reading.** When a meter cannot be easily and clearly read due to obstructions such as weeds, structures, excavations, animals or other impediments, an estimate of water usage will be made based upon prior usage at that location. In that event, the town will enclose a letter with the following bill requesting that the owner correct the problem prior to the next meter reading. If an obstruction problem remains present at the time of the next reading, an estimate of water usage will again be made based upon prior usage at that location. In that event, the town will mail a letter by certified mail, return receipt requested with the following bill stating that the property owner has fifteen (15) business days in which to correct the problem or the water service will be disconnected. An administrative fee of twenty dollars (\$20.00) will be added to the bill for the cost of the certified/return receipt letter and related administrative costs.
- J. **Broken Meters.** If at the time of reading the meter a meter is not operating and recording no usage, then an estimate of water usage will be made based upon prior usage at that location. In that event, the town will mail a letter by certified mail, return receipt requested with the following bill stating that the property owner has fifteen (15) working days to schedule an appointment for meter repair or the water service will be disconnected. An administrative fee of twenty dollars (\$20.00) will be added to the bill for the cost of the certified/return receipt letter and related administrative costs.
- K. **Replacement Meters.** If a customer contends that his or her water meter is defective and informs the town of this contention, the town's water and sewer personnel will examine and test the meter. If the meter is greater than ten (10) years old, it will be replaced at no cost to the customer. If the meter is ten (10) years old or less and determined by town personnel to be working properly, the meter will be replaced upon request of the customer, however the customer must pay one hundred dollars (\$100.00) for the cost and installation of the new meter if the manufacturer of the meter confirms that the meter was working properly. If the manufacturer determines that the meter was defective, there will be no cost to the customer.
- L. **Unusually Excessive Water Use.** In the event that a meter reading reflects an unusually high water usage, which must be forty (40) percent higher than the average of the previous four quarters or ten thousand (10,000) gallons; whichever is lower, due to a broken pipe or leak in the plumbing on the property, then the town will allow, for a first such occurrence during a five-year period, a reduction in the amount of the water and sewer bill. In order to be granted the reduction, the property owner must submit a written request to the town for the reduction and state the nature of the cause of the high water usage and the action taken to correct and resolve the problem. The revised bill will be established by charging the non-tiered rates for the gallons used. In the event that there is a second occurrence within five years of an unusually high meter reading for a same property, then the property owner shall be responsible for the entire water and sewer bill; provided, however, that if it can be demonstrated to the satisfaction of the town that the leaking water did not empty into the town's sanitary sewer system, and therefore did not require

treatment at the wastewater treatment facility, then the town may, but is not required to, waive all or some of the sewer portion of the bill. If the second occurrence is within five years at the same property, but with a different property owner, the town may grant another reduction in the water and sewer bill. The same process for granting the reduction will apply.

- M. The town will allow payment plans for financial hardship cases. The terms of the payment plan will be outlined on the Middletown payment plan form. The minimum requirements of the plan are that the outstanding balance must be paid off within one year. There is a minimum requirement of at least a monthly payment. A service location is only allowed to have one payment plan in place at a time.

(Ord. No. 13-03-02, § I, 3-11-2013, eff. 3-31-2013; Ord. No. 12-08-01, § I, 8-13-2012, eff. 9-2-2012; Ord. 07-02-01 § 1, 2007; Res. 99-13, 1999; Ord. No. 20-11-01, § I, 2-8-2021)