



**VIRTUAL MEETING
AGENDA FOR THE TOWN WORKSHOP
April 2, 2020
6:30 p.m.**

PLEDGE TO THE FLAG

CALL TO ORDER

BUDGET WORKSHOP

- [Amended Budget Workshop Schedule](#)¹
- [FY 2021 Water & Sewer Operating Fund](#)¹

PERSONAL REQUESTS FOR AGENDA:

STAFF REPORTS:

[Staff Planner](#)

Engineer's Report

[Main Street Manager](#)

Zoning Administrator

CONSENT AGENDA

- Town Meeting Minutes
 - [March 9, 2020 – Town Meeting](#)¹

UNFINISHED BUSINESS:

- Town Election Status Report¹
 - [Election Judges List](#)
- [Introduction of Ordinance 20-03-01 – Amendments to Forest Conservation](#)¹
- [Memorial Bench Program](#)²

¹ First Appearance on Town Agenda

² Second Appearance on Town Agenda

NEW BUSINESS:

- [Emergency Resolution 20-03 – Activation of the Town’s Emergency Plan](#) ¹

PUBLIC COMMENTS:

ANNOUNCEMENTS:

- *Please Complete Your Census Information*

ADJOURNMENT

Zoom Invitation Information:

Topic: Town Workshop

Time: Apr 2, 2020 06:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/782758079>

Meeting ID: 782 758 079

One tap mobile

+19292056099,,782758079# US (New York)

+13126266799,,782758079# US (Chicago)

Dial by your location

+1 929 205 6099 US (New York)

+1 312 626 6799 US (Chicago)

+1 301 715 8592 US

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US

Meeting ID: 782 758 079

Find your local number: <https://zoom.us/u/abOWtxf567>



Middletown

MEMORANDUM

DATE: March 31, 2020
TO: Burgess and Commissioners
FROM: Andrew J. Bowen, Town Administrator
SUBJECT: Budget Workshop Dates - REVISED

Below is the proposed Budget Workshop Schedule below for the FY 2021 budget process:

<u>Day</u>	<u>Date</u>	<u>Time</u>	<u>Budget</u>
Monday	March 23, 2020	6:30PM	Water & Sewer Operating Budget
Thursday	April 2, 2020	6:30PM	Water & Sewer Operating Budget
Monday	April 13, 2020	6:30PM	Water & Sewer Operating & CIP
Monday	April 27, 2020	6:30PM	General Fund Operating Budget
Thursday	May 7, 2020	6:30PM	General Fund CIP
Monday	May 11, 2020	6:30PM	General Fund Operating & CIP Community Groups

TOWN OF MIDDLETOWN
Water Sewer Operating Budget
FY 2020

	AUDIT FY 2011	AUDIT FY 2012	AUDIT FY 2013	AUDIT FY 2014	AUDIT FY 2015	AUDIT FY 2016	AUDIT FY 2017	AUDIT FY 2018	AUDIT FY 2019	Draft Budget FY 2021
Operating Revenue										
Water Revenue	487,966	507,375	544,682	557,321	557,826	587,860	600,572	607,180	609,447	614,272
Sewer Revenue	484,182	506,864	541,468	554,722	557,502	584,783	598,261	602,269	600,798	614,892
Penalties and Reconnects	14,286	14,389	15,608	18,876	21,311	14,758	21,422	13,135	12,606	10,000
General Fund Grant			-	-	102,740	80,000	-	-	-	-
Rain Barrels					1,000	720				1,000
MISC	8,366	8,127	-	-	-	8,627				-
Total Revenue	994,800	1,036,755	1,101,758	1,130,919	1,240,379	1,276,748	1,220,255	1,222,584	1,222,851	1,240,164
Expenses										
Administrative										
Salaries	42,093	36,078	44,202	38,059	43,379	36,631	39,206	28,510	48,134	40,517
Communications	7,521	6,785	7,107	7,761	11,178	10,748	12,200	11,540	12,271	13,386
Postage	6,919	8,589	7,426	9,098	10,304	9,226	8,030	8,013	6,620	7,863
Office Supplies/Expenses	9,584	12,050	8,381	14,470	13,668	10,761	10,848	12,005	16,354	15,160
Professional Services/Legal	933	6,226	-	10,578	16,447	2,512	2,727	2,717	5,264	6,450
Meetings & Seminars	305	496	331	895	392	350	486	758	800	3,500
Advertising	56	997	-	863	994	350	559	11,540	490	500
Uniforms	2,477	3,258	2,992	2,726	3,719	3,770	4,119	5,835	3,371	4,573
Dues/Subscriptions/Certifications	265	650	415	987	3,342	50	420	330	879	500
I&I Principal and Interest	70,729	73,803	72,008		32,498	32,979	29,454	33,099	121,000	63,000
Travel/Mileage	33	202	203	175	-	-	17	52	150	200
Payroll Taxes	16,320	20,506	19,971	19,081	21,477	24,113	22,451	23,483	24,611	24,526
Insurance										
Property	12,452	11,347	7,603	7,643	7,949	9,917	11,172	8,448	8,065	8,552
Health	40,446	46,026	46,367	37,781	36,608	19,348	44,913	52,216	45,042	42,489
Worker's Compensation	9,263	13,081	11,142	8,168	7,858	7,287	8,684	8,770	7,026	7,771
Retirement/Pension	18,589	20,379	17,250	18,954	19,685	21,550	22,169	44,256	25,649	12,811
Real Estate Taxes	292	292	292	292	(22)	292	292	292	292	292
Conservation Environment	11,342	4,691	105	3,276	5,755	1,600	-	75	-	2,000
Vehicle/Equipment Expenses	13,723	12,101	12,749	15,680	11,138	12,259	15,521	18,521	15,553	20,000
Total Administrative	263,342	277,557	258,544	196,487	246,369	203,743	233,268	270,460	341,571	274,091
Water										
Salaries	87,976	108,348	109,602	113,066	131,501	150,384	167,083	170,981	145,992	143,953
Water Distribution										
Supplies	1,454	2,435	2,894	3,764	3,468	8,185	5,831	17,720	23,286	3,000
Repairs & Maintenance	42,517	30,681	41,907	67,276	48,553	44,802	72,317	69,984	14,418	33,400
Water Meters	44,023	31,745	-	-	-	-	-	-	-	-
Waterline Break Repairs	9,764	17,697	246	72	3,452	-	182	1,435	3,498	1,644
Chemicals		477	353	185	-	233	1,857	-	2,106	839
Tools & Equipment	502	2,058	6,407	9,468	933	1,660	6,674	-	50	2,050
Subtotal	98,260	85,093	51,807	80,765	56,406	54,880	86,861	89,139	43,358	40,933
Water Plant, Reservoir, Booster, Tower, BS Wellhouse										
Supplies	586	22,426	1,666	787	3,568	1,492	795	1,323	9,174	3,397
Repairs & Maintenance	14,625	4,825	32,259	32,305	17,211	27,112	39,668	19,920	10,907	16,100
Tank Maintenance Contract										35,814
Chemicals	3,300	50,115	24,176	20,454	21,672	22,512	23,154	13,114	14,777	24,163
Tools & Equipment			4,375	2,007	1,590	-	1,407	-	631	798
Testing & Analysis			7,857	10,488	11,661	10,783	11,877	7,562	4,235	5,738
SUB-TOTAL	18,511	77,367	70,333	66,041	55,702	61,899	76,901	41,919	39,724	86,010
Abandoned Well Costs										-
Water Electric		8,814	27,509	26,703	24,588	23,349	33,368	39,233	44,721	45,615

TOWN OF MIDDLETOWN
Water Sewer Operating Budget
FY 2020

	AUDIT FY 2011	AUDIT FY 2012	AUDIT FY 2013	AUDIT FY 2014	AUDIT FY 2015	AUDIT FY 2016	AUDIT FY 2017	AUDIT FY 2018	AUDIT FY 2019	Draft Budget FY 2021
TOTAL WATER	204,747	270,808	231,742	259,872	243,609	267,163	330,845	341,272	273,795	316,511
Sewer										
Salaries	85,514	109,381	113,488	107,724	120,064	128,101	127,311	144,908	121,015	110,564
Sewer Collection System										
Conebranch Pump Station	14,450	15,418	11,503	27,036	19,518	34,851	22,062	26,474	17,506	18,155
Brookridge South Pump Station	9,994	6,545	13,703	9,854	11,153	10,465	5,421	3,844	2,503	3,500
Foxfield Pump Station	6,743	5,769	6,165	6,968	6,348	6,973	5,692	5,574	4,674	5,462
Sanitary Sewer Lines/Manholes	12,698	14,643	22,850	17,316	17,484	45,670	4,582	37,559	18,020	24,500
I & I Accrual	75,000	75,000	75,000	75,000	75,000	75,000	75,000	75,000	93,205	75,000
Subtotal	118,885	117,375	129,221	136,174	129,503	172,959	112,757	148,451	135,908	126,616
East WWTP										
Parts & Supplies	4,316	6,457	3,749	8,162	6,325	7,069	2,598	3,726	14,222	6,588
Repairs & Maintenance	5,682	8,596	32,355	11,960	23,354	28,731	22,145	14,852	19,663	18,500
Chemicals	37,050	42,961	40,867	32,727	28,329	31,766	29,271	47,650	46,725	45,291
Mowing	3,102	3,525	-	-	-	-	-	-	-	-
Tools & Equipment	1,372	7,834	7,721	2,849	8,091	3,954	1,693	982	1,827	3,309
Testing & Analysis	16,797	20,299	20,812	22,982	25,170	26,125	30,220	25,263	28,597	28,750
Sludge Hauling Expense	66,013	66,293	66,093	45,596	61,642	59,432	45,581	44,428	63,145	63,846
Subtotal	134,332	155,965	171,597	124,276	152,911	157,077	131,508	136,901	174,179	166,284
West WWTP										
Supplies	578	678	1,987	4,474	2,121	2,380	1,624	1,292	862	1,656
Repairs & Maintenance	3,099	5,202	3,196	7,102	20,740	9,796	4,833	5,289	2,689	4,000
Chemicals	39,265	51,972	50,684	53,057	54,073	54,389	51,684	51,638	53,561	45,291
Mowing	2,139	2,225	-	-	-	-	-	-	-	-
Tools & Equipment	2,120	391	7,407	1,400	756	2,598	1,671	705	15	1,149
Testing & Analysis	7,319	8,958	8,303	8,808	9,106	9,831	11,071	9,908	9,040	9,640
Sludge Hauling Expense	30,300	6,358	22,959	17,663	17,250	17,250	17,250	17,250	17,250	17,250
SUB-TOTAL	84,820	75,784	94,536	92,504	104,046	96,244	88,133	86,082	83,417	78,986
Sewer Electric								92,544	99,488	98,896
TOTAL SEWER	423,551	458,505	508,842	460,678	506,524	554,381	459,709	608,886	614,007	581,346
TOTAL OPERATING EXPENSES	891,640	1,006,870	999,128	917,037	996,502	1,025,287	1,023,822	1,220,618	1,229,373	1,171,948
Contingency Fund								-	-	25,006
Adjusted Operating Expense						1,025,287	1,023,822	1,220,618	1,229,373	1,196,954
OPERATING INCOME (LOSS)	103,160	29,885	102,630	213,882	243,877	251,461	196,433	1,966	(6,522)	43,210

Town of Middletown Planning Department

To: Burgess & Commissioners and Middletown Planning Commission

From: Cindy Unangst, Staff Planner

Date: 3/31/2020

RE: Monthly Planning Update – April

Major Subdivisions:

Foxfield Section 6 (Coblentz Road) – Active-adult special exception use recommended approval by PC to BOA – January 21, 2020
Board of Appeals hearing date – to be rescheduled

Site Plans, Plats and Minor Subdivisions:

Caroline's View/Horman Apartments (East Green Street)- Site Plan approved – April 21, 2008 (no sunset provisions prior to November 14, 2010)
Improvement Plans conditionally approved – May 17, 2010 (no sunset provisions prior to 11/10)
Revised Improvement Plan mylars signed – July 21, 2017
Next step – submittal of PWAs for approval and apply for building and grading permits

Cross Stone Commons (Middletown Parkway) – Revised Site Plan conditionally approved – 10/20/14
Improvement Plan mylars signed – November 6, 2015
FRO plantings completed – December 23, 2019
Next step – submittal of architectural renderings for building #2 for review/approval

Dowd Property (Alternate 40A) – Forest Stand Delineation approved – April 16, 2018
Revised Site plan conditionally approved by PC – October 21, 2019 (Plans expire 10/21/22)
Revised Preliminary Forest Conserv. Plan conditionally approved – November 18, 2019
Board of Appeals approved self-storage use – February 26, 2020 (Expires Feb. 26, 2021)
Revised Building renderings submitted for PC review – February 24, 2020
Next step – PC approval of architectural renderings; submission of FFCP and Improvement plans for PC review;

Franklin Commons (Franklin Street) -

Resubmitted site plan conditionally approved – May 21, 2018 (Plans expire May 21, 2021)
BOA approved height variance request – July 12, 2018 (**BOA approval expired July 12, 2019**)
Improvement plans conditionally re-approved – March 18, 2019 (Plans expire March 18, 2022)
Next step – BOA approval of height variance request, then submittal of letter of credit and signing of PWA's

Jiffas (Summers Drive) – Improvement Plan conditionally approved for commercial use – October 20, 2008 (no sunset provisions prior to November 14, 2010)
Forest Conservation Plan approved for commercial use – October 20, 2008
Architectural plans approved by PC for duplex – March 16, 2015
BOA approval for variance requests for duplex – March 29, 2016 (**Expired March 29, 2017**)

Next step – apply for variance requests for siting of duplex building

Middletown County Park (Coblentz Road) – FSD and FCP approved – Feb. 17, 2020

Middletown Water Storage Tank (Ashky Ct.) –

Site Plan approved by PC – March 18, 2019 (Plans expire March 18, 2022)

Final Forest Conservation Plan conditionally approved by PC – June 17, 2019

Improvement Plans conditionally approved – July 15, 2019 (Plans expire July 15, 2022)

Miller Property (East Main Street) – Phase III Revised Site plan approved by PC – June 17, 2019

Phase III Redline Site & Improvement Plans conditionally approved – Sept. 16, 2019

Next step – submittal of Phase IV site plan for review and approval

Richland Driving Range (Glenbrook Drive)– Concept plan reviewed by PC – January 18, 2016

Revised Site Plan conditionally approved – January 15, 2018 (Plans expire January 15, 2021)

Improvement Plans reviewed and tabled by PC – September 17, 2018

Next step – submittal of improvement plans for review and approval

School Complex roadway plans (Schoolhouse Drive) – Improvement plans and FCP plans reviewed & approved by Town Board – May 8, 2017 (informed June 2017 funding was not approved for project)

SWM plans re-submitted to Frederick County and SCD for review/approval – 8/3/17

(Planning Commission reviewed plans as courtesy to Town Board. No expiration date of approval due to type of plans – i.e., no structures, etc. – just changes to roadways, sidewalks.)

St. Thomas More Academy Site Plan revision (Prospect St) –

Site plan conditionally approved August 20, 2018 (Expires August 20, 2021)

Revised site plan submitted to PC for review/approval – February 27, 2020

Annexations:

A.C. Jets Property- PC approval of annexation petition of 35.96 acres – December 21, 2009

Public hearing date - Monday, October 11, 2010

Annexation petition denied by Town Board – October 11, 2010

Admar Property – PC approval of consistency with zoning/comp plan – February 20, 2017

Public Hearing - April 5, 2018

Town Board passed annexation resolution – April 9, 2018

Text Amendments: Accessory structures – under review by Town Board

Residential parking requirements for townhouses and apartments – under review by Town Board

Forest Resource Ordinance amendments – under review by Town Board and PC

Reports: Annual Planning Report draft will be reviewed by PC in April or May

**Grants: MEA grant application submitted – December 2019
Keep MD Beautiful grant application was not approved**

Meetings: Next Middletown Green Team Meeting – May 19, 2020

Next Joint town board/planning commission workshop – May 4, 2020

MAIN STREET

MIDDLETOWN

TO: The Burgess & Commissioners
FROM: Becky Axilbund, Main Street Manager
RE: Virtual Workshop Meeting
DATE: April 2, 2020

ReCap of March Workload Prior to Coronavirus Outbreak

- The first half of the month was dedicated to event planning and grant writing (3-grants).
- Main Street has cancelled Coloring Street scheduled for April 25
- Main Street has cancelled Heritage Walking Tour schedule for May 16
- An ad was placed in the Middletown Neighbors with the calendar of events detailing cancellations of our events, as well as others listed on the calendar.
- The Maryland Historical Trust Grant for 19 West Main Street was submitted, even though the deadline has now been extended to April.

Recap of Work Since Coronavirus Outbreak

- 14 Emails have been sent to the Main Street businesses with links to resources, SBA loans, State loans, State grants, and more. There has been a lot of information to absorb over a short amount of time.
- The chart that is also part of this report highlights the major state and federal financial programs to assist businesses. I put this information together because I think having the major options bundled together is helpful.
- Main Street created a Covid-19 page to our website for a place to get resources
- Main Street has started featuring businesses everyday on our Facebook page – with a photo of the business owner/and or workers. I think keeping a personal face with each business is important right now.
- I created a list of restaurants with phone numbers – that we now need to update – but early in social distancing, this one piece of information on our Facebook page reached 8133 people – with no paid boosts.
- I have continued to call and talk with businesses when I can and will continue to make the personal phone calls as much as possible.
- I have created a Social Distancing Bingo Game and am waiting on a few tweaks on the actual game to roll it out on social media. This game is all about the ways that people can support local businesses as well as keeping safe and healthy.
- Participated in multiple webinars (at least one every day) over the last few days – from the Maryland SBA, Frederick County Office of Economic Development and the National Main Street organization.

- The Maryland Main Street program has weekly calls for us to share ideas as well as a Main Street Manager Facebook page to share ideas. The National Main Street Center also has weekly webinars – which to me, are most helpful.

Going Forward:

- As we move from reacting to the “new normal,” Main Street Middletown will also need to readjust our priorities, budgeting, and how we approach our work. Advice from the National Main Street Center is to focus on Economic Vitality.
- The Board is currently voting on an option laid out by the State of Maryland to take existing grant funds and convert the use of those funds to programs that will assist with business retention strategies and financial assistance.
 - The proposal looks at reallocating funds from three grants to total \$16,800.
- Upcoming Grants – almost all of the grants have been rescheduled due to the pandemic. However, the Main Street Operating Assistance Grants are open and due at the end of April.
- The TRIPP Grant Guidelines have been modified into two smaller grant applications to cover the first 6-months of FY 2021 and a second submission for advertising dollars will occur in November to cover advertising from January 2021-June 2021.

MAIN STREET MIDDLETOWN

Maryland Small Business Emergency Grants:

For businesses less than 50-employees (have to be w-2 Employees)

Must demonstrate financial loss/Need to show evidence of Injury

TIP: To show loss, show a comparison of revenue received from March 2019 to September 2019. Compare it to the current month of March, starting with the date of closure or reduced business. Project current income over the next 6-months based on this lower volume of customers.

Show termination or layoff slips

Show interrupted supply chain

Show letters from tenants are unable to pay rent

Go to the Department of Commerce to apply at

<https://onestop.md.gov/forms/maryland-small-business-covid-19-emergency-relief-grant-fund-5e7a6d8db5d67700fe1e6050>

MD Small Business Emergency Relief LOAN

offers working capital to assist Maryland for-profit small businesses disrupted operations due to COVID-19. Loan assistance is intended to provide interim relief complementing actions with its bank, business interruption insurance, and financial partners.

Loans up to \$50,000 (not to exceed three months of cash operating expenses) open to Maryland businesses impacted by the COVID-19 with fewer than 50 employees.

0% for the first 12 months, and 2% for the remaining 36 months.

<https://commerce.maryland.gov/fund/maryland-small-business-covid-19-emergency-relief-loan-fund>

Lay-Off Aversion Fund

There is only 7-million in this fund, but it has a very specific use to help you keep staff employed. This fund has a very quick turn-around, about 2-4 days. Apply for it for items such as purchasing laptops so staff can work at home (and not lose their jobs), or for example, if now you do delivery and your insurance is higher because you have employees driving a delivery car, this would be the place to look for assistance to cope with these types of expenses.

MD Department of Labor the link was not secure to go directly to this page, but try here <http://www.labor.maryland.gov/>

SBA Economic Injury Disaster Loan (EIDL) (called Idle)

Unsecured loans up to 25K for 3.75% loan rate
Repayment is deferred for 12 months

There is NO cost to apply, NO obligation to take the loan, and the application stays active for 6-months.

UPDATED INFORMATION: – this program has been expanded under the CARES ACT
These loans will be approved by the SBA
If the loan amount is smaller than \$200,000, it can be approved without a guarantee
You can get \$10,000 UP FRONT – it is a cash grant that CAN be FORGIVEN if the money is spent on Paid Leave, Maintaining Payroll, Increased Expenses due to Supply Chain Disruptions, Mortgage or Lease Payments

The Expert Advice:

Go ahead and apply for the SBA Loan – the Economic Injury Disaster Loan (EIDL).
The loans take about 3-4 weeks to process, and there is no cost to apply, no obligation to take the loan, and the application remains on file for 6-months. Until the details of the CARES Act, or any other relief packages come along (or not), at least the application has been completed, if needed.

TIP: It was suggested to download the paper form, print it, complete it, and then use it as you complete the online form. It was strongly suggested to complete the online form in the hours outside of 7am-7pm.

<https://www.sba.gov/funding-programs/disaster-assistance>

UPDATED Federal Stimulus Package- CARES – This was signed late Friday – and here are the highlights:

SEE ABOVE for the expansion of the SBA Economic Injury Disaster Program. In addition to the expansion of that program, this act

1. Creates Paycheck Protection Program with \$349 Billion in the fund. This fund is open to small businesses with less than 500 employees, self-employed, sole proprietors, fee-lance, and gig-economy workers – if you have been in operation before FEB 2020.
2. The loan amount is 2 ½ times the average payroll costs as well as paid Sick Leave, Healthcare.
3. Part of the loan is FORGIVEN – if the money is spent during the first 8-weeks on Operating Expenses.
4. Loans are FORGIVEN when proceeds are used for:
 - A. payroll costs, (excluding prorated payments for individuals with compensation over 100k).
 - B. Rent
 - C. Electricity, Gas, Water, Transportation, Phone, and Internet
 - D. Group Health Insurance Premiums
5. It will be administered through Banks that are SBA Lenders – and the SBA is expanding the number of banks that are SBA lenders.

BANKS ARE WAITING ON INSTRUCTIONS.

BURGESS AND COMMISSIONERS OF MIDDLETOWN MARYLAND

TOWN MEETING MINUTES

REGULAR MEETING

March 9, 2020

The first regular meeting of the Burgess and Commissioners of Middletown was called to order on March 9, 2020, 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, Christopher Goodman, Tom Catania and Rick Dietrick.

PERSONAL REQUESTS FOR AGENDA:

CONSENT AGENDA:

- *Town Minutes – February 24, 2020 – Town Meeting*

Motion by Commissioner Bussard to approve the consent agenda as presented, seconded by Commissioner Catania. Motion carried 5-0.

UNFINISHED BUSINESS:

Advertisement Procedures – This is a continuation of the discussion from the workshop. With the change of the Middletown Valley Citizen now being a bi-weekly publication the Town Board is reviewing how best to address the advertising requirements needed by the Town. The Town of Middletown has numerous different advertising requirements depending on both State Law and Town Charter requirements. In the past, the Town has used the Middletown Valley Citizen as the “*newspaper of general circulation*”. With the Middletown Valley Citizen’s change to a bi-weekly publication which no longer meets the definition. Staff is recommending that the Town continue to advertise in the Valley Citizen in addition to using the Frederick News-Post for the consecutive weeks legal requirement (as shown by the matrix). The Town would continue to utilize social media and the website to disseminate information. Motion by Commissioner Falcinelli to approve the advertising matrix as presented, seconded by Commissioner Goodman. Motion carried 5-0.

Rural Municipal Community Circulator Bus Service – This is regarding a Frederick County proposed one-year pilot program for a circulator type bus service in and around 4 municipalities, Emmitsburg, Thurmont, Brunswick and Middletown. The bus would be in each municipality 1 day per week. The bus’s municipality determined route, on its assigned day, would be to transport people to the grocery store, shopping areas, library and other predetermined/identified areas within the town. The goal is to provide seniors and others with the option to have a regular planned day when they could run a variety of errands within their town independently and on a reasonable timetable. The County would purchase the bus and hire both a driver and a dispatcher. The County is requesting each municipality contribute \$10,000 to support the pilot program. Many of the questions asked at the workshop will be answered once the pilot program ends. The Town hopes to receive monthly feedback while the program is operating. Helpful feedback would include: usage of the program, the population using it, the monthly operating expenses, the general area of the scheduled pick-ups, and any issues that had been identified. The Town Administrator stated that this is the County’s first attempt to address transportation needs in the County. Motion by Commissioner Bussard to approve participation in the one year pilot program with the Town Board re-evaluating after one year, seconded by Commissioner Goodman. Motion carried 5-0.

Proposed Text Amendment – Forest Conservation Ordinance – Last year Maryland Senate Bill 234 Natural Resources – State and Local Forest Conservation Funds (effective October 1, 2019) was passed which made changes to the State’s Forest Conservation Act. This bill requires a few changes to the Town’s Forest Resource Ordinance. This proposed ordinance would comply with the new State regulations. Frederick County has proposed changes to their laws to make their regulations stricter. If the Town is interested in emulating Frederick County’s Forest Resource Ordinance, the needed additions to the Town’s ordinance were also included in the proposed ordinance. Staff recommended following the State regulations. Commissioner Falcinelli motioned to move forward with the proposed text amendment using the State requirements, seconded by Commissioner Catania. Motion carried 5-0.

REPORT OF COMMITTEES:

WATER & SEWER – Commissioner Falcinelli reported:

The committee discussed developing a public information plan to inform the residents of all water sewer accounts transitioning to the capital improvement fee beginning in July 2020. A formal announcement will be made. The information will be placed in the April and July quarterly newsletters, it will be an announcement item over the next several months on Town Board agendas, and social media and the town website will be utilized as well. A Town Water Conservation Initiatives handout was created to distribute at various event throughout the year. The flier lists the Town’s water conservation efforts. Water use for February – 297,096 gal., spring flow for February – 133,808, East WWTP treated 258,000 gals. and the West WWTP treated 352,000 gals. The Streetscape project is moving along. Two service connections on the west end of town will have to be raised due to the installation of a sanitary sewer line beneath them. Work on the reservoir tank is expected to begin the first week of May. It should take one year to complete. Well 22 will be adding a chlorine feeder to address the iron build up in the pump and process pipe. Next committee meeting is March 25th at 7:00 PM.

PUBLIC WORKS – Commissioner Bussard reported:

The mill and overlay planning for Boileau Drive is underway. The ADA concrete ramp and steps at the back of town hall has been poured. Currently awaiting the installation of handrails. Broad Street Streetscape design phase is 95% complete. Washington Street design is currently being reviewed for storm water management. Bulk trash pick-up is this Saturday March 14th.

SUSTAINABILITY – Commissioner Dietrick reported:

The Town received approval for a \$1,000.00 grant for tree planting at Remsburg Park from the Maryland Urban and Community Forest Committee. The Town also received a \$300.00 grant from Tree-mendous Maryland to use towards that project as well. The total project cost is \$1,720.00. This leaves a \$420.00 cost to cover. Middletown has received a Tree City USA designation. The Town Board will have to sign an Arbor Day proclamation, in April, as part of that. The County is planting trees on 3.6 acres at the Middletown Community Park as part of its park improvements this summer. There are 9 compost bins available for sale at \$40.00 each. The Green Expo will be April 25th in conjunction with Coloring the Street. The location will be on Green Street again. There is room by the new ramp at the back of town hall to plant a tree with some annuals. The Sustainability Committee would like to plant a tree there on Arbor Day. The Town Board reviewed several trees suggested by JEM, L.L.C. but no decision was made.

Remsburg Park Parking Lot Hedges – The Town has received complaints from individuals whose homes are across the street from Remsburg Park about both the lights from cars driving out of the park during the evening and the headlights from cars who park in the parking lot during the evening shining into their homes. Requests were made to plant some sort of screening around the parking lot to deflect that light. Stadler Nurseries provided an estimate for planting screening hedges comprised of 110 bayberry northern 3-gallon shrubs at a cost of \$4,800.00. A map showing where these shrubs would be planted was reviewed. These plantings can also be applied to the MS4 requirements. Commissioner Goodman motioned to approve the purchase of 110 bayberry northern 3-gal shrubs to be used as

screening at the parking lot of Remsburg Park as proposed, seconded by Commissioner Catania. Motion carried 5-0.

Annual Planting of Flowers in Identified Town-Owned Areas – JEM, L.L.C. provided an estimate for the annual flower planting at identified areas around town. The price is the same as last year, but more flowers are included. Total cost is \$9,032.15. If the Town Board agrees to the contract, a deposit of ½ the total cost, or \$4,516.08, would have to be provided. Commissioner Dietrick motioned to approve the JEM, L.L.C. estimate and to pay the required deposit of \$4,516.08, seconded by Commissioner Goodman. Motion carried 5-0.

The next committee meeting is March 17th at 5:00 PM.

PLANNING COMMISSION – Commissioner Catania reported:

The next workshop is March 11th and meeting is February 16th at 7pm., on the agenda will be the following: The Hollow Creek Professional Center Architectural Renderings Review, the St. Thomas More Academy's revised Site Plan, the Middletown Memorial Park revised Site Plan and the Proposed Text Amendment regarding the Forest Conservation Ordinance.

2020 Comprehensive Plan – Community Conversations – Fourteen people attended the first Community Conversations event held March 7th. The facilitators reported that there were very good comments and ideas put forth and some ideas that were beyond the scope of the meeting. The facilitators will provide a list of the comments for the Town Board and Planning Commission to review.

Pam Dietrick, 707 East Main Street, stated that having the meetings on a Sunday afternoon may not be the best time. Perhaps the meeting on the 28th could be moved to a weekday evening or earlier in the day. There are 18 individuals registered for the March 28th event. It will meet at its scheduled time. There will be other opportunities for further discussion as the 2020 Comp. Plan progresses.

Bob Smart, 7525 Coblenz Road, suggested having an explanatory meeting open to the public where an explanation of what the comprehensive plan is and its process might be beneficial.

PARKS AND REC. COMMITTEE – Commissioner Goodman reported:

Frederick County has notified the Town that the fenced in stormwater management pond at Remsburg Park cannot have dogs running around in it. It is in violation of their illicit discharge ordinance. Effective immediately the Town must padlock the access gate to halt the intrusion. The Town will post signs around the pond explaining the locked gate. The Town Board reviewed the current costs for use of the Wiles Branch Dog Park. This item will be on the next agenda to determine whether to adjust the fees for the next fiscal year. Commissioner Goodman requested that once the walking trails are complete to install areas along the trail at Remsburg Park so that handicapped individuals would be able to watch games being played. MVAA has two goals for future development. One is to build a press box at Remsburg Park. The second is to build an indoor facility there as well.

PUBLIC INFORMATION – Nothing to report.

NEW BUSINESS:

Constant Yield Tax Rate Exemption - Middletown has received an exemption again for 2020/2021. The tax rate will not change this year. Commissioner Dietrick stated that some residents are thinking tax rate increase are the actions of the Town when in reality they are a result of an increase in the assessed value of their property. It was suggested that the Town utilize social media during budget review time to inform residents that Middletown has had the same tax rate since 1992.

The State updates its assessments every 3 years. Middletown may be part of that next assessment update.

FY 2021 POS Project Requests – The Parks and Recreation Standing Committee has identified 3 POS projects to request monies for in FY2021. They are prioritized as follows: running water and sewer to Wiles Branch Park (approximately \$120,000), purchasing bleachers for Remsburg Park (\$15,000) and pickle ball courts at Wiles Branch Park (\$7,500 to modify existing basketball courts/ \$25,000-27,000 to build new). Deadline for submission of requests to the County is May 1, 2020. The Town Board agreed by consensus to these projects.

Memorial Bench Program - The Parks and Recreation Standing Committee would like to offer memorial benches for public sale, which when purchased could be placed along identified areas of the Town walking trails. Each bench would have a memorial plaque listing who the bench was memorialized for. The benches would be tax deductible. Staff will create the order form and other supporting documentation for the Board to review and approve. The Town Board agreed by consensus to this program.

PUBLIC COMMENTS: None.

ANNOUNCEMENTS:

- *Frederick County Restaurant Week – March 2-8, 2020*
- *Middletown Valley Historical Society History Program – Wednesday, March 18, 2020 at 7:00PM at Christ Reform Church*

Meeting adjourned at 8:21 PM.

Respectfully submitted,

Annette Alberghini
Office Manager



2020 Election Judge List

- **Alex Kundrick**
- **Judy Brandenburg**
- **Ray May**
- **Pat Hansen**
- **Teresa Bess**
- **Cherice Norris**

ORDINANCE NO. 20-03-01

AN ORDINANCE TO AMEND TITLE 16, CHAPTERS 40.028 AND 40.030 TO ALIGN THE TOWN OF MIDDLETOWN'S FOREST CONSERVATION CODE WITH THE MARYLAND DEPARTMENT OF NATURAL RESOURCES STATE REGULATIONS.

SECTION I. BE IT ORDAINED AND ENACTED by the Burgess and Commissioners of Middletown that Title 16, Chapters 16.40.028 and 16.40.030 of the Middletown Municipal Code be, and hereby is amended to add additional language concerning the Forest Conservation Fund. New language is designated by being in **BOLD CAPITAL LETTERS**.

Title 16 - SUBDIVISIONS

16.40.028 - Middletown forest conservation fund.

- A. There is established a forest conservation fund in the town of Middletown.
- B. If a person subject to this chapter demonstrates that requirements for reforestation or afforestation on-site or off-site cannot be reasonably accomplished **AND APPROPRIATE CREDITS GENERATED BY A FOREST MITIGATION BANK IN THE SAME COUNTY OR WATERSHED ARE NOT AVAILABLE**, the person shall contribute money into the Middletown Forest Conservation Fund:
 - 1. Until September 30, 2014, at a rate of thirty (30) cents per square foot of the area of required planting;
 - 2. After September 30, 2014, at a rate adjusted for inflation as determined by the state annually by regulation.
- C. Money contributed instead of afforestation or reforestation under this section shall be paid within ninety (90) calendar days after development project completion.
- D. The town shall accomplish the reforestation or afforestation for **THE EQUIVALENT NUMBER OF ACRES FOR** which the money is deposited within two years or three growing seasons, whichever is a greater time period, after receipt of the money.
- E. Money deposited in the local forest conservation fund:
 - 1. May be spent on the costs directly related to reforestation and afforestation, including site identification, acquisition, and preparation, maintenance of existing forests, and achieving urban canopy goals;
 - 2. Shall be deposited in a separate forest conservation fund; and
 - 3. May not revert to the general or any other fund.
- F. Sites for Afforestation or Reforestation Using Fund Money.
 - 1. Except as provided in subsection (G)(2) of this section, the reforestation or afforestation requirement under this section shall occur in the county and watershed in which the project is located.

2. If the reforestation or afforestation cannot be reasonably accomplished in the town and watershed in which the project is located, then the reforestation or afforestation shall occur in the county or watershed in the state in which the project is located.

G. EVERY TWO YEARS, THE TOWN SHALL PROVIDE TO THE MARYLAND DEPARTMENT OF NATURAL RESOURCES A GENERAL PLAN IDENTIFYING APPROPRIATE AND POTENTIALLY AVAILABLE AREAS FOR MITIGATION PROJECTS AND DETAILED ACCOUNTING PROCEDURES FOR ACCURATELY TRACKING MONEY RECEIVED INTO AND EXPENDED OUT OF THE FOREST CONSERVATION FUND. THE MITIGATION PLANS AND ACCOUNTING PROCEDURES SHALL BE MADE AVAILABLE TO THE PUBLIC.

1. THE TOWN:

- (1) **MAY NOT COLLECT MONEY FOR DEPOSIT INTO ITS FOREST CONSERVATION FUND UNLESS THE TOWN HAS SUBMITTED TO THE DEPARTMENT OF NATURAL RESOURCES THE GENERAL MITIGATION PLAN AND ACCOUNTING PROCEDURES REQUIRED UNDER SUB-SECTION G. OF THIS SECTION; AND**
- (2) **SHALL ENSURE THAT THE EQUIVALENT NUMBER OF ACRES FOR WHICH MONEY IS COLLECTED AND PAID INTO ITS FOREST CONSERVATION FUND IS MITIGATED IN ACCORDANCE WITH AFFORESTATION, REFORESTATION, AND CONSERVATION PRIORITIES AND TECHNIQUES AUTHORIZED UNDER §5-1607 OF THE NATURAL RESOURCES ARTICLE, ANNOTATED CODE OF MARYLAND.**

16.40.029 *{Unchanged}*

16.40.030 - Annual report and biennial review.

- A. On or before March 1 of each year, the town shall submit to the Department of Natural Resources an annual report which contains:
1. The number, location, and type of projects subject to the provisions of this chapter since the last annual report;
 2. The amount and location of acres cleared, conserved, and planted, including any areas which utilize forest mitigation bank credits or areas located in the one hundred (100) year floodplain, in connection with a development project;
 3. The amount of reforestation and afforestation fees and noncompliance penalties collected and expended, **THE NUMBER OF ACRES FOR WHICH THE FEES WERE COLLECTED, AND THE NUMBER OF ACRES REFORESTED, AFFORESTED, OR CONSERVED USING THE FEES;** and

4. The costs of implementing the forest conservation program.
5. The size, location, and protection of any local forest mitigation banks which are created under the forest conservation program;
6. The number, location, and type of violations and type of enforcement activity conducted in accordance with this chapter; and
7. To the extent practicable, the size and location of all conserved and planted forest areas, submitted in an electronic geographic information system or computer aided design format.

B. The town shall submit the necessary documentation to comply with COMAR 08.19.02.04 which provides for Department of Natural Resources biennial review of the local forest conservation program.

SECTION VI. BE IT FURTHER ENACTED AND ORDAINED that this Ordinance shall take effect twenty (20) calendar days following its approval by the Burgess and Commissioners.

INTRODUCED ON THE _____ DAY OF _____, 2020

PASSED ON THE _____ DAY OF _____, 2020

EFFECTIVE DATE: _____, 2020

ATTEST:

**BURGESS AND COMMISSIONERS
OF MIDDLETOWN**

Andrew J. Bowen, Town Administrator

BY: _____
John D. Miller, Burgess



Town of Middletown

Return Completed Form To:
Town of Middletown
31 West Main Street
Middletown, MD 21769

Phone (301) 371-6171
Fax (301) 371-6474

MEMORIAL BENCH APPLICATION

APPLICANT INFORMATION

Today's Date: _____

Applicant's Name: _____

Address: _____

E-Mail Address: _____ Phone Number: _____

Name of Person to be Memorialized: _____

Please indicate which walking trail you wish to have the bench placed along:

- Cone Branch Walking Trail
- Foxfield Walking Trail
- Remsburg Walking Trail
- Wiles Branch Walking Trail
- It Does Not Matter Where it is Placed.

The Town will place your bench along the trail you requested as long as there is room and its placement does not create a safety issue.

Cost: Alpine Bench with plaque \$ 720.00

Make checks payable to: Town of Middletown

Purchase of the bench is tax deductible.

Signature of Applicant : _____ Date: _____

FOR TOWN USE ONLY

Date Application Received

Date Application Approved

Approved By

THE EFFECTIVE DATE OF THE RESOLUTION IS April 2, 2020

RESOLUTION NO. 20-03

**AN EMERGENCY RESOLUTION TO AUTHORIZE THE TOWN OF MIDDLETOWN
TO IMPLEMENT THE TOWN OF MIDDLETOWN EMERGENCY MANAGEMENT
PLAN**

PREAMBLE

WHEREAS, the Burgess and Commissioners recognize that no community is immune from the effects of large-scale emergencies and disasters; and

WHEREAS, pursuant to Section 401 of the Town Charter, the Burgess and Commissioners “shall have the power to pass all such ordinances not contrary to the Constitution and laws of the State of Maryland or this charter as it may deem necessary... for the protection and promotion of the health, safety, comfort, convenience, welfare, and happiness of the residents of and visitors in the town..;” and

WHEREAS, the Burgess and Commissioners recognize that the current Coronavirus/Covid-19 pandemic (the “pandemic”) has affected the entire State of Maryland;

WHEREAS, as a result of the pandemic, the Governor of the State of Maryland issued Executive Order 20-03-30-01 which effectively closed all non-essential businesses, and requires all persons to stay at home; and

WHEREAS, by Resolution 10-05 approved by the Burgess and Commissioners for the Town of Middletown on April 26, 2010, the Town of Middletown adopted an Emergency Management Plan, the goal of which is to protect Middletown Residents’ life and property from the effects of hazardous events; and

WHEREAS, the Burgess and Commissioners recognize that during large-scale emergencies and disasters, such as the current pandemic, they may be required to implement the Emergency Management Plan; and

WHEREAS, the adoption of this resolution ensures that the Burgess and Commissioners can from time to time and on an as-needed basis implement the Emergency Management Plan as circumstances require; and

WHEREAS, a duly advertised virtual public meeting was held on this update on April 2, 2020. The public had an opportunity to comment on this update at this public meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE BURGESS AND COMMISSIONERS OF THE TOWN OF MIDDLETOWN, MARYLAND, that the Town of

Middletown is now implementing its Emergency Management Plan effective April 2, 2020, and continuing until such time as the Burgess and Commissioners no longer deem it necessary.

BE IT FURTHER RESOLVED that the Burgess and Commissioners, may, as deemed necessary and during future times of large-scale emergencies and disasters, implement its Emergency Management Plan without the need for further Resolution or Ordinance;

The undersigned hereby certify that this resolution was approved and adopted on this 2nd day of April, 2020.

BE IT FURTHER RESOLVED that this Emergency Resolution shall take effect immediately.

INTRODUCED April 2, 2020

APPROVED April 2, 2020

ATTEST:

**BURGESS AND COMMISSIONERS
OF MIDDLETOWN, MARYLAND**

Andrew J. Bowen
Town Administrator

BY: _____
John D. Miller
Burgess