



AGENDA FOR THE TOWN MEETING

April 25, 2022

7:00PM p.m.

PLEDGE TO THE FLAG

CALL TO ORDER

PUBLIC COMMENTS:

PERSONAL REQUESTS FOR AGENDA

CONSENT AGENDA

- Town Meeting Minutes
 - April 7, 2022 – Town Workshop ¹
 - April 11, 2022 – Town Meeting ¹

UNFINISHED BUSINESS:

- Comprehensive Plan – Introduction ⁴⁵
- Proclamation for National Child Abuse Prevention Month – Child Advocacy Center ¹

NEW BUSINESS:

- Frederick County Community Deputy Program – Contract for FY2023 ¹
- Request for Outdoor Music and Richland Golf Course ¹

Identifies the Number of Times the Item has been on a Town Workshop and/or Town Meeting Agenda

V Identifies a Vote to be taken on the agenda item

PUBLIC COMMENTS:

ANNOUNCEMENTS:

- *Tree Planting Event – Friday, April 29, 2022 – 10:00AM to 12:00PM at Wiles Branch Park*
- *Art Stroll Down Main – April 29 thru May 23, 2022*
- *Farmer’s Market Open for the Season – May 5, 2022 – Christ Reformed Parking Lot*
- *Downtown Business Open Late – Thursday, May 19, 2022 (3rd Thursday of the Month)*
- *Memorial Day Ice Cream Social – Saturday, May 28, 2022 – 11:00AM -2:00PM at Memorial Park*
- *Memorial Day Commemoration – Monday, May 30, 2022 – 1:00PM at Middletown War Memorial*

ADJOURNMENT

Lifesize Meeting Invite Information

Join the meeting: <https://call.lifesizecloud.com/11085268>

Passcode: 21769

Click to call from Mobile (audio only)

United States: +1 (312) 584-2401,, 11085268#,,21769#

Call in by Phone (audio only)

United States: +1 (312) 584-2401

Meeting extension: 11085268#

Passcode: 21769#

Identifies the Number of Times the Item has been on a Town Workshop and/or Town Meeting Agenda

V Identifies a Vote to be taken on the agenda item

BURGESS AND COMMISSIONERS OF MIDDLETOWN MARYLAND

TOWN WORKSHOP MEETING MINUTES

WORKSHOP MEETING

April 7, 2022

The workshop meeting of the Burgess and Commissioners of Middletown was called to order on April 7, 2022, by Burgess Miller at 6:30 p.m. Present were Commissioners Kevin Stottlemyer, Christopher Goodman, Jennifer Falcinelli, Rick Dietrick, and Jean LaPadula.

BUDGET WORKSHOP

FY2023 Water & Sewer Operating Budget - The proposed Water & Sewer operating fund was reviewed. This is the first review for the Town Board. This proposed budget indicates no water/sewer rate increase. The advertised Water & Sewer Superintendent position is not included in this budget nor are any salary increases for employees. Discussion on electricity costs over the past 5 years occurred. Results of the salary study should be provided to the Town next week. Staff is looking at accommodations in the General Fund and the Water & Sewer fund to cover any proposed salary increases.

PUBLIC COMMENT: None.

PERSONAL REQUESTS FOR AGENDA: None.

STAFF REPORTS:

Deputy Report –Deputy Chudoba reviewed his report.

Staff Planner Report – Cindy reviewed her report.

Engineer's Report – Report included in meeting packet. The Town Administrator stated that Broad Street has had the base pavement completed. Also, the Booster Station work is ongoing. The piping is in, and the pumps are being installed.

Main Street Manager Report – No report given.

Zoning Administrator's Report – Mark reviewed his report. The Town Administrator stated that the complaints and photos received regarding the construction at 1 North Pointe Circle were forwarded to the County. The County has issued a stop work order due to the number of violations noted. The Town will use this as an opportunity to meet with the property owner and get information from him regarding his construction plan and timeline for the site.

CONSENT AGENDA:

- **Financial Statements**
- **Town Meeting Minutes**
 - *March 28, 2022 – Town Meeting*

UNFINISHED BUSINESS:

Final Draft Franchise Agreement with Shentel – The Town Attorney is meeting with the Shentel representative and are working on the final agreement. The intent is to have it for review at the next Town Board Meeting, April 11, 2022.

Introduction of Ordinance 22-04-01 - Amendments to the Water & Sewer Billing Policy - Due to issues with the USPS, town residents have not been receiving their water bills in a timely manner. This has resulted in the late fees being imposed. Residents have asked for those fees to be waived. The Water Sewer committee has proposed granting the Town Administrator the authority to waive water/sewer fees under certain circumstances. The draft ordinance update to Municipal Code section 13.12.040 was reviewed. It states that the authority to waive water/sewer fees be amended to include the Town Administrator or his designee. The Town Board will vote on this agenda item at the April 11, 2022 Town Board meeting.

Amendments to the Subdivision Sign Policy – The Town Board reviewed the proposed changes to the Subdivision Signs Repair and/or Replacement Policy. The change includes that the Town Board may partially fund a subdivision sign replacement at the request of residents of the subdivision, on the condition that 50% of the funds required to install the new subdivision sign are paid for by the residents of the subdivision. It was recommended that the policy identify which 7 subdivision signs this policy addresses. Also, once an identified subdivision sign has been replaced to the Town standard this policy will no longer apply to that sign. The residents of Brookridge South have confirmed their sign’s wording and have raised 50% of the cost of replacement of the new sign at the entrance into their subdivision. This item will be voted on at the April 11, 2022 Town Board meeting.

NEW BUSINESS:

Appointment of Zoning Administrator – Robert Wilkes – The Town Board will be appointing Mr. Robert Wilkes as the new Zoning Administrator for the Town at the April 11, Town Board meeting. The Board thanked Mark Hinkle for his hard work and diplomacy as the Zoning Administrator. Mark stated he would be available by phone if Robert has any questions during the transition.

Review of Non-Profit Grant Applications – The Town Board reviewed the list of non-profit organizations that applied for the Town’s ARPA grant. Those non-profit organizations having budgets of \$10,000 or higher will receive a one-time \$10,000 grant. Those with budgets less than \$10,000 will receive a one-time grant of \$5000.00. The Town Board will vote on these applications at the April 11, 2022 Town Board meeting.

PUBLIC COMMENTS: None.

ANNOUNCEMENTS:

- *Public Hearing – Constant Yield Tax Rate – Monday, April 11, 2022 at 7:00PM*
- *Coloring the Street – Saturday, April 23, 2022 – 10:00AM to 3:00PM*
- *Green Expo – Saturday, April 23, 2022 – 10:00AM to 2:00PM – Memorial Park*
- *Tree Planting Event – Friday, April 29, 2022 – 10:00AM to 12:00PM – Wiles Branch Park*

Workshop adjourned at 8:07 PM.

Respectfully submitted,

Annette Alberghini,
Office Manager

BURGESS AND COMMISSIONERS OF MIDDLETOWN MARYLAND

TOWN WORKSHOP MEETING MINUTES

**TOWN MEETING
2022**

April 11,

The meeting of the Burgess and Commissioners of Middletown was called to order on April 11, 2022, by Burgess Pro Tempore Jennifer Falcinelli at 6:30 p.m. Present were Commissioners Kevin Stottlemeyer, Christopher Goodman, Rick Dietrick, and Jean LaPadula.

BUDGET WORKSHOP

FY2023 Water & Sewer CIP Budget - The initial draft of the Water & Sewer CIP fund was reviewed line by line. It has not been reviewed by Burgess Miller or staff. The Town Administrator reviewed the projects scheduled for the next fiscal year. Most will be funded using the ARPA monies. This draft budget is a healthy budget due to the ARPA funding. The Town Board discussed developing a plan to address future project funding. The Town has not raised water/sewer rates or the Capital Improvement Fee in several years.

PUBLIC HEARING:

Constant Yield Tax Rate – This public hearing is an annual requirement if the town's tax rate is higher than the Constant Yield Tax Rate (CYTR). The CYTR is .227. The Town's tax rate of .232 has not increased since 1991. Since it is higher than the CYTR it is considered a rate increase because it will generate more tax revenue for the Town. The Town Board must decide what it will do with its' tax rate.

Motion: Commissioner Stottlemeyer motioned to keep Middletown's tax rate the same. Seconded by Commissioner Goodman. Motion passed (5-0).

PUBLIC COMMENT: Ms. Robin Grove and a group representing the Child Advocacy Center were in attendance regarding the proclamation for Child Abuse Prevention Month. The group has placed the blue pinwheels in the flower bed of Heritage Park as a reminder to residents. The Town Board was unaware that the group would be attending. The Board members thanked the group for their efforts on child abuse prevention and child advocacy and support and asked if the group would attend the next Town Board meeting on April 25th to receive the proclamation.

PERSONAL REQUESTS FOR AGENDA: None.

CONSENT AGENDA:

- **Financial Statements**
- **Town Meeting Minutes**
 - *March 28, 2022 – Town Meeting*

Commissioner Lapadula stated that the March 28, 2022 meeting minutes need to be amended. She had sent corrections prior to the meeting to be included. The corrections had been made to the meeting minutes but the copy the Town Board has in the meeting packet did not include the updates.

Motion: Commissioner Goodman motioned to approve the consent agenda as presented with the corrections to the minutes as previously submitted. Seconded by Commissioner Dietrick. Motion passed (5-0).

UNFINISHED BUSINESS:

Final Franchise Agreement with Shentel – The Town Attorney met with the Shentel representative and completed the final agreement. Planning Commission approvals has been added to the “Permits and Obligations” section of the agreement. Under Indemnification, Shentel will be required to provide/pay for any legal counsel needed. If the Town does not want to utilize said legal counsel, it can retain its own counsel at its own expense. When the agreement with Comcast comes up for renewal those same additions will be included in the new agreement with Comcast.

Motion: Commissioner LaPadula motioned to approve the final franchise agreement with Shentel as presented. Seconded by Commissioner Goodman. Motion passed (5-0).

The Town Board thanked the members of the Broadband Committee for all their efforts in making this agreement possible.

Ordinance 22-04-01 - Amendments to the Water & Sewer Billing Policy - Due to issues with the USPS, town residents have not been receiving their water bills in a timely manner. This has resulted in the late fees being imposed. Residents have asked for those fees to be waived. The Water Sewer committee proposed granting the Town Administrator the authority to waive water/sewer fees under certain circumstances. The draft ordinance update to Municipal Code section 13.12.040 was reviewed. It states that the authority to waive water/sewer fees be amended to include the Town Administrator or his designee.

Motion: Commissioner LaPadula motioned to approve Ordinance 22-04-01 as presented. Seconded by Commissioner Goodman. Motion passed (5-0).

Amendments to the Subdivision Sign Policy – The Town Board reviewed the proposed changes to the Subdivision Signs Repair and/or Replacement Policy. The change includes that the Town Board may partially fund a subdivision sign replacement at the request of residents of the subdivision, on the condition that 50% of the funds required to install the new subdivision sign are paid for by the residents of the subdivision. It was recommended that the policy identify which subdivision signs this policy addresses. Also, once an identified subdivision sign has been replaced to the Town standard this policy will no longer apply to that sign in the future. The subdivision signs that are currently addressed by this policy include the subdivision signs located at Mina Drive, Smithfield Drive, Creamery Row, Walnut Pond Court and Brookridge South (2 signs). It was recommended that the sentence in the policy stating the Town Board may fund a

subdivision sign replacement be changed to: “The Town Board MAY partially fund a subdivision sign replacement at the request of residents of the subdivision, on the condition that 50% of the funds required to **replace and install** the new subdivision sign are paid for by the residents of the subdivision.”

Motion: Commissioner Stottlemeyer motioned to approve the amendments to the Subdivision Sign Policy to include the addition of the subdivision sign locations still under this policy and the change to the statement as presented. Seconded by Commissioner Dietrick. Motion passed (5-0).

The sign signifying the entrance into the Brookridge South subdivision has deteriorated beyond repair. Brookridge South does not have an HOA so it falls upon the residents of the subdivision to bear the cost of its replacement. The residents are requesting the Town fund \$5000.00 of that cost. The residents will do the landscaping around the sign out of pocket. The residents of Brookridge South have confirmed their sign’s wording and have raised 50% of the cost of replacement of the new sign at the entrance into their subdivision. There is a second Brookridge South subdivision sign across the street from the entrance into Brookridge South that is built from the same materials and has fallen into disrepair. The residents will not be replacing that sign once it is removed.

Motion: Commissioner Stottlemeyer motioned to approve the Town fund \$5000.00 towards the replacement of the Brookridge South subdivision sign as requested. Seconded by Commissioner Dietrick. Motion passed (5-0).

Brookridge South residents were requested to coordinate the new sign location with the Town in order receive location approval from the Town Board.

REPORT OF COMMITTEES:

WATER & SEWER – Commissioner Falcinelli reported:

For March water use was – 293,702 gal., spring flow was – 118,808 gal., East WWTP treated 235,867 gals. and the West WWTP treated 169,018 gals. The Town received 3.4 inches of rain in March. The Booster Station process pipe upgrade is nearing completion. The piping has been installed, the power was removed and re-installed. New vfd’s will be installed April 26th. The I&I study with flow measuring is ongoing. A baseline was set during the winter. The rainfall this past weekend will provide much needed information. The Washington Street project is out for bid. Hydrant flushing is next week. There is new equipment to remove any residual chlorine in the water when flushed through the diffuser. The town is changing how it flushes hydrants to eliminate the amount of water usage and decrease the amount of water movement through the pipe on Green Street.

PUBLIC WORKS – Commissioner Dietrick reported:

In addition to what was reviewed in the Water and Sewer Committee report, a town employee fabricated a stainless steel barscreen for the EWWTP and a stainless steel rotopress screen for the WWTP, at a cost savings of \$8000.00. Town crews repaired a waterline break at the WWTP, completed repairs to signs and lighting at Cone Branch Park, installed handicap sidewalks at Franklin Street and Fireman’s Way. They serviced and stored snow equipment for

the season. A border was added to the pollinator garden, memorial benches were installed at the Willow Street Park. Old trees were removed at Foxfield Pass in preparation for the planting of new trees. Dust control was implemented at Remsburg Park, trash cans along the walking trails were emptied and continued the opening and closing of Town parks.

SUSTAINABILITY – Commissioner Stottlemeyer reported:

The Green Expo is Saturday, April 23, 2022 at Memorial Park. The Potomac Edison tree planting will take place April 29, 2022. A new border was installed around the pollinator garden at Memorial Park.

PLANNING COMMISSION – Commissioner LaPadula reported:

The Planning Commission workshop is scheduled for March 13, 2022. The Planning Commission meeting is scheduled for March 18, 2022. Agenda items include the Memorial Hall Development Site Plan review, continued revision to the sign ordinance so it is content neutral, review of Chapters 1 and 8 of the Comp Plan, and review of the 2021 Planning Commission Annual Report. As part of the sign ordinance review the Planning Commission is reviewing the need to change signs in the TC district as it relates to the branding study and the unique challenges of old residences being used for commercial businesses in the downtown area.

PARKS AND REC. COMMITTEE – Commissioner Goodman reported:

Received an email from MVAA requesting Town assistance in moving a shed to Wiles Branch Park for equipment storage. The Town Board agreed by consensus not to assist in moving the shed. Perhaps MVAA could put the request out to their general membership and see if someone else would assist. POS priorities for this year are: 1. Permanent bathrooms at Remsburg Park, 2. Lighting at Remsburg Park along sidewalks and the pickle ball courts, and 3. Funding for 2 more pickle ball courts.

PUBLIC INFORMATION – Commissioner Falcinelli reported:

Residents are reminded to sign up for the Town email distribution service and Alert Frederick if they have not done so already. The new banner reminding residents to “stay connected” to what is happening in Middletown has arrived. It is hung when there are no other banners scheduled for display. In March, the top five town website pages visited were 1. Trash News page, 2. Parks Page, 3. Business Directory, 4. News & Announcements and 5. Water & Sewer page.

NEW BUSINESS:

Oath of Office – Commissioner Pro Tempore Falcinelli administered the oath of office to Commissioners Dietrick and Stottlemeyer. Commissioner Goodman administered the oath of office to Commissioner Falcinelli. Commissioner Goodman nominated Commissioner Falcinelli to continue as Burgess Pro Tempore. Seconded by Commissioner Dietrick. The Town Board voted approval (5-0).

Appointment of Zoning Administrator – Robert Wilkes – Robert Wilkes has expressed interest in becoming the new Zoning Administrator. Mr. Wilkes is a retired police officer and would be an asset when working with town code, violations, and residents. Mr. Wilkes would resign his position as the Temp. Alternate on the Planning Commission.

Motion: Commissioner LaPadula motioned to appoint Robert Wilkes as the new Zoning Administrator. Seconded by Commissioner Goodman. Motion passed (5-0).

Review of Non-Profit Grant Applications – The Town Board reviewed the list of non-profit organizations that applied for the Town’s ARPA grant monies. These non-profit applications were reviewed at the April Town workshop in detail. The grant amounts for each organization were also discussed at that time. The total amount of the ARPA funds budgeted for this was \$130,000.00. The total amount proposed to be awarded to the non-profits who applied is \$125,000.00. It was suggested at the workshop to increase the grant amount awarded to the Main Street Program by \$5000.00, for a total grant award of \$10,000.00.

Motion: Commissioner LaPadula motioned to approve the non-profit grant awards, including the \$5000.00 increase to the Main Street Program, as presented. Seconded by Commissioner LaPadula. Motion passed (5-0).

PUBLIC COMMENTS: None.

ANNOUNCEMENTS:

- *Coloring the Street – Saturday, April 23, 2022 – 10:00AM to 3:00PM*
- *Green Expo – Saturday, April 23, 2022 – 10:00AM to 2:00PM – Memorial Park*
- *Tree Planting Event – Friday, April 29, 2022 – 10:00AM to 12:00PM – Wiles Branch Park*

Workshop adjourned at 8:21 PM.

Respectfully submitted,

Annette Alberghini,
Office Manager

Chapter 1: INTRODUCTION

Vision Statement for the Town of Middletown

Middletown is a historic small town with strong community spirit. The small town, family-friendly essence of Middletown is valued, as are those aspects that contribute to maintaining that which makes the Town unique while giving access to more urban amenities. The diversification of the economy and opportunities for growth will be pursued with thoughtful planning and citizen involvement. Stewardship of the environment and preservation of our heritage are embraced as we strategize for the future. The historic town center of Middletown will be the social and cultural heart of the community and neighborhoods will exude a small-town charm where people feel safe and secure.

PURPOSE OF THE PLAN

The Middletown Comprehensive Plan provides a framework to guide future decision making concerning growth, development and the provision of public services. The Plan for the Town reflects the community values of its residents and elected officials. These values are expressed through the Plan's goals and objectives which envision a desired future condition for the community. The goals and objectives are the basis for recommendations contained in the Plan and are the basis for future actions the Town will take regarding development proposals, rezonings, annexations and public works projects.

The adoption of a Comprehensive Plan is important in that it provides the framework for consistent decisions. The Plan gives succeeding administrations a better idea of what values have been expressed through the public planning process.

The Comprehensive Plan (Comp Plan) has value to the staff planner, the Town Planning Commission, the Board of Appeals, the Burgess and Commissioners, and the citizens of the Town of Middletown. The staff planner uses the Comp Plan to evaluate land use proposals and to inform property owners about appropriate areas for development. The Planning Commission uses the Comp Plan to review the present conditions and evaluate proposed land use proposals and projections of future growth of the Town. It also evaluates its progress on issues identified in the Comp Plan. The Board of Appeals uses the Comp Plan in approving special exception applications and considers the Comp Plan when attaching conditions that protect the resident's property rights and welfare. The Burgess and Commissioners use the Comp Plan to make decisions which are consistent with the adopted course of sustainable development and growth of the Town. Citizens can use the Comp Plan to judge the decisions of the planning bodies and elected officials, and to gauge the progress made in important areas of growth and development. Equally important is the coordination with County planning efforts since much of the public facility planning efforts, such as parks, schools and libraries, are controlled at the County level. Coordination with the Town's Comp Plan will enable the County to provide public facilities sufficient to meet the needs of the Town.

The Comprehensive Plan is also used to coordinate planning activities with other levels of government and regional planning agencies.

MARYLAND LAND USE ARTICLE

The state of Maryland requires comprehensive plans to be updated at specified intervals and each municipal comprehensive plan is to include elements that align with the state's core growth and development visions.

These 12 core growth and development visions from the state are as follows:

1. A high quality of life will be achieved through universal stewardship of the land, water and air resulting in sustainable communities and protection of the environment.
2. Citizens will be active partners in the planning and implementation of community initiatives and will be sensitive to their responsibilities in achieving community goals.
3. Growth will be concentrated in existing population and business centers, growth areas adjacent to these centers, or in strategically selected new centers.
4. Compact, mixed-use, walkable design consistent with existing community character and located near available or planned transit options will be encouraged to ensure efficient use of land and transportation resources and preservation and enhancement of natural systems, open spaces, recreational areas, and historical, cultural, and archeological resources.
5. Growth areas will have the water resources and infrastructure to accommodate population and business expansion in an orderly, efficient, and environmentally sustainable manner.
6. A well-maintained, multimodal transportation system will facilitate the safe, convenient, affordable, and efficient movement of people, goods, and services within and between population and business centers.
7. A range of housing densities, types, and sizes will provide residential options for citizens of all ages and incomes.
8. Economic development and natural resource-based businesses that promote employment opportunities for all income levels within the capacity of the State's natural resources, public services, and public facilities will be encouraged.
9. Land and water resources, including the Chesapeake and coastal bays, will be carefully managed to restore and maintain healthy air and water, natural systems, and living resources.
10. Waterways, forests, agricultural areas, open space, natural systems, and scenic areas will be conserved.
11. Government, business entities, and residents will be responsible for the creation of sustainable communities by collaborating to balance efficient growth with resource protection.
12. Strategies, policies, programs, and funding for growth and development, resource conservation, infrastructure, and transportation will be integrated across the local, regional, state, and interstate levels to achieve these visions.

In 2006, the Maryland General Assembly enacted legislation that affects the laws governing municipal annexation and the makeup of municipal and county comprehensive plans. HB 1141, Land Use-Local Government Planning, amended Article 23A (which provides most of the powers and limitations for municipalities in MD) and the Land Use Article (formerly Article 66B), Annotated Code of Maryland. It created new responsibilities for municipalities and counties related to annexations and established new mandatory elements in all municipal and county comprehensive plans. A few of the legislation's key components are listed below.

1. Every municipal comprehensive plan must have a Municipal Growth Element and annexations must be consistent with these elements.
2. All municipal and county comprehensive plans must have a Water Resources Element.
3. Sensitive Areas Elements must address agricultural and forestlands intended for resource protection or conservation as well as wetlands.

GOALS

All successful planning begins with an idea of a desirable end result. These desired end results are the goals toward which actions are directed. The goals provide the framework for policies and objectives to carry out the goals. The framework for the Plan can be stated in the five major goals below:

A. Provide for Quality Living Environment

The Town should preserve and promote quality residential developments with adequate provision of public facilities and services and explore opportunities for safe and affordable housing. In addition, new development should be directed to designated development areas and shall be encouraged only where it can be served

at a satisfactory level by existing or planned public improvements including roads, sewer, schools, water and park facilities. It is essential that in order to promote and ensure a quality living environment, improvements to the transportation system must be made. Specifically, extension of the Middletown Parkway to address traffic coming from the west should be kept as a priority in Town and County plans. (State visions #'s 3, 4, 5, 6, 7, 12)

B. Protection of Important Natural Resources and Historic Landmarks

The Town should require that the adverse impacts on the environment from development, including the impact on provision of public utilities, be minimized. It is important that the Town continue to ensure that flooding and erosion control steps are taken, and that stormwater management and sediment control regulations are followed. The Town should also encourage the preservation of unique or historic landmarks, the protection of the Town watersheds and protection of Catoctin Creek and its tributaries. In addition, the Town should promote concepts of a sustainable community to meet the needs of the present while ensuring that future generations have the same or better opportunities. (State visions #'s 1, 9, 10, 12)

C. Encouragement of Sound Economic Base

The Town should provide for a variety of commercial and industrial areas which will be located to minimize the impact on adjoining land uses. It may also be helped by actions and recommendations of Main Street Middletown. The Town's natural and historic assets should also be fully utilized by encouraging tourism through promotions such as the Heart of the Civil War Heritage Area. The Town will provide for an efficient and streamlined development review process. (State visions #'s 8, 11, 12)

D. Management of Middletown's Future Growth

The Town should ensure that its future growth is managed properly, per the Town's residential and commercial growth policies, by requiring new development provide the necessary water and sewer resources, traffic impact studies and subsequent needed improvements to the Town's transportation infrastructure, and recreational resources for the Town's residents, as determined by the Planning Commission and the Town Board.

Additionally, developments will receive a set number of permits per year. (State visions #'s 2, 3, 4, 5, 6, 11, 12)

E. Sustainability of Middletown's Future Growth

The Town is committed to fiscally, socially and environmentally responsible land use development. Sustainable development integrates the needs of the Town and its residents in the present generation without sacrificing the ability of future generations to meet their needs by balancing the economy, society and the environment in the process. In looking towards the future, the Town of Middletown will strive towards sustainable living and planning. (State visions #'s 1, 4, 5, 9, 10, 11, 12)

PLANNING IN MIDDLETOWN

This document is structured around nine major components: population and housing, physical features, sensitive areas, water resources, sustainability, municipal growth, land use, transportation and community facilities. Each of these components is a chapter in the Comp Plan. Chapters 2 through 9 include background information, issues, objectives, policies, and implementation recommendations. The implementation recommendations include specific actions which are necessary to carry out the goals and objectives of the Plan. This Middletown Comprehensive Plan is the fifth comprehensive update since the original Master Plan was adopted in 1969.

Prior Middletown Comprehensive Plans sought to achieve a diversified community which avoided mixed land uses, provided easily accessible recreational facilities, and encouraged industrial and commercial development. The Plans also intended to provide for improved traffic patterns, including a parkway around the downtown area, and for schools to serve as activity centers.

Some of the goals of the previous Plans were achieved in the segregation of new residential development from other commercial and industrial uses. In addition, this residential development became a larger share of the Town's total land use acreage. However, other goals of the Plans were not achieved such as the provision of a complete parkway around Middletown or generally improved transportation patterns.

NEEDS AND OPPORTUNITIES

The Needs and Opportunities section addresses what the Town of Middletown needs to achieve what it wants to become and what it currently lacks to achieve its vision. This section also showcases existing opportunities available within the community which should be utilized and supported to implement the vision.

Middletown held a community conversation in March 2020 for residents and neighbors to attend and share their goals, visions and wants and needs for the Town. The purpose in having this conversation was to gather broad input describing how attendees viewed the Town currently and their hopes and wants for the future – the vision for Middletown. The facilitator of the community conversation used the input from citizens to construct a SWOT (Strengths, Weaknesses, Opportunities, and Threats) to help gain a more accurate and balanced list of needs and opportunities.

SWOT ANALYSIS [Strengths, Weaknesses, Opportunities, Threats]

Strengths

- Rural character
- Mountain views
- Quality of life
- Small town essence, charm
- Activities for all ages – family-focused
- Family friendliness, welcoming nature
- Overall cleanliness
- Lack of crime
- Walkability
- Proximity to good health care, highways
- Business community consistent w/character
- Fiscal soundness
- Good schools
- Long-standing community events
- Emphasis on preservation
- Well-kept parks

Weaknesses

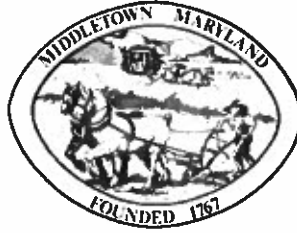
- Management of growth and taxes
- Empty and blighted buildings
- Commuter traffic and congestion
- No bike paths
- Parking downtown
- Lack of consistent community involvement
- Not enough trees
- Not enough activities for seniors
- Stormwater management program
- Impacts of growth

Opportunities

- Increased coordination with the county on issues that impact the town
- Senior volunteer program
- Preservation success tours/events
- Recreation center/Senior center space
- Sustainability efforts
- Sidewalk expansion
- Sewer system
- Parking
- Renovation of old town hall
- Indoor/outdoor pool
- Walking and biking paths

Threats

- Climate change and threats to dark sky
- Growth outside of town
- Insufficient coordination with Frederick County and surrounding government



Proclamation

NATIONAL CHILD ABUSE PREVENTION MONTH APRIL 2022

WHEREAS: Child abuse prevention is a community problem and finding solutions depends on involvement among people throughout the community; and

WHEREAS: The effects of child abuse are felt by a whole community and need to be addressed by the entire community; and

WHEREAS: Effective child abuse prevention programs succeed because partnerships are created among social service agencies, schools, religious organizations, local governments, law enforcement agencies, and the business community; and

WHEREAS: Youth-serving prevention programs offer positive alternatives for young people and encourage youth to develop strong ties to their community; and

WHEREAS: All citizens should become involved in supporting parents to raise their children in a safe, nurturing environment.

NOW THEREFORE We, The Burgess and Commissioners of Middletown, do hereby proclaim the month of April 2022 as National Child Abuse Prevention Month in the Town of Middletown and call upon all citizens, community agencies, religious organizations, medical facilities and businesses to increase their participation in efforts to prevent child abuse, thereby strengthening the communities in which we live.

Burgess John Miller

Commissioner Rick Dietrick

Commissioner Jennifer Falcinelli

Commissioner Christopher Goodman

Commissioner Jean LaPadula

Commissioner Kevin Stottlemyer

FREDERICK COUNTY SHERIFF'S OFFICE

HEADQUARTERS FREDERICK COUNTY LAW ENFORCEMENT CENTER

110 Airport Drive East
Frederick, Md. 21701
301-600-1046
301-600-1527 (Fax)
301-600-7655 (TTY)



CHARLES A. JENKINS
SHERIFF

DETENTION CENTER/ CENTRAL BOOKING

7300 Marcie's Choice Lane
Frederick, Md. 21704
301-600-2550 (D.C.)
301-600-2566 (D.C. Fax)
301-600-1790 (C.B.)
301-600-1791 (C.B. Fax)

JUDICIAL OPERATIONS

100 W. Patrick Street
Frederick, Md. 21701
301-600-2162
301-600-3690 (Fax)

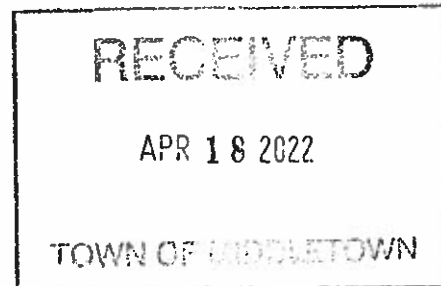
WORK RELEASE CENTER

7281 Marcie's Choice Lane
Frederick, Md. 21704
301-600-1727
301-600-3404 (Fax)

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

RW/rw
April 7, 2022

Mr. John D. Miller, Burgess
Town of Middletown
31 W. Main Street
Middletown, Maryland 21769




Dear Burgess Miller:

Enclosed are two copies of the FY 2023 contract between the Frederick County Sheriff's Office and the Town of Middletown. The contractual cost for FY 2023 is \$464,224, which is 5.67% higher than the previous contract cost. This increase is due to an increase to the Uniformed Law Enforcement Pay Scale and associated fringe benefit costs. As well as a price increase in fuel.

Please sign both copies of the contract, have them witnessed, and return them to me. Once the remaining signatures are obtained, a signed original copy will be returned to you. Should you have any questions, please feel free to call Renee Williar at 301-600-1833.

Sincerely,


Charles A. Jenkins
Sheriff of Frederick County

/Enclosures (2)

RECEIVED

APR 18 2022

Town of Middletown

FREDERICK COUNTY SHERIFF'S OFFICE

**HEADQUARTERS
FREDERICK COUNTY LAW
ENFORCEMENT CENTER**
110 Airport Drive East
Frederick, Md. 21701
301-600-1046
301-600-1527 (Fax)
301-600-7655 (TTY)



CHARLES A. JENKINS
SHERIFF

**DETENTION CENTER/
CENTRAL BOOKING**
7300 Marcie's Choice Lane
Frederick, Md. 21704
301-600-2550 (D.C.)
301-600-2566 (D.C. Fax)
301-600-1790 (C.B.)
301-600-1791 (C.B. Fax)

JUDICIAL OPERATIONS
100 W. Patrick Street
Frederick, Md. 21701
301-600-2162
301-600-3690 (Fax)

WORK RELEASE CENTER
7281 Marcie's Choice Lane
Frederick, Md. 21704
301-600-1727
301-600-3404 (Fax)

CONTRACT FOR LAW ENFORCEMENT SERVICES

WHEREAS the Burgess and Commissioners of Middletown, an incorporated municipality of Frederick County, desire to enter into an agreement with the Sheriff of Frederick County and Frederick County, Maryland, a body politic and corporate, for the provision of law enforcement services by the Frederick County Sheriff's Office for the Town of Middletown.

NOW THEREFORE THIS AGREEMENT, made this _____ day of _____, 2022, by and between Sheriff Charles A. Jenkins, Sheriff of Frederick County, hereafter referred to as the "Sheriff", Frederick County, Maryland, a body politic and corporate, hereafter referred to as the "County", and the Burgess and Town Commissioners of Middletown, an incorporated municipality located within Frederick County, in the State of Maryland, hereafter referred to as the "Municipality" agree as follows:

The Sheriff, pursuant to the rules and regulations pertaining to the provision of contract services by the Frederick County Sheriff's Office, a copy of which is attached in this agreement as Exhibit "A", and in consideration of the promises of the Municipality, does hereby detail regular assignment to the said Municipality three (3) uniformed Frederick County Sheriff's Deputies.

The said uniformed deputies shall commence services as of July 1, 2022. The Sheriff, pursuant to his authority as chief law enforcement officer for Frederick County, does hereby assign three

(3) deputies to the Town of Middletown, Frederick County, in addition to the regular complement of deputies assigned law enforcement responsibilities throughout the geographic area of Frederick County.

This agreement shall cover the period from July 1, 2022 through June 30, 2023. This agreement shall be automatically renewed from year to year unless the Municipality shall give written notice to the Sheriff at least six (6) months prior to the expiration of any renewal term of its intention not to renew said agreement at the conclusion of the then current term.

In return for the assignment of said Sheriff's deputies, the Municipality hereby promises and agrees to pay an amount equal to one hundred percent (100%) of the reasonable and proper costs of the assigned deputies as determined by the Sheriff of Frederick County. The costs shall be set forth as Exhibit "B" and shall be attached hereto, and incorporated herein. For each successive year this agreement remains in force, the annual certification of costs determined by the Sheriff shall be attached hereto as the then current Exhibit "B" and shall become a part hereof.

The Sheriff retains the right to adjust operating costs to reflect those actually incurred during the course of a particular fiscal year in which the agreement is in effect, but any increase in costs will not exceed 10% of the total budget contained in Exhibit "B". The Municipality shall be notified by the Sheriff of any price escalation or de-escalation in writing as soon as possible, but in any event, no later than thirty (30) days from the time the Sheriff becomes aware of the cost fluctuation. The Sheriff may, from time to time, amend Exhibit "B" of this agreement, provided the above notification has been made and that any increase in cost will not exceed 10% of the total budget contained in Exhibit "B".

At least sixty (60) days prior to the end of the term of this agreement or any renewal hereof, the Sheriff shall estimate the reasonable and proper costs of the contracted services for the following term and shall so advise the Municipality.

In the event an increase greater than 10% is required, and the parties are unable to reach an agreement on how to fund the additional costs, either party may terminate this contract upon 30

days notice to the other party.

Payment for the current term of this agreement (one hundred percent [100%] of the reasonable and proper costs as determined by the Sheriff in accordance with Exhibit "B") shall be made by the Municipality to Frederick County on a quarterly basis when billed to the Municipality by Frederick County. In the event that any payment due under the terms of this agreement remains unpaid for a period of thirty (30) days beyond the date when such payment is due, the Sheriff and Frederick County reserve the right to terminate this agreement, in addition to pursuing any other available remedies to obtain the amount due under this agreement.

The Municipality agrees that the operation of the contracted law enforcement services will be governed by the Sheriff's Office Rules and Regulations for the Provision of Contracted Services, a copy of which is attached hereto as Exhibit "A". The Sheriff may, from time to time, amend said regulations. Prior to amending said regulations, the Sheriff shall send a copy of the proposed amendment(s) to the Municipality at least thirty (30) days prior to their effective date, to allow the Municipality an opportunity to review and comment upon the proposed amendments to the regulation(s).

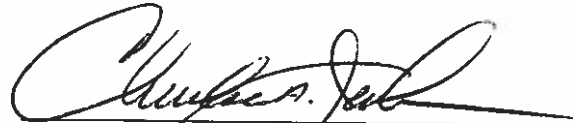
Frederick County shall provide law enforcement liability insurance to cover the provision of law enforcement services under this agreement.

This writing contains the full and final agreement between the parties and may only be amended in writing, signed by the parties and attached hereto as an amendment.

IN WITNESS WHEREOF, the said parties have hereunto set their hands and seals this _____ day of _____ 2022.



Witness



Charles A. Jenkins, Sheriff
Frederick County, Maryland

ATTEST:

Rick Harcum
Chief Administrative Officer

Jan H. Gardner, County Executive
Frederick County, Maryland

BURGESS AND COMMISSIONERS OF
MIDDLETOWN:

Andrew J. Bowen
Town Administrator

John D. Miller, Burgess
Middletown, Maryland

Approved as to form this _____ day of _____ 2022:

County Attorney
Frederick County, Maryland

FREDERICK COUNTY SHERIFF'S OFFICE
RULES AND REGULATIONS
FOR
THE PROVISION OF CONTRACT SERVICES

1. Sheriff's deputies involved in the provision of contract services will remain under the direct control of the Frederick County Sheriff's Office. They will be supervised by the Commander of Patrol Operations or their designate. All organizational orders, regulations, and directives apply with full force to these deputies.

2. In keeping with contemporary management principles whereby no person should have more than one immediate supervisor, deputies providing contract services shall receive orders by normal communication channels through the Sheriff's Office Patrol Operations Commander or their designate. The principal executive of the contracting jurisdiction or their designate shall deal with the Patrol Operations Commander or their designate on all matters concerning the duties or performance of the deputies assigned to their community on a contract basis.

3. Matters concerning working hours shall be arranged by the Patrol Operations Commander or their designate based on the needs of the contractee, considering input from the Municipal representative and the assigned deputy.

4. Deputies providing contract services shall be in uniform at all times during regular working hours unless a specific need arises and special permission is given by the Patrol Operations Commander or their designate to work in civilian attire. The uniform of the day shall be governed by the normal Sheriff's Office policy.

5. The deputies assigned to a municipality to provide contract services shall not leave their agreed upon patrol area without the permission of the Patrol Operations Commander or their designate.

6. The Sheriff's Office will not remove deputies providing contracted services from their assigned Municipality for use on searches for missing persons, manhunts, etc., except in emergency cases. If the Sheriff, Chief Deputy, Law Enforcement Bureau Chief, Operations Division Commander, or Patrol Operations Commander deem this action as necessary, the deputies providing contract services shall be relieved to return to their assigned Municipality as soon as reasonably possible.

7. From time to time, there will be conferences, meetings, training sessions, and/or other occasions wherein the contracted deputy's presence will be required. Such events will be kept to a minimum. The contracting Municipality will be notified of such absences prior to any scheduled absence. The Sheriff's Office is not obligated to provide special coverage beyond the normal coverage afforded Frederick County during such absences.

8. If the terms of the contract specify that law enforcement services are to be limited to a patrol area, shift or certain duties, the Patrol Operations Commander or their designate and contracted deputies will be guided by those terms. If the Patrol Operations Commander or their designate has good and sufficient reasons to alter or rearrange any work conditions specified in the contract, he will obtain concurrence from the Chief Executive of the Municipality concerned.

9. Deputies who are assigned to a Municipality on a contract basis shall not direct traffic at church or school crossings without the specific approval of the Patrol Operations Commander or their designate. They will not collect money from parking meters or otherwise attend them.

10. The Sheriff's Office is not required to provide special fill-in coverage for contracted deputies during regular leave, vacation, and short periods of sick leave (one to five days). The normal coverage afforded Frederick County will be provided by the Sheriff's Office during such absences.

11. The names of deputies assigned to Municipalities for the provision of contract services will be listed among Sheriff's Office members assigned to Patrol Operations Division with the name of the jurisdiction to which they are assigned to provide contract law enforcement services.

12. Contracted deputies will normally be expected to work a forty-hour week consisting of one shift per working day. After hours, and when on days off, calls for service will be handled by the Sheriff's Office.

13. Any other law enforcement officers working within the jurisdiction contracting with the Sheriff's Office for law enforcement services will work in cooperation with the deputies providing contract services. If these conditions exist, the contracted deputy will be advised of all law enforcement activities in his/her assigned area.

14. A Deputy assigned to provide contract services shall be required to maintain a telephone at their place of residence or possess an activated cell phone and make the phone number known to the Sheriff's Office. This will be done at the expense of the employee. Employee's current address will also be known to the Sheriff's Office. The deputy will maintain contact with the Sheriff's Office Patrol Operations supervisor while on duty. He/she will be available for recall to duty in cases of emergency on the same basis as other members of the Sheriff's Office.

15. Selection of deputies to be assigned to Municipalities for the provision of contract services shall be by the Law Enforcement Bureau Chief with recommendations from the Operations Division Commander and Patrol Operations Commander and approval of the Sheriff.

16. Deputies providing contract services shall enforce local ordinances of the contracting jurisdiction as well as state motor vehicle and criminal law.

17. Supplies, equipment, and maintenance will be obtained from the Sheriff's Office through the Operations Division. Car, radio, and other equipment repairs will be made in accordance with existing Sheriff's Office policies and procedures. A spare vehicle shall be furnished when necessary. No contracted deputy will make arrangements for any services outside the Sheriff's Office policies and procedures without approval of the Patrol Operations Commander or their designate.

18. Deputies involved in the provision of contract services for the Sheriff's Office shall retain all the rights and privileges of Sheriff's Office personnel.

19. Community deputies assigned to the town of Middletown shall be provided office space at City Hall or other appropriate location. Deputies shall not spend an undue amount of time in the office performing administrative duties.

20. Records of the activities of the Community Deputies will be maintained by the Sheriff's Office. This data will include such information as details of calls for service (type, time of day, location, response time, etc.), assistance provided, and number and types of arrests. The data will be stored in the main agency database; and will be entered so that information specific to the Community Deputies can be extracted.

FREDERICK COUNTY SHERIFF'S OFFICE
Costs for Contract Services - FY 2023
Town of Middletown

	<u>DFC Chudoba</u>	<u>DFC Hewitt- Angleberger</u>	<u>DFC McCarrick</u>
Salary & Benefits:			
Salary	\$98,589	\$101,465	\$83,172
Overtime (Estimate of salary plus benefits)	\$1,500	\$1,500	\$1,500
Benefits:			
FICA	\$7,657	\$7,877	\$6,477
Worker's Compensation	\$2,262	\$2,327	\$1,914
Health Insurance	\$15,941	\$0	\$25,435
Retirement	\$17,647	\$18,162	\$14,888
Life Insurance	\$343	\$353	\$290
Unemployment	\$51	\$51	\$51
Dental	\$60	\$60	\$60
Retiree Health Benefits	\$1,680	\$1,680	\$1,680
Motor Vehicle Operations & Maintenance:			
Vehicle depreciation, insurance, repairs & fuel costs	\$15,984	\$13,984	\$15,984
Equipment & Supplies:			
Uniforms & Equipment	\$750	\$750	\$750
Cleaning Allowance	\$450	\$450	\$450
TOTAL	\$162,914	\$148,659	\$152,651
TOTAL FOR THREE DEPUTIES		\$464,224	

Drew Bowen

From: Jenny Freeze <jenf@richlandgolfclub.com>
Sent: Monday, April 18, 2022 9:57 AM
To: Drew Bowen
Subject: permit for outdoor music

The Valley Grill would like to request a permit for outdoor music from May 1st through November 1st, 2022. If possible we would like to be able to have music until 10:30 on Friday evenings.

Thanks,

Jenny Freeze
Event Coordinator



301-371-0400 x 100
jenf@richlandgolfclub.com