



## AGENDA FOR THE TOWN MEETING

May 13, 2019

6:30 p.m.

### PLEDGE TO THE FLAG

### CALL TO ORDER

### BUDGET WORKSHOP

- FY 2020 General Fund Operating Fund

### CONSENT AGENDA

- Budget Amendment 19-06
- Town Meeting Minutes
  - April 22, 2019 – Town Meeting
  - May 2, 2019 – Town Workshop

### PERSONAL REQUESTS FOR AGENDA:

- *Community Groups Request for FY2020 Budget*

### UNFINISHED BUSINESS:

- Ordinance 19-03-01 – Unsafe Properties (Vote)
- Appointment – Board of Appeals (Vote)

### REPORT OF COMMITTEES:

Water/Sewer	Commissioner Falcinelli
Public Works	Commissioner Bussard
Sustainability	Commissioner Dietrick
Planning Commission Liaison	Commissioner Catania
Parks & Recreation	Commissioner Goodman
Public Information	Commissioner Falcinelli

**NEW BUSINESS:**

- Petition Residents to Lower the Speed Limit within the Middletown Glen Subdivision
- Amendments to Banner Policy - Discussion
- Amendments to Design Manual for Water Service Connections – Discussion
- Schedule Public Hearing for FY2020 for Thursday, June 6, 2019 at 7:00PM

**PUBLIC COMMENTS:**

**ANNOUNCEMENTS:**

- *Stone House Open – Middletown Historical Society, Sunday, May 5, 2019, 1:00pm to 5:00pm*
- *Walking Tour – Main Street Middletown, Saturday, May 18, 2019*
- *Memorial Day Social – Middletown Arts & Activities, Saturday, May 25, 2019*

**ADJOURNMENT**

**TOWN OF MIDDLETOWN  
GENERAL FUND  
BUDGET FY 2020**

DESCRIPTION	AUDIT FY2014	AUDIT FY2015	AUDIT FY2016	AUDIT FY2017	AUDIT FY2018	Budget FY 2019	Budget FY2020
<b>REVENUE</b>							
<b>LOCAL TAXES</b>			104%	103%	128%		
Real Property	1,111,313	1,125,061	1,133,834	\$1,229,017	1,304,536	1,322,180	1,343,672
Tangible Personal Property	35,392	38,043	39,544	\$40,735	52,134	44,063	56,392
Public Utilities	10,664	11,609	9,400	\$12,869	-	14,192	-
Franchise (Cable)	45,419	46,222	48,405	\$50,981	50,664	55,145	54,750
Discounts	(13,585)	(13,458)	(14,112)	(14,852)	(17,289)	(17,255)	(17,501)
Penalties & Interest	1,652	8,540	8,085	10,494	9,597	11,043	11,201
	<b>1,190,855</b>	<b>1,216,017</b>	<b>1,225,156</b>	<b>1,329,244</b>	<b>1,399,642</b>	<b>1,429,369</b>	<b>1,448,514</b>
<b>STATE SHARED TAXES</b>							
Amusement Taxes	33,016	20,856	9,565	31,547	26,197	34,125	28,339
Highway User Taxes	132,049	137,530	156,127	154,057	161,045	177,025	225,440
	<b>165,065</b>	<b>158,386</b>	<b>165,692</b>	<b>185,604</b>	<b>187,242</b>	<b>211,150</b>	<b>253,778</b>
<b>COUNTY SHARED TAXES</b>							
Income Taxes	774,117	788,153	915,506	\$880,538	1,034,356	1,024,876	1,118,764
Tax Equity	584,765	581,111	555,964	\$566,687	610,423	632,552	674,672
	<b>1,358,882</b>	<b>1,369,264</b>	<b>1,471,470</b>	<b>1,447,225</b>	<b>1,644,779</b>	<b>1,657,428</b>	<b>1,793,436</b>
<b>LICENSES, PERMITS &amp; FEES</b>							
Filing/Permit Fees	7,688	6,501	6,013	8,871	9,473	9,599	9,859
Beer, Wine & Liquor	-	-	-	-	-	-	-
Traders	6,898	4,899	4,752	\$4,645	6,444	4,900	4,900
Planning & Zoning	31,995	34,881	11,450	\$11,691	\$3,715	11,691	3,715
	<b>46,581</b>	<b>46,281</b>	<b>22,215</b>	<b>25,207</b>	<b>19,632</b>	<b>26,189</b>	<b>18,474</b>
<b>PARKS &amp; RECREATION</b>							
Pavillion Fees	<b>1,860</b>	<b>1,860</b>	<b>3,158</b>	<b>4,315</b>	<b>3,958</b>	<b>4,315</b>	<b>3,046</b>
<b>POLICE PROTECTION</b>							
State Grant	<b>24,236</b>	<b>24,066</b>	<b>24,987</b>	<b>\$26,320</b>	<b>26,197</b>	<b>26,187</b>	<b>26,197</b>
<b>MISC INCOME</b>							
Other (Bank Grant, Animal, Citations)	2,016	21,909	4,910	\$13,047	3,473	2,500	2,500
LGIT Health Insurance Rebate	13,531	-	-	-	-	-	-
FredCo Municipal Recycling Reimbursement	-	-	-	-	-	-	8,060
MISC	<b>15,547</b>	<b>21,909</b>	<b>4,910</b>	<b>13,047</b>	<b>5,743</b>	<b>2,500</b>	<b>5,000</b>
<b>OPERATING REVENUE</b>	<b>2,803,026</b>	<b>2,837,782</b>	<b>2,917,587</b>	<b>3,030,962</b>	<b>3,290,666</b>	<b>3,357,138</b>	<b>3,548,445</b>
<b>EXPENSES</b>							
<b>LEGISLATIVE</b>							
Commissioner's Fees	12,000	12,000	12,900	15,800	16,750	21,000	21,000
Communications	3,394	3,127	3,185	3,376	10,521	3,480	3,120
Dues & Subscriptions	7,420	7,525	7,226	6,838	6,485	7,400	7,000
Office Supplies/Expenses	2,731	3,343	7,359	9,328	6,806	7,500	5,913
Advertising	513	613	2,331	1,560	-	500	500
Meetings & Conventions	4,633	6,403	15,048	6,963	12,839	7,500	8,500
	<b>30,691</b>	<b>33,011</b>	<b>48,049</b>	<b>39,830</b>	<b>39,830</b>	<b>47,380</b>	<b>46,033</b>
<b>EXECUTIVE</b>							
Burgess	<b>6,000</b>	<b>6,000</b>	<b>7,050</b>	<b>10,200</b>	<b>10,200</b>	<b>10,200</b>	<b>10,200</b>
<b>ELECTION EXPENSES</b>							
Clerk Fees	350	-	450	-	560	-	450
Printing, Supplies, Advertising	59	-	223	-	122	-	122
	<b>409</b>	<b>-</b>	<b>673</b>	<b>-</b>	<b>682</b>	<b>-</b>	<b>572</b>
<b>GENERAL/ADMINISTRATIVE SERVICES</b>							
Capital Outlay	14,075	-	-	-	-	-	-
Administration Salary	199,118	216,763	248,153	247,268	273,948	272,402	282,712
Postage & Printing	74	36	16	114	13	200	200
Communications	7,824	6,774	6,788	6,932	9,996	10,300	10,609
Computer Expenses	26,983	24,355	27,814	29,534	29,159	21,800	25,700
Supplies & Expense	23,750	24,396	26,345	37,364	46,210	42,232	33,500
Maintenance & Repairs	42,395	32,801	30,325	34,620	34,909	23,500	39,600
Professional Services	6,809	4,845	5,470	4,088	560	4,600	4,354
Dues & Subscriptions	111	-	-	-	-	150	150
Meetings & Seminars	26	132	161	345	4	100	100
Water and Sewer Grant	100,000	203,219	80,000	-	-	-	-
	<b>421,165</b>	<b>513,321</b>	<b>425,072</b>	<b>360,265</b>	<b>394,799</b>	<b>375,284</b>	<b>396,925</b>
<b>OPERATIONS/MAINTENANCE</b>							
Maintenance - Capital Outlay	-	-	-	-	-	-	-
Operations Salary	40,297	40,064	90,045	47,602	256,811	247,722	265,941
Communications	6,878	7,564	8,830	8,258	8,907	10,200	8,330
Supplies	6,540	10,426	11,631	11,154	13,980	19,500	14,200
Dues/Training/Certifications	1,509	449	2,299	215	1,506	1,500	1,500
Maintenance & Repairs	13,900	11,963	15,514	15,581	15,113	13,849	14,847
Mowing	10,646	12,047	11,780	11,780	12,380	12,133	17,764

**TOWN OF MIDDLETOWN  
GENERAL FUND  
BUDGET FY 2020**

DESCRIPTION	AUDIT FY2014	AUDIT FY2015	AUDIT FY2016	AUDIT FY2017	AUDIT FY2018	Budget FY 2019	Budget FY2020
Tools & Equipment	3,256	1,288	1,726	8,362	7,907	3,166	4,643
	<b>169,685</b>	<b>175,152</b>	<b>239,340</b>	<b>282,384</b>	<b>316,604</b>	<b>308,070</b>	<b>327,224</b>
<b>PROFESSIONAL SERVICES</b>							
Independent Accounting	13,000	28,100	13,000	13,000	13,475	16,000	17,500
Legal - Development & Ordinance	8,892	5,852	9,309	13,594	9,329	9,130	9,395
	<b>21,892</b>	<b>33,952</b>	<b>22,309</b>	<b>26,594</b>	<b>22,804</b>	<b>25,130</b>	<b>26,895</b>
<b>PLANNING &amp; ZONING</b>							
Salaries	39,200	41,194	41,672	43,163	43,766	46,874	48,600
Bd Members Compensation	7,800	7,800	7,950	7,800	7,350	17,541	18,030
Zoning Expenses	2,593	3,114	1,716	2,606	2,455	2,684	2,529
	<b>49,593</b>	<b>52,108</b>	<b>51,338</b>	<b>53,569</b>		<b>67,100</b>	<b>69,159</b>
<b>MAIN STREETS MANAGER</b>							
Mainstreet - Capital Outlay							6,900
Salary	41,190	43,720	41,716	45,761	46,170	47,147	48,914
Town Contribution	9,523	10,366	10,970	10,260	12,503	10,000	10,000
Wayfinding Signs Grant Contribution							
	<b>50,713</b>	<b>54,086</b>	<b>52,686</b>	<b>56,021</b>	<b>58,673</b>	<b>57,147</b>	<b>65,814</b>
<b>PUBLIC SAFETY</b>							
Fire Department Donation	15,000	20,000	20,000	20,000	20,000	20,000	20,000
School Crossing Guards	13,747	14,812	15,694	18,422	16,338	21,910	29,961
Deputy Contract Services	316,375	333,374	352,149	366,406	385,232	393,895	388,063
	<b>345,122</b>	<b>368,186</b>	<b>387,843</b>	<b>404,828</b>	<b>421,570</b>	<b>435,805</b>	<b>438,024</b>
<b>SANITATION &amp; WASTE REMOVAL</b>							
Trash Collection & Disposal							
Recycling Pickup Station	7,201	7,459	6,876	6,991	8,014	8,060	8,060
Regular Pick-up	132,025	130,862	128,862	128,862	131,637	136,900	132,371
Landfill - Tipping Fees	79,575	82,595	84,356	85,687	90,414	86,918	95,924
Yard Waste (April - Dec)	30,024	30,024	27,832	32,681	27,832	31,104	30,456
Eco-Bags	18,011	19,566	19,610	20,074	22,014	21,948	24,000
	<b>266,836</b>	<b>270,507</b>	<b>267,536</b>	<b>274,295</b>	<b>279,910</b>	<b>284,930</b>	<b>290,811</b>
<b>RECREATION &amp; CULTURE</b>							
Park Capital Outlay	234,263						
Park Interest	20,968	17,847	14,632	11,320	7,906	4,389	918
Park Loan Payments	102,582	105,702	108,917	112,230	115,643	119,161	81,448
Park Salary	49,802	42,320	50,350	59,863	38,083	49,000	29,961
Park Electric	1,807	2,289	1,104	2,532	6,756	2,505	7,172
Park Supplies/Equipment	3,832	15,574	1,143	2,601	7,740	1,500	6,178
Park Mowing Contract	22,113	23,964	26,692	27,628	22,747	33,935	37,547
Park Repairs & Maintenance	28,316	24,439	45,351	53,151	40,295	29,650	43,300
	<b>463,683</b>	<b>232,135</b>	<b>248,189</b>	<b>269,324</b>	<b>239,170</b>	<b>240,140</b>	<b>206,523</b>
<b>HIGHWAYS &amp; STREETS</b>							
Streets Capital Outlay	398,137						
Vehicle/Equipment Capital Outlay							
NEW EMPLOYEE + Benefits							50,000
Salaries - Regular	90,310	76,647	73,748	62,668	82,589	70,232	86,361
Street Lighting	160,240	160,973	167,897	205,316	156,398	182,300	172,433
Storm Water Management	7,688	1,673	2,299	5,385	2,167	7,545	9,842
Snow Removal	80,759	100,830	72,612	32,725	76,655	85,300	110,300
Mowing (SWM & Streets)	27,648	29,696	31,744	31,744	31,720	33,440	36,177
Repairs & Resurfacing	34,504	166,470	6,794	98,079	41,556	92,000	92,450
Signs	5,367	3,904	5,083	4,010	10,459	5,300	14,000
Truck Repair & Maintenance	40,460	35,615	35,693	39,127	31,061	28,000	33,000
Equipment Repairs & Maintenance	2,281	3,135	3,511	6,961	10,986	21,172	15,120
Street Loan - Principal	11,000	11,500	12,000	111,505	112,505	100,000	117,000
Street Loan - Interest	9,016	7,418	85,447	123,174	83,248	77,358	79,203
	<b>881,965</b>	<b>626,213</b>	<b>496,828</b>	<b>735,424</b>	<b>639,344</b>	<b>702,647</b>	<b>815,886</b>
<b>MISCELLANEOUS</b>							
MT Historical Society	5,000	5,000	5,000	5,000	5,000	5,000	5,000
Donations	-	-	1,000	500	-	100	100
Mileage - Travel	2,698	3,436	1,957	1,301	1,027	2,278	2,084
Web Page / Directory / Public Information	4,445	3,625	15,097	2,833	2,979	3,755	3,471
Community Events	36,268	37,855	51,772	105,453	33,140	33,510	33,140
Community Events (Town Share)					34,405	19,780	38,439
Payroll Taxes	41,414	42,269	54,019	53,572	54,970	63,139	66,223
Insurance							
Property	12,559	12,986	12,477	14,265	13,835	15,433	14,968
Health	98,119	96,741	122,055	121,637	132,022	142,627	150,335
Worker's Compensation	14,784	15,487	14,456	19,264	19,376	22,698	18,639
Professional	-	946	946	946		473	631
Pension	49,131	56,298	49,784	56,115	57,944	71,102	73,316
Real Estate Taxes	2,356	712	800	800	1,679	800	800
Miscellaneous	10,116	1,231	12,688	4,061	2,932	4,000	4,000
	<b>316,890</b>	<b>276,586</b>	<b>342,051</b>	<b>385,747</b>	<b>359,309</b>	<b>384,694</b>	<b>411,145</b>

**TOWN OF MIDDLETOWN  
GENERAL FUND  
BUDGET FY 2020**

<b>DESCRIPTION</b>	<b>AUDIT FY2014</b>	<b>AUDIT FY2015</b>	<b>AUDIT FY2016</b>	<b>AUDIT FY2017</b>	<b>AUDIT FY2018</b>	<b>Budget FY 2019</b>	<b>Budget FY2020</b>
<b>TOTAL OPERATING EXPENSES</b>	<b>2,373,169</b>	<b>2,636,256</b>	<b>2,583,964</b>	<b>2,898,481</b>	<b>2,782,895</b>	<b>2,938,526</b>	<b>3,105,212</b>
<b>TOTAL OPERATING SURPLUS</b>	<b>429,857</b>	<b>201,526</b>	<b>333,623</b>	<b>132,481</b>	<b>507,770</b>	<b>418,612</b>	<b>443,233</b>



**Burgess and Commissioners of Middletown  
Budget Amendment Form**

Fiscal Year FY 2019

Amendment No. 19-06

Request Date Thursday, April 25, 2019

Fund General Fund

Budget Capital Improvements Program (CIP)

Description Reallocation of funds for paving of the Middletown Parkway intersection with East Main Street.

Significant cost savings by including in SHA Streetscape Project.

**REVENUE**

Line Item	Increase	Decrease
Total \$	-	\$ -

**EXPENDITURES**

Line Item	Increase	Decrease
Highway & Streets - Streetscape	\$ 25,000.00	
General Services - Maintenance Facility at East WWTP		\$ 25,000.00
Total \$	25,000.00	\$ 25,000.00

Town Board Approval Date \_\_\_\_\_

**BURGESS AND COMMISSIONERS  
OF MIDDLETOWN MARYLAND**

**TOWN MEETING MINUTES**

**REGULAR MEETING**

**April 22, 2019**

The second monthly meeting of the Burgess and Commissioners of Middletown was called to order on April 22, 2019, 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, Rick Dietrick and Tom Catania.

**BUDGET WORKSHOP:**

FY 2020 Water & Sewer Operating Fund – Burgess Miller stated that this is the third review of the proposed Water & Sewer operating Fund. Burgess Miller stated that in this budget there is a proposed 2% water & sewer rate increase and the reason for that is, so this budget comes out with a surplus.

FY 2020-2024 Water & Sewer Capital Improvement Program (CIP) – Burgess stated that the Water & Sewer CIP is healthy, and we can fund the projects proposed. Burgess Miller stated that in this you will see the loan for the ground water storage tank at the reservoir.

Budget meeting adjourned 7:09pm.

**CONSENT AGENDA:**

*Budget Amendment 19-05*

*Town Meeting Minutes – April 4, 2019 – Town workshop*

*April 8, 2019 – Town Meeting*

Motion by Commissioner Bussard to approve the consent agenda as presented, seconded by Commissioner Catania. Motion carried 6-0.

**PERSONAL REQUESTS FOR AGENDA:**

**UNFINISHED BUSINESS:**

**Amendments to Sanitary Sewer Overflow (SSO) Standard Operating Procedures** – Motion by Commissioner Falcinelli to approve the amendments to the Sanitary Sewer Overflow Standard Operating Procedures as presented, seconded by Commissioner Goodman. Motion carried 6-0.

**Ordinance 19-03-01 – An Ordinance to repeal title 15, Chapter 15.08 of the Middletown Municipal Code; to enact Title 8, Chapter 8.24 pertaining to unsafe buildings; to state the purpose and scope of Chapter 8.24; to define certain terms; to prohibit the maintenance of unsafe buildings in the Town of Middletown; to establish procedures for issuing violation notices, abatement orders and conducting appeal hearings; to establish penalties for the violation of the ordinance; to authorize waivers or other relief in cases of new owners, contract purchasers and cases where good cause is shown (Third Reading)** - Burgess Miller stated that this is the third reading of this Ordinance, therefore we will vote on this at the May 13<sup>th</sup> meeting.

**Appointments – Board of Appeals** – Daphne Gabb is up for re-appointment. Burgess Miller stated that this will be up for a vote at the May 13<sup>th</sup> meeting.

**NEW BUSINESS:**

**Middletown Parkway Paving – Change Order Streetscape Contract** – Motion by Commissioner Bussard to approve the estimate of \$25,000 from Milani to repave part of the Middletown Parkway, seconded by Commissioner Goodman. Motion carried 6-0.

**Community Deputy Contract FY 2020** – Burgess Miller stated that we received the Deputy Contract for fiscal year 2020 and it is about \$5,000 less than what we expected.

Motion by Commissioner Catania to approve the Deputy Contract as presented, seconded by Commissioner Dietrick. Motion carried 6-0.

**PUBLIC COMMENTS:**

**ANNOUNCEMENTS:**

- *Coloring the Street Chalk Art & Green Expo – Saturday, April 27, 2019 10am. – 3pm.*

Meeting adjourned at 7:43pm.

Respectfully submitted,

Ann Griffin  
Office Manager

# *BURGESS AND COMMISSIONERS OF MIDDLETOWN MARYLAND*

## TOWN WORKSHOP MEETING MINUTES

### WORKSHOP MEETING

May 2, 2019

The workshop meeting of the Burgess and Commissioners of Middletown was called to order on May 2, 2019, by Burgess Pro Tem Falcinelli at 6:30 p.m. in the Middletown Municipal Center, 31 W. Main Street, Middletown, Maryland. Present were: Commissioners Larry Bussard, Christopher Goodman, Rick Dietrick and Tom Catania.

### **BUDGET WORKSHOP:**

FY 2020 General Operating Fund (First reading) – Drew stated that overall the operating budget is in good shape. Drew went over some of the areas of the operating budget with the Board. The following changes to the budget were recommended by the Board:

- Show reimbursement revenue for County Recycling Facility
- Add \$5,000 to Highways & Streets – Sign line item for replacement of street sign poles in the Glenbrook subdivision
- Add into the budget the cost for a new employee for Street & Parks

These changes will be presented at the Town Meeting on May 13, 2019.

### **PERSONAL REQUESTS FOR AGENDA:**

*Broad Street Task Force Members – Review of Traffic Calming Measures and Results* – Drew presented the Board with the finding from the speed camera before the crosswalk was installed and after the crosswalk was installed. Drew stated that the average speed before the crosswalk was 22 and the average speed after the crosswalk was installed was 18 clearly, the crosswalk has had an impact on slowing traffic down. Drew stated that there is not a speeding problem on this street with 85% of the traffic below the posted speed limit.

Ron Moss, 213 Broad Street – stated that the crosswalk has made an impact with slowing the speeders down. Mr. Moss also asked if we were going to put in a stop sign at the intersection of Locust Alley and Broad Street? Mr. Moss stated that if we move the crosswalk further down the street toward Franklin Street, he feels that there will need to be some type of deterrent on the other end.

Drew stated that if a crosswalk is included in the final design, we will need to take parking off both sides of the street for about 30' on each side of the crosswalk. Drew stated that at times there have been vehicles parked very close to the crosswalk and cars have had to go around the crosswalk sign in the center of the road into the opposing lane of traffic. Bruce Carbaugh stated that once the permanent crosswalk goes in, we will bump out the road on both sides, therefore we should need to take parking off the street.

Burgess Pro Tem Falcinelli stated that we need to develop some criteria/guidelines that we can use on all the streets throughout Town. Commissioner Catania states that the data is showing the speed is below the posted speed limit and that the temporary crosswalk installed has made an impact do we need to collect anymore data? Commissioner Catania stated that he feels we need definitely develop criteria to stay consistent across the Town. The Board agreed to send this to the Public Information Committee for their review and recommendation. The Board also wants to put the speed camera back up on Broad Street in both directions but, put the camera in stealth mode (doesn't show the speed) and collect that data to see if it changes any of the results already collected.

**STAFF REPORTS:**

Community Deputy Report – Dfc. McCarrick gave the report for April.  
Staff Planner Report – report attached to agenda.  
Engineer’s Report – Bruce gave his report.  
Main Street Manager’s Report — Becky gave her report.  
Zoning Administrator’s Report – Mark gave his report.

**CONSENT AGENDA:**

- *Budget Amendment 19-06*
- *Town Meeting Minutes – April 22, 2019*

**UNFINISHED BUSINESS:**

**Ordinance 19-03-01 – Unsafe Properties - Vote-May 13, 2019**  
**Appointment – Board of Appeals - Vote-May 13, 2019**

**NEW BUSINESS:**

**Petition Residents to Lower the Speed Limit within the Middletown Glen Subdivision** – Drew stated that we received a petition from residents of the Middletown Glen Subdivision asking to lower the speed limit from 25mph to 15mph. Drew stated that this subdivision is not finished yet and the final paving has not been done. Drew stated that we have asked the Deputies to sit in this subdivision. Drew stated that we could put the speed camera up and collect data if the Board would like. Drew stated that there are probably 70 families living in that subdivision now and we have 13 signatures on the petition.

Sean Mahar, 203 Ingalls Drive – stated that ultimately the problem is from the width of the roads and the layout of the roads. People who live in the subdivision are the ones at fault they speed and do not stop at the stop signs in subdivision. Mr. Mahar stated that there are about 50 kids in the subdivision right now and they all like to run and play in the open space area and he is afraid that one of them is going to get hit. Mr. Mahar stated that the HOA directed them to the Town. The Board will put up the speed camera and collect some data as well as have additional presence of deputies in the subdivision.

**Amendments to Banner Policy - Discussion** – Drew stated that we have started to run into some problems already with the Banner Policy. We have some groups that have two 3’x30’ banners that they want to put up. The problem is we would not be able to put up another banner if we allow organizations to put up both banners. Drew stated another issue is the number of days for the application to be submitted prior to the banner being hung. Drew also would like clarification if the Town Banners are to go on the top or bottom?

After some discussion, the Board agreed to make the following changes to the policy: 1 banner per an organization at one time, change the 14 days to 60 days and all town sponsored event banners will be hung on the top. Staff will make these changes and bring back to the Board for their approval.

**Amendments to Design Manual for Water Service Connections - Discussions** – Drew states that the County is expanding the County Park and would like to install new bathrooms, a maintenance facility, a drinking fountain and a new multi-purpose field. Drew stated that the County will be extending the 12” waterline Drew stated that our policy is one property one meter but, because this property is so large, and it is a government entity Drew feels we should waive that. The Board referred this to the Water & Sewer Committee for their review.

**PUBLIC COMMENTS:**

**ANNOUNCEMENTS:**

- *Stone House Open – Middletown Historical Society, Sunday, May 5, 2019, 1pm.-5pm.*
- *Dinner & Auction – Middletown Historical Society, Wednesday, May 15, 2019, Auction at 5:30pm. followed by Dinner at 6:30pm.*

- *Walking Tour – Main Street Middletown, Saturday, May 18, 2019*
- *Memorial Day Social – Middletown Arts & Activities, Saturday, May 25, 2019*

Workshop adjourned at 8:45pm.

Respectfully submitted,

Ann Griffin  
Office Manager

**ORDINANCE NO. 19-03-01**

**AN ORDINANCE TO REPEAL TITLE 15, CHAPTER 15.08 OF THE MIDDLETOWN MUNICIPAL CODE; TO ENACT TITLE 8, CHAPTER 8.24 PERTAINING TO UNSAFE BUILDINGS; TO STATE THE PURPOSE AND SCOPE OF CHAPTER 8.24; TO DEFINE CERTAIN TERMS; TO PROHIBIT THE MAINTENANCE OF UNSAFE BUILDINGS IN THE TOWN OF MIDDLETOWN; TO ESTABLISH PROCEDURES FOR ISSUING VIOLATION NOTICES, ABATEMENT ORDERS AND CONDUCTING APPEAL HEARINGS; TO ESTABLISH PENALTIES FOR THE VIOLATION OF THE ORDINANCE; TO AUTHORIZE WAIVERS OR OTHER RELIEF IN CASES OF NEW OWNERS, CONTRACT PURCHASERS AND CASES WHERE GOOD CAUSE IS SHOWN.**

**SECTION I. BE IT ORDAINED AND ENACTED** by the Burgess and Commissioners of the Town of Middletown, Maryland that Title 15, Chapter 15.08 of the Middletown Municipal Code be, and it hereby is, **REPEALED**:

**SECTION II. BE IT FURTHER ORDAINED AND ENACTED** by the Burgess and Commissioners of the Town of Middletown, Maryland that the following be enacted as Title 8 – Health and Safety, Chapter 8.24 of the Middletown Municipal Code:

**TITLE 8 – Health and Safety**

**CHAPTER 8.24 – Unsafe Properties**

**§8.24.010 – Purpose**

The Burgess and Commissioners find that buildings and other structures within the Town which have been neglected or abandoned, have deteriorated or have been damaged can constitute a hazard to the health and safety of owners of the property or others in the vicinity of the property, can decrease property values, can cause property damage and negatively impact the general welfare of the community at large. The purpose of this Chapter is to prevent and alleviate such hazardous structures and to provide for the remediation of such structures.

§8.24.020 – Scope

A. Except as provided in sub-section B., the provisions of this Chapter shall be applicable to any building located on public or private property within the Town of Middletown.

B. The provisions of this Chapter are not applicable to any building for a period of ninety (90) days after an application for a site plan or zoning certificate has been submitted to the Town for the purpose of making improvements to the building.

§8.24.030 – Definitions

In this Chapter, the following terms shall have the meanings indicated:

“Building” – Any assembly of materials forming a construction or structure for occupancy or use including, among other things, houses, dwellings, garages, sheds, out-buildings, barns, shops, stores, warehouses, fences, walls, driveways, swimming pools, poles, signs, parking lots and any structure of any kind, or any part thereof.

“Unsafe Building or Structure” – Any building which:

- A. Poses an unreasonable risk to the health, safety and welfare of the owner, occupant or invitee of the building or to others who may be in the vicinity of the building or which poses an unreasonable risk of property damage; or
- B. Is no longer habitable or useful for the purpose for which it was originally intended because of fire, wind, flood, or other natural cause, neglect, vandalism or physical deterioration; or
- C. Is partially completed and which is not under construction pursuant to an existing, valid building permit issued by or under the authority of the Town of Middletown; or

- D. Is not structurally sound, weathertight, waterproof or vermin proof; or
- E. Is not covered by water-resistant paint or other permanent waterproof covering so as to protect said structure from the adverse effects of the elements or from physical deterioration; or
- F. Contains one of more exterior openings for a period of 60 days or more not covered by a functional door or unbroken glazed window or which is not, in the case of a vacant building, neatly boarded up and protected against the elements and from vandals and rodents and other animals; or
- G. In the case of parking lots and driveways, has been allowed to deteriorate to the point where deep and numerous potholes, cracks and voids in paving have developed which pose a risk of injury or of property damage or which deterioration has progressed to the point that a commercial business operating in such structures or on surrounding properties has been or is likely to be adversely affected.

#### §8.24.040 – Duty of Owner or Occupant

Every owner, occupant, tenant, agent or other person in control of any building (collectively, in this Chapter, “owner”) has a duty to maintain that building so as to prevent it from becoming an unsafe building. No owner, occupant, tenant, agent or other person in control of any building shall allow, maintain or cause to be maintained an unsafe building.

#### §8.24.050 - Enforcement

A. This Chapter may be enforced by the Burgess and Commissioners or such of its officer(s) that it designates, including, but not limited to the Zoning Administrator or the Town Administrator.

B. Any designated enforcement officer may enter onto property to determine if an unsafe building exists on the property if the enforcement officer has an articulable basis for believing an unsafe building exists on the property; provided, however, that no such enforcement officer shall be entitled to enter into the interior of any enclosed building on the property.

C. Upon determining that an unsafe building exists on any property, the Town shall provide written notice of the violation to the owner of the property or unsafe building. The notice shall identify the location and nature of the unsafe building and shall order the owner to repair the unsafe building or take other measures to abate the condition within a reasonable time, which time shall not be less than thirty (30) days from the date of the notice and order. The notice and order shall include the advice that the owner may request a hearing to contest the violation before the Board of Commissioners as provided in this section.

D. The notice and order shall be delivered personally to the owner of the property or by certified or registered mail addressed to the last known address of the owner of the property. If the owner of the property is unknown or the owner's whereabouts cannot be determined after reasonable efforts, then the notice and order may be given by posting the notice and order on the property in a conspicuous location. Notice to any one owner of the property shall be adequate notice to all owners of the property.

E. An owner of property for which a notice of an unsafe building and an order to abate the violation has been issued may contest the notice and order by requesting a hearing

before the Burgess and Commissioners. Such request must be submitted to the Town Administrator no later than ten (10) days from either the date on which the notice and order were served on the owner or on which the property was posted with the notice and order. The hearing shall be held no later than thirty (30) days from the date the request for hearing is received by the Town. At the hearing, the owner shall be entitled to question any witnesses against the owner, present any relevant and material evidence the owner deems appropriate, and may be represented by counsel. At the conclusion of the hearing, the Burgess and Commissioners may affirm or modify the order to abate the condition, may overrule the notice and order, or may make any other determination which it deems appropriate to the circumstances. The owner may request judicial review of the decision of the Burgess and Commissioners by filing a Petition for Judicial Review in the Circuit Court for Frederick County pursuant to Title 7, Chapter 200 of the Maryland Rules.

F. If the owner fails to timely request a hearing before the Burgess and Commissioners and fails to abate the unsafe condition within the time period stated in the notice and order, or if the property owner fails to abate the unsafe condition within the time period established by the Burgess and Commissioners after a hearing or within the time period established by the Court after judicial review, then the Town may make the required repairs as necessary, and the owner(s) of the property shall be jointly and severally liable for the cost of doing so. The cost of the repair shall constitute a lien on the property and may be collected in the same manner as taxes on the property.

#### §8.24.060 - Penalties

Any person who allows, maintains or causes to maintain an unsafe building is guilty of a municipal infraction which is punishable by a fine of One Hundred Dollars (\$100.00) per day. Each day an infraction continues shall be a separate infraction. Nothing contained herein shall preclude the Town from seeking any other remedy it may have at law or in equity, including, but not limited to, injunctive relief.

#### §8.24.070 - Contract Purchasers and New Owners

A contract purchaser or new owner of a property on which an unsafe building is located may seek relief from the requirements of this Chapter by applying to the Town for a waiver of these requirements or a waiver of any fines or liens already imposed. The application for a waiver shall include the address of the property, the date of any contract to buy, the expected date on which settlement on the transfer of title will occur, or, if settlement has already occurred, the date of such settlement, and the proposed plan to repair, remediate or abate the conditions of the unsafe building. If the Burgess and Commissioners accept the application for a waiver, the owner shall enter into a written agreement with the Town which shall provide for the repair, remediation or abatement of the unsafe building conditions within six (6) months from either the date of the settlement on the transfer of title or the date of the agreement, whichever is earlier. The agreement shall also provide that the waiver of fines, release of liens or other relief from the requirements of this Chapter shall only become effective upon timely completion of the remediation efforts and approval of such efforts by the Town Administrator or the Zoning Administrator. The Town may grant an extension of the six-month time period if it appears that

the owner has been pursuing remediation efforts diligently and in good faith and there is a likelihood of completion in the then-near future. Such extensions may be granted or denied in the sole discretion of the Burgess and Commissioners.

§8.24.080 - Hardship waivers

The Burgess and Commissioners may grant relief from the requirements of this Chapter upon a showing of good cause. An owner seeking relief under this section may make written application to the Town stating the nature of the violation from which relief is sought, the nature of the good cause, the specific relief sought, and the owner’s plan to address the violation. As used in this section, and by way of example only, “good cause” includes, but is not limited to, disability or other medical condition which precludes an owner from addressing the violation or financial hardship. The grant of relief under this section is wholly discretionary on the part of the Burgess and Commissioners.

**SECTION III. 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 25<sup>th</sup> DAY OF MARCH, 2019**

**PASSED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019**

**EFFECTIVE DATE: \_\_\_\_\_, 2019**

**ATTEST:**

**BURGESS AND COMMISSIONERS  
OF MIDDLETOWN**

\_\_\_\_\_  
Andrew J. Bowen, Town Administrator

By: \_\_\_\_\_  
John D. Miller, Burgess

## Drew Bowen

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**From:** Katrina Mahar <katrina.mahar2412@gmail.com>  
**Sent:** Wednesday, April 10, 2019 8:17 AM  
**To:** Drew Bowen  
**Subject:** Middletown Glen Speed Limit Review Request  
**Attachments:** new doc 2019-04-10 08.04.10\_1.pdf

Good Morning Mr. Bowen,

Please find the attached request from the Middletown Glen community asking for the board to review the speed limit throughout the neighborhood.

We feel that due to the narrow roads and the numerous children throughout the neighborhood the speed limit is too high. We currently are not a feeder road for vehicles outside the neighborhood either. We have Children at Play signs in parts of the neighborhood and I myself have a yellow safety slow down sign that I placed in my yard yet we still have numerous people flying by our homes disregarding the signs and stop signs.

So first we would like to ask that the limit be reduced, the next step would be requesting speed bumps or other options to keep our children safe in our small community.

Thank you for time!  
Katrina Mahar

Katrina  
Sent from my iPhone

Middletown Municipal Center  
31 W. Main Street  
Middletown, MD 21769  
Attn: Andrew Bowen

The Middletown Glen Community would like to request the Middletown Board to review the speed limit throughout the community (Ingalls Drive, Dean Lane and Gaver Way). The residents feel that the speed limit may be too high considering the narrow width of the roads. We greatly appreciate the Board members taking the time to review our request.

Resident Name

Resident Address

Resident Name	Resident Address
Katrina Mahar	203 Ingalls Dr.
NICHOLAS CARROLL	121 INGALLS DR.
Jen Winkler	123 Ingalls Drive
Missy Vierling	6 Gaver Way
Colleen Dunn	8 Gaver Way
Melissa Ward	10 Gaver Way
Amy Gilloway	305 Ingalls Drive
Laurel Sousa	303 Ingalls Drive
Stacia Underberg	5 Fink Lane
Jessica Colter	105 Ingalls Dr
Erin Landsman	3 Dean Lane
Brittany Mills	113 Ingalls Drive
Hattie Gerst	201 Ingalls Drive.



## Banner Display Policy

Approved by Burgess and Commissioners

April 8, 2019

Revised May 13, 2019

Only the Town of Middleton has the authority to hang and remove banners at the banner pole site. No person or organization may hang a banner on the banner poles. The Banner Display Policy must be followed in order to have a banner hung at the Town of Middleton's banner pole site. Applications for Banner Display can be found at [www.middleton.md.us](http://www.middleton.md.us) and attached to this policy.

Banners are limited to advertising or commemorating events sponsored by the Town of Middleton or non-profit groups within the 21769 zip code. **Organizations are limited to hang 1 banner for their event.** All Town of Middleton and its committee's banners and town sponsored events will take priority **and will be hung on the top.**

To display your organization's banner, an application must be submitted **60** working days prior to the day the banner is to be displayed.

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Applications must be accompanied with a sample sketch of the proposed banner.

Banners must be delivered to the Middleton Municipal Building, 31 W. Main Street 7 business days prior to approved hang date. Banners must be picked up within 7 working days after they are taken down; banners that are not picked up within the specified time period will be discarded.

Banners should meet the following criteria to withstand the elements of the weather:

- Double sided
- Size - Banner size must be 36 inches high by a maximum width of 360 inches wide
- Material - 18 oz vinyl recommended with 1-inch wide webbing sewn all around with reinforced corners
- Grommets - ½ inch grommets every 2 feet on top and bottom
- Wind Slits required on all banner sizes

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**Banner Prohibitions:**

- No commercial advertisements, religious, political or ideological banners. Sponsors of events logos are allowed.
- No inappropriate material including but not limited to: offensive language, hate speech, and/or content considered derisive.

Decisions on appropriateness of banners will be solely decided by the Town of Middletown. Any banner that does not comply with the above criteria shall not be displayed.

• **13.12.040 - Billing policies and procedures.**

- A. The provisions in this section are policy procedures only and constitute guidelines which do not create any requirements or standards which, upon non-compliance, will give rise to any claim, cause of action, or basis for non-payment for services rendered. The failure of the town to comply strictly with any of these policy procedures and guidelines is not a waiver or relinquishment of any of the rights of the town to seek payment for water and sewer services rendered nor does such failure create any defense to the obligation of the user to pay for water and sewer services rendered.
- B. Water and sewer bills are issued quarter-annually and mailed in January, April, July and October of each year for water and sewer usage during the preceding three months. **All water and sewer accounts will be established in the name of the property owner where service is rendered. Bills are mailed in the name of the property owner to the property address. The town will, however, upon written request by the property owner, mail bills to the property owner to such other address as designated by the property owner and will also mail bills in the name of the property owner but in the care of a designated property management company at that company's address. No accounts will be established and no bills will be mailed in the name of tenants.** Late notices, disconnection notices and any other notices will be mailed in the name of the property owner to the property address or to such other address or to such property management company as has been designated by the property owner for the mailing of bills.
- C. Payments of water and sewer bills are due in full on or before thirty (30) days from the date of the bill. Partial payment of bills will not be accepted. All bills may be paid at any of the following locations or in the following manner:
1. Middletown Municipal Center, 31 W. Main Street, Middletown, Maryland from 8:00 a.m. to 4:00 p.m. Monday through Friday;
  2. Middletown Valley Bank main and branch offices;
  3. BB&T Bank, Middletown branch office;
  4. By mailing payment to the Middletown Municipal Center, 31 W. Main Street, Middletown, MD 21769.
  5. By on-line banking, if such payment procedure is available through the customer's bank or other financial institution and is compatible with the procedures and billing systems of the town.
- D. Interest on Unpaid Bills. Interest at the rate of one and one-half percent per month shall be charged on and added to the amount of any bill which remains unpaid more than thirty (30) days after the date of the issuance of the bill. Additional interest of one and one-half percent of the amount of the unpaid portion of the bill shall continue to be charged for each month that the bill remains unpaid.

- E. Late Notices. A notice of late payment will be issued for any bill which remains unpaid for more than thirty (30) days after the date of the issuance of the bill. A second notice of late payment and a notice of disconnection of service will be issued for any bill which remains unpaid for more than sixty (60) days after the date of the issuance of the bill. The notice of disconnection of service will state the date by which payment of the water and sewer bill must be made in full in order to avoid the disconnection of service. No further notices will be provided prior to disconnection of service. Notices will be mailed to the property owner, or if applicable, the designated property management company, at the address to which bills are mailed pursuant to subsection B. The notice of disconnection of service will be mailed by certified mail, return receipt requested. A twenty dollar (\$20.00) administrative fee shall be added to any bill for which a notice of disconnection of service is mailed. An additional administrative fee of twenty dollars (\$20.00) shall be assessed against such bill for each subsequent quarter during which the bill remains unpaid and the water service remains disconnected.
- F. Disconnection and Reconnection Policy.
1. Payment in full of the water and sewer bill must be made prior to the disconnection date stated in the notice of disconnection of service. If payment is presented on the disconnection date stated in the notice of disconnection of service, payment must be paid in cash and/or money order in person at the Middletown Municipal Center by 9:30 a.m. of that date, and if such payment is not received by that time, the disconnection of water service will begin at 10:00 a.m. No service will be disconnected if the balance due on the bill is less than fifty dollars (\$50.00).
  2. For service to be reconnected after disconnection, a reconnection fee must be paid in the following amounts: For a first occurrence—Fifty dollars (\$50.00); for a second occurrence within any twelve (12) consecutive month period—One hundred dollars (\$100.00); for a third or more occurrence within any twelve (12) consecutive month period—One hundred fifty dollars (\$150.00). In order to have service reconnected, the unpaid balance of the bill and the reconnection fee must be paid, in full, by cash and/or money order in person at the Middletown Municipal Center.
- G. Returned Checks. A charge will be added to the water and sewer bill for any check which is returned as non-payable for any reason, including but not limited to, non-sufficient funds. The amount of the added charge will be that amount which is charged to the town by the returning bank or financial institution. If a non-payable check submitted in payment of a bill is returned to and received by the town after the date on which the service was to be disconnected as stated in a notice of disconnection of service, then water service will be disconnected immediately without any further notice, including the notices provided for in subsection E.

- H. Rental Properties. Property owners are responsible for the payment of any overdue bills, interest charges or disconnection, reconnection and administrative fees, and the town will not seek payment of such expenses from tenants of the property owner.
- I. Meter Reading. When a meter cannot be easily and clearly read due to obstructions such as weeds, structures, excavations, animals or other impediments, an estimate of water usage will be made based upon prior usage at that location. In that event, the town will enclose a letter with the following bill requesting that the owner correct the problem prior to the next meter reading. If an obstruction problem remains present at the time of the next reading, an estimate of water usage will again be made based upon prior usage at that location. In that event, the town will mail a letter by certified mail, return receipt requested with the following bill stating that the property owner has fifteen (15) business days in which to correct the problem or the water service will be disconnected. An administrative fee of twenty dollars (\$20.00) will be added to the bill for the cost of the certified/return receipt letter and related administrative costs.
- J. Broken Meters. If at the time of reading the meter a meter is not operating and recording no usage, then an estimate of water usage will be made based upon prior usage at that location. In that event, the town will mail a letter by certified mail, return receipt requested with the following bill stating that the property owner has fifteen (15) working days to schedule an appointment for meter repair or the water service will be disconnected. An administrative fee of twenty dollars (\$20.00) will be added to the bill for the cost of the certified/return receipt letter and related administrative costs.
- K. Replacement Meters. If a customer contends that his or her water meter is defective and informs the town of this contention, the town's water and sewer personnel will examine and test the meter. If the meter is greater than ten (10) years old, it will be replaced at no cost to the customer. If the meter is ten (10) years old or less and determined by town personnel to be working properly, the meter will be replaced upon request of the customer, however the customer must pay one hundred dollars (\$100.00) for the cost and installation of the new meter if the manufacturer of the meter confirms that the meter was working properly. If the manufacturer determines that the meter was defective, there will be no cost to the customer.
- L. Unusually Excessive Water Use. In the event that a meter reading reflects an unusually high water usage which is due to a broken pipe or leak in the plumbing on the property, then the Town will allow, for a first such occurrence during a five-year period, a reduction in the amount of the water and sewer bill. In order to be granted the reduction, the property owner must submit a written request to the town for the reduction and state the nature of the cause of the high water usage and the action taken to correct and resolve the problem. The revised bill will be established as based upon two times the average of the water usage for the property for the four quarters immediately preceding the high water reading. In the event that there is a second occurrence within five years of an unusually high meter reading for a same property, then the property owner shall be responsible for the entire water and sewer bill;

provided, however, that if it can be demonstrated to the satisfaction of the town that the leaking water did not empty into the town's sanitary sewer system, and therefore did not require treatment at the wastewater treatment facility, then the town may, but is not required to, waive all or some of the sewer portion of the bill.

- M. The town will allow payment plans for financial hardship cases. The terms of the payment plan will be negotiated by the town administrator based upon the financial circumstances of the property owner requesting the payment plan.

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

# WATER SYSTEM DESIGN MANUAL

## 1.0 GENERAL

### 1.1 Introduction

This chapter of the Middletown Design Manual outlines the policies, minimum design criteria and design procedures for the preparation of feasibility reports and construction plans and specifications for Town-maintained and on-site water system improvements. Developers and/or Design Engineers shall check with the Town Office of Planning and Zoning to determine the availability of water at the site of a proposed subdivision.

#### 1.1.1 Town Policy

##### a. Town-Maintained Facilities

The parts of the water supply system which are considered as the property and responsibility of the Town of Middletown are the water mains, appurtenances and that portion of the water services up to and including the curb stop or valve just inside the property line. The water supply and distribution system within the Town's rights-of-way and easements for Middletown is maintained by the Town of Middletown.

##### b. On-Site Facilities

The parts of the water services which lie within private property are the responsibility of the owner and are constructed and maintained by the Owner.

##### c. Requirements for Water Service

###### 1. All properties will be connected to the water system of Middletown.

###### a.) Each building shall be serviced by a separate water tap.

- (1) Multiple dwelling units such as an apartment dwelling, duplex or residential unit with apartment(s) may be served by a single water tap but will be billed quarterly water and sewer fees based on the number of dwelling units in the building.