



**VIRTUAL MEETING
AGENDA FOR THE TOWN WORKSHOP
May 7, 2020
6:30 p.m.**

PLEDGE TO THE FLAG

CALL TO ORDER

BUDGET WORKSHOP

- [FY 2021 General Fund Operating Budget](#)¹

PERSONAL REQUESTS FOR AGENDA:

- [Mr. Mario Hernandez – RedSpeed, Automated Traffic Enforcement](#)

STAFF REPORTS:

[Staff Planner](#)

[Engineer's Report](#)

[Main Street Manager](#)

[Zoning Administrator](#)

CONSENT AGENDA

- Town Meeting Minutes
 - [April 27, 2020 – Town Meeting](#)¹

¹ First Appearance on Town Agenda

² Second Appearance on Town Agenda

³ Third Appearance on Town Agenda

⁴ Fourth Appearance on Town Agenda

⁵ Fifth Appearance on the Town Agenda

⁶ Sixth Appearance on the Town Agenda

UNFINISHED BUSINESS:

- Appointment of Standing Committee Chairs ¹
- Memorial Bench & Tree Program ³
- Text Amendment for Accessory Structures ⁶
- Discussion of Text Amendment for Height of Buildings ²

NEW BUSINESS:

- Board of Appeals Vacancies ¹

PUBLIC COMMENTS:

ANNOUNCEMENTS:

- *Please Complete Your Census Information*

ADJOURNMENT

Zoom Invitation Information:

Topic: Town Workshop - 5/7/2020

Time: May 7, 2020 06:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/81578659107?pwd=amxBVEFKYUtHZkJEcXJJbWpiZnA2dz09>

Meeting ID: 815 7865 9107

Password: 726157

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**TOWN OF MIDDLETOWN
GENERAL FUND
BUDGET FY 2021**

DESCRIPTION	AUDIT FY2016	AUDIT FY2017	AUDIT FY2018	Audit FY2019	Draft Budget FY2021	Variance	SALY = Same As Last Year
REVENUE							
LOCAL TAXES	104%	103%	128%				
Real Property	1,133,834	\$1,229,017	1,304,536	1,352,162	1,388,385		From CYTR Statement
Tangible Personal Property	39,544	\$40,735	52,134	57,712	51,168		Reduced by 22%
Public Utilities	9,400	\$12,869	-	-	-		
Franchise (Cable)	48,405	\$50,981	50,664	49,441	53,479		Upward Trend 4%
Discounts	(14,112)	(14,852)	(17,289)	(14,799)	(17,994)		Discounts represent 1.25% of Tax Revenue
Penalties & Interest	8,085	10,494	9,597	9,774	11,516		Represent .8% of Tax Revenue
	1,225,156	1,329,244	1,399,642	1,454,290	1,486,555	2%	
STATE SHARED TAXES							
Amusement Taxes	9,565	31,547	26,197	25,956	6,250		Reduced by 75% since this is revenue is solely the golf course
Highway User Taxes	156,127	154,057	161,045	178,510	178,510		Reduced by 22% - Future Evaluation as the Fiscal Year is ongoing
	165,692	185,604	187,242	204,466	184,760	-10%	
COUNTY SHARED TAXES							
Income Taxes	915,506	\$880,538	1,034,356	1,033,620	916,367		We were trending at 10% increase in FY2020 from FY19. I calculated a 22% decrease for FY21 from actuals from 19 after adding standard Future Value of 4%.
Tax Equity	555,964	\$566,687	610,423	632,552	657,252		FY 2021 Tax Equity from Frederick County
	1,471,470	1,447,225	1,644,779	1,666,172	1,573,619	-6%	
LICENSES, PERMITS & FEES							
Filing/Permit Fees	6,013	8,871	9,473	11,502	6,500		March/April down in FY20
Beer, Wine & Liquor	-	-	-	-	-		
Traders	4,752	\$4,645	6,444	5,304	4,900		\$4.0K usually received in May-June
Planning & Zoning	11,450	\$11,691	\$3,715	6,515	3,700		
	22,215	25,207	19,632	23,321	15,100	-35%	
PARKS & RECREATION							
Pavillion Fees	3,158	4,315	3,958	4,135	-		YTD \$1904
POLICE PROTECTION							
State Grant	24,987	\$26,320	26,197	26,654	20,200		Per MML Memo #1
MISC INCOME							
Other (Bank Grant, Animal, Citations)	4,910	\$13,047	3,473	15,925	8,137		Bank Shares \$1490; Bank Interest
Farm Lease	-	-	-	-	7,266		
	4,910	13,047	5,743	11,335	15,403	36%	
OPERATING REVENUE	2,917,587	3,030,962	3,290,666	3,390,373	3,295,637	-3%	
EXPENSES							
LEGISLATIVE							
Commissioner's Fees	12,900	15,800	16,750	22,550	21,000		5 Commissioners/\$350/month
Communications	3,185	3,376	10,521	3,097	3,120		Wireless \$260/month
Dues & Subscriptions	7,226	6,838	6,485	6,863	7,200		MML \$6.5K. Local chapter Dues \$500
Office Supplies/Expenses	7,359	9,328	6,806	2,921	5,951		5 Year Average
Advertising	2,331	1,560	-	669	1,035		
Meetings & Conventions	15,048	6,963	12,839	15,131	11,277		MML \$6.5K.; Monthly Meetings and Misc \$2k
	48,049	39,830	39,830	51,231	49,583	-3%	
EXECUTIVE							
Burgess	7,050	10,200	10,200	10,200	10,200		850/month
ELECTION EXPENSES							
Clerk Fees	450	-	560	-	-		
Printing, Supplies, Advertising	223	-	122	-	-		
	673	-	682	-	-		
GENERAL/ADMINISTRATIVE SERVICES							
Capital Outlay	-	-	-	-	-		
Administration Salary	248,153	247,268	273,948	209,109	285,536		37% Based on up to a 4% Increase (2% COLA); This category includes Vac/Sick/Comp Pay for all GF employees; Hawkins 4wks vacation
Postage & Printing	16	114	13	9	200		
Communications	6,788	6,932	9,996	7,715	7,320		FY 2020 (+3%) (Sprint \$2.4k, Comcast \$4920k)
Computer Expenses	27,814	29,534	29,159	26,661	30,200		Innovative Support \$21.5k; Sage \$2.8k; ESRI \$4.9k (Added Pearl and Hinkle); Misc \$1000
Supplies & Expense	26,345	37,364	46,210	41,070	33,500		Xerox \$7.2k, Pitney \$7.1k, USBank Copier Lease \$7.2k, Average Supplies and Expenses \$12k (Fuel Oil Reclassed to Maintenance Category)
Maintenance & Repairs	30,325	34,620	34,909	29,885	26,000		GoodnClean \$8.5k, Misc Cleaning \$2k; Electric \$5k; Wash Gas \$1500; Maint Contracts \$6k - Fuel Oil Savings; Bruce Back Stair Rubber Tread Replacement \$3,000
Professional Services	5,470	4,088	560	2,483	3,489		5 Year Historical Average
Dues & Subscriptions	-	-	-	-	150		
Meetings & Seminars	161	345	4	1,350	1,500		
	425,072	360,265	394,799	318,282	387,895	22%	
OPERATIONS/MAINTENANCE							
Maintenance - Capital Outlay	-	-	-	-	-		
Operations Salary	90,045	47,602	256,811	296,249	286,570		Up to a 4% (2% COLA) Annual Increase - slightly variable based on vacation/overtime allocations
Communications	8,830	8,258	8,907	10,656	11,530		Verizon, Sprint, Comcast, PR Reimbursements - estimated 4% increase

**TOWN OF MIDDLETOWN
GENERAL FUND
BUDGET FY 2021**

DESCRIPTION	AUDIT FY2016	AUDIT FY2017	AUDIT FY2018	Audit FY2019	Draft Budget FY2021	Variance	SALY = Same As Last Year
Supplies	11,631	11,154	13,980	16,320	19,600		Supplies \$15k; Uniforms \$87.10/week = \$4.6k ACEUNI
Dues/Training/Certifications	2,299	215	1,506	175	929		5 Year Historical Average
Maintenance & Repairs	15,514	15,581	15,113	6,487	12,932		Estimate based on historical average
Mowing	11,780	11,780	12,380	15,543	18,012		See Mowing Tab
Tools & Equipment	1,726	8,362	7,907	2,498	4,356		Estimate based on 5 year historical average
	239,340	282,384	316,604	347,928	353,928	2%	
PROFESSIONAL SERVICES							
Independent Accounting	13,000	13,000	13,475	16,000	17,500		Based on Contract
Legal - Development & Ordinance	9,309	13,594	9,329	3,870	8,391		Estimate based on 5 Year Average
	22,309	26,594	22,804	19,870	25,891	30%	
PLANNING & ZONING							
Salaries	41,672	43,163	43,766	48,600	50,699		Up to a 4% (2% COLA) Annual Increase
Bd Members Compensation	7,950	7,800	7,350	18,030	18,486		Zoning Admin Salary; P&Z \$5.4k; BOA \$150
Zoning Expenses	1,716	2,606	2,455	2,529	2,605		Miss Utility charges. \$1.2k; \$500
	51,338	53,569		69,159	71,790	4%	
MAIN STREETS MANAGER							
Mainstreet - Capital Outlay							
Salary	41,716	45,761	46,170	47,968	50,995		4% (2% COLA) Annual Increase
Town Contribution	10,970	10,260	12,503	10,470	10,000		SALY
	52,686	56,021	58,673	58,438	60,995	4%	
PUBLIC SAFETY							
Fire Department Donation	20,000	20,000	20,000	20,000	20,000		SALY
School Crossing Guards	15,694	18,422	16,338	18,486	25,664		Top 5 Salaries x 183 school days x 2 shifts per day (min wage 11.75 in FY21)
Deputy Contract Services	352,149	366,406	385,232	370,553	400,794		Showing an 8% increase in cost. Waiting for new contract costs
	387,843	404,828	421,570	409,039	446,458	9%	
SANITATION & WASTE REMOVAL							
Trash Collection & Disposal							
Recycling Pickup Station	6,876	6,991	8,014	12,966	14,028		
Regular Pick-up	128,862	128,862	131,637	148,365	132,371		
Landfill - Tipping Fees	84,356	85,687	90,414	90,970	91,350		Estimated 5% Increase
Yard Waste (April - Dec)	27,832	32,681	27,832	35,752	34,211		Per contract 2631.60/month
Eco-Bags	19,610	20,074	22,014	15,400	24,000		
	267,536	274,295	279,910	303,453	295,960	-2%	
RECREATION & CULTURE							
Park Capital Outlay							
Park Interest	14,632	11,320	7,906	4,389			Loan Paid Off
Park Loan Payments	108,917	112,230	115,643	120,091			
Park Salary	50,350	59,863	38,083	33,878	28,253		Up to 4% (2% COLA) Increase - Department Salaries Variable. Projected parks salary down due to interns taking over workload at lower hourly rates.
Park Electric	1,104	2,532	6,756	15,416	16,359		3% Estimated increase from FY19
Park Supplies/Equipment	1,143	2,601	7,740	-	11,500		Flowers \$6.5k; Remsburg Porta Pots \$3k; Misc \$2k
Park Mowing Contract	26,692	27,628	22,747	32,212	38,154		Mowing Tab
Park Repairs & Maintenance	45,351	53,151	40,295	31,785	29,400		Wiles Branch Aerate and weed \$2.5k; mulch \$10k; Remsburg Park Field Restoration 6.9k; Parking lot Equip Rental \$3k;
	248,189	269,324	239,170	237,771	123,666	-48%	
HIGHWAYS & STREETS							
Streets Capital Outlay							
Vehicle/Equipment Capital Outlay							
Salaries - Regular	73,748	62,668	82,589	104,798	117,086		Up to 4% (2% COLA) Annual Increase
Street Lighting	167,897	205,316	156,398	174,115	191,966		FY19 estimate based on YTD Usage \$162k; 5% increase for FY2020 budget
Storm Water Management	2,299	5,385	2,167	5,260	20,457		Filtera Maintenance \$11k; Foxfield Swale Blowout \$3k; Coblenz SWM Fence \$500; Gates \$1.5k; Coblenz Fence \$100; Walnut Pond \$1k
Snow Removal	72,612	32,725	76,655	123,848	108,300		Per Bruce
Mowing (SWM & Streets)	31,744	31,744	31,720	36,133	36,766		Mowing Tab
Repairs & Resurfacing	6,794	98,079	41,556	107,282	77,073		Elm Stree Sweep \$500; Jefferson Village \$500; Patching Contract \$76,072.50
Signs	5,083	4,010	10,459	9,608	9,000		Street Sign Replacements \$4k; Powder Coating Main Street \$2.5k, Misc \$2.5k
Truck Repair & Maintenance	35,693	39,127	31,061	34,548	35,600		Bruce \$20.6k; Fuel \$13k; Misc \$2k
Equipment Repairs & Maintenance	3,511	6,961	10,986	23,915	13,225		Bruce Equipment \$13.5k
Street Loan - Principal	12,000	111,505	112,505	113,500	120,500		E Green St/West Green Street Loans - FY19 Loans Tab Used Updated Ammortization schedule to 20 year loan 100% Green St.
Street Loan - Interest	85,447	123,174	83,248	60,775	75,543		E Green St/West Green Street Loans - FY19 Loans Tab
	496,828	735,424	639,344	793,782	805,515	1%	
MISCELLANEOUS							
MT Historical Society	5,000	5,000	5,000	5,000	5,000		
Donations	1,000	500	-	-	100		
Mileage - Travel	1,957	1,301	1,027	1,390	1,822		Estimate based on historical average
Web Page / Directory / Public Information	15,097	2,833	2,979	5,236	3,735		Estimate based on historical average (excluding website design in FY16)
Community Events	51,772	105,453	33,140	46,149	33,510		SALY - Need Community Group Requests
Community Events (Town Share)			34,405		26,446		Staff Salary OT (\$4k), Heritage Town Exp (\$12.5k Deputies, Street Clean, Brochures, VMS Sign, Misc.), CITV VMS Sign \$1.6k; Xmas Tree \$3k; Halloween Tent \$3025; Coloring the Street \$1.5k VMS, \$1.2k Deputy
Payroll Taxes	54,019	53,572	54,970	60,392	69,747		Salary Detail Tab - Based on 4% pay increase
Insurance							
Property	12,477	14,265	13,835	12,635	13,670		Estimated 4% Increase

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BUDGET FY 2021**

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Health	122,055	121,637	132,022	130,984	162,711		Health Insurance Worksheet - 12% increase
Worker's Compensation	14,456	19,264	19,376	16,665	20,697		Workers Comp Tab - Per invoice, clerical and discount percentages changed
Professional	946	946		946	946		Estimate based on historical average
Pension	49,784	56,115	57,944	64,262	80,080		Pension Worksheet - Estimate based on 4% salary increase
Real Estate Taxes	800	800	1,679	1,680	1,680		
Miscellaneous	12,688	4,061	2,932	3,195	4,000		\$2k Christmas Cash Gifts, \$2k Other Misc.
	342,051	385,747	359,309	348,534	424,143	22%	
TOTAL OPERATING EXPENSES	2,583,964	2,898,481	2,782,895	2,967,688	3,056,024	3%	
TOTAL OPERATING SURPLUS	333,623	132,481	507,770	422,685	239,613	-43%	

TOWN OF MIDDLETOWN
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BUDGET FY 2021

Scenario #1

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Discounts	(14,112)	(14,852)	(17,289)	(14,799)	(17,994)		Discounts represent 1.25% of Tax Revenue
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LEGISLATIVE							
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Office Supplies/Expenses	7,359	9,328	6,806	2,921	5,951		5 Year Average
Advertising	2,331	1,560	-	669	1,035		
Meetings & Conventions	15,048	6,963	12,839	15,131	11,277		MML \$6.5K.; Monthly Meetings and Misc \$2k
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	673	-	682	-	-		
GENERAL/ADMINISTRATIVE SERVICES							
Capital Outlay	-	-	-	-	-		
Administration Salary	248,153	247,268	273,948	209,109	281,214		34% Based on a 2% COLA; This category includes Vac/Sick/Comp Pay for all GF employees; Hawkins 4wks vacation
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Communications	6,788	6,932	9,996	7,715	7,320		FY 2020 (+3%) (Sprint \$2.4k, Comcast \$4920k)
Computer Expenses	27,814	29,534	29,159	26,661	30,200		Innovative Support \$21.5k; Sage \$2.8k; ESRI \$4.9k (Added Pearl and Hinkle); Misc \$1000
Supplies & Expense	26,345	37,364	46,210	41,070	33,500		Xerox \$7.2k, Pitney \$7.1k, USBank Copier Lease \$7.2k, Average Supplies and Expenses \$12k (Fuel Oil Reclassed to Maintenance Category)
Maintenance & Repairs	30,325	34,620	34,909	29,885	26,000		GoodnClean \$8.5k, Misc Cleaning \$2k; Electric \$5k; Wash Gas \$1500; Maint Contracts \$6k - Fuel Oil Savings; Bruce Back Stair Rubber Tread Replacement \$3,000
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	425,072	360,265	394,799	318,282	383,574	21%	
OPERATIONS/MAINTENANCE							
Maintenance - Capital Outlay	-	-	-	-	-		
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Tools & Equipment	1,726	8,362	7,907	2,498	4,356		Estimate based on 5 year historical average
	239,340	282,384	316,604	347,928	348,417	0%	
PROFESSIONAL SERVICES							
Independent Accounting	13,000	13,000	13,475	16,000	17,500		Based on Contract
Legal - Development & Ordinance	9,309	13,594	9,329	3,870	8,391		Estimate based on 5 Year Average
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PLANNING & ZONING							
Salaries	41,672	43,163	43,766	48,600	49,724		Based on a 2% COLA Annual Increase
Bd Members Compensation	7,950	7,800	7,350	18,030	18,237		Zoning Admin Salary; P&Z \$5.4k, BOA \$150
Zoning Expenses	1,716	2,606	2,455	2,529	2,605		Miss Utility charges. \$1.2k; \$500
	51,338	53,569		69,159	70,565	2%	
MAIN STREETS MANAGER							
Mainstreet - Capital Outlay							
Salary	41,716	45,761	46,170	47,968	50,014		Based on a 2% COLA Annual Increase
Town Contribution	10,970	10,260	12,503	10,470	10,000		SALY
	52,686	56,021	58,673	58,438	60,014	3%	
PUBLIC SAFETY							
Fire Department Donation	20,000	20,000	20,000	20,000	20,000		SALY
School Crossing Guards	15,694	18,422	16,338	18,486	25,664		Top 5 Salaries x 183 school days x 2 shifts per day (min wage 11.75 in FY21)
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SANITATION & WASTE REMOVAL							
Trash Collection & Disposal							
Recycling Pickup Station	6,876	6,991	8,014	12,966	14,028		
Regular Pick-up	128,862	128,862	131,637	148,365	132,371		
Landfill - Tipping Fees	84,356	85,687	90,414	90,970	91,350		Estimated 5% Increase
Yard Waste (April - Dec)	27,832	32,681	27,832	35,752	34,211		Per contract 2631.60/month
Eco-Bags	19,610	20,074	22,014	15,400	24,000		
	267,536	274,295	279,910	303,453	295,960	-2%	
RECREATION & CULTURE							
Park Capital Outlay							
Park Interest	14,632	11,320	7,906	4,389			Loan Paid Off
Park Loan Payments	108,917	112,230	115,643	120,091			
Park Salary	50,350	59,863	38,083	33,878	27,710		Based on a 2% COLA Increase - Department Salaries Variable. Projected parks salary down due to interns taking over workload at lower hourly rates.
Park Electric	1,104	2,532	6,756	15,416	16,359		3% Estimated increase from FY19
Park Supplies/Equipment	1,143	2,601	7,740	-	11,500		Flowers \$6.5k; Rensberg Porta Pots \$3k; Misc \$2k
Park Mowing Contract	26,692	27,628	22,747	32,212	38,154		Mowing Tab
Park Repairs & Maintenance	45,351	53,151	40,295	31,785	29,400		Wiles Branch Aerate and weed \$2.5k; mulch \$10k; Rensberg Park Field Restoration 6.9k; Parking lot Equip Rental \$3k;
	248,189	269,324	239,170	237,771	123,122	-48%	
HIGHWAYS & STREETS							
Streets Capital Outlay							
Vehicle/Equipment Capital Outlay							
Salaries - Regular	73,748	62,668	82,589	104,798	114,834		Based on a 2% COLA Annual Increase
Street Lighting	167,897	205,316	156,398	174,115	191,966		FY19 estimate based on YTD Usage \$162k; 5% increase for FY2020 budget
Storm Water Management	2,299	5,385	2,167	5,260	20,457		Filtera Maintenance \$11k; Foxfield Swale Blowout \$3k; Coblenz SWM Fence \$500; Gates \$1.5k; Coblenz Fence \$100; Walnut Pond \$1k
Snow Removal	72,612	32,725	76,655	123,848	108,300		Per Bruce
Mowing (SWM & Streets)	31,744	31,744	31,720	36,133	36,766		Mowing Tab
Repairs & Resurfacing	6,794	98,079	41,556	107,282	77,073		Elm Stree Sweep \$500; Jefferson Village \$500; Patching Contract \$76,072.50
Signs	5,083	4,010	10,459	9,608	9,000		Street Sign Replacements \$4k; Powder Coating Main Street \$2.5k, Misc \$2.5k
Truck Repair & Maintenance	35,693	39,127	31,061	34,548	35,600		Bruce \$20.6k; Fuel \$13k; Misc \$2k
Equipment Repairs & Maintenance	3,511	6,961	10,986	23,915	13,225		Bruce Equipment \$13.5k
Street Loan - Principal	12,000	111,505	112,505	113,500	120,500		E Green St/West Green Street Loans - FY19 Loans Tab Used Updated Ammortization schedule to 20 year loan 100% Green St.
Street Loan - Interest	85,447	123,174	83,248	60,775	75,543		E Green St/West Green Street Loans - FY19 Loans Tab
	496,828	735,424	639,344	793,782	803,263	1%	
MISCELLANEOUS							
MT Historical Society	5,000	5,000	5,000	5,000	5,000		
Donations	1,000	500	-	-	100		
Mileage - Travel	1,957	1,301	1,027	1,390	1,822		Estimate based on historical average
Web Page / Directory / Public Information	15,097	2,833	2,979	5,236	3,735		Estimate based on historical average (excluding website design in FY16)
Community Events	51,772	105,453	33,140	46,149	33,510		SALY - Need Community Group Requests
Community Events (Town Share)			34,405		26,328		Staff Salary OT (\$4k), Heritage Town Exp (\$12.5k Deputies, Street Clean, Brochures, VMS Sign, Misc.), CTV VMS Sign \$1.6k; Xmas Tree \$3k; Halloween Tent \$3025; Coloring the Street \$1.5k VMS, \$1.2k Deputy
Payroll Taxes	54,019	53,572	54,970	60,392	68,579		Salary Detail Tab - Based on 4% pay increase
Insurance							
Property	12,477	14,265	13,835	12,635	13,670		Estimated 4% Increase

TOWN OF MIDDLETOWN
GENERAL FUND
BUDGET FY 2021

Scenario #1

DESCRIPTION	AUDIT FY2016	AUDIT FY2017	AUDIT FY2018	Audit FY2019	Draft Budget FY2021	Variance	SALY = Same As Last Year
Health	122,055	121,637	132,022	130,984	162,711		Health Insurance Worksheet - 12% increase
Worker's Compensation	14,456	19,264	19,376	16,665	20,697		Workers Comp Tab - Per invoice, clerical and discount percentages changed
Professional	946	946		946	946		Estimate based on historical average
Pension	49,784	56,115	57,944	64,262	78,690		Pension Worksheet - Estimate based on 4% salary increase
Real Estate Taxes	800	800	1,679	1,680	1,680		
Miscellaneous	12,688	4,061	2,932	3,195	4,000		\$2k Christmas Cash Gifts, \$2k Other Misc.
	342,051	385,747	359,309	348,534	421,467	21%	
TOTAL OPERATING EXPENSES	2,583,964	2,898,481	2,782,895	2,967,688	3,038,515	2%	
TOTAL OPERATING SURPLUS	333,623	132,481	507,770	422,685	257,122	-39%	



RedSpeed™ USA

Automated Speed Enforcement Program

What is Automated Speed Enforcement?

In October 2009 the State of Maryland authorized the use of Automated Speed Monitoring Systems (speed cameras) in school and highway work zones. The system uses radar technology to measure the speed of every vehicle that passes the camera. Vehicles found to be exceeding the posted speed limit by at least 12 miles per hour will be photographed to document the violation and determine the vehicle's registered owner. After the violation is reviewed and approved by a duly sworn and authorized law enforcement officer, a citation, including the violation photos and the vehicle's speed, will be sent to the registered owner.

Why choose to utilize this type of technology?

In 2007, speed-related crashes accounted for 28% of all Maryland traffic fatalities. According to the Federal Government, almost half of all speeding fatalities occurred on local and collector roads which are generally low speed roads found in business and residential areas. Municipalities in partnership with law enforcement use this technology as a tool to assist in enforcing posted speed limits.

How much is the fine?

The maximum fine is \$40.00 for each violation and is stated on the citation. Since the citations are a civil violation, no license points or vehicle insurance penalties can be assessed.

How will I know if I'm in a Speed Monitoring System zone?

Automated Speed Monitoring Systems may only be placed in designated schools zones within 1/2 mile of the school and must be clearly signed in accordance with state and local guidelines. The signs must state that "Photo Enforcement" is in use.

How much time do I have to pay my speed citation?

The citation must be paid on or before the due date indicated on the citation. The stated terms are equal to 60 days, (initial 30 days, plus an additional 30 days in delinquency), after which the vehicle registration renewal may be flagged by Maryland Motor Vehicle Administration.

How fast must I be going to get a citation?

Citations can only be issued to vehicles travelling at 12 MPH or more over the posted speed limit.

When do the Speed Monitoring Systems operate?

Speed Monitoring Systems operating in school zones may only do so between the hours of 0:600am and 0:800 pm, Monday through Friday. The cameras remain operational throughout year.

How do I know my ticket is accurate?

Speed Monitoring Systems are required to undergo annual calibration testing by an independant calibration labratory. The labratory must issue a signed certificate of calibration to be included as evidence in court. Additionally, law enforcement operators must validate that the camera successfully completed the manufacturer system self check each morning and record the results to be included as evidence in court.

Whats the difference between a police officer and a Speed Monitoring System?

While the objectives to reduce speeding are the same for both, the results differ greatly. The insurance Institute for Highway Safety concluded that drivers who receive a speeding citation from an officer are 95% more likley to receive a second citation within the same year "demonstrating a limited effect on speeding deterrence". Speed Monitoring Systems routinely reduce speeding by as much as 74% within the same year. The primary distinction is deployment. The camera positions are fixed and function as a deterrent.

How do Speed Monitoring Systems impact our community?

Speed Monitoring Systems have a dramatic impact on driving behavior within the community. Since school zones exist throughout the neighborhoods, the surrounding infrastructure benefits too. Gas stations, libraries, stores, parks and nearby residents also gain from the raised awareness.

How is the funding spent?

Maryland Traffic Article 21-809 states that all funds must be used for public safety. The municipality will establish what is appropriate public safety. The maximum fine amount is \$40.00 per citation. No other fees or penalties can be levied.

Is it a violation of my privacy to have a Speed Monitoring System photograph my vehicle without my permission?

No. Individuals applying for a drivers license are agreeing to abide by the established rules of the road. Speed Monitoring Systems only capture images of vehicles whose drivers have chosen to violate the established laws by speeding and according to previous court doctrine, individuals who are breaking the law forfeit their privacy rights.

How do we get started?

The most effective way to implement a Speed Monitoring System is to "map" the traffic patterns around each school by having traffic studies performed. Traffic studies capture the number of vehicles traveling past a given location and document the time and speeds per hour. Each site report typically includes a 24 to 48 hour snapshot of traffic volume. This is the data needed to determine if a speeding problem exists.

To initiate a traffic study please call Mario Hernandez @ 630-800-6674.



RedSpeed™ USA

WE OFFER:

1. REDLIGHT SYSTEMS
2. AUTOMATED SPEED ENFORCEMENT
3. SCHOOL BUS CAMERAS
4. LICENSE PLATE READERS (LPR)

EVERYTHING IS FUNDED BY REDSPEED:

NO COST TO MUNICIPALITY

1. ALL PERMITS
2. DESIGN AND ENGINEERING
3. EQUIPMENT/CAMERAS
4. INSTALLATION AND UTILITIES
5. SIGNAGE (FACILITIES MGMT)
6. MAINTENANCE AND UPGRADES

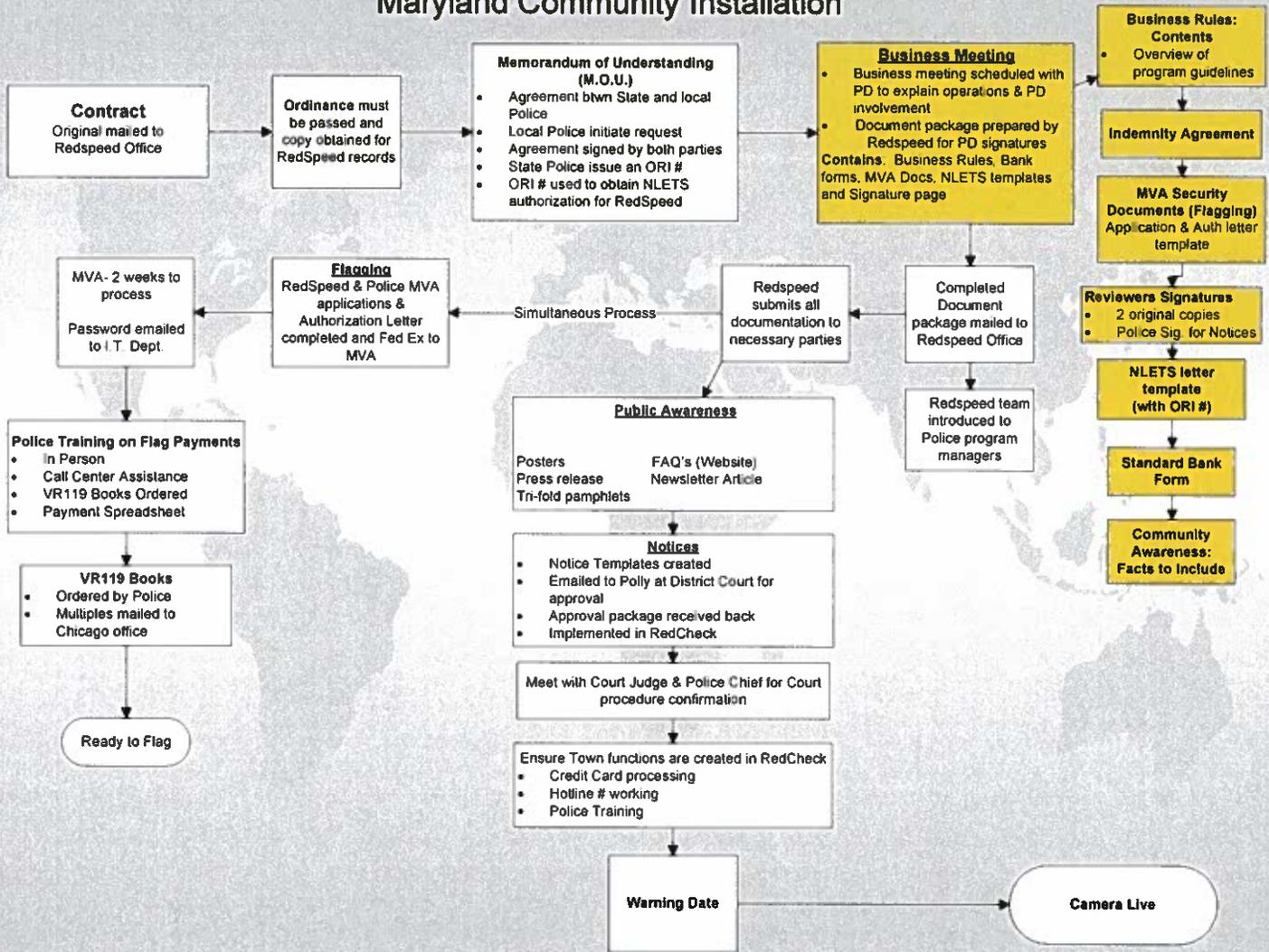
DEPLOYMENT OPTIONS

1. MOBILE UNIT VANS
2. TRAILERS
3. CABINETS
4. FIXED POLES

FEATURES

1. LIVE VIDEO WITH FULL TIME RECORDING AND 90 DAY RECALL
2. IR FLASH FOR NIGHT OPERATION AND MINIMUM DRIVER DESTRUCTION
3. SIMULTANEOUS LPR OPERATION WITH SPEED AND RED LIGHT CAMERAS
4. EASY WEB INTERFACE FOR QUICK ACCESS TO VIOLATIONS

Maryland Community Installation



Town of Middletown Planning Department

To: Burgess & Commissioners and Middletown Planning Commission

From: Cindy Unangst, Staff Planner

Date: 5/5/2020

RE: Monthly Planning Update – May

Major Subdivisions:

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

Site Plans, Plats and Minor Subdivisions:

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

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

**Dowd Property (Alternate 40A) – Forest Stand Delineation approved – April 16, 2018
Revised Site plan conditionally approved by PC – October 21, 2019 (Plans expire 10/21/22)
Revised Preliminary Forest Conserv. Plan conditionally approved – November 18, 2019
Board of Appeals approved self-storage use – February 26, 2020 (Expires Feb. 26, 2021)
Revised Building renderings submitted for PC review – April 17, 2020
Next step – PC approval of architectural renderings; submission of FFCP and Improvement plans for PC review;**

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

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

Memorial Park – Shed relocation plans submitted for review – March 2, 2020

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

Middletown Water Storage Tank (Ashky Ct.) –

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

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

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

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

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

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

More Ice Cream (13 W. Main St)–change of use (intensity) plan submitted for review – May 4, ‘20

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

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

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

Next step – submittal of improvement plans for review and approval

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

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

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

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

Revised site plan conditionally approved – April 20, 2020 (Expires April 20, 2023)

Revised site plan to be revisited in five years – April 2025

Annexations:

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

Public hearing date - Monday, October 11, 2010

Annexation petition denied by Town Board – October 11, 2010

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

Public Hearing - April 5, 2018

Town Board passed annexation resolution – April 9, 2018

Text Amendments: Accessory structures – under review by Town Board

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

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

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

**Grants: MEA grant application was not approved
Keep MD Beautiful grant application was not approved**

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

Next Joint town board/planning commission workshop – July 6, 2020

Public Works Monthly Report
May 6, 2020

COMPLETED WORK

Public Works

Mulching, Well 14 pump and replacement magmeter remains incomplete – waiting for meter (meter will be reused on reservoir tank potable water) chlorine feeder for Well 22 scheduled for May 13. May 13 Public works will rebuild or remove a valve adjacent to the square and on S Church St.

New Projects

Unbudgeted Expenses:

Booster Station Pump 3 repair or replacement. (cost to: rebuild \$7500.00)
 Well 22: iron buildup in raw water lines, pump replacement and chlorine feeder (\$5500.00)
 Well 14: manganese buildup in pump and drop pipe. (\$6,389.00) chemical feeder (\$2500.00)

Sludge cost for FY \$ 37,700.00, 36,000 gal hauled, 5950 gal bedded **Total hauled** 390,000 gal **Bedded** 142,800 Gal

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

Permit Limits (gal) 387,000/504,000 AD/MMU 250,000 AD 250,000 AD

MONTH	WATER USE		SPRING FLOW		East WWTP		West WWTP	
	past yr	present yr	past yr	present yr	past yr	present yr	past yr	present yr
January	311,859	295,230	124,387	96,085	268,000	257,000	562,000	262,000
February	306,568	297,096	125,499	133,808	258,000	258,000	591,000	352,000
March **	303,576	298,579	122,453	140,805	284,000	225,000	534,000	214,000
April **	321,847	290,726	129,642	143,076	228,000	214,000	401,000	222,000
May	316,907	328,737	137,261	132,987	384,000	279,000	658,745	542,000
June	304,003	321,467	137,335	135,541	303,000	219,000	345,000	233,000
July	325,311	302,495	133,855	129,973	288,000	218,000	260,000	260,000
August	320,355	301,201	127,445	113,503	267,000	159,000	268,000	158,000
September	311,932	339,215	121,589	87,210	351,000	141,000	540,000	154,000
October **	332,306	316,050	121,314	72,217	240,000	184,000	325,000	180,000
Novembr**	293,200	284,740	120,239	74,322	364,000	200,000	586,000	218,000
December	299,953	298,071	121,421	78,176	228,000	230,000	550,000	222,000

Avg Daily/yr 312318 306134 126870 111475 288583 215333 468395 251417
 Avg Yr Flw 114.00 111.74 46.31 40.69 105.33 78.60 170.96 91.77

**Hydrants flushed this month

April 14 709,560 October 14 725,913, October 16 938,000 April 17 732,649. October 17 691,524 April 18 791859
 October 18 668,188 April 2019 737,446. October 2019 531,958

Planned Work

HVAC Replacements
 WWTP weir flowmeter out of service, will require replacement (20+ yrs old). Ordered and received.
 MDE water inspection corrections and emergency plan update
 Remsburg Park Path Paving
 Budget purchases and contracts
 Continue Fire Hydrant ID tag and numbering system installation
 Regulatory: Grease Ordinance completion. MDE Emergency Plan
 Bid Sludge Hauling and Chemicals.
 Reed Bed Development cost analysis.

Reservoir Tank: Shop drawing review continues, construction survey has been completed expected start mid May.

Open Projects

Boileau Drive: Milling and Overlay bidding (May 21) in progress.

Remsberg Park Bathrooms: Restrooms expected late May early June. Site location has been revised.

I & I Walnut to Jefferson St.: Submitted plans for permit, easement document created. Construction documents at 95% and ready to bid when the budget is available. Phased into two phases. No action.

Parking Review: Sidewalk and curb revisions for potential parking across from firehouse. Revised to lane shift and sent to SHA for review. No action.

ADA sidewalk ramp reconstructions: No action

W WWTP. Final pond baffle is malfunctioning, Investigation needed. Needs review. Received chemical building plans for review. Provided info to Consultant for baffle replacement. No action

Develop Grease Trap Ordinance and Education Program: No Action

Water System:

Hydraulic Model: The model will be reviewed and updated by Ganett Flemming to include Main St, Middletown Glen. We have performed multiple hydrant tests to calibrate the model in April and GF is currently calibrating the model

System: Dec: 182,952 3%, January 235,286 3.2%, February 465,429 7.36% level issue. March 505,580, 4.8%. Apr %4.5 329,183, May 2.85% 214,305 (inaccurate due to start and finish reservoir level) 4% likely. June 4.9% 350,861. July 19 3.29% 221,980 August 19 4% 261,268 Sept 19 2.5% 195,026 Oct 19 4.6% 331,699 Nov 19 471,272 7.7%, Dec 19 433,687 6.5%. January 20, 243,581, 3.6% February 20, 217,970, 3.2%, March 20, 328,854 5.1%, April 20, 433,917 6.8% (well 14 meter not accurate)

Streetscape/ Main St. Waterline Replacement: 99% complete. Work remaining includes removal of existing waterline and relocation of 2 services. Historic Sign Display relocation required to facilitate ADA. 301 W Main St downspout design and construction completed. Box culvert under 301 filled with flowable fill.

Broad St Streetscape: Design Phase 95% complete. Will be ready to bid for FY 21. Staff working on final review.

SSO and I&I: No overflows.

MDE /Permits: West WWTP Discharge Permit Renewal submitted to MDE, we have received a questionnaire from MDE regarding general arrangement and flow details. East WWTP Discharge Permit submitted 10 months prior to expiration.

MDE MS4 Permit Reports: Permit Report has been reviewed and accepted with minimal comments. Will perform the first water sampling. No action

Franklin St Conceptual Sidewalk Plans: Placed in 2017 budget. Action required by B&C to release for design we have included the topo and design in the Broad St project. Consultant has survey the area for inclusion in the Broad St project.

Remsburg Park: Asphalt pile has been milled and awaits parking lot construction, asphalt path extension has begun.

Municipal Center: Met with CLEAResult PE Company representative for incentives for HVAC, lighting and other energy efficient replacement products. Will receive some reimbursement for HVAC and VFD's at booster station. Board will need to determine if changing out office lights to LED is worth the return. No action

Street Mill & Overlay: Martha Mason and School House will be milled and overlaid with the Main St project about May 18, 2020.

Maintenance Facility: Contract has been executed with Triad Engineering. We have received a preliminary sketch.

East WWTP: Permit renewal complete. Met with representative for bar screen refurbishment. No action.

Washington Street: Design is currently being reviewed and for storm water management. No action

Garage Drive Street Lights: Meeting with adjoining Owner to discuss the light locations. No action.

Pedestrian Blinker signs: Franklin St needs survey and design. No action until after budgets completed.

Booster Station Process Pipe Replacement (\$225,000): Received first submittal of drawings for review. Construction in FY21. Resolved VFD bypass concern. Design continues.

Developments

Middletown County Park Improvements: Reviewed submitted easement plan.

ADMAR Annexation: Met with Owner and Engineer to discuss summary of requirements for water treatment, pressure and fire service supply, appropriation permit, sewer service, water and traffic study. Town staff will be performing some field reconnaissance on the wells in the next few weeks.

Cross Stone: No action

Coblentz Property / Middletown Glen: Public Improvements completed and partially accepted (in warranty period). SWM guarantees released..

Chesterbrook IP's: Guarantees have not been submitted. No action.

MAIN STREET

MIDDLETOWN

TO: The Burgess & Commissioners
FROM: Becky Axilbund, Main Street Manager
RE: Virtual Workshop Meeting
DATE: May 7, 2020

Grants:

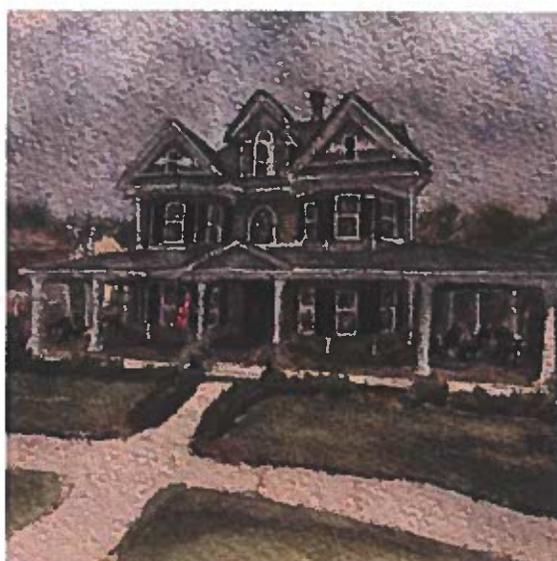
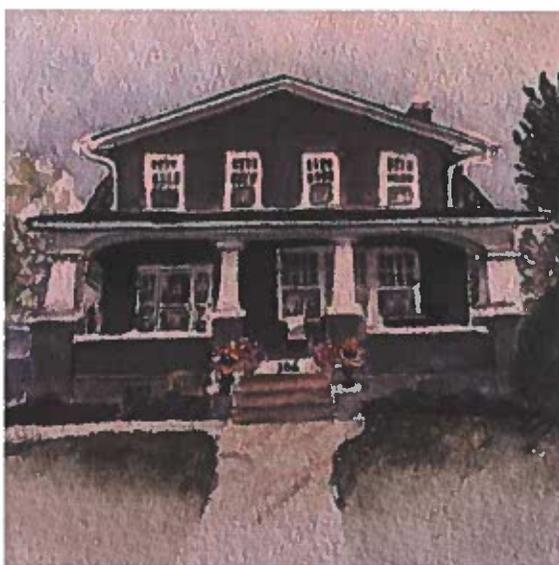
- Three grants were converted to provide operating funds for the Main Street program. Of the three, two have restrictions in that we must tie the converted grant money to specific projects. This infuses a little less than 30K into our operating budget, but we will fall short of the expected funds we would have received from the hotel tax.
- Two FY 2021 grants were applied for in April – both from the Maryland Department of Housing and Community Development. Of these two grants, one is a request to fund a photographer and videographer to create a shared stockpile of streetscape/contextural views of the Main Street post construction, photograph each business, business owner, and at least 3-5 "action-shots" of the businesses. One thing we know, is that the pandemic will make us look more towards the internet for products and services, so having professional photos for each business to add to their collection of marketing materials is a direct benefit that we hope to give through this grant request. The second grant is for the rehabilitation of 19 West Main.
- Future Grants –
 - Community Legacy grant program generally opens in late May-June. This grant is where we get funds for the Façade Improvement Program. For this year, we will be changing Main Street's approach to disbursement of the funds and expanding the types of projects that property owners can apply to receive funding.
 - Because you can apply for more than one project Main Street Middletown will also apply for a Community Legacy grant for additional rehabilitation costs (if other grants do not get awarded),/
 - While the Main Street Board has not hashed this out completely, I anticipated a third application for us to create some type of emergency loan program, or a revolving loan program for Main Street businesses.

Covid-19 Response:

- Main Street Middletown has continued to send emails with resources, services, and marketing ideas to Middletown businesses that receive our constant contact email. Based on the analytics provided by Constant Contact, we still have an average read rate between 46-52%, which is much higher than industry standards.
- One of the more interesting items I have learned about and shared with the businesses is how to put more information on the panel that comes up when your business is googled. This is important because as much as well all enjoy browsing websites from time to time, *almost half of all searches end* when the business is googled. Therefore, it is important to know how to manipulate the information that pops up. In addition, the business owner can find out important information that may help them, such as what key words were used to find your business.
- Main Street Middletown has announced that we will have a Virtual Business Mixer on May 15th at 8:30am. This is when we would have had a mixer anyway, now, it is just going to be virtual. While the details have not been ironed out, I think sharing ideas of how to approach the pandemic going forward is an obvious talking point.
- Between now and the Virtual Business Mixer, the Main Street Manager is gathering information about setting up E-Commerce on the Main Street website. With a plug-in tool from a company called Locable, we can set up E-Commerce on the Main Street website, not just for us, but other businesses, if they wish, we can place limited products on our website as well. This may be a good option for our business district and I am looking forward to learning about this opportunity.
- The Frederick News Post offered a "grant" which actually is not a grant, but a reduced price in advertising opportunities. Main Street is also still under contract to advertise with WDVM. Between WDVM and the FNP, we have created a robust advertising campaign for Middletown restaurants. This campaign consists of print ads once per week in the Frederick News Post and 10-weeks of digital ads on the FNP's website. In addition, through WDVM, we have the targeted digital campaign that pops to specific IP Addresses found in the zip codes of Frederick, Boonsboro to support Middletown restaurants for the month of May. These digital ads are not static, and the call-to-action click takes the person to Main Street Middletown's website page that lists all town restaurants.
- The Maryland Main Street program is working on a state-wide initiative that each Main Street can implement at a local level. We continue to have weekly meetings between all of the Main Street programs.
- While we certainly can not take credit for this initiative, we do want to recognize and bring attention to Main Street business Bobbi Prescott, Remax Results for her idea to line Main Street with Maryland flags. Bobbi discussed her ideas with Main Street and it was exciting to hear her talk about this, but even more exciting to see it in execution.

Events:

- We are re-working Vintage Vehicles in the Valley as a Virtual Event! We are not sure how this actually work, but basically, we can invite Vintage Vehicle owners to drive through town at a certain date and time and be ready to film them as they ride through slowly. This film can be shown at once on social media, or in 20-second clips, throughout the entire day. Stay tuned!
- Walking Tour – even though the Walking Tour for this year has been cancelled, one of our wonderful volunteers, Janet Fox, has been painting pictures of homes along the planned tour route. We will eagerly use this for future projects!



Organization:

- May is when the Board works on our budget for FY 2021 and also when Board terms change. We are welcoming on Lisa Miller and returning to the Board is Jim Hoover. Jean Lapadula, as you all know- has resigned her position as Treasurer due to her election to the Commission. We are super excited about our new members and wish to thank Jean for her hard work for Main Street!
- We will be presenting our budget to the Board on Monday the 11th and will ask the Burgess and Commissioners to please continue the \$10,000 annual donation to our organization.

Thank you for your continued support of Main Street Middletown, MD Inc.



Town of Middletown
Zoning Administrator Monthly Staff Report

To: Burgess and Commissioners

From: Mark Hinkle, Zoning Administrator

Date: May 4, 2020

RE: Monthly Zoning Administrator Staff Report for April 2020

BOA Hearings: Delayed case MT-B-20-2

Storage Container & Dumpster Permit: None

Home Occupation Permit: None

Zoning Violations and Complaints:

- 1/14/2019 – 819 East Main Street, BB & T bank – Complaint received about unscreened dumpster, investigated and sent letter. Spoke with branch manager and agreed to allow them an extra 30 days so they can deal with their headquarters in North Carolina. The dumpster became obvious once the property next to them was cleared. Spoke with construction company and advised them what would be needed to be properly screened. ***Plan being submitted to headquarters in North Carolina to correct issue. On hold due to Parking lot realignment efforts. Spoke with facilities maintenance 10/7/2019 and they are waiting on a decision on the lot realignment before moving forward***
- 4/24/2019 – 5 East Main Street, Subway – Deteriorating signpost and signage for business no longer on site, letter sent, spoke with owner. Subway will be assigning a new Franchisee in the next 6 months and they plan on renovating and improving the building and signage at that time. ***Working toward renovation of building and signage at same time.***
- 10/23/19- 121-125 W. Main St.-Work without a permit. Sent letter to owner and contacted Frederick County. Stop work order issued by Frederick County. Owner filed for Zoning Certificate but has not applied for permit. Owner is also meeting with Planning Commission to discuss changes to property. County still has not received

Zoning Certificate to begin permit process. County has approved renovations under permit #274154.

Miscellaneous:

- Letter sent to owner of Franklin Commons to submit all required paperwork by January 15, 2020 to comply with decision by Board of Appeals. We did not receive the required information. Certified letter sent to owner to let them know that their past decision has expired and that they would need to file for the case to be re-heard before they can move forward.
- Addressing questions from fire company regarding building a training prop in a seatainer at their banquet facility
- Cindy and I had several conversations with a party interested in purchasing 13 S. Church St. to use as a microbrewery
- Working with Cindy and Jim Keough looking into the feasibility of moving his picture framing business to the upper level of More Ice Cream.

Permits:

April 2020 Zoning Certificates	Address	Permit #	M-town Received	M. Hinkle Approved	County Approval
Benson-Fence	13 Knoll Side	Town	4/6/20	4/6/20	No
Dodson-Deck	112 Rhoderick Cir	274242	4/7/20	4/7/20	Yes
Karcewski-Finish basement	17 Linden Blvd.	273077	4/15/20	4/15/20	Yes
Smith-Shed	3 Boileau Ct.	Town	4/13/20	4/15/20	No
Hayden-Deck	102 Stone Spring Ln.	274176	4/14/20	4/15/20	Yes
Breton-Interior Renvoations	123 W. Main St.	274154	10/24/19	4/15/20	Yes
Wastler-Deck	10 Dean Ln.	274421	4/14/20	4/15/20	Yes
Fein-Pool	13 Hoffman Dr.	273044	4/20/20	4/20/20	Yes
Lynn-Solar panel	211 Rod Cir.	275607	4/23/20	4/24/20	Yes
Bess-Finished basement	5 Hoffman Dr.	276859	4/23/20	4/24/20	Yes
Ahalt-Remodel basement	2 Locust Blvd.	275715	4/27/20	4/28/20	Yes
Bergman-Hot tub	11 Wagon Shed Ln.	275709	4/28/20	4/28/20	Yes
Arner-Deck	314 Ingalls Dr.	276815	4/29/20	4/29/20	Yes

**BURGESS AND COMMISSIONERS
OF MIDDLETOWN MARYLAND**

**TOWN WORKSHOP MEETING MINUTES
VIRTUAL MEETING**

REGULAR MEETING

April 27, 2020

The regular meeting of the Burgess and Commissioners of Middletown was called to order on April 27, 2020, by Burgess Miller at 7:00 p.m. in the Middletown Municipal Center, 31 W. Main Street, Middletown, Maryland. Present were: Commissioners Larry Bussard, Christopher Goodman, Jennifer Falcinelli, Tom Catania and Rick Dietrick.

BUDGET WORKSHOP:

FY 2021 Water & Sewer Operating Fund (First reading) – This is the third review of this proposed budget. The Town Administrator reviewed the few changes that had been made since the previous meeting. It was projected that there could be a loss of revenue due to COVID-19. Some of the offset from this loss could come from the proposed employee salary increase in the FY2021 budget. The Town Administrator reviewed the budget impact with a 0% salary increase, an up to 2% salary increase, and an up to 4% salary increase. The Burgess stated the Board needs to be cognizant of what is happening to town residents during this pandemic when finally deciding potential salary increases in FY21. Commissioner Bussard stated he was not in favor of a 0% salary increase. The Town Administrator recommended a review of the scenarios in the Water Sewer CIP proposed budget before making any decisions. Commissioner Falcinelli stated that the Water Sewer Standing Committee recommended increasing the contingency fund another \$10,000 in the event of lost revenue.

FY2021 Water & Sewer Capital Improvements Program (CIP) – The growth projection changes were reviewed. The Town Administrator recommended a conservative adjusted growth projection during times of uncertainty. The Town may feel the impact in FY2021 and/or 2022. The Hollow Creek Professional Center tap fees were removed from the growth projection. Burgess Miller stated that at the April Planning Commission meeting, there were architectural review concerns and the review was pushed to the June Planning Commission meeting. There was also concerns at that meeting regarding the Town Attorney’s interpretation of building height. The day after that Planning Commission meeting the developer placed the property up for sale. The economic impact of COVID-19 could have affected the decision of this developer.

Mark Carney, 22 Gray Fox Court, (Planning Commission Chair) – stated that a 30-day delay would not have killed this project. The developer has not notified the Planning Commission that he is not continuing with the development so the architectural review is still an agenda item for next month’s Planning Commission meeting.

Commissioner Falcinelli recommended postponing any decision until a review of the General Fund budget.

Budget meeting adjourned 7:14 PM.

PERSONAL REQUESTS FOR AGENDA: None.

CONSENT AGENDA:

- *Town Minutes – April 2, 2020 – Town Workshop*

• *Town Minutes – April 13, 2020 – Town Meeting*

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

UNFINISHED BUSINESS:

Ordinance 20-03-01 – Amendments to Forest Conservation – Last year Maryland Senate Bill 234 Natural Resources – State and Local Forest Conservation Funds (effective October 1, 2019) was passed which made changes to the State’s Forest Conservation Act. This bill requires a few changes to the Town’s Forest Resource Ordinance. This proposed ordinance would comply with the new State regulations. The Planning Commission has scheduled a public hearing on this for Monday, May 18, 2020 at 7:00 PM. It has yet to be determined as to whether it is a virtual public hearing or in-person public hearing due to COVID-19.

Text Amendment for Accessory Structures – The Town Administrator reviewed the proposed changes: accessory structure height no more than 15 feet at the roof peak, accessory building size and cumulative area of all accessory structures based upon lot size. For the May workshop the Burges requested that a map be developed that shows properties in each zone with an accessory building of the proposed size stated in the text amendment shown to scale.

NEW BUSINESS:

The Town Administrator provided the following 2020 Middletown Municipal Election results:

John Miller received	955 votes
Chris Goodman received	668 votes
Tom Catania received	558 votes
Jean LaPadula received	589 votes

Outgoing Commissioner Catania read a prepared statement concerning his time as a commissioner and thanked, the town board, town staff, the planning commission and the residents. Commissioner Catania was thanked for service to the town.

Oath of Office for Burgess – Burgess Miller was sworn into his new term as Burgess earlier in the day by the Clerk of the Circuit Court of Frederick County, Sandra Dalton.

Oath of Office for Commissioners – Burgess Miller swore in Chris Goodman and Jean LaPadula for their office as Commissioners.

Appointment of Burgess Pro-Tempore – Commissioner Goodman motioned to elect Commissioner Falcinelli as Burgess Pro-Tempore, seconded by Commissioner Bussard. Motion carried 6-0.

Review of Municipal Center EV Station Pilot Program – The EV charging station has been in place at the municipal center for one year with the Town has been paying Potomac Edison for the cost of the electricity. The Town Administrator reviewed the cost of electricity. The Board must decide if they would like to continue providing the electricity free to those who use the EV station or chose another option. Potomac Edison has put an EV charging station at the Elm Street municipal parking lot. There are plans for one to be installed at the East Green Street municipal parking lot. Costs for an EV station was reviewed.

Commissioner Falcinelli motioned to place Potomac Edison EV stations in all identified municipal parking lots. Seconded by Commissioner Bussard. Motion carried 5-1, with Commissioner LaPadula voting against.

Discussion of Text Amendment for Building Height – The Town Board briefly reviewed the identified proposed changes regarding building height. If anyone has questions or need more information, they are to contact town staff. This will be an agenda item for the May 4th joint Town Board / Planning Commission meeting.

PUBLIC COMMENTS:

MML Summer Conference – MML sent out notification that that Summer conference will now be a virtual conference. More information to come as it becomes available.

Outgoing Commissioner Tom Catania – Commissioners, and town residents took the opportunity to personally thank outgoing Commissioner Tom Catania for his service to the Town.

ANNOUNCEMENTS:

- *Please Complete Your Census Information*

Meeting adjourned at 7:53 PM.

Respectfully submitted,

Annette Alberghini,
Office Manager



Town of Middletown

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

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

MEMORIAL BENCH APPLICATION

APPLICANT INFORMATION

Today's Date: _____

Applicant's Name: _____

Address: _____

E-Mail Address: _____ Phone Number: _____

Name of Person to be Memorialized: _____

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

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

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

Cost: Alpine Bench with plaque \$ 720.00

Make checks payable to: Town of Middletown

Purchase of the bench is tax deductible.

Signature of Applicant : _____ Date: _____

FOR TOWN USE ONLY

Date Application Received

Date Application Approved

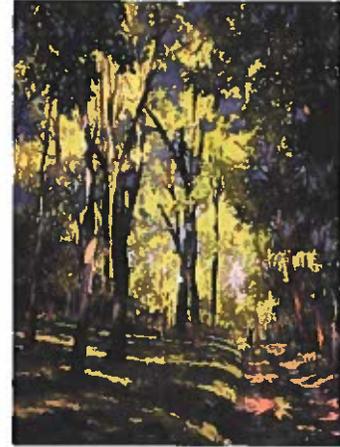
Approved By

Memorial Tree Program

Middletown Sustainability Committee
Middletown, MD

Memorialize a special person or event with a native tree in Middletown. And help grow our canopy for generations to come!

- Birth of a child
- Wedding
- Anniversary
- Death
- Graduation
- Baptism
- Birthday
- Bar/Bat Mitzvah
- Team Championship



Artist: Kesra Hoffman

With your donation, the Middletown Sustainability Committee will purchase a native tree in honor of a special person or event.

- Donors select among site & tree species options (*the tree is guaranteed for 2 years*)
- An engraved Tree Tag will be placed around the tree.
- A list of Memorial Tree donations will be maintained on the town website
- A list of Memorial Tree donations within the past year will be honored at the annual Green Fest

To purchase a Memorial Tree:

1. Complete and return this application (reverse side).
2. We will contact you to finalize planting details and Tree Tag wording.
3. Tree will be ordered when payment is received.
4. A letter of acknowledgement will be sent to the donor.
5. Your Memorial Tree will be planted (in the Fall).

Memorial Tree Program - Application

Donor Information:

Name: _____
Address: _____
City: _____ State _____ Zip _____
Phone: _____
Email: _____

Donation Information:

This Memorial Tree will be purchased for: *(name or event)*
(NOTE: This will be the first line of the Tree Tag)

- In Honor of _____
 In Memory of _____

Tree Tag Engraving:

Additional information to be engraved on the Tree Tag:
(Please print clearly. Maximum of 3 lines, 20 characters/spaces per line)

About your tree:

- We'll work with you to select a native tree species that is site appropriate
- We'll work with you to select a location on Town property

Memorial Bench option:

- Yes, I plan to donate both a tree and a bench

We partner with the Middletown Memorial Bench program. Donors have an option to purchase both a bench and tree at a discount. If interested in both, obtain the Memorial Bench application from the Town at (301) 371-6171 and submit both applications together.

Payment Information:

- Cost will vary with tree size/species (\$300-\$600)
- Checks made payable to Middletown Sustainability Committee
(payments are considered tax deductible donations)

Please return completed form to:

Middletown Sustainability Committee, 31 West Main St, Middletown MD 21769

For more information: Contact Cindy Unangst at cunangst@ci.middletown.md.us (301) 371-6171

January 7, 2020 Changes

PROPOSED: Allowable Projections of Accessory Buildings into Yards. The following regulations apply to any accessory building, use or structure within the Town.

Location. All accessory buildings and structures shall be located behind the front building line of the principal building.

Easements. No accessory building or structure, except for public utility panels or boxes, shall be erected in any easement areas. All accessory buildings or structures shall be a minimum of one foot off easements.

Height. *Accessory structures shall not exceed 15 feet, measured at the peak of the roof.* Accessory structures may not exceed the height of any principal building.

Size. Accessory buildings or structures may project into yards provided that: (1) An accessory structure shall be limited in size, when located on a residential zoned property, to the following. (a) The total square footage of all floors of the accessory structure shall not exceed the *footprint* of principal dwelling. (b) The cumulative area of all accessory structures may not exceed the following, based on the residential zone.

Zone	Minimum Lot Size	Cumulative square footage allowed for all accessory structures
R-20		
Single family dwelling	20,000	10% of rear yard not to exceed 2,000 square feet
R-1		
Single family dwelling	10,000	10% of rear yard not to exceed 1,000 square feet
R-2		
Single family dwelling	6,000	10% of rear yard not to exceed 600 square feet
Two family dwelling	4,000	10% of rear yard not to exceed 400 square feet
Duplex	6,000	10% of rear yard not to exceed 600 square feet
R-3		
Single family dwelling	6,000	10% of rear yard not to exceed 600 square feet
Two family dwelling	4,000	10% of rear yard not to exceed 400 square feet
Duplex	6,000	10% of rear yard not to exceed 600 square feet

Multi-family dwelling	4,000	10% of rear yard not to exceed 400 square feet
-----------------------	-------	--

The square footage allowed for business purposes in an accessory structure shall be 600 square feet. (2) When more than ten (10) feet from the building, it may project into the side or rear yards providing it projects no closer than six feet to the side or rear lot lines; (3) garage accessory buildings entered from alley or street in the case of double frontage lots are not closer than ten (10) feet to the street or alley line; (4) one-story or 10 feet in height, or a maximum of 15 feet with roof accessory structures on townhouse lots may be located up to two feet of a side property line and six feet of a rear property line provided the accessory structure is no more than eighty (80) square feet in size

No accessory structure may be used for living, *sleeping or other occupancy*.

Home Owners Association. It is the homeowner's responsibility to have the accessory structure approved by his or her homeowners' association where applicable. A Zoning Certificate from the Town does not negate a homeowners' association's covenants and/or restrictions.

BUILDING HEIGHT AND 'STORY' CODE REFERENCES

Building, height of. "**Height** of building" means the vertical distance from grade plane to the average **height** of the highest roof surface. As used herein, "grade plane" means a reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than six feet from the building, between the building and a point six feet from the building.

"**Story**" means that portion of a building included between the surface of any floor and the surface of the floor next above it or, if there is no floor above it, the space between such floor and the ceiling next above it. A basement shall be counted as a story if it is used for business or dwelling purposes. A mezzanine floor shall be counted as a story if it covers more than one-third of the area of the floor next below it or if the vertical distance between the floor next below it and the floor next above it is twenty (20) feet or more.

17.16.050 - Building height regulations and unit limitations for structures in residential districts.

No building will exceed two and one-half stories or thirty-five (35) feet in height. No one structure in any residential district may contain or include more than twelve (12) individual and separate dwelling units within the structure.

(Ord. 06-02-02 § 1, 2006; Ord. 05-09-01 § 1 (part), 2005; Ord. 182 § 5.3, 1976)

17.17.150 - Development standards. (Overlay zoning districts)

- A. **Density.** The overall density of the project shall be in conformance with the R-3 zoning district.
- B. **Lot Area and Yard Requirements.** The minimum lot area single-family dwelling shall be six thousand (6,000) square feet. The minimum lot area per duplex (two dwelling units) shall be eight thousand (8,000) square feet. The minimum lot width per structure for a single-family dwelling shall be sixty (60) feet, and the minimum lot width per structure for a duplex shall be forty (40) feet per duplex unit. The minimum yard areas shall be as follows:
 1. **Front yard:** fifteen (15) feet from a public street;
 2. **Side yard:** eight feet for a single-family dwelling eight feet one side only for a duplex dwelling (one side per dwelling);
 3. **Rear yard:** twenty (20) feet (except that a detached garage accessory structure accessed via a rear alley system shall have a rear yard setback of eighteen (18) feet: or except that

a detached garage accessory structure accessed via a front-loaded driveway shall have a rear yard setback of four feet.)

These minimum standards may be modified by the planning commission, in accordance with the master plan design guidelines.

- C. Accessory Structures. The minimum side yard setback for an accessory structure shall be three feet.
- D. **Height Limitation. Building height is limited to a maximum of two and one-half stories or thirty-five (35) feet in height, whichever is greater.**

17.20.015 - MB mixed business district.

- C. Required Lot Area, Lot Width, and Yards in the MB District. The following requirements apply in the MB district:
 - 1. Minimum area of lot size: one acre;
 - 2. Setback requirements for front, rear, and side yard: thirty (30) feet; provided, however, **that for any lot on which a structure exceeding thirty (30) feet in height is situated, the thirty (30) foot setback requirement shall be increased by one foot for every foot of the structure which exceeds thirty (30) feet in height.** Additionally, for any portion of a structure which is adjacent to a residential district or state highway, the setback requirement is one hundred (100) feet for that portion of the structure which is adjacent to such residential district or state highway;
 - 3. **Structure height: fifty (50) feet;**
 - 4. Lot width: one hundred (100) feet. The planning commission may, however, permit a lot width of not more than fifty (50) feet if the planning commission approves a landscaping plan which, in the commission's opinion, provides an adequate buffer for adjacent property.

(Ord. No. 15-05-01, § I, 5-11-2015, eff. 10-1-2015; Ord. 07-01-01 § 2 (part), 2007; Ord. 04-09-02 § 1 (part), 2004)

17.20.030 - Building regulations in commercial districts.

No building shall exceed three (3) stories or thirty-five (35) feet in height or exceed sixty thousand (60,000) square feet in size.

(Ord. No. 18-10-01, § II, 12-10-2018; Ord. No. 10-04-01, § II, 3-22-2010; Ord. 182 § 6.2, 1976)

17.24.020 - Building height regulation in industrial districts.

No building in the SC/LM district shall exceed three stories or forty-five (45) feet in height.

17.28.040 - Required lot area, lot width, and yards in open space district.

A. The following requirements apply in the OS district:

1. Minimum area: not specified;
2. Front yard: fifty (50) feet;
3. Rear yard: fifty (50) feet;
4. Side yard: fifteen (15) feet.

B. **For structures higher than twenty-five (25) feet**, the yard requirements shall be as follows:

All yards: Between the foundation and the nearest lot line, a distance of 2.5 times the height of the structure shall be maintained.

(Ord. 182 § 4.1, 1976)

17.30.040 - Required lot area, yards and other restrictions. (Ag district)

The following restrictions are applicable in the agricultural district:

- A. Minimum lot or parcel size: twenty-five (25) acres;
- B. Front yard: fifty (50) feet;
- C. Rear yard: fifty (50) feet;
- D. Side yard: fifty (50) feet;
- E. **Height:** The restrictions for properties located within the R-20 district apply. Structures, such as silos, barns or other structures, which are typically used solely for agricultural purposes may be a maximum of fifty (50) feet in height;

(Ord. No. 15-04-01, § I, 4-13-2015; Ord. 05-06-01 § 3 (part), 2005)

17.32.170 - Modifications to yard requirements.

D. Allowable Projections of **Accessory Buildings** into Yards. One-story accessory buildings with a **maximum height of twenty-five (25) feet** may project into yards provided that: (1) the building does not occupy more than thirty (30) percent of the rear yard; (2) when more than ten (10) feet from the building, it may project into the side or rear yards providing it projects no closer than six feet to the side or rear lot lines; (3) garage accessory buildings entered from alley or street in the case of double frontage lots are not closer than ten (10) feet to the street or alley line; (4) one-story accessory structures on townhouse lots may be

located up to two feet of a side property line and six feet of a rear property line provided the accessory structure is no more than eighty (80) square feet in size; (5) any accessory structure greater than twenty (20) feet in height must provide an additional one foot of setback for each one foot of additional height; (6) all accessory structures defined as sheds must be located to the rear of the principal structure.

(Ord. No. 10-11-02, § I, 11-8-2010; Ord. 08-01-01 § 2 (part), 2008; Ord. 04-05-01 § 1, 2004; Ord. 182 § 8.1, 1976)

17.32.180 - Modifications to height limitations.

- A. **Public and Semipublic Buildings may Exceed Height Limitations.** Public buildings, places of worship, medical care facilities, institutions, may exceed the height limits to a **total height of seventy (70) feet** providing all yards required in the particular district are increased one foot for each two feet in excess of the height limitation.
- B. **Architectural or Mechanical Appurtenances may Exceed Height Limitations.** Chimneys, church steeples, cooling towers, elevators, bulkheads, fire towers, monuments, stacks, stage towers, or scenery lofts, tanks, water towers, spires, radio and television towers, grain elevators, or other such architectural and mechanical appurtenances are exempt from height regulations except that freestanding structures must be set back a distance equal to the height of the structure when located adjacent to an R district and set back one-half the height of the structure when located adjacent to TC, GC, OS and SC/LM districts.

(Ord. No. 15-06-02, § II, 6-8-2015; Ord. 182 § 8.2, 1976)

17.40.040 - Development requirements. (PUDs)

- D. **Height.** There shall be a maximum height limitation based on the zoning district.

(Ord. 05-09-01 § 1 (part), 2005; Ord. 182 § 9.3, 1976)

17.42.030 - Applicability; general provisions. (Residential Cluster Development)

- B. The following provisions shall apply to any residential cluster development, regardless of the general requirements of the R-20 zoning district:
 - 6. The maximum height limitation shall be that established for the R-20 zoning district.

(Ord. No. 14-08-04, § II, 9-8-2014)