Middletown

AGENDA FOR THE TOWN MEETING

July 8, 2019
7:00 p.m.

PLEDGE TO THE FLAG

CALL TO ORDER

PUBLIC HEARING

Ordinance 19-07-01 – Water & Sewer Rate Increase

AN ORDINANCE TO AMEND TITLE 13, CHAPTER 13.12, SECTION 13.12.060 OF THE MIDDLETOWN MUNICIPAL CODE FOR THE PURPOSE OF REVISING THE RATE SCHEDULE FOR WATER AND SEWER SERVICE FOR RESIDENTIAL USER ACCOUNTS AND NON-RESIDENTIAL USER ACCOUNTS AND THE AMOUNT OF THE QUARTER-ANNUAL CAPITAL IMPROVEMENT FEE.

CONSENT AGENDA

- Town Meeting Minutes
  - **June 6, 2019 – Public Hearing & Town Workshop**
  - **June 10, 2019 – Town Meeting**

PERSONAL REQUESTS FOR AGENDA:

Middletown Rec Council – Request for Changes to the Banner Policy

UNFINISHED BUSINESS:

- **Ordinance 19-07-01 – Water & Sewer Rate Increase *(Vote)***
- Code Amendments
  - **Ordinance 19-07-02 – Self Storage *(First Reading)***
  - **Discussion of Parking Requirements for Apartments & Townhouses**
  - **Discussion of Accessory Structure in Residential Zoning Districts**
- **Recommendation from Public Works Committee on Mid-Block Crosswalks Guidelines and Traffic Calming Measures**
- **Installation of Crosswalk on Glenbrook Drive**
- **Petition from Residents of Middletown Glen to Lower the Speed Limit**
- Review of Capital Improvements Program (CIP)
  - **General Fund CIP**
  - **Water & Sewer CIP**

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:

- Discussion of Electronic Vehicle Charging Stations and Upgrades
- **Discussion of Amendments to the Investment Policy**
- **Review of Model Ordinance for Illicit Discharge & Connection Stormwater**
- Schedule of Public Hearing for Capital Improvements Program (CIP)

PUBLIC COMMENTS:

ANNOUNCEMENTS:

ADJOURNMENT

Executive Session – Employee Evaluations

ORDINANCE NO. 19-07-01

AN ORDINANCE TO AMEND TITLE 13, CHAPTER 13.12, SECTION 13.12.060 OF THE MIDDLETOWN MUNICIPAL CODE FOR THE PURPOSE OF REVISING THE RATE SCHEDULE FOR WATER AND SEWER SERVICE FOR RESIDENTIAL USER ACCOUNTS AND NON-RESIDENTIAL USER ACCOUNTS AND THE AMOUNT OF THE QUARTER-ANNUAL CAPITAL IMPROVEMENT FEE.

WHEREAS, the Town of Middletown is authorized to establish rates and charges for water and sewer service pursuant to Annotated Code of Maryland, Environment Article, Section 9-720 *et seq.* and Chapter 13.12 of the Middletown Municipal Code; and

WHEREAS, the Burgess and Commissioners of the Town of Middletown have reviewed and considered proposed changes to the water and sewer rates for both residential and non-residential user accounts and the capital improvement fee and find said changes to be reasonably related to the cost of providing such services; and

WHEREAS, notice of a public hearing on said changes was duly publicized in a newspaper of general circulation in the Town of Middletown; and

WHEREAS, after a public hearing was held on said rate changes, the Burgess and Commissioners deem it to be in the best interest of the Town of Middletown and its citizens to revise said rates in accordance herewith.

SECTION I. BE IT ORDAINED, RESOLVED AND ENACTED by the Burgess and Commissioners of the Town of Middletown, Maryland that Title 13, Chapter 13.12, Section 13.12.060 of the Middletown Municipal Code be amended as follows. Deleted language is designated by being in ~~[brackets and marked through]~~ and new language is designated by being in **BOLD NUMERALS OR BOLD CAPITAL LETTERS**, as the case may be:

13.12.060 Rate and fee schedules - Residential and non-residential users.

A. Residential users of water and sewer services and their accounts will be billed on a tiered system based upon the amount of quarter-annual usage of water and sewer service at the location at which service is provided. Water and sewer rates for such residential accounts shall be as follows:

For Quarter-Annual Usage Of:	The Rate is:
0 to 3000 gallons	~~[$72.33]~~ **$73.78**
3,001 - 25,000 gallons	~~[$10.25]~~ **$10.46** per 1,000 gallons
25,001 - 30,000 gallons	~~[$15.36]~~ **$15.67** per 1,000 gallons
30,001 - 35,000 gallons	~~[$20.51]~~ **$20.92** per 1,000 gallons
35,001 - 40,000 gallons	~~[$30.74]~~ **$31.35** per 1,000 gallons
40,001 - 45,000 gallons	~~[$35.83]~~ **$36.55** per 1,000 gallons
45,001 - 50,000 gallons	~~[$40.98]~~ **$41.80** per 1,000 gallons
50,001 - 55,000 gallons	~~[$61.46]~~ **$62.69** per 1,000 gallons
55,001 - 60,000 gallons	~~[$76.84]~~ **$78.38** per 1,000 gallons
60,001 - 65,000 gallons	~~[$92.20]~~ **$94.04** per 1,000 gallons
65,001 - 70,000 gallons	~~[$107.54]~~ **$109.69** per 1,000 gallons
70,001 - 75,000 gallons	~~[$122.93]~~ **$125.39** per 1,000 gallons
75,001 gallons and above	~~[$138.27]~~ **$141.04** per 1,000 gallons

B. Nonresidential users of water and sewer services and their accounts will be billed based upon the size of the meter for the location at which service is provided. Water and sewer rates for such nonresidential accounts shall be as follows:

5/8 to 3/4 inch meter	~~[$72.33]~~ **$73.78** for 3,000 gallon base	~~[$10.25]~~ **$10.46**/1,000 gallons after base
1 inch meter	~~[$101.21]~~ **$103.23** for 4,200 gallon base	~~[$10.25]~~ **$10.46**/1,000 gallons after base
1 ½ inch meter	~~[$130.14]~~ **$132.74** for 5,400 gallon base	~~[$10.25]~~ **$10.46**/1,000 gallons after base
2 inch meter	~~[$209.68]~~ **$213.87** for 8,700 gallon base	~~[$10.25]~~ **$10.46**/1,000 gallons after base
3 inch meter	~~[$795.37]~~ **$811.28** for 33,000 gallon base	~~[$10.25]~~ **$10.46**/1,000 gallons after base
4 inch meter	~~[$1012.27]~~ **$1032.52** for 42,000 gallon base	~~[$10.25]~~ **$10.46**/1,000 gallons after base
6 inch meter	~~[$1518.43]~~ **$1548.80** for 63,000 gallon base	~~[$10.25]~~ **$10.46**/1,000 gallons after base

8 inch meter	~~[$2096.85]~~ **$2138.79** for 87,000 gallon base	~~[$10.25]~~**$10.46**/1,000 gallons after base

C. Unless otherwise exempted as hereinafter provided, each residential and non-residential user of water and sewer services shall pay a capital improvement fee of ~~[forty-seven dollars and twenty-five cents ($47.25)]~~ **FIFTY DOLLARS ($50.00)** per quarter the capital improvement fee shall be in addition to the fees charged pursuant to subsections A. and B. of this section, and shall be billed and included in the quarter-annual bills for each user. Each user, customer or account which is subject to and is obligated to pay the debt service charge required by Section 13.20.010 of the Middletown Municipal Code is and shall be exempt from the obligation to pay the capital improvement fee until January 1, 2020.

SECTION II: This Ordinance shall take effect twenty (20) calendar days following its approval by the Burgess and Commissioners.

INTRODUCED ON THE 10th DAY OF June, 2019

PASSED ON THE _____DAY OF_____, 2019

EFFECTIVE DATE: _____

ATTEST:

BURGESS AND COMMISSIONERS OF MIDDLETOWN

_____

Andrew J. Bowen, Town Administrator

By:_____=

John Miller, Burgess

u:JClapp\Middletown\Ordinance.WaterRate2013

BURGESS AND COMMISSIONERS
OF MIDDLETOWN MARYLAND

TOWN WORKSHOP MEETING MINUTES

WORKSHOP MEETING **June 6, 2019**

The workshop meeting of the Burgess and Commissioners of Middletown was called to order on June 6, 2019, by Burgess Miller at 7:00 p.m. in the Middletown Municipal Center, 31 W. Main Street, Middletown, Maryland. Present were: Commissioners Jennifer Falcinelli, Christopher Goodman, and Rick Dietrick.

PUBLIC HEARING:
FY 2020 Operating Budgets – Burgess Miller reviewed the General Fund and Water & Sewer Fund Operating budgets. Burgess Miller stated that the Board will vote on these budgets at the June 10, 2019 meeting.

Public hearing adjourned at 7:12pm.

STAFF REPORTS:
Community Deputy Report – Dfc. Hewitt gave the report for May.
Staff Planner Report – Cindy gave her report.
Engineer's Report – copies of Bruce's report was given to the Board.
Main Street Manager's Report — Becky gave her report.
Zoning Administrator's Report – Mark gave his report.

PERSONAL REQUESTS FOR AGENDA:
MVAA – DONNIE DELAUTER – Mr. Delauter was present tonight to inform the Board that the MVAA has received a donation from WLR Automotive Group, Inc. to build the new baseball field. The MVAA would like to get moving on this field so that it is ready for fall ball this fall. Mr. Delauter stated that he would like to have the Boards permission to get started. Mr. Delauter also stated that with this donation WLR Automotive would like to have the naming right to this field.
Motion by Commissioner Goodman to grant the MVAA permission to start construction of the proposed baseball field that is in our master plan for this park, seconded by Commissioner Falcinelli. Motion carried 4-0.

CONSENT AGENDA:
- *Request from YMCA Duathlon/Triathlon Event on September 15, 2019 at 8am.*
- *Town Meeting Minutes – May 13, 2019*

UNFINISHED BUSINESS:
Amendments to the Banner Policy (Vote-June 10, 2019) – no discussion vote will occur at the June 10, 2019 meeting.
Review of request from Franklin Commons for reduction in turning lane on Broad Street due to utility relocation costs – Drew stated that we received a request from Mr. Poss to reduce the proposed turning lane on Broad Street from 147 feet to 100 feet. The reason for the request is due to the cost of moving a telephone pole located along Broad Street. Mr. Poss stated that he has met with Verizon representatives on numerous occasions about this pole. Mr. Poss stated that Verizon really doesn't want

to touch this pole because it is will require significant outages in the area for them to relocate. Mr. Poss also told the Board that if he would relocate this pole it would require him to install wires along the sidewalks on Broad Street and Franklin street that residents would have to walk under. Mr. Poss stated that he would be willing to give $12,000 in addition to the $15,000 for off-site sidewalk improvements. The Board will make their decision at the June 10, 2019 meeting.

NEW BUSINESS:

2018 Annual Planning Report – Cindy reviewed the 2018 Annual Planning Report with the Board.

Discussion of Text Amendment for Self-Storage in General Commercial (GC) Zoning District – Burgess Miller stated that this was discussed at the joint meeting with the Planning Commission last month and it was agreed that we would remove line E from 17.48.340 and have staff develop definitions for storage and self-storage. Staff will have some definitions for the Board to consider at the meeting on June 10, 2019.

Discussion of Text Amendment for Parking Requirement for Apartments and Townhouses – Burgess Miller stated that currently our code requires 3 parking spaces for apartments and townhouses. Burgess Miller asked the Board their thoughts on having 3 parking spaces for apartments especially those apartments in the downtown area. Drew stated that if we reduce the parking requirements that could add to our MS4 permit reducing impervious area. Burgess stated that we will continue this discussion at the Monday, June 10, 2019 meeting.

Schedule Public Hearing for Water & Sewer Rate Increase – Monday, July 8, 2019 at 7pm. – this will be moved to the Consent Agenda for the June 10, 2019 meeting.

PUBLIC COMMENTS:

ANNOUNCEMENTS:

- *Vintage Vehicle in the Valley – Saturday, June 8, 2019, from 11:30am.-3pm.*
- *Middletown Volunteer Fire Company Carnival – June 17-22, 2019*
- *Movie Night at Middletown Park – Friday, June 21, 2019*
- *Junior Deputy Program – Tuesday, June 25, 2019*
- *Independence Day Celebration – Saturday, June 29, 2019 (Rain date June 30th)*

Workshop adjourned at 8:35pm.

Respectfully submitted,

Ann Griffin
Office Manager

BURGESS AND COMMISSIONERS
OF MIDDLETOWN MARYLAND

TOWN MEETING MINUTES

REGULAR MEETING **June 10, 2019**

The first monthly meeting of the Burgess and Commissioners of Middletown was called to order on June 10, 2019, by Burgess Miller at 7:00 p.m. in the Middletown Municipal Center, 31 W. Main Street, Middletown, Maryland. Present were: Commissioners Jennifer Falcinelli, Christopher Goodman, Rick Dietrick and Tom Catania.

CONSENT AGENDA:

- *Public Hearing for Water & Sewer Rate Increase – Monday, July 8, 2019 at 7pm.*
- *Request from YMCA Duathlon/Triathlon Event on September 15, 2019 at 8am.*
- *Financial Statements*
- *Town Meeting Minutes – May 13, 2019 – Town Meeting*

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

PERSONAL REQUESTS FOR AGENDA:

"If I Were Mayor" – Contest Winners – First Place Winner Jessica Stevens from St. Thomas More Academy - read her essay to the Board. Runner up winner Ava Burgess from Middletown Elementary School – read her essay to the Board. Burgess Miller presented both young ladies as well as their teachers with gift cards.

UNFINISHED BUSINESS:

FY 2020 Operating Budgets (Vote) – General Fund – Motion by Commissioner Falcinelli to approve the General Fund Operating Budget for FY2020 as presented, seconded by Commissioner Catania. Motion carried 5-0.

Water & Sewer Fund – Motion by Commissioner Falcinelli to approve the Water & Sewer Fund Operating Budget for FY2020 as presented, seconded by Commissioner Goodman. Motion carried 5-0.

Amendments to the Banner Policy (Vote) – Motion by Commissioner Catania to approve the Banner Policy Amendments as presented, seconded by Commissioner Goodman. Motion carried 5-0.

Review of Request from Franklin Commons for Reduction in Turning Lane on Broad Street due to Utility Relocation Costs – Burgess Miller stated that we heard from Mr. Poss at the workshop on this item. Drew stated that Bruce Carbaugh our engineer reviewed this against the State Highway standards, and he does not see an issue with reducing the turn lane from 147 feet to 100 feet. Burgess Miller stated that Mr. Poss agreed to pay $12,000 in addition to the $15,000 previously agreed upon for off-site sidewalk improvements. Commissioner Falcinelli stated that she does not have a problem with this since Bruce has looked at it and even if the guardrail would be removed it meets the SHA standards.
Motion by Commissioner Dietrick to reduce the turn lane from 147' to 100' with Mr. Poss paying the Town an additional $12,000 for off-site sidewalk improvements, seconded by Commissioner Catania. Motion carried 5-0.

REPORT OF COMMITTEES:
WATER & SEWER – Commissioner Falcinelli reported:
Water use for May – 328,737 gal., spring flow for May – 132,987, East WWTP treated 279,000 gals. and the West WWTP treated 542,000 gals.
Reservoir/tank – 90% design submitted, I&I from Walnut Street to Jefferson Street is 95% complete ready to go out to bid and the main street waterline should be done by end of summer.
PUBLIC WORKS – no report:
SUSTAINABILITY – Commissioner Dietrick reported:
At the last meeting the committee reviewed the Green Expo and are determining what they want to do next year. Cindy is working on the Sustainable Grant application that is due the end of June. Next meeting is June 18, 2019 at 5pm.
PLANNING COMMISSION – Commissioner Catania reported:
Next workshop is June 12, 2019 and the meeting is Monday, June 17, 2019 at 7pm. On the agenda is the reservoir/tank FRO plans and the Miller property phase 4 site plan. Commissioner Catania stated that this is the first submission of anything on the microbrewery and this plan mostly deals with parking and screening.
PARKS AND REC. COMMITTEE – Commissioner Goodman reported:
The Town received the $65K requested to finish the walking trail at Remsberg Park and install the bleachers at Remsberg Park.
PUBLIC INFORMATION – Commissioner Falcinelli reported:
Encouraged our residents to sign up for our list serve and robo calls.

NEW BUSINESS:
2018 Annual Planning Report – Burgess Miller stated that included in the packet is the 2018 Annual Planning Report.
Discussion of Text Amendment for Self-Storage in General Commercial (GC) Zoning District – The Board will send this off to the Town Attorney to put into Ordinance format. Commissioner Falcinelli stated that the Town Board does not solicit these businesses, this property has been in Town since 1973 it is the developer/owner choice to do what they want within the zoning code.
Discussion of Text Amendment for Parking Requirements for Apartments and Townhouses – Burgess Miller stated that our parking requirements for apartments & townhouses seem to be on the high side in comparison to the other Municipalities in Frederick County. The Board seem to like New Market's requirements which is 2 per dwelling unit + 0.5 per bedroom over 2 bedrooms. The Board will continue to discuss at the July meeting.

PUBLIC COMMENTS:
Teisha Ingraham – was present and asked the Board to remove and not hang her late husbands Veteran banner that was purchased by his mother last fall. Burgess Miller stated that we would pull Mr. Ingraham's banner and contact Ms. Ingraham when it is available to be picked up.

ANNOUNCEMENTS:
- *Middletown Volunteer Fire Company Carnival – June 17-22, 2019*
- *Movie Night at Middletown Park – Friday, June 21, 2019*
- *Junior Deputy Program – Tuesday, June 25, 2019*

Meeting adjourned at 8:20pm.

Respectfully submitted,
Ann Griffin
Office Manager

Middletown

Banner Display Policy

Approved by Burgess and Commissioners
April 8, 2019
Revised June 10, 2019

Only the Town of Middletown 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 Middletown's banner pole site. Applications for Banner Display can be found at www.middletown.md.us and attached to this policy.

Banners are limited to advertising or commemorating events sponsored by the Town of Middletown or non-profit groups within the 21769 zip code. Organizations are limited to hang 1 banner for their event. All Town of Middletown 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.

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

Banners must be delivered to the Middletown 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

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.

ORDINANCE NO. 19-07-02

AN ORDINANCE TO AMEND TITLE 17 OF THE MIDDLETOWN MUNICIPAL CODE TO ADD DEFINITIONS FOR THE TERMS "HOUSEHOLD GOOD", "PERSONAL PROPERTY", "SELF-STORAGE UNITS", AND "STORAGE"; TO AMEND TITLE 17, CHAPTER 17.48, SECTION 17.48.030 TO DELETE AND REPEAL THE REQUIREMENT THAT SELF-STORAGE FACILITIES MAY ONLY BE PERMITTED AS AN ACCESSORY USE TO A PRIMARY BUISNESS.

SECTION I. BE IT ORDAINED AND ENACTED by the Burgess and Commissioners of the Town of Middletown, Maryland that Title 17, Chapter 17.04, Section 17.04.30 of the Middletown Municipal Code be, and hereby is amended as follows. The amendment shall adopt the definitions stated, and the new definitions shall be codified in this section of the Municipal Code alphabetically. The remaining provisions of Section 17.04.030 shall remain unaltered. New language is designated by being in **BOLD CAPITAL LETTERS:**

TITLE 17 ZONING

CHAPTER 17.04 – ADOPTION, PURPOSE AND DEFINITIONS

17.04.030 - Definitions.

For the purpose of this title certain terms or words used in this chapter shall be interpreted as follows:

Words used in the present tense include the future. All words in the singular include the plural and all words in the plural include the singular. The word "shall" is mandatory and not directory. The word "used" shall be deemed to include "designed, intended, or arranged to be used."

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"HOUSEHOLD GOOD" MEANS PERSONAL PROPERTY OTHER THAN REAL ESTATE, BELONGING TO AN INDIVIDUAL OR HIS OR HER IMMEDIATE FAMILY AND INCLUDING (BUT NOT LIMITED TO) APPLIANCES, BOOKS, CLOTHING, FURNISHINGS, AND FURNITURE.

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MEMORANDUM

Date: 6/3/2019

To: Burgess and Commissioners, Middletown

From: Cynthia K. Unangst, Middletown Staff Planner

RE: Required residential parking regulations for apartments and townhouses

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The subject of required residential parking for apartments and townhouses was discussed at the joint workshop of the Middletown Planning Commission and the Town Board on May 6, 2019. The regulations for other municipalities in Frederick County were reviewed at that workshop, and the Town Board decided that perhaps there should be some changes to the Middletown Code in relation to the required parking for apartments and townhouses. Below is the required parking chart showing the regulations for Middletown in relation to other municipalities.

Required Parking - Residential:

Municipality	*Multifamily dwellings (or apartments)*	*Townhouses*
Middletown	3 per dwelling unit	3 per dwelling unit
Brunswick	2 - 3 per unit depending on # of bedrooms	2 per dwelling unit + 0.5 per bedroom, per unit
Emmitsburg	2 per dwelling unit	2 per dwelling unit
Frederick City	min. 1.5 per dwelling unit max. 2.5 per dwelling unit	min. 2 per dwelling unit max. 3 per dwelling unit
Mount Airy	2 per dwelling unit	3 per dwelling unit
Myersville	2.5 per dwelling unit	2.5 per dwelling unit
New Market	2 per dwelling unit + 0.5 per bedroom over 2 bedrooms	2 per dwelling unit + 0.5 per bedroom over 2 bedrooms
Thurmont	2 per dwelling unit + 1 per five units	2 per dwelling unit + 1 per five units
Walkersville	3 per dwelling unit	3 per dwelling unit
Woodsboro	2 per dwelling unit	2 per dwelling unit

To: John Miller, Burgess

From: Mark Hinkle, Zoning Administrator

Date: July 1, 2019

Subject: Accessory structures

I have compiled some information regarding "accessory structures" from other municipalities like Middletown, for comparison.

Items of note:

- Most allow as a minimum, the structure to occupy 30% of rear yard.
- Most allow accessory structures as close as 6 feet to the property line.
- More than half limited the height to between 15-20 feet.

Let me know if you have questions or need further information as the Town Board deliberates this issue.

Middletown:

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.

Myersville:

§ 165-8. Accessory buildings. One-story accessory structures are permitted in rear yards and shall be distant at least 10 feet from alley lines and at least six feet from any lot lines of adjoining lots. [Amended 10-11-2005]

Accessory buildings may be erected as a part of the principal buildings or, if at least six feet therefrom, may be connected thereto by a breezeway or similar structure, provided that all yard requirements for a principal building are met.

Taneytown:

§ 205-24. Accessory buildings or structures. [Amended 10-11-1982 by Ord. No. 9-82] An accessory structure shall not be erected within 10 feet of a street line or five feet of any other property line or within a front yard of any property and shall not exceed 15 feet in height or occupy more than 30% of a required rear yard. The setback requirements of this section shall not apply to attached dwelling units as defined in this chapter. No more than two accessory buildings or structures shall be allowed on any lot on which there is located an attached dwelling as defined in this chapter.

Mt. Airy:

§ 112-34. Accessory structures. Permit required. Accessory structures over 100 square feet require a building permit. A. Location. Accessory structures are not permitted in front yard areas. Accessory structures 100 square feet or less shall be set back three feet from side and rear lot lines. Accessory structures over 100 square feet shall be set back a minimum of six feet from side and rear lot lines. B. Maximum lot coverage. The total coverage of any structure on one lot shall not exceed 30% of the total rear yard area. C. Height general rule. Accessory structures

shall not exceed one story or 10 feet in height. For structures covered by a roof, the highest point of the roof shall not exceed 15 feet in height. [Amended 3-3-2003 by Ord. No. 2003-6] Garages may have up to two stories but shall not exceed the elevation of the principal structure. Garages exceeding one story must meet all setbacks and other requirements of this chapter that apply to the principal structure. (1) Any use of a garage or accessory structure as a residence shall be considered an accessory apartment and as such subject to the special exception process and standards provided under § 112-62F(22) of this chapter, as well as any other applicable rules, requirements and regulations for accessory apartments. (2) It is the homeowner's responsibility to have any accessory structure approved by his or her homeowners' association where applicable. A permit from the Town does not negate a homeowners' association covenants and/or restrictions. (3) D. Permitted accessory uses and structures: Detached garage (attached garages are considered part of the principal use and structure.) (1) (2) Swimming pool. (3) Garden or tool shed. (4) Freestanding gazebo. (5) Satellite dish. (6) Hot tub or sauna. E. :1 Homeowners' association. It is the homeowner's responsibility to have the accessory structure approved by his or her homeowners' association where applicable. A permit from the Town does not negate a homeowners' association's covenants and/or restrictions.

New Windsor:

§ 215-88. Exceptions and yard requirements. Allowable projections of structures into yards and other exceptions to yard requirements. Except as otherwise provided herein, architectural features of buildings, such as window sills, cornices, roof overhangs and unenclosed porches, open fire escapes, fireproof outside stairways, chimneys and flues may project into the required yard not more than six feet. Ground floor terraces, patios or attached raised or elevated decks may extend into the rear yard, not, however, to within six feet of either side lot line. A. Side yards not required for second story residential uses in nonresidential structures. Side yards shall not be required for residential dwellings erected above commercial structures. B. Allowable projections of business structures into yards. Signs, awnings, canopies and marquees as attached to and part of a building may project into the front yard in the commercial districts only. C. Allowable projections of accessory buildings into yards. Accessory buildings may project into yards, provided that the building does not occupy more than 30% of the rear yard; when more than 10 feet from the building and 60 feet from the front yard, it may project into the side or rear yards, provided that it projects no closer than six feet to the side or rear lot lines; and garage accessory buildings entered from an alley or street, in case of double frontage lots, are not closer than 10 feet to the street or alley line. D. Allowance projections of fences into yards. Fences may be constructed in or project into yards, provided that no fence or planting more than three feet high shall be located within 30 feet of a street intersection, no fence more than four feet high may be located closer to the front of the lot than the principal building and no fence more than six feet high shall be allowed on any other part of the lot.

Antrim PA:

§ 150-65. Accessory building regulations. An accessory building not attached to the principal structure may be located in any required side or rear yard, provided that: (1) Such building shall not exceed 20 feet in height. Such building shall be set back five feet from any lot line, if accessory to a residential use. (2) All such buildings in the aggregate shall not occupy more than 30% of the area of the required rear or side yard where located.

Manchester:

The following regulations apply to any accessory building, use or structure within the Town, irrespective of zoning district: Location. All accessory buildings and structures shall be located behind the front building line of the principal building. No detached accessory building or structure shall be located closer than six feet to any principal building unless it exists fully in the rear of the building and does not exist outside of the footprint of the principal dwelling. All accessory buildings or structures shall be located a minimum of five feet inside rear and side property lines unless otherwise noted in regulations. A. Easements. No accessory building or structure, except for 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. B. Height. Any accessory building or structure shall not exceed one story or 10 feet in height, or a maximum of 15 feet with roof. Accessory buildings and structures may not exceed the height of any principal building. C. Area. In the R-40,000, R-20,000 and R-15,000 residential districts, the maximum total area of all accessory buildings or structures on any lot shall not exceed 50% of the perimeter area of the structure and shall not cover more than 50% of the rear yard. In the R-10,000 and R-7,500 residential districts and the BL Business Local district the maximum total area of all accessory buildings or structures shall not cover more than 75% of the rear yard. The maximum size of any one structure shall not exceed 1,000 square feet. The maximum total area of all accessory buildings or structures shall not exceed 1,500 square feet.

Havre de Grace:

Accessory structures and fences shall not be located in a front yard and shall not occupy more than 50% of the entire yard. Accessory structures and uses customarily incidental to any principal permitted use or conditional use shall be permitted without hearing.

Burgess and Commissioners of Middletown 31 W Main St Middletown, MD 21769 Phone 301-371-6171 Fax 301-371-6474
J. R. Hawkins, P.E., CIP Project Manager Email: rhawkins@ci.middletown.md.us

MEMORANDUM

TO: Burgess and Commissioners of Middletown

FROM: Public Works Dept., Bruce Carbaugh, P. E., Director of Public Works
J. R. Hawkins, P.E., CIP Project Manager

DATE: May 28, 2019

RE: Memo on Traffic Calming and the use of Mid-Block Crosswalks

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This memo was generated from a Public Works Commission Meeting held on May 22, 2019 at Town Hall where we discussed generating guidelines for traffic calming and the use of Mid-Block Crosswalks on Town Streets.

To establish guidelines for any traffic measures, speed limits need to be established for local roads. Our local Town roads are posted at 25 MPH. In order to make determinations for implementation of various design measures, both traffic and pedestrian, data must be obtained. Once obtained, this data is used to find the best possible measures to be implemented. First and foremost, when evaluating different aspects of design, public safety is paramount. Then other factors are considered.

For traffic measures, the 85th % speed is used to determine what, if any, measures are necessary for implementation. The 85th % speed is defined as, "the speed at or below which 85% of all vehicles are observed to travel under free-flowing conditions past a monitored point". Therefore, this is the standard used across federal and state regulations when evaluating measures for traffic and pedestrians. MDSHA considers this the speed that most motorist will safely drive on a road unaffected by slower traffic or poor weather.

In the case of Broad Street, the Town did measure the speed of traffic for two weeks and found that not only was the 85th % speed was below the posted speed but the Average Speed was below the posted speed as well. When evaluating this data using the aforementioned criteria, it is determined that nothing needs to be done on this street for Traffic Calming based on the factual information that has been obtained.

When evaluating measures for vehicular speed control on local Town roads, the Public Works Department looks at measures that are approved and acceptable to MDSHA, MUTCD, and FHA US Department of Transportation. Engineering

standards that are set forth in these documents are approved standards and should be followed because they have been studied, evaluated and implemented for public safety. We also evaluate the various measures with respect to budget, maintenance, and the general overall effectiveness for all parties involved.

The following are our recommendations for possible traffic calming measures on local Town roads:

Curb Bump Outs/Chokers are the most common and easily constructed and maintained. These have been used on West Green Street. They are generally used on new construction or road reconstruction but can be installed on existing roads.

Speed Tables/Humps can be constructed fairly easily and are moderately hard to maintain. They can be damaged during snow plowing. Drainage plays a part in their design as they can impede water flow on the street so location and slope can dictate usage. They can be installed on existing streets, installed on new construction, or road reconstruction projects.

Mid-Block Crosswalks

The use of a Mid-Block Crosswalk has been discussed and is now being temporarily used on Broad Street where the sidewalk ends on the Northwest side of Broad Street for pedestrian traffic.

A Mid-Block Crosswalk should **never** be used as measure for traffic calming or speed control as it is not intended or designed for this purpose per MDSHA, MUTCD, and FHA US Department of Transportation. **Mid-Block Crosswalks sole purpose are for providing pedestrian crossing at an "Uncontrolled Location".** This means there are no stop lights or stop signs at this location to control traffic. This makes the crossing inherently dangerous. Therefore, they should be considered at locations that are already a source of a significant number of midblock crossings or there is an existing or proposed generator (school, park, etc.) at or near the proposed location.

Whenever a Mid-block Crosswalk is considered, as part of the review process an engineering study should be used to analyze such other factors, including (but not limited to), gaps in traffic, approach speed, sight distances, illumination, the needs of special populations, and the distance to the nearest controlled intersection.

In the case of Broad Street, which currently does not have sidewalk on both sides of the street, if the concern is pedestrian traffic, the intersection at Locust should have two stop signs and a crossing installed there as it would be a controlled crossing making it inherently safer.

The Public Works department ethically cannot support the use of a Mid-Block Crosswalk for the purpose of Traffic Calming as it is unsafe for the public.

Traffic Engineering

LINCOLN
PUBLIC WORKS AND UTILITIES

SETTING SPEED LIMITS – THE 85TH PERCENTILE SPEED

How are regulatory speed limits (posted speeds) set?

The traffic engineering industry standard utilized in setting the regulatory speed limit for a street facility uses the "85th percentile speed". The City of Lincoln collects speed data utilizing radar equipment and analysis methods to calculate the 85th percentile speed, mean speed, pace speed, and other measures such as street function characteristics, adjacent development, and crash experience. The 85th percentile speed is a statistical measure that merits more detailed explanation.

The 85th percentile speed is defined as, "the speed at or below which 85 percent of all vehicles are observed to travel under free-flowing conditions past a monitored point." Another way to consider this is the speed at which only 15% of traffic violate on average. Traffic Engineers use the 85th percentile speed as a standard to set the speed limit at a safe speed, minimizing crashes and promoting uniform traffic flow along a corridor.

What influences the 85th percentile speed?

With the definition of 85th percentile speed, it would seem that the signed speed limit of a street would be highly influential in determining the 85th percentile speed, however the exact opposite is the case. A deeper dive into 85th percentile speed helps to reveal why it is a major consideration in determining a street's posted speed limit.

As described above, the 85th percentile speed defines the speed that 85 percent of drivers will drive at or below under free-flowing conditions. Most people don't drive according to the posted speed limit, but account for the visual aspects of the street and a 'feel' for the street. The visual factors that influence speeds can include:

- Lane and shoulder configurations, widths, and presence of curbs
- Presence of vertical and horizontal curves
- Sight distance and obstructions
- Presence of surrounding developments to the street
- Access management characteristics and medians/turn lane configurations

The 'feel' for the street can be as simple as being the regular route that someone drives for years, the travel through a busy commercial area, or driving a route with open access and block by block intersection spacing. With so many factors impacting the speeds on a street, the 85th percentile speed becomes a good metric that can quantify these variables and put them into one useful number.

How is the 85th percentile speed determined?

So how is the 85th percentile speed determined? By the completion of a spot speed study, data is gathered for a sample size of vehicles. As an example, 100 free flowing vehicle speeds are collected over a two-hour period using handheld radar. These speeds are then plotted and

Information collected from:
Federal Highway Administration & MUTCD

analyzed to create reporting statistics, evaluation metrics, and graphical representations such as the following figure:

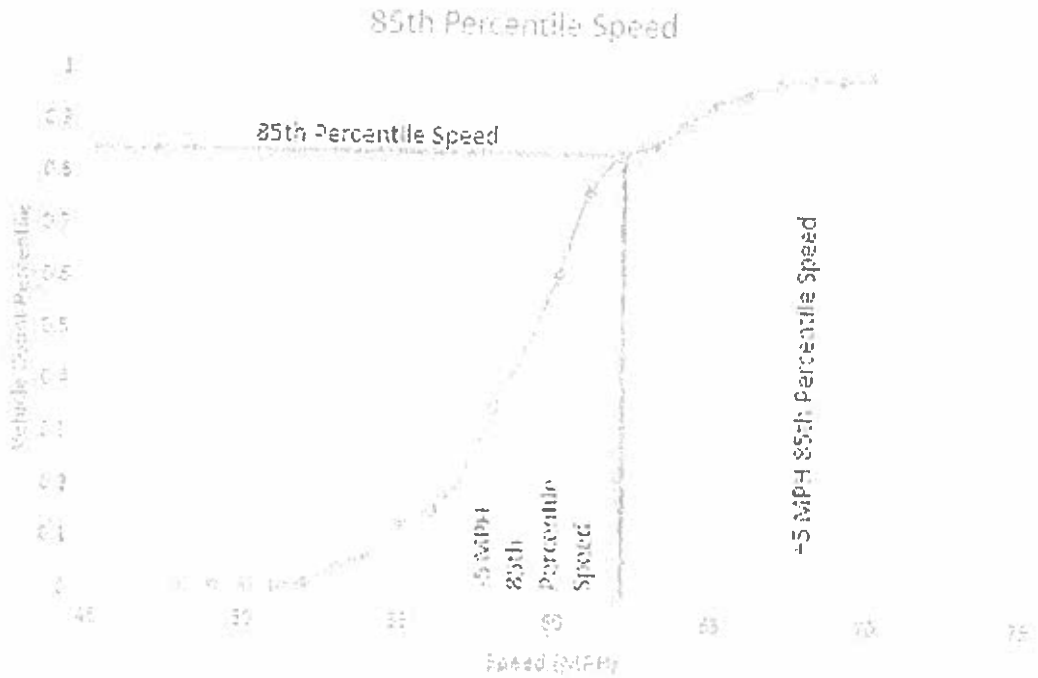


Figure 1: 85th Percentile Speed Graph

As illustrated in Figure 1 above, the 85th percentile speed of this segment is roughly 62 MPH (blue line). Using this as the base point, the percent of vehicles traveling up to 5 MPH over and under this speed limit were also checked (yellow lines). As the figure shows, only 23% of the total vehicles on the street were traveling less than 5 MPH below the 85th percentile speed, while less than 2% of vehicles were traveling more than 5 MPH over the 85th percentile speed limit. This means that roughly 75% of vehicles on the segment were traveling within 5 MPH of the 85th Percentile Speed.

This is why the 85th percentile speed is such a large consideration when determining speed limits. If the speed limit is set to the 85th percentile speed, we know that 85 percent of drivers will be driving at or below the speed limit, and that a majority of vehicles will be driving within 5 MPH of the speed limit (75% in our example).

This uniformity of vehicle speeds increases safety and reduces the risks for vehicle collisions. When vehicles deviate from a standard speed, either faster or slower, the potential for crashes increase, whether caused by a slow car in a rear end collision or a fast car completing lane changes to maneuver through slower traffic. By setting the speed limit to the 85th percentile speed this uniformity is achieved and safety is increased. Selection of the most appropriate speed limit to post can be a challenging responsibility, but proper speed limitations will result in safer and more efficient traffic flow. Setting realistic speed limits is important in inviting driver compliance, allowing effective enforcement, and reducing crash incidence. In contrast, unrealistic limits fail to reflect behavior habits of the majority of drivers, tend to breed disrespect for all traffic control devices, result in antagonism toward enforcement efforts, and create a poor community image for visitors, in addition to increasing the potential for crashes.

Information collected from:
Federal Highway Administration & MUTCD

Average Vehicle Count

Technician Name: administrator

Location: Broad Street - Southbound

Address:

Speed Limit: 35

Report Period: 5/7/2018 to 5/12/2018

Total Vehicle Count: 2,465

Hour	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Average Weekday	Average Weekend	Average Week	Average Speed	85% Speed
00-01	n/a	1	2	2	1	6	n/a	2	6	2	23	24
01-02	n/a	0	1	3	1	0	n/a	1	0	1	28	28
02-03	n/a	0	0	0	0	0	n/a	n/a	n/a	n/a	n/a	n/a
03-04	n/a	0	1	0	0	H 88	n/a	0	88	18	13	4
04-05	n/a	3	0	3	0	47	n/a	2	47	11	14	4
05-06	n/a	4	7	9	7	3	n/a	7	3	6	20	24
06-07	n/a	5	8	7	1	0	n/a	5	0	4	28	30
07-08	n/a	40	H 70	43	5	6	n/a	40	6	33	21	27
08-09	8	H 58	41	43	13	4	n/a	33	4	28	19	27
09-10	17	11	18	23	H 30	36	n/a	20	36	23	20	25
10-11	13	24	24	31	20	24	n/a	22	24	23	22	27
11-12	14	22	18	22	H 30	16	n/a	21	16	20	22	27
12-13	19	18	16	44	25	36	n/a	24	36	26	21	27
13-14	19	23	34	H 55	27	18	n/a	32	18	29	20	25
14-15	34	31	34	34	16	27	n/a	30	27	29	22	27
15-16	43	55	54	29	20	13	n/a	40	13	36	22	27
16-17	H 49	25	36	31	19	12	n/a	32	12	29	22	26
17-18	32	41	45	31	8	18	n/a	31	18	29	22	27
18-19	27	29	21	25	14	16	n/a	23	16	22	21	27
19-20	38	17	8	15	9	11	n/a	17	11	16	21	26
20-21	22	26	14	10	10	54	n/a	16	54	23	18	24
21-22	14	8	7	4	14	6	n/a	9	6	9	21	27
22-23	2	0	5	9	4	0	n/a	4	0	3	20	27
23-24	3	4	5	6	2	1	n/a	4	1	4	24	27
TOTAL:	354	445	469	479	276	442	0	415	442	424	21	25

Statistics Summary Report

Technician Name: administrator

Location: Broad Street - Southbound

Address:

Speed Limit: 35

Report Period: 5/7/2018 to 5/12/2018

Total Vehicle Count: 2,465

Hour	Total Vehicles	Average Vehicles	Total Violations	% Violations	Min. Speed	Max. Speed	Avg. Speed	85% Speed
00-01	12	2	0	0 %	14	25	23	24
01-02	5	1	0	0 %	22	32	28	28
02-03	0	0	0	0 %	0	0	0	0
03-04	89	18	0	0 %	3	22	13	4
04-05	53	11	0	0 %	3	25	14	4
05-06	30	6	0	0 %	7	32	20	24
06-07	21	4	0	0 %	20	34	28	30
07-08	164	33	2	1 %	4	36	21	27
08-09	167	28	1	1 %	3	36	19	27
09-10	135	23	0	0 %	3	33	20	25
10-11	136	23	0	0 %	3	35	22	27
11-12	122	20	0	0 %	4	34	22	27
12-13	158	26	1	1 %	3	37	21	27
13-14	176	29	1	1 %	3	38	20	25
14-15	176	29	2	1 %	3	37	22	27
15-16	214	36	1	0 %	3	40	22	27
16-17	172	29	0	0 %	4	30	22	26
17-18	175	29	0	0 %	3	35	22	27
18-19	132	22	0	0 %	3	32	21	27
19-20	98	16	0	0 %	4	31	21	26
20-21	136	23	0	0 %	3	35	18	24
21-22	53	9	0	0 %	5	32	21	27
22-23	20	3	0	0 %	3	31	20	27
23-24	21	4	0	0 %	17	32	24	27
	2,465	424	8	0 %	6	31	21	25

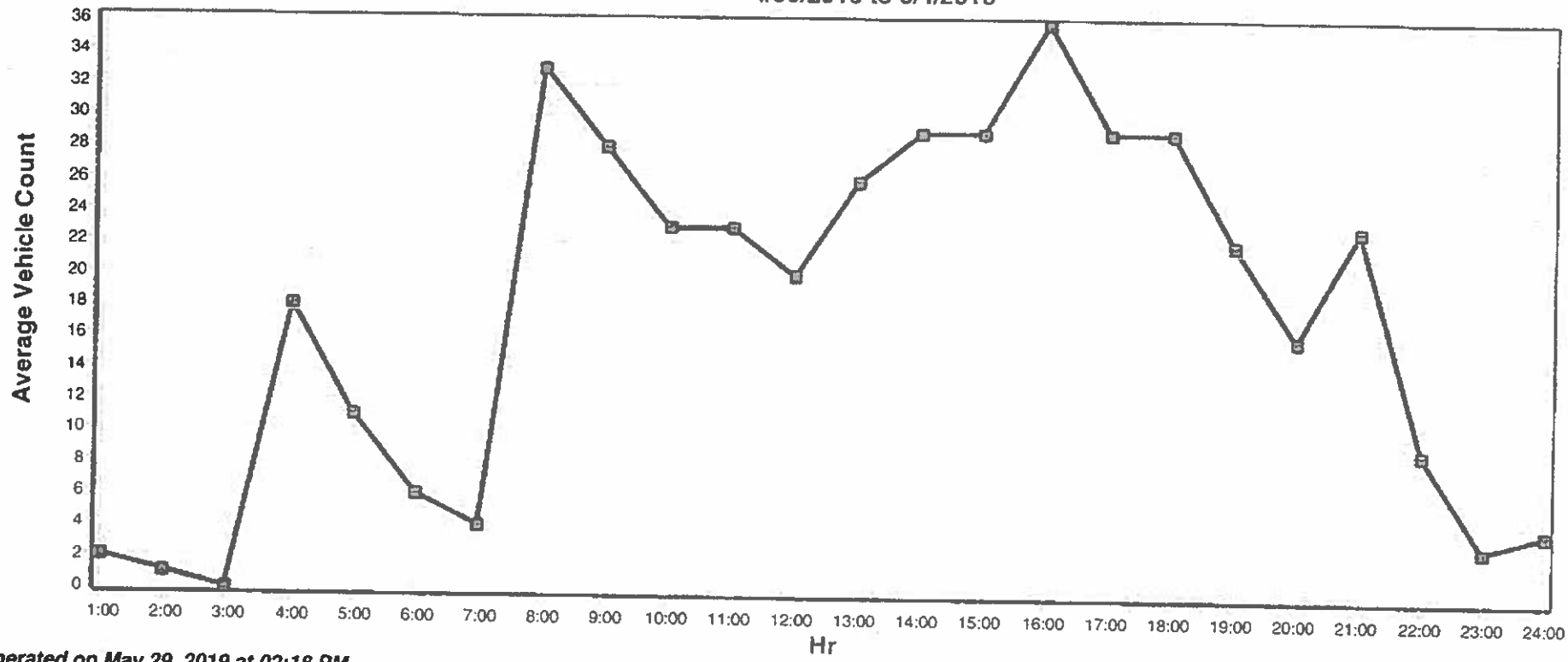
Count by Speed Bins

Speed	Count
30...31	16
31...32	23
32...33	3
33...34	9
34...35	6
35...36	3
36...37	3
37...38	1
38...39	0
39...40	1
Total:	2,465

Technician Name: administrator

Average Vehicle Count
Hourly Values

Broad Street - Southbound ()
4/30/2018 to 6/4/2018



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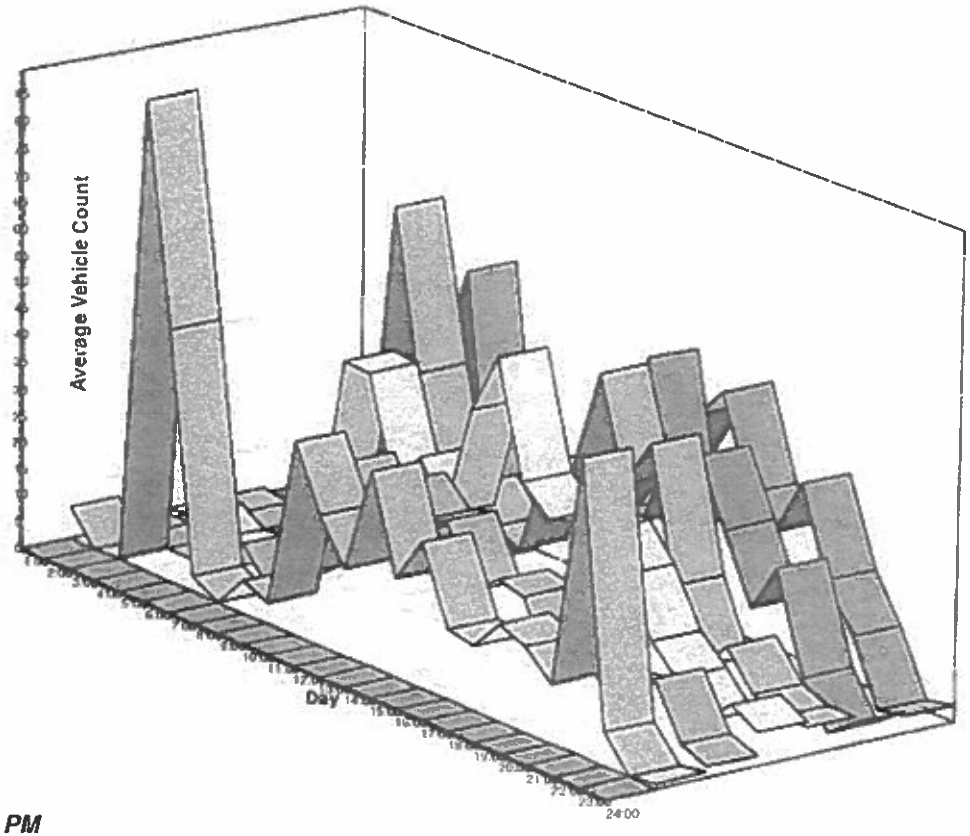
SafePace® Pro by Traffic Logix®

Technician Name: administrator

Average Vehicle Count

Broad Street - Southbound ()

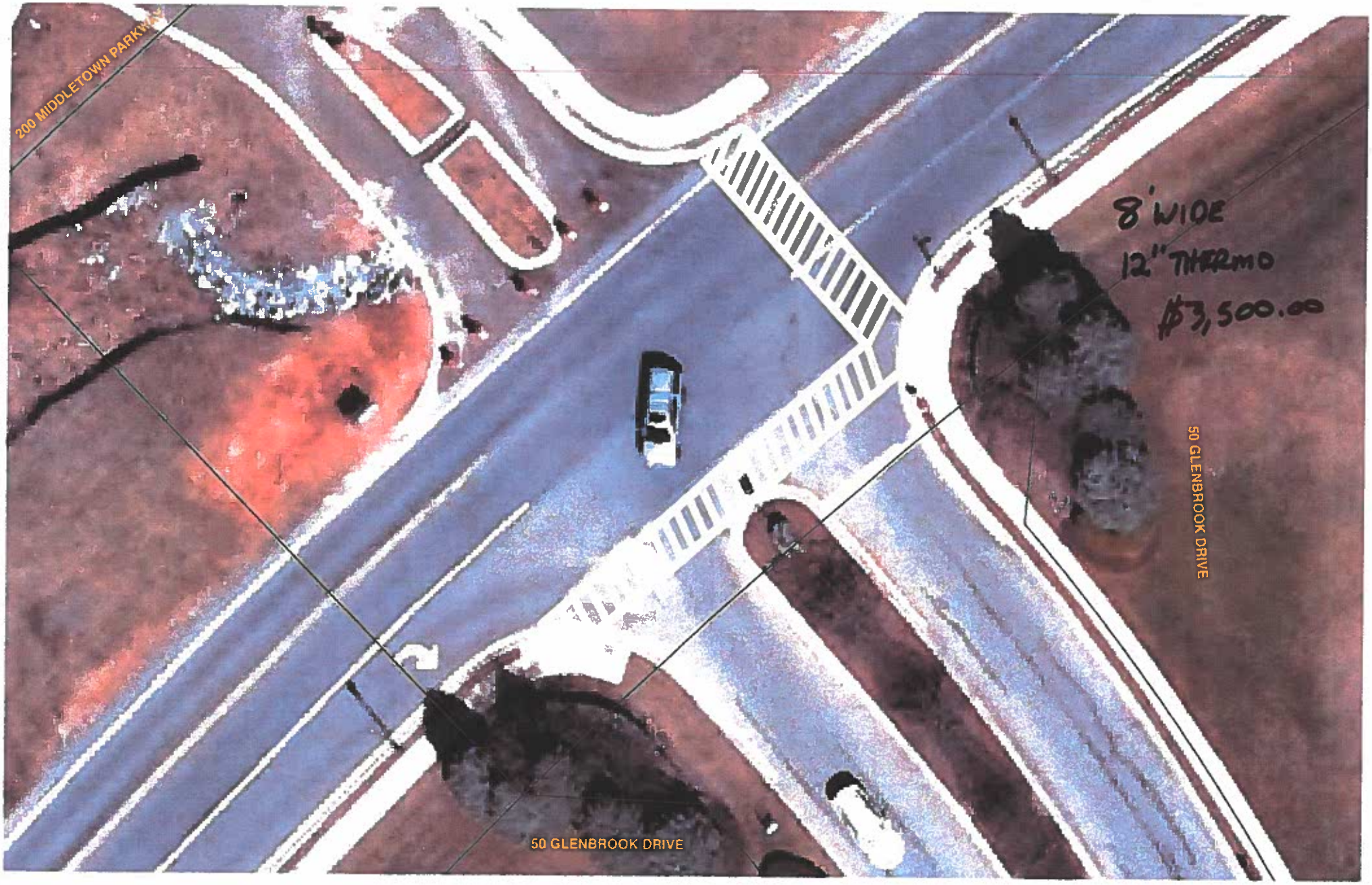
4/30/2018 to 6/4/2018



- Monday
- Tuesday
- Wednesday
- Thursday
- Friday
- Saturday
- Sunday

Generated on May 29, 2019 at 02:18 PM

SafePace® Pro by Traffic Logix®


200 MIDDLETOWN PARKWAY
8' WIDE
12" THERMO
$3,500.00
50 GLENBROOK DRIVE
50 GLENBROOK DRIVE

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
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 Callaway	305 Ingalls Drive
Laurel Sousa	303 Ingalls Drive
Stacia Underberg	5 Fink Lane
Jessica Collier	105 Ingalls Dr
Erin Landsman	3 Dean Lane
Brittany Mills	113 Ingalls Drive
Katie Gerst	201 Ingalls Drive.

Scanned with CamScanner

BURGESS AND COMMISSIONERS OF MIDDLETOWN

GENERAL CAPITAL IMPROVEMENT BUDGET
FY 2020 - FY 2024

	FY '20	FY '21	FY '22	FY '23	FY '24
INCOME					
CASH RESERVES	$568,285	$565,492	$543,168	$372,526	$728,457
INTEREST INCOME	$1,421	$1,414	$1,358	$931	$1,821
IMPROVEMENT FEES	$259,000	$125,650	$7,000	$217,000	$217,000
OPERATING INCOME From Previous Years	$418,612	$419,612	$450,000	$475,000	$500,000
LOAN for Broad Street			$1,224,000		
COMMUNITY LEGACY GRANTS					
PROGRAM OPEN SPACE and Community Parks & Playground	$64,382				
SUB-TOTAL	$1,311,700	$1,112,168	$2,225,526	$1,065,457	$1,447,278
PROJECTS					
Highways & Streets					
Broad Street Reconstruction					
Broad Street - Engineering and Design	$111,000				
Broad Street - Reconstruction			$1,224,000		
Prospect Street Reconstruction					
Prospect Street - Engineering and Design			$90,000		
Prospect Street - Construction					$531,000
Linden Boulevard Reconstruction (Broad Street to Pine Street)					
Linden Boulevard - Engineering and Design			$30,000		
Linden Boulevard - Construction					$379,000
Linden Boulevard - Culvert Replacement					
Linden Boulevard - Engineering and Design		$35,000			
Linden Boulevard - Construction			$100,000		
Washington Streetscape					
Washington Street - Engineering and Design	$15,000				
Washington Street - Construction		$172,000			
Boileau Court - TCS	$120,000				
Cone Branch Drive & Court - TCS				$100,000	
Franklin Street - Mill & Overlay (Broad to Walnut Pond Court)				$100,000	
Ivy Hill Drive - TCS			$172,000		
Knoll Side Lane - TCS				$100,000	
Martha Mason Drive - TCS	$12,600				
Manda Drive - TCS	$95,000				
Manda Court - TCS	$52,000				
Schoolhouse Drive - TCS	$30,000				
Washington Street Retaining Wall		$80,000			
Recreation & Culture					
Remsberg Park - Walking Trail Paving (75% Grant; POS 25%)	$65,842				
Remsberg Park - Bleacher Repair & Installation (75% Grant; POS 25%)	$20,000				
General Services Administration & Operations					
Municipal Center - HVAC Replacement	$51,765				
Municipal Center - ADA Improvements	$30,000				
Maintenance Facility at East WWTP	$106,000	$150,000			$300,000
Information Technology - Computers, Servers, Phones, Data Backup & Recovery Systems	$37,000	$37,000	$37,000	$37,000	$37,000
Loader Replacement			$50,000		
Truck Replacement(s)		$95,000	$150,000		
SUB-TOTAL	$746,207	$569,000	$1,853,000	$337,000	$1,247,000
SURPLUS/(DEFICIT)	**$565,492**	**$543,168**	**$372,526**	**$728,457**	**$200,278**

7/1/2019

Burgess and Commissioners of Middletown

Water & Sewer Capital Improvement Program

FY 20202 - FY 2024

INCOME	FY '20	FY '21	FY '22	FY '23	FY '24
CASH Reserves	$800,079	$875,538	$433,268	$427,241	$760,201
DEBT SERVICE FEE - NEW HOMES	$160,800				
CAPITAL IMPROVEMENT FEE	$178,800	$347,000	$350,590	$350,790	$356,990
Inflow & Infiltration - Reserve Account (Footnote #1)	$200,000		$125,000		
Sludge Removal - Reserve Account (Footnote #2)			$35,000		
Land Leases	$195,669	$202,517	$209,606	$216,942	$224,535
Tap Fees (Footnote #3)	$666,000	$323,100	$18,000	$558,000	$558,000
State of MD Bay Restoration Fee - Grant					$1,000,000
Main Street Waterline Loan (Footnote #4)	$853,871				
Reservoir Tank Loan (Footnote #5)	$1,984,146				
Total Revenue	$5,039,365	$1,748,156	$1,171,463	$1,552,973	$2,899,726
Debt Service					
EAST WWTP LOAN	$239,265				
MAIN STREET WATERLINE LOAN (Footnote #4)	$138,165	$138,165	$138,165	$138,165	$138,165
RESERVOIR TANK LOAN (Footnote #5)	$43,598	$108,965	$108,965	$108,965	$108,965
Total Debt Service	$421,027	$247,129	$247,129	$247,129	$247,129
Net Income	$4,618,337	$1,501,026	$924,334	$1,305,843	$2,652,596
Projects					
SYSTEM UPGRADE PROJECTS					
WATER SYSTEM					
Main Street Waterline Program	$853,871				
Reservoir Improvements - Ground Storage Tank & New Suction Line	$2,274,095	$486,666			
Booster Station - Upgrade: Pumps; VFD's; Piping	$48,500	$175,000			
Booster Station - Roof Replacement/Building Painting				$5,000	
PRV Vault Pipe Painting and Cleaning		$9,000			
New Inspection Vehicle (Subaru)	$30,000				
Water Meter Replacements	$34,333	$22,093	$22,093	$15,642	$14,983
WASTEWATER SYSTEM					
West WWTP - Curtain Replacement	$25,000		$80,000		
West WWTP - Plug Valve Replacement Micro Strainer Bldg		$15,000			
West WWTP - New Chemical Storage Structure		$85,000			
Upgrade of West WWTP (Possible Future)				$175,000	$1,550,000
East WWTP - Roof Replacement: Admin; Barscreen	$16,000				
East WWTP - Bar Screen Refurbishment		$60,000			
East WWTP - Dewatering Solution Sludge Tank - Engineering			$15,000	$25,000	
East WWTP - Influent Flume & Ultrasonic Meter			$20,000		
East WWTP - Sludge Removal Reed Beds			$35,000		
East WWTP - Sludge Mag Meter		$15,000			
Vactor Trailer & Excavator				$125,000	
Sewer Push Camera	$11,000				
Inflow & Infiltration	$250,000		$125,000		
Total Projects	$3,542,799	$867,759	$297,093	$345,642	$1,564,983
Gross Surplus/Deficit	$1,075,538	$633,268	$627,241	$960,201	$1,087,613
CAPITAL IMPROVEMENT RESERVE ACCOUNT	$200,000	$200,000	$200,000	$200,000	$200,000
Net Surplus / Deficit	$875,538	$433,268	$427,241	$760,201	$887,613
Capital Improvement Reserve Account 5 Year Total	$1,000,000				

Footnotes	
#1	As of 3/21/2019 - $234,462.00 Balance in the I&I Reserve Account
#2	As of 3/21/2019 - $181,950.00 Balance in the Sludge Reserve Account
#3	See Growth Projections Worksheet
#4	See Loan Breakdown Worksheet (30 Year Loan)
#5	See Loan Breakdown Worksheet (30 Year Loan)

Town of Middletown Code

Chapter 3.04 – Investment Policy

- **3.04.080 - Collateralization.**

All deposits, certificates of deposit, and repurchase agreements shall be secured by pledged collateral.

A. ~~A.~~ Collateral shall be in conformance with Article 95, Section 22 of the Annotated Code of Maryland.

B. Insured Cash Sweep (ICS) Services

C~~B~~. Collateral will be held by an independent third party. A clearly marked evidence of ownership (safekeeping receipt) must be supplied to the town and retained.

D~~C~~. The right of collateral substitution is granted.

(Res. 96-03 § 8, 1996)

ICS
INSURED CASH SWEEP

ICS: A Sweep You Can Bank On®

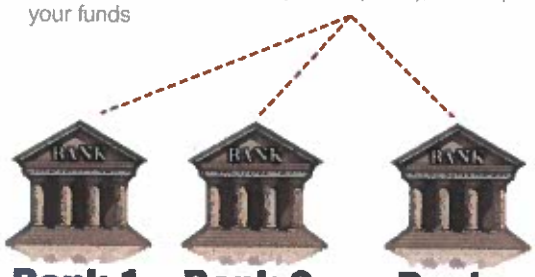
What Is ICS®?

Through ICS, the Insured Cash Sweep® service, you can earn interest on funds placed into demand deposit accounts, enjoy unlimited withdrawals, and rest assured knowing that your ICS funds are eligible for multi-million-dollar FDIC insurance that's backed by the full faith and credit of the United States government. Simply put, with ICS, you can have it all.

Sign the agreements, use an existing checking or other transaction account (or set up one), and deposit your funds

How Does ICS Work?

When our bank places funds for you using ICS, your deposit is sent from your transaction account at our bank into demand deposit accounts at other ICS Network banks in amounts below the standard FDIC insurance maximum ($250,000). This makes your funds eligible for FDIC protection. As a result, you can access FDIC insurance coverage from many institutions while working directly with just us, an institution you already know and trust. It's that easy.



Bank 1 **<$250,000** in principal and interest

Bank 2 ... **<$250,000** in principal and interest

Bank n **<$250,000** in principal and interest

Deposits are sent to demand deposit accounts at other Network banks in amounts under $250,000[1]

1 The standard FDIC insurance maximum is $250,000 per insured capacity, per bank.

What Else Do You Need to Know?

You receive a regular monthly statement from us showing your ICS balances and other key information. And you can check your ICS balances and track other important information of interest to you online, 24/7, through a specially designed Depositor Control Panel.

Your confidential information remains protected.

ICS can eliminate the ongoing tracking burdens associated with collateralization and the need to footnote uninsured deposits in financial statements if you are accustomed to these practices.

Placement of your funds through the ICS service is subject to the terms, conditions, and disclosures set forth in the agreements that you enter into with us, including the ICS Deposit Placement Agreement. Limits and customer eligibility criteria apply. Unlimited program withdrawals are available with ICS only when using the ICS demand option. ICS, Insured Cash Sweep, and A Sweep You Can Bank On are registered service marks of Promontory Interfinancial Network, LLC.

Model Illicit Discharge and ConnectionStormwater Ordinance

ORDINANCE NO. _____

SECTION 1. PURPOSE/INTENT.

The purpose of this ordinance is to provide for the health, safety, and general welfare of the citizens of (_____) through the regulation of non-storm water discharges to the storm drainage system to the maximum extent practicable as required by federal and state law. This ordinance establishes methods for controlling the introduction of pollutants into the municipal separate storm sewer system (MS4) in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process. The objectives of this ordinance are:

(1) To regulate the contribution of pollutants to the municipal separate storm sewer system (MS4) by stormwater discharges by any user

(2) To prohibit Illicit Connections and Discharges to the municipal separate storm sewer system

(3) To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this ordinance

SECTION 2. DEFINITIONS.

For the purposes of this ordinance, the following shall mean:

Authorized Enforcement Agency: employees or designees of the director of the municipal agency designated to enforce this ordinance.

Best Management Practices (BMPs): schedules of activities, prohibitions of practices, general good house keeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

Clean Water Act. The federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

Construction Activity. Activities subject to NPDES Construction Permits. Currently these include construction projects resulting in land disturbance of 5 acres or more. Beginning in March 2003, NPDES Storm Water Phase II permits will be required for construction projects resulting in land disturbance of 1 acre or more. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

Hazardous Materials. Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

Illegal Discharge. Any direct or indirect non-storm water discharge to the storm drain system, except as exempted in Section X of this ordinance.

Illicit Connections. An illicit connection is defined as either of the following:

Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the storm drain system including but not limited to any conveyances which allow any non-storm water discharge including sewage, process wastewater, and wash water to enter the

storm drain system and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency or,

Any drain or conveyance connected from a commercial or industrial land use to the storm drain system which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

Industrial Activity. Activities subject to NPDES Industrial Permits as defined in 40 CFR, Section 122.26 (b)(14).

National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permit. means a permit issued by EPA (or by a State under authority delegated pursuant to 33 USC § 1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Non-Storm Water Discharge. Any discharge to the storm drain system that is not composed entirely of storm water.

Person. means any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or as the owner's agent.

Pollutant. Anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordinances, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

Premises. Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

Storm Drainage System. Publicly-owned facilities by which storm water is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

Storm Water. Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

Stormwater Pollution Prevention Plan. A document which describes the Best Management Practices and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to Stormwater, Stormwater Conveyance Systems, and/or Receiving Waters to the Maximum Extent Practicable.

Wastewater means any water or other liquid, other than uncontaminated storm water, discharged from a facility.

SECTION 3. APPLICABILITY.

This ordinance shall apply to all water entering the storm drain system generated on any developed and undeveloped lands unless explicitly exempted by an authorized enforcement agency.

SECTION4. RESPONSIBILITY FOR ADMINISTRATION.

The_____ [authorized enforcement agency] shall administer, implement, and enforce the provisions of this ordinance. Any powers granted or duties imposed upon the authorized enforcement agency may be delegated in writing by the Director of the authorized enforcement agency to persons or entities acting in the beneficial interest of or in the employ of the agency.

SECTION 5. SEVERABILITY.

The provisions of this ordinance are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this Ordinance or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this Ordinance.

SECTION 6. ULTIMATE RESPONSIBILITY.

The standards set forth herein and promulgated pursuant to this ordinance are minimum standards; therefore this ordinance does not intend nor imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants.

SECTION 7. DISCHARGE PROHIBITIONS.

Prohibition of Illegal Discharges.

No person shall discharge or cause to be discharged into the municipal storm drain system or watercourses any materials, including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than storm water.

The commencement, conduct or continuance of any illegal discharge to the storm drain system is prohibited except as described as follows:

(a) The following discharges are exempt from discharge prohibitions established by this ordinance: water line flushing or other potable water sources, landscape irrigation or lawn watering, diverted stream flows, rising ground water, ground water infiltration to storm drains, uncontaminated pumped ground water, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, air conditioning condensation, springs, non-commercial washing of vehicles, natural riparian habitat or wet-land flows, swimming pools (if dechlorinated - typically less than one PPM chlorine), fire fighting activities, and any other water source not containing Pollutants.

(b) Discharges specified in writing by the authorized enforcement agency as being necessary to protect public health and safety.

(c) Dye testing is an allowable discharge, but requires a verbal notification to the authorized enforcement agency prior to the time of the test.

(d) The prohibition shall not apply to any non-storm water discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the storm drain system.

Prohibition of Illicit Connections.

(a) The construction, use, maintenance or continued existence of illicit connections to the storm drain system is prohibited.

(b) This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

(c) A person is considered to be in violation of this ordinance if the person connects a line conveying sewage to the MS4, or allows such a connection to continue.

SECTION 8. SUSPENSION OF MS4 ACCESS.

Suspension due to Illicit Discharges in Emergency Situations

The _____ [authorized enforcement agency] may, without prior notice, suspend MS4 discharge access to a person when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the MS4 or Waters of the United States. If the violator fails to comply with a suspension order issued in an emergency, the authorized enforcement agency may take such steps as deemed necessary to prevent or minimize damage to the MS4 or Waters of the United States, or to minimize danger to persons.

Suspension due to the Detection of Illicit Discharge

Any person discharging to the MS4 in violation of this ordinance may have their MS4 access terminated if such termination would abate or reduce an illicit discharge. The authorized enforcement agency will notify a violator of the proposed termination of its MS4 access. The violator may petition the authorized enforcement agency for a reconsideration and hearing.

A person commits an offense if the person reinstates MS4 access to premises terminated pursuant to this Section, without the prior approval of the authorized enforcement agency.

SECTION 9. INDUSTRIAL OR CONSTRUCTION ACTIVITY DISCHARGES.

Any person subject to an industrial or construction activity NPDES storm water discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the [authorized enforcement agency] prior to the allowing of discharges to the MS4.

SECTION 10. MONITORING OF DISCHARGES.

A. Applicability.

This section applies to all facilities that have storm water discharges associated with industrial activity, including construction activity.

B. Access to Facilities.

(a) The_____ [authorized enforcement agency] shall be permitted to enter and inspect facilities subject to regulation under this ordinance as often as may be necessary to determine compliance with this ordinance. If a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access to representatives of the authorized enforcement agency.

(b) Facility operators shall allow the [authorized enforcement agency] ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records that must be kept under the conditions of an NPDES permit to discharge storm water, and the performance of any additional duties as defined by state and federal law.

(c) The _____ [authorized enforcement agency] shall have the right to set up on any permitted facility such devices as are necessary in the opinion of the authorized enforcement agency to conduct monitoring and/or sampling of the facility's storm water discharge.

(d) The _____ [authorized enforcement agency] has the right to require the discharger to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure stormwater flow and quality shall be calibrated to ensure their accuracy.

(e) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the operator at the written or oral request of the [authorized enforcement agency] and shall not be replaced. The costs of clearing such access shall be borne by the operator.

(f) Unreasonable delays in allowing the [authorized enforcement agency] access to a permitted facility is a violation of a storm water discharge permit and of this ordinance. A person who is the operator of a facility with a NPDES permit to discharge storm water associated with industrial activity commits an offense if the person denies the authorized enforcement agency reasonable access to the permitted facility for the purpose of conducting any activity authorized or required by this ordinance.

(g) If the _____ [authorized enforcement agency] has been refused access to any part of the premises from which stormwater is discharged, and he/she is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this ordinance or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the authorized enforcement agency may seek issuance of a search warrant from any court of competent jurisdiction.

SECTION 11. REQUIREMENT TO PREVENT, CONTROL, AND REDUCE STORM WATER POLLUTANTS BY THE USE OF BEST MANAGEMENT PRACTICES.

_____[Authorized enforcement agency] will adopt requirements identifying Best Management Practices for any activity, operation, or facility which may cause or contribute to pollution or contamination of storm water, the storm drain system, or waters of the U.S. The owner or operator of a commercial or industrial establishment shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the municipal storm drain system or watercourses through the use of these structural and non-structural BMPs. Further, any person responsible for a property or premise, which is, or may be, the source of an illicit discharge, may be required to implement, at said person's expense, additional structural and non-structural BMPs to prevent the further discharge of pollutants to the municipal separate storm sewer system. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of storm water associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section. These BMPs shall be part of a stormwater pollution prevention plan (SWPP) as necessary for compliance with requirements of the NPDES permit.

SECTION12. WATERCOURSE PROTECTION.

Every person owning property through which a watercourse passes, or such person's lessee, shall keep and maintain that part of the watercourse within the property free of trash, debris, excessive vegetation, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse.

SECTION 13. NOTIFICATION OF SPILLS.

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into storm water, the storm drain system, or water of the U.S. said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials said person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, said person shall notify the authorized enforcement agency in person or by phone or facsimile no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the [authorized enforcement agency] within three business days of the phone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

SECTION 14. ENFORCEMENT.

A. Notice of Violation.

Whenever the [authorized enforcement agency] finds that a person has violated a prohibition or failed to meet a requirement of this Ordinance, the authorized enforcement agency may order compliance by written notice of violation to the responsible person. Such notice may require without limitation:

(a) The performance of monitoring, analyses, and reporting;

(b) The elimination of illicit connections or discharges;

(c) That violating discharges, practices, or operations shall cease and desist;

(d) The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property; and

(e) Payment of a fine to cover administrative and remediation costs; and

(f) The implementation of source control or treatment BMPs.

If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the work will be done by a designated governmental agency or a contractor and the expense thereof shall be charged to the violator.

SECTION 15. APPEAL OF NOTICE OF VIOLATION.

Any person receiving a Notice of Violation may appeal the determination of the authorized enforcement agency. The notice of appeal must be received within ___ days from the date of the Notice of Violation. Hearing on the appeal before the appropriate authority or his/her designee shall take place within 15 days from the date of receipt of the notice of appeal. The decision of the municipal authority or their designee shall be final.

SECTION 16. ENFORCEMENT MEASURES AFTER APPEAL.

If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, or , in the event of an appeal, within ___ days of the decision of the municipal authority upholding the decision of the authorized enforcement agency, then representatives of the authorized enforcement agency shall enter upon the subject private property and are authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the government agency or designated contractor to enter upon the premises for the purposes set forth above.

SECTION 17. COST OF ABATEMENT OF THE VIOLATION.

Within ___ days after abatement of the violation, the owner of the property will be notified of the cost of abatement, including administrative costs. The property owner may file a written protest objecting to the amount of the assessment within ___ days. If the amount due is not paid within a timely manner as determined by the decision of the municipal authority or by the expiration of the time in which to file an appeal, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment.

Any person violating any of the provisions of this article shall become liable to the city by reason of such violation. The liability shall be paid in not more than 12 equal payments. Interest at the rate of ___ percent per annum shall be assessed on the balance beginning on the __st day following discovery of the violation.

SECTION 18. INJUNCTIVE RELIEF.

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Ordinance. If a person has violated or continues to violate the provisions of this ordinance, the authorized enforcement agency may petition for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

SECTION 19. COMPENSATORY ACTION.

In lieu of enforcement proceedings, penalties, and remedies authorized by this Ordinance, the authorized enforcement agency may impose upon a violator alternative compensatory actions, such as storm drain stenciling, attendance at compliance workshops, creek cleanup, etc.

SECTION 20. VIOLATIONS DEEMED A PUBLIC NUISANCE.

In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this Ordinance is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken.

SECTION 21. CRIMINAL PROSECUTION.

Any person that has violated or continues to violate this ordinance shall be liable to criminal prosecution to the fullest extent of the law, and shall be subject to a criminal penalty of _____ dollars per violation per day and/or imprisonment for a period of time not to exceed ____ days. The authorized enforcement agency may recover all attorney's fees court costs and other expenses associated with enforcement of this ordinance, including sampling and monitoring expenses.

SECTION 22. REMEDIES NOT EXCLUSIVE.

The remedies listed in this ordinance are not exclusive of any other remedies available under any

applicable federal, state or local law and it is within the discretion of the authorized enforcement agency to seek cumulative remedies.

SECTION 23. ADOPTION OF ORDINANCE.
This ordinance shall be in full force and effect __ days after its final passage and adoption. All prior ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

PASSED AND ADOPTED this ____ day of _____, 19__, by the following vote: