Middletown

AGENDA FOR THE TOWN MEETING
August 26, 2019
7:00 p.m.

PLEDGE TO THE FLAG

PUBLIC HEARING

Ordinance No. 19-07-02 – Self Storage Text Amendments

AN ORDINANCE TO AMEND TITLE 17 OF THE MIDDLETOWN MUNICIPAL CODE TO ADD DEFINITIONS FOR THE TERMS "PERSONAL PROPERTY", "SELF-STORAGE UNITS", AND "STORAGE"; TO AMEND TITLE 17, CHAPTER 17.48, SECTION 17.48.340 TO DELETE AND REPEAL THE REQUIREMENT THAT SELF-STORAGE FACILITIES MAY ONLY BE PERMITTED AS AN ACCESSORY USE TO A PRIMARY BUSINESS.

CALL TO ORDER

CONSENT AGENDA

- **Financial Statements**
- Request for Closures of Prospect Street for Block Party – Saturday, September 28, 2019 from 4:00PM – 8:00PM
- Town Meeting Minutes
  - **August 1, 2019 – Town Workshop**
  - **August 12, 2019 – Town Meeting**

PERSONAL REQUESTS FOR AGENDA:

UNFINISHED BUSINESS:

- **Ordinance 19-07-02 – Self Storage Text Amendment *(Vote)***
- **Ordinance 19-07-03 – Investment Policy Amendments *(Vote)***
- **Water & Sewer Billing Software – Credit Accounts *(Vote)***
- **Speed Sign Data – Middletown Glen Ingalls Drive**
- **Discussion of Electronic Vehicle Charging Stations and Upgrades**

NEW BUSINESS:

- **Sidewalk Inspections**
- Discussion of Installation of LED Enhanced Crosswalk – Middletown Parkway & Glenbrook Drive
- Discussion of Crosswalk on West Green Street

PUBLIC COMMENTS:

ANNOUNCEMENTS:

- *Month of September – Frederick County Goes Purple*
- *Month of September – Emergency Preparedness*
- *Heritage Festival – Saturday, September 28, 2019 from 10:00AM to 5:00PM*

ADJOURNMENT

Middletown Planning Office

MEMORANDUM

Date: 8/20/2019

To: Burgess & Commissioners
Drew Bowen, Town Administrator

From: Cynthia K. Unangst, Middletown Staff Planner

RE: SELF-STORAGE TEXT AMENDMENT

The Burgess & Commissioners referred back to the Planning Commission the proposed self-storage definitions and in particular the definition for self-storage facilities to comment on wording for details related to the storage of vehicles. The public hearing is re-scheduled for Monday, August 26th.

Staff proposed the following for consideration by the Planning Commission, and the PC edits are shown with track changes:

"Self-storage facilities" means any site, lot, or tract of ground used for self-storage units, a business office where facility-related ~~retail~~ sales are allowed, and the designated, orderly array of parking spaces for storage of registered, insured, operable vehicles including restricted vehicles and recreational equipment; and where no vehicle repair is permitted at the facility.

The Planning Commission also discussed the other proposed definitions and is suggesting the proposed changes below:

"Personal Property" means possessions (Clapp suggests using property rather than possessions) other than real estate or buildings. Personal property is movable and includes tangible items, including but not limited to (appliances, vehicles, furniture, jewelry, etc.) ~~and intangible (bonds, right to a benefit, shares or stocks) items~~ whose ownership belongs to the individual, organization or business.

"Storage" means the action or method of ~~storing~~ keeping something for future use.

Also, the Planning Commission would like the following language to be the included in Section 17.48.340 as letter E.

The owner of a self-storage facility shall submit rules and regulations that shall be required by users and enforced by the self-storage facility owner to the Planning Commission for review. This is a condition of site plan approval of any self-storage facility.

ORDINANCE NO. 19-07-02

AN ORDINANCE TO AMEND TITLE 17 OF THE MIDDLETOWN MUNICIPAL CODE TO ADD DEFINITIONS FOR THE TERMS "PERSONAL PROPERTY", "SELF-STORAGE UNITS", AND "STORAGE"; TO AMEND TITLE 17, CHAPTER 17.48, SECTION 17.48.340 TO DELETE AND REPEAL THE REQUIREMENT THAT SELF-STORAGE FACILITIES MAY ONLY BE PERMITTED AS AN ACCESSORY USE TO A PRIMARY BUSINESS.

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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"PERSONAL PROPERTY" MEANS POSSESSIONS OTHER THAN REAL ESTATE OR BUILDINGS. PERSONAL PROPERTY IS MOVABLE AND INCLUDES TANGIBLE, INCLUDED BUT NOT LIMITED TO (APPLIANCES, VEHICLE, FURNITURE, JEWELRY, ETC.) AND (BONDS, RIGHT TO A BENEFIT, SHARES OR

STOCKS) ITEMS WHOSE OWNERSHIP BELONGS TO THE INDIVIDUAL.

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"SELF-STORAGE UNITS" MEANS A BUILDING OR GROUP OF BUILDINGS CONSISTING OF INDIVIDUAL, SELF-CONTAINED UNITS LEASED OR RENTED TO INDIVIDUALS, ORGANIZATIONS, OR BUSINESSES FOR SELF-SERVICE STORAGE OF PERSONAL PROPERTY AND WHERE NO COMMERCIAL TRANSACTIONS ARE PERMITTED OTHER THAN THE LEASING AND RENTAL OF THE STORAGE UNIT.

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"STORAGE" MEANS THE ACTION OR METHOD OF STORING SOMETHING FOR FUTURE USE.

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"SELF STORAGE FACILITIES" MEANS AREAS INCLUDING SELF STORAGE UNITS, INCLUDING OFFICE SPACE, AND DESIGNATED PARKING AREAS FOR STORAGE OF VEHICLES.

SECTION II. BE IT FURTHER ORDAINED AND ENACTED by the Burgess and Commissioners of the Town of Middletown, Maryland that Title 17, Chapter 17.48, Section 17.48.340 of the Middletown Municipal Code be, and hereby is amended as follows. Language being repealed and deleted is designated by being in ~~[brackets and stricken through]~~.

TITLE 17 ZONING

CHAPTER 17.48 – SPECIFIC STANDARDS FOR SPECIAL EXCEPTIONS

17.48.340 - Self-storage FACILITIES.

Self-storage facilities in the GC and SC\LM commercial districts are subject to the requirements of the district in which the property is located except as provided in this section:

A. – D. *{Unchanged}*

~~[E. This use may be permitted only as an accessory use to a primary business.]~~

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

INTRODUCED ON THE _____ DAY OF _____, 2019

PASSED ON THE _____ DAY OF _____, 2019

EFFECTIVE DATE: _____, 2019

ATTEST:

_____
Andrew J. Bowen, Town Administrator

BURGESS AND COMMISSIONERS OF MIDDLETOWN

By:_____
John D. Miller, Burgess

Town of Middletown

Statement of Revenue & Expenditures

General Fund

Fiscal Year 2019

For the 12 Months Ended June 30, 2019

	ANNUAL BUDGET	YTD ACTUAL	OVER (UNDER) BUDGET
REVENUE			
LOCAL TAX			
Real Property	$ 1,304,924	$ 1,337,657	$ 32,733
Tangible Personal Property	44,063	53,289	9,226
Public Utilities	14,192		(14,192)
Franchise (Cable)	55,145	37,055	(18,090)
Penalties & Interest	11,043	1,924	(9,119)
	$ 1,429,367	$ 1,429,925	$ 558
STATE SHARED TAX			
Admission & Amusement	$ 34,125	$ 19,384	$ (14,741)
Highway Gasoline & Licenses	177,025	168,111	(8,914)
	$ 211,150	$ 187,495	$ (23,655)
COUNTY SHARED TAX			
Income Taxes	$ 1,024,876	$ 1,033,620	$ 8,744
Tax Equity Grant	632,552	632,552	
	$ 1,657,428	$ 1,666,172	$ 8,744
LICENSES AND PERMITS			
Business / Traders	$ 4,900	$ 5,265	$ 365
Planning / Zoning Fees	21,290	18,080	(3,210)
	$ 26,190	$ 23,345	$ (2,845)
PARKS AND RECREATION			
Pavillion Fees	$ 4,315	$ 4,135	$ (180)
	$ 4,315	$ 4,135	$ (180)
POLICE PROTECTION			
State Grant	$ 26,187	$ 26,654	$ 467
	$ 26,187	$ 26,654	$ 467
MISCELLANEOUS			
Bank Shares Grant	$ 2,500	$ 1,491	$ (1,009)
Miscellaneous & Donations		971	971
	$ 2,500	$ 2,462	$ (38)
OPERATING REVENUES	**$ 3,357,137**	**$ 3,340,188**	**$ (16,949)**
State Grants & Interest	$ 100,900	$ 23,160	$ (77,740)
TOTAL REVENUE	**$ 3,458,037**	**$ 3,363,348**	**$ (94,689)**

Town of Middletown

Statement of Revenue & Expenditures

General Fund

Fiscal Year 2019

For the 12 Months Ended June 30, 2019

	ANNUAL BUDGET	YTD ACTUAL	OVER (UNDER) BUDGET
EXPENDITURES			
LEGISLATIVE			
Commissioner's Salary	$ 21,000	$ 19,250	$ (1,750)
Communications	3,480	3,097	(383)
Dues & Subscriptions	7,400	6,863	(537)
Office Supplies & Exp	7,500	2,921	(4,579)
Advertising	500	418	(82)
Meetings & Conventions	7,500	11,218	3,718
	$ 47,380	$ 43,767	$ (3,613)
EXECUTIVE			
Burgess Salary	$ 10,200	$ 9,350	$ (850)
	$ 10,200	$ 9,350	$ (850)
ELECTION			
Clerk Fees			
Other Administrative Expenses			
GENERAL SERVICES ADMINISTRATION			
Administrative Salary	$ 272,402	$ 270,022	$ (2,380)
Postage & Printing	200	9	(191)
Communications	10,300	7,715	(2,585)
Computer Expenses	21,800	65,226	43,426
Office Supplies & Exp	42,232	37,442	(4,790)
Office Maintenance	23,500	28,549	5,049
Dues & Subscriptions	150		(150)
Professional Services	4,600	2,482	(2,118)
Meetings & Conventions	100	370	270
Water and Sewer Grant			
	$ 375,284	$ 411,815	$ 36,531
OPERATIONS			
Operations Salary	$ 247,722	$ 263,097	$ 15,375
Communications	10,200	10,656	456
Supplies & Expenses	19,500	15,723	(3,777)
Dues & Meetings	1,500	1,155	(345)
Maintenance & Repairs	25,982	18,621	(7,361)
Tools & Equipment	3,166	2,498	(668)
	$ 308,070	$ 311,750	$ 3,680
PROFESSIONAL SERVICES			
Independent Accounting	$ 16,000	$ 16,000	

Town of Middletown
Statement of Revenue & Expenditures
General Fund
Fiscal Year 2019
For the 12 Months Ended June 30, 2019

	ANNUAL BUDGET	YTD ACTUAL	OVER (UNDER) BUDGET
Legal - Development			
Legal - Ordinances	9,130	3,870	(5,260)
	$ 25,130	$ 19,870	$ (5,260)
PLANNING & ZONING			
Salary & Fees	$ 64,415	$ 60,986	$ (3,429)
Other Expenses	2,684	2,875	191
	$ 67,099	$ 63,861	$ (3,238)
MAIN STREET PROGRAM			
Manager Salary	$ 47,147	$ 47,170	$ 23
Town Contribution	10,000	10,470	470
	$ 57,147	$ 57,640	$ 493
PUBLIC SAFETY			
Fire Dept. Donation	$ 20,000	$ 20,000	
School Crossing Guards	21,910	18,486	(3,424)
Community Deputy Program	393,895	298,105	(95,790)
	$ 435,805	$ 336,591	$ (99,214)
SANITATION & WASTE REMOVAL			
Resident Trash & Yard Waste	$ 284,930	$ 289,524	$ 4,594
RECREATION AND CULTURE			
Park Salary	49,000	33,392	(15,608)
Park Electric	2,505	2,067	(438)
Remsberg Park Electric		13,283	13,283
Maintenance & Repairs	31,150	30,780	(370)
Mowing	33,935	23,001	(10,934)
Remsberg Park - Interest	4,389	4,389	
Remsberg Park - Principal	119,161	129,253	10,092
	$ 240,140	$ 236,165	$ (3,975)

Town of Middletown

Statement of Revenue & Expenditures

General Fund

Fiscal Year 2019

For the 12 Months Ended June 30, 2019

	ANNUAL BUDGET	YTD ACTUAL	OVER (UNDER) BUDGET
HIGHWAYS AND STREETS			
Salary	$ 70,232	$ 104,718	$ 34,486
Street Lighting	182,300	160,207	(22,093)
Storm Water Management	7,545	5,260	(2,285)
Snow Removal	85,300	122,027	36,727
Repairs & Resurfacing	92,000	106,828	14,828
Signs	5,300	9,608	4,308
Truck Repair & Operation	28,000	32,442	4,442
Equipment Repairs & Ops	21,172	11,633	(9,539)
Mowing	33,440	27,282	(6,158)
Interest	77,358	61,240	(16,118)
West Green St - Principal	100,000	65,960	(34,040)
	$ 702,647	$ 707,205	$ 4,558
OTHER EXPENSES			
MT Historical Society - CIP	$ 5,000	$ 5,000	
Donations	100		(100)
Travel - Mileage	2,278	1,390	(888)
Community Events	53,290	37,649	(15,641)
Payroll Taxes	63,139	62,498	(641)
Insurance - Property	15,906	13,581	(2,325)
Insurance - Employee	165,325	148,863	(16,462)
Retirement/Pension	71,102	75,803	4,701
Web Page & Directory	3,755	5,236	1,481
Real Estate Taxes	800	1,679	879
Other	4,000	11,226	7,226
	$ 384,695	$ 362,925	$ (21,770)
TOTAL EXPENDITURES	**$ 2,938,527**	**$ 2,850,463**	**$ (88,064)**
INCOME (LOSS) Exc. Cash Reserves	**$ 519,510**	**$ 512,885**	**$ (6,625)**
CASH RESERVES	**$ 881,203**	**$ 455,028**	**$ (426,175)**
SURPLUS / (DEFICIT)	**$ 1,400,713**	**$ 967,913**	**$ (432,800)**

Town of Middletown
CIP Funds & Expenditures
General Fund
Fiscal Year 2019
For the 12 Months Ended June 30, 2019

	ANNUAL BUDGET	YTD ACTUAL	OVER (UNDER) BUDGET
OPERATING REVENUE			
Revenue	$ 3,357,138	$ 3,340,188	$ (16,950)
OPERATING EXPENSES			
Expenses	3,357,138	2,850,463	(506,675)
OPERATING SURPLUS (DEFICIT)		**$ 489,725**	**$ 489,725**
OTHER FUND			
POS - Development	$ 36,900	$ 7,700	$ (29,200)
Community Legacy Grants	64,000		(64,000)
RETAINED EARNINGS	299,658		(299,658)
Interest	865	15,460	14,595
Improvement Fees	241,500	271,650	30,150
TOTAL OTHER FUNDS	$ 642,923	$ 294,810	$ (348,113)
TOTAL FUNDS AVAILABLE	**$ 642,923**	**$ 784,535**	**$ 141,612**
CIP PROJECTS & PURCHASES			
SHA Streetscape Lighting	$ 175,000		$ (175,000)
Broad Street Reconsturction	111,000	10,977	(100,023)
Elm Street - TCS	25,000	60,601	35,601
Elm Street Parking Lot Upgrades	90,000	1,042	(88,958)
Manda Drive - TCS	95,000		(95,000)
Manda Court - TCS	52,000		(52,000)
Washington Street Retaining Wall	25,000		(25,000)
Foxfield Swale Reconstruction	15,000		(15,000)
Remsberg Park - Walking Trail Pa	25,000		(25,000)
Cone Branch Park Benches	6,500		(6,500)
Walking Trail Signage	5,000		(5,000)
Wiles Branch Picnic Benches	4,500	7,090	2,590
Foxfield Walking Trail - Ext to	25,000		(25,000)
Befco Slit Seeder	8,000		(8,000)
Municipal Center - HVAC Replacem	60,000		(60,000)
Municipal Center - Boiler Replac	35,000	74,799	39,799
Municipal Center - ADA Improveme	30,000		(30,000)
Street Pretreatment Equipment -	60,360		(60,360)
Maintenance Facility at EWWTP		1,800	1,800
IT Computer Equipment Lease	37,000		(37,000)
ADA Compliance - Handicap Ramps		22,295	22,295
	$ 787,000	$ 178,604	$ (608,396)

Town of Middletown

CIP Funds & Expenditures

General Fund

Fiscal Year 2019

For the 12 Months Ended June 30, 2019

	ANNUAL BUDGET	YTD ACTUAL	OVER (UNDER) BUDGET
OPERATING & CIP SURPLUS (DEFICIT)	$ (144,077)	$ 605,931	$ 750,008
Cash Reserves	$ 346,150	$ 253,696	$ (92,454)
TOTAL CASH SURPLUS	**$ 202,073**	**$ 859,627**	**$ 657,554**

Town of Middletown
STATEMENT OF REVENUE and EXPENDITURES
WATER & SEWER
Fiscal Year 2019
For the 12 Months Ended June 30, 2019

	ANNUAL BUDGET	YTD ACTUAL	OVER (UNDER) BUDGET
REVENUE			
Water Revenue	$ 624,139	$ 606,897	$ (17,242)
Sewer Revenue	616,076	604,186	(11,890)
Penalties/Reconnects	22,161	29,858	7,697
Rain Barrel Sales	1,000	(801)	(1,801)
General Fund Grant/Misc		1	1
TOTAL OPERATING REVENUE	**$ 1,263,376**	**$ 1,240,141**	**$ (23,235)**
EXPENDITURES			
ADMINISTRATIVE			
Office Salaries	$ 34,407	$ 36,780	$ 2,373
Communications	11,742	12,466	724
Postage	9,750	6,000	(3,750)
Office Supplies/Expense	14,000	8,294	(5,706)
Legal - Other	2,000	5,264	3,264
Meetings & Seminars	500	625	125
Advertising	500	490	(10)
Uniforms	5,068	3,265	(1,803)
Dues/Subscrip/Certifications	500	879	379
Travel	200	149	(51)
Payroll Taxes	23,721	23,133	(588)
Insurance - Prop. & Liability	11,848	8,065	(3,783)
Insurance - Workers Comp	9,911	7,025	(2,886)
Insurance - Health	54,716	29,192	(25,524)
Retirement/Pension	22,912	14,511	(8,401)
Real Estate Taxes	292	292	
Rain Barrel/Educational Programs	1,000		(1,000)
I & I Loan Principal and Interest	32,743	32,498	(245)
Sub-Total	$ 235,810	$ 188,928	$ (46,882)
Vehicles & Equipment			
2016 Truck (Pearl)	$ 1,100		$ (1,100)
2008 Truck	4,200	244	(3,956)
2012 Truck (Miller)	1,800	839	(961)
2013 Truck (Whitney)	2,600	1,312	(1,288)
2015 Meter Van (Hightman)	2,300	2,129	(171)
Misc Equipment		993	993
Bobcat Mini-Excavator		91	91
Case Backhoe	3,000	3,028	28
Sub-Total	$ 15,000	$ 8,636	$ (6,364)

Town of Middletown
STATEMENT OF REVENUE and EXPENDITURES
WATER & SEWER
Fiscal Year 2019
For the 12 Months Ended June 30, 2019

	ANNUAL BUDGET	YTD ACTUAL	OVER (UNDER) BUDGET
WATER			
Salaries	$ 151,440	$ 145,094	$ (6,346)
Water Distribution System			
Supplies	5,500	20,612	15,112
Repairs & Maintenance	37,000	31,544	(5,456)
Water Line Break Repairs	5,000	3,498	(1,502)
Chemicals	500	2,106	1,606
Tools & Equipment	4,000	50	(3,950)
Sub-Total	$ 52,000	$ 57,810	$ 5,810
Water Plant/Reservoir/Booster/Tower/BS Wellhouse			
Supplies	$ 2,000	$ 8,121	$ 6,121
Repairs & Maintenance	37,722	11,077	(26,645)
Chemicals	17,132	14,578	(2,554)
Tank Maintenance Contract	100,000		(100,000)
Tools & Equipment	1,932	631	(1,301)
Testing & Analysis	5,900	4,035	(1,865)
Sub-Total	$ 164,686	$ 38,442	$ (126,244)
Water Electric	**$ 26,561**	**$ 76,234**	**$ 49,673**
TOTAL WATER EXPENSES	**$ 394,687**	**$ 317,580**	**$ (77,107)**
SEWER			
Salaries	$ 115,933	$ 120,178	$ 4,245
Sewer Collection System			
Cone Branch PS		7,802	7,802
Brookridge South PS		2,504	2,504
Foxfield PS		2,162	2,162
Sanitary Sewerlines & Manholes	22,080	13,976	(8,104)
I & I Accrual	75,000	75,000	
Sub-Total	$ 97,080	$ 101,444	$ 4,364

Town of Middletown
STATEMENT OF REVENUE and EXPENDITURES
WATER & SEWER
Fiscal Year 2019
For the 12 Months Ended June 30, 2019

	ANNUAL BUDGET	YTD ACTUAL	OVER (UNDER) BUDGET
Wastewater Treatment Plants			
East Wastewater Treatment Plant			
Supplies	$ 5,581	$ 14,005	$ 8,424
Repairs & Maintenance	12,600	19,373	6,773
Chemicals	34,285	44,970	10,685
Tools & Equipment	4,500	1,492	(3,008)
Testing & Analysis	36,611	27,117	(9,494)
Sludge Hauling Expense	55,669	37,677	(17,992)
Sub-Total	$ 149,246	$ 144,634	$ (4,612)
West Wastewater Treatment Plant			
Supplies	$ 2,500	$ 862	$ (1,638)
Repairs & Maintenance	15,000	2,688	(12,312)
Chemicals	50,531	50,602	71
Tools & Equipment	2,766	15	(2,751)
Testing & Analysis	10,449	8,328	(2,121)
Sludge Hauling Expense	17,250	17,250	
Sub-Total	$ 98,496	$ 79,745	$ (18,751)
Sewer Electric	**$ 104,118**	**$ 69,986**	**$ (34,132)**
TOTAL SEWER EXPENSES	**$ 564,873**	**$ 515,987**	**$ (48,886)**
TOTAL WATER/SEWER EXPENSES	**$ 1,210,370**	**$ 1,031,131**	**$ (179,239)**
3.4% of Operating Expenses	$ 41,153	$ 35,058	$ (6,094)
Liner Inspection and Repair	$ 10,000		$ (10,000)
CONTINGENCY FUND	**$ 51,153**	**$ 35,058**	**$ (16,094)**
ADJUSTED WATER/SEWER EXPENSES	**$ 1,261,523**	**$ 1,066,189**	**$ (195,333)**
NET INCOME (LOSS)	**$ 1,853**	**$ 173,952**	**$ 172,098**

Town of Middletown

CIP FUNDS and EXPENDITURES

WATER & SEWER

Fiscal Year 2019

For the 12 Months Ended June 30, 2019

	ANNUAL BUDGET	YTD ACTUAL	OVER (UNDER) BUDGET
FUNDING SOURCES			
Operating Revenue	$ 1,263,376	$ 1,240,141	$ (23,235)
Operating Expenses	1,261,523	1,066,189	(195,334)
OPERATING SURPLUS (DEFICIT)	**$ 1,853**	**$ 173,952**	**$ 172,099**
Cash Reserves	$ 538,119	$ 982,916	$ 444,797
Debt Service Fee - New Homes	156,000	153,650	(2,350)
Capital Improvement Fees	168,966	168,632	(334)
Inflow & Infiltration - Reserve A	50,000	75,000	25,000
Sludge Removal - Reserve Account	35,000	75,000	40,000
Tap Fees	621,000	665,100	44,100
Water Tower & Land Leases	193,271	177,621	(15,650)
Main Street Waterline Loan	1,780,968	(1,003,795)	(2,784,763)
Reservoir Tank Loan		2,895,000	2,895,000
TOTAL OTHER REVENUE	**$ 3,543,324**	**$ 4,189,124**	**$ 645,800**
TOTAL FUNDS AVAILABLE	**3,545,177**	**4,363,076**	**817,899**
DEBT SERVICE COSTS			
Principal Payments			
MDE - East WWTP	$ (241,265)	$ 220,351	$ 461,616
Main Street Waterline Loan	(77,842)	(163,325)	(85,483)
Reservoir Loan	(6,798)	(96,500)	(89,702)
Brookridge WTP Loan Payments	(195,314)		195,314
TOTAL DEBT SERVICE COSTS	**$ (521,219)**	**$ (39,474)**	**$ 481,745**
WATER & SEWER PROJECTS			
Main Street Waterline	$ 1,780,968	$ 1,025,983	$ (754,985)
Reservoir Improvements	104,000	98,972	(5,028)
Well Field Power Quality Monitor	10,500		(10,500)
SCADA Control System	50,000	109,007	59,007
BS - Replace Starters with VFDs	15,000		(15,000)
BS - Rebuild Pump #4	15,000	9,491	(5,509)
BS - Process Piping Replacment	10,000		(10,000)
Water Meter Replacements	41,200		(41,200)
PRV Vault Pipe Painting and Clean	9,000		(9,000)
InHance Billing Software Upgrade	37,000	33,538	(3,462)
West WWTP - Curtain Replacement	25,000		(25,000)
West WWTP - Plug Valve Replacment	5,000	9,491	4,491
West WWTP - Chemical Storage Buil	85,000	8,864	(76,136)

Town of Middletown

CIP FUNDS and EXPENDITURES

WATER & SEWER

Fiscal Year 2019

For the 12 Months Ended June 30, 2019

	ANNUAL BUDGET	YTD ACTUAL	OVER (UNDER) BUDGET
East WWTP - Dewatering Sludge Tan	$ 15,000		$ (15,000)
East WWTP - Influent Flume & Ultr	20,000		(20,000)
East WWTP - Sludge Removal Reed B	35,000		(35,000)
East WWTP - Sludge Mag Meter	15,000		(15,000)
Vactor Trailer & Excavator	75,000		(75,000)
Inflow and Infiltration	50,000	136,301	86,301
TOTAL WATER & SEWER PROJECTS	**$ 2,397,668**	**$ 1,431,647**	**$ (966,021)**
TOTAL FUNDS REMAINING	**$ 626,290**	**$ 2,891,955**	**$ 2,265,665**

BURGESS AND COMMISSIONERS
OF MIDDLETOWN MARYLAND

TOWN WORKSHOP MEETING MINUTES

WORKSHOP MEETING **August 1, 2019**

The workshop meeting of the Burgess and Commissioners of Middletown was called to order on August 1, 2019, by Burgess Miller at 7:00 p.m. in the Middletown Municipal Center, 31 W. Main Street, Middletown, Maryland. Present were: Commissioners Larry Bussard, Christopher Goodman, and Rick Dietrick.

PUBLIC HEARING:
FY 2020 Capital Improvement Program (CIP) – Burgess Miller reviewed the General Fund and Water & Sewer CIP budgets. He asked for comments or questions. There were none. Burgess Miller stated that the Board will vote on these budgets at the August 12, 2019 meeting.

Public hearing adjourned at 7:03pm.

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

PERSONAL REQUESTS FOR AGENDA: None

CONSENT AGENDA:
- *Town Meeting Minutes – July 22, 2019*

UNFINISHED BUSINESS:
Crosswalk Standard Policy Amendments (Vote – August 12, 2019) – The Raised Crosswalk Draft Policy was reviewed. The only change to the draft policy is the addition of the statement "The use of Mid-Block Crosswalks is not recommended and should not be used for speed control.". Drew reviewed the different types of crosswalks used throughout the Town. It was determined that at the intersection of Glenbrook Drive and Middletown Parkway a parallel line crosswalk would be used across Glenbrook Drive at that intersection, while a hash line crosswalk would be used across Middletown Parkway. This was approved by the Board with general consent.
Speed Table Standards Policy (Vote August 12, 2019) – Burgess Miller reviewed the new draft policy.
Preliminary Speed Table Designs(s) for Broad Street Discussion – Bruce stated that while on vacation he reviewed how other municipalities in New England utilized speed tables. New Haven, CT uses speed tables with no bump outs and allows parking on them. They are constructed one foot off the curb on each end to allow water drainage. He stated that there is plenty of information available both for and against speed tables. He did provide some information to both the Town Board and the residents on Broad Street. Ron Moss (213 Broad Street) stated that Broad Street residents have reviewed all the information that has been provided since the discussion began and have come to a consensus that as long as Broad Street is kept as is and sidewalks are added to the north side of the street, the residents are fine with not having a

speed table. He also thanked the Town Board and Town employees for their time and attention on this matter, stating "You all went above and beyond in addressing this issue.".

Ordinance 19-07-02 – Self Storage Schedule Public Hearing – This is an item of discussion at the next Joint Town Board/Planning Commission meeting on August 5th. The Planning Commission has been directed by the Town Board to address various definitions regarding self-storage at their August workshop and meeting and provide this information to the Town Board. The Town Board will vote on this issue August 26, 2019.

Ordinance 19-07-03 – Investment Policy Amendments – Drew reiterated that the amendment to this ordinance adds the ability for the Town to utilize the financial mechanism of Insured Cash Sweeps (ICS) in addition to those currently listed in the code. ICS allows collateralizing any amount of Town Funds over $250,000. If approved, Drew expects bids from different banks for this service which would include listing the savings to the Town.

Speed Sign Data – Middletown Glen Ingalls Drive – Drew reviewed the data from the speed camera that had been placed in Middletown Glen. The 85th percentile of the traffic in the neighborhood during the time speed information was collected was driving 15 mph or less. This warrants reducing the posted speed limit in Middletown Glen to 15 mph. Sean Mahar (203 Ingalls Drive) stated that he has noticed that residents have slowed down with the warmer weather and the increased number of children outside playing. Commissioner Dietrick stated that he has driven the neighborhood and only felt comfortable driving it at 15mph. Burgess Miller stated that if the Town Board wants to move forward on this, the community and HOA will have to be notified of the date the speed limit will change, and signs will have to be ordered and put in place.

Mr. Mahar was asked for his opinion on the current situation of no on-street parking on Ingalls Drive. He stated that it is an issue with a good percentage of the neighborhood as the highest number of cars residents can park in their driveway is 2 cars with a third in the garage if needed, leaving no parking if friends and family visit. He understands that there is no parking allowed due to emergency vehicle access to the neighborhood.

Discussion of Electronic Vehicle Charging Stations and Upgrades – Commissioner Bussard asked if there was a need for 2 additional electric car charging stations in town. Currently there is 1 resident that uses the Town Hall charging station. Commissioner Dietrick stated that having 1 car charged at no cost was not the original intent of the charging station. It was to have electric car owners traveling through to stop and visit Middletown. He also questioned the loss of 2 additional parking spaces to charging stations if they were not going to be used. Drew stated that the agreement with the company giving the Town the charging stations is for 5 years. The Town can decide whether to make them free charging stations or bill the use of those stations using the company's billing system, which allows that company to collect half the revenue generated. Bruce stated that the Town can recoup the cost of electricity by installing parking meters at each of the charging stations. Electric car owners would pay for the use of the space. Burgess Miller stated that if use of the charging stations becomes an issue there are steps available to address it.

Update on Water & Sewer Billing Software – Drew reviewed a memorandum sent to the Burgess and Commissioners dated August 1, 2019 regarding the town's water billing system rounding error. The system is rounding ½ cent rates up on rates ending in an odd number causing some accounts to be billed an additional 1 to 3 cents depending on usage. Staff contacted Harris Computers and confirmed the system was rounding up using standard rounding principals. The Town Attorney was contacted to inquire as to the statute of limitation the Town is responsible for to customers. The answer is 3 years. Staff calculated a sample of 147 accounts, both residential and non-residential, of the July 2019 quarterly billing. 1.4% were overcharged $0.03. 52.4% were over charges $0.02. 44.2% were over charged $0.01. 1.4% were correctly charged. 0.7% were under charged $0.01. The total overcharge of the sample was $2.24. If the percentages were applied across the total billing it would equate to an overcharge of $26.09 for the quarter. Applying this to the statute of limitations it would total $313.08. Harris Computers could write a program to calculate the exact cost of possible over or under charge for each individual account.

The minimum charge for this program is $1200.00 but is estimated to take 30 hours to complete the programming at $200/hour (not including testing and delivery). The estimated total cost is at least $6000.00. Staff recommends the Burgess and Commissioners consider applying a 3-cent credit for each of the past 12 quarters to all accounts to reimburse for any possible overcharges. This would be applied at the October 2019 billing cycle at a total cost of $616.32. Future rounding issues have been resolved by ensuring all future rate codes end in even numbers. This includes the recently adopted rates passed in July 2019.

NEW BUSINESS:

Frederick County Goes Purple (FCGP) Initiative - This is a grass roots initiative within the county to reduce substance abuse related deaths and overdoses and supports those in addiction recovery and their families. This observance will occur during the month of September (National Recovery Month). Everyone is encouraged to wear purple every Friday to bring awareness and understanding of mental health and substance abuse disorders, and to celebrate those living in recovery. Burgess Miller suggested that the staff develop messages to place on the Town's social media sites. Commissioner Goodman suggested that the Town purchase purple light bulbs to sell in support of the initiative.

PUBLIC COMMENTS:

Alex Kundrick (3 Crone Lane) stated the alert siren on Green Street cannot be heard in the Foxfield area. He suggested that the Town move the siren to a location where more residents would hear it when activated. Burgess Miller suggested that since a grant was used to build the first siren, that town staff search for another grant for a second siren for the east end of town.

John Glynn (18 West Main Street) asked if the siren at the old fire station on South Jefferson Street could be done away with. Cell phones have become more common practice for notifications. Commissioner Goodman invited Mr. Glynn to come to National Night Out (August 6, 2019) and speak with the Middletown Fire Chief about this issue. Mr. Glynn also thanked the Town staff for placing the bollards at the corner of West Main Street and Garage Alley. This has stopped vehicles hitting the side of his home which is located on that corner.

ANNOUNCEMENTS:

- *National Night Out – Tuesday, August 6, 2019 at 6:00PM at the MVFC Fair Grounds*
- *Movie Night – Friday, August 16, 2019 at Middletown Park*
- *Pep Rally in the Valley – Saturday, August 24, 2019*

Workshop adjourned at 8:28pm.

Respectfully submitted,

Annette Alberghini
Administrative Assistant

BURGESS AND COMMISSIONERS
OF MIDDLETOWN MARYLAND

TOWN MEETING MINUTES

REGULAR MEETING **August 12, 2019**

The first meeting of the Burgess and Commissioners of Middletown was called to order on August 12, 2019, by Burgess Miller at 7:00 p.m. in the Middletown Municipal Center, 31 W. Main Street, Middletown, Maryland. Present were: Commissioners Larry Bussard, Jennifer Falcinelli, Christopher Goodman, and Rick Dietrick.

CONSENT AGENDA:

- *Town Meeting Minutes – July 22, 2019*
- *Water & Sewer Committee Meeting Minutes – July 24, 2019*

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

PERSONAL REQUESTS FOR AGENDA:

UNFINISHED BUSINESS:

General Fund – Capital Improvements Program – Motion by Commissioner Goodman to accept the General Fund CIP budget as presented, seconded by Commissioner Dietrick. Motion carried (5-0).

Water & Sewer Fund – Capital Improvements Program – Motion by Commissioner Falcinelli to accept the Water & Sewer Fund CIP budget as presented, seconded by Commissioner Goodman. Motion carried (5-0).

Crosswalk Standard Policy Amendments – The only change to the draft policy is the addition of the statement "The use of Mid-Block Crosswalks is not recommended and should not be used for speed control.". Motion by Commissioner Bussard to approve this policy change, seconded by Commissioner Falcinelli. Motion carried (5-0).

Speed Table Standards Policy – Motion by Commissioner Bussard to approve the Speed Table Policy as presented, seconded by Commissioner Goodman. Motion carried (5-0).

Ordinance 19-07-03 – Investment Policy Amendments – This Ordinance is to amend title 3, chapter 3.04 of the Middletown Municipal code to authorize the utilization of insured cash sweep (ICS) services as part of the Town's investment policy; to make corrections to antedated references to the Annotated Code of Maryland. Drew stated that this is a tool in our toolbox to get better investments of funds.

Speed Sign Data – Middletown Glen Ingalls Drive – Drew reviewed the data from the speed camera that had been placed in Middletown Glen. The 85th percentile of the traffic in the neighborhood during the time speed information was collected was driving 15 mph or less. This warrants reducing the posted speed limit in Middletown Glen to 15 mph. Burgess Miller stated that he received an email regarding this today that staff needs to look into, therefore we will table this until August 26th meeting.

Discussion of Electronic Vehicle Charging Stations and Upgrades – Burgess Miller stated that he received information from Bruce Carbaugh that Potomac Edison installs these for free then the user would swipe their credit card to use. Staff contacted Potomac Edison but, the representative was on vacation therefore, this will be tabled to the August 26th meeting.

Update on Water & Sewer Billing Software – Drew reviewed a memorandum sent to the Burgess and Commissioners dated August 1, 2019 regarding the town's water billing system rounding error. The

system is rounding ½ cent rates up on rates ending in an odd number causing some accounts to be billed an additional 1 to 3 cents depending on usage. Staff contacted Harris Computers and confirmed the system was rounding up using standard rounding principals. The Town Attorney was contacted to inquire as to the statute of limitation the Town is responsible for to customers. The answer is 3 years. Staff calculated a sample of 147 accounts, both residential and non-residential, of the July 2019 quarterly billing. 1.4% were overcharged $0.03. 52.4% were over charges $0.02. 44.2% were over charged $0.01. 1.4% were correctly charged. 0.7% were under charged $0.01. The total overcharge of the sample was $2.24. If the percentages were applied across the total billing it would equate to an overcharge of $26.09 for the quarter. Applying this to the statute of limitations it would total $313.08. Harris Computers could write a program to calculate the exact cost of possible over or under charge for each individual account. The minimum charge for this program is $1200.00 but is estimated to take 30 hours to complete the programming at $200/hour (not including testing and delivery). The estimated total cost is at least $6000.00. Staff recommends the Burgess and Commissioners consider applying a 3-cent credit for each of the past 12 quarters ($0.36) to all accounts to reimburse for any possible overcharges. This would be applied at the October 2019 billing cycle at a total cost of $616.32. Future rounding issues have been resolved by ensuring all future rate codes end in even numbers. This includes the recently adopted rates passed in July 2019. The Board will vote on this at the August 26th meeting.

REPORT OF COMMITTEES:

WATER & SEWER – Commissioner Falcinelli reported:
Water use for July – 302,495 gal., spring flow for July – 129,973, East WWTP treated 218,000 gals. and the West WWTP treated 260,000 gals.
Main Street waterline should be done by end of August. Reservoir tank – final documents are being prepared and plan to bid in October.

PUBLIC WORKS – Commissioner Bussard reported:
Elm Street Parking Lot is finished, landscaping went it today and the lights have been operational for a few weeks. Town staff has been busy painting curbs and crosswalks. The contractor installing the handicap ramps throughout Town continues to work.

SUSTAINABILITY – Commissioner Dietrick reported:
The Green Expo will be held on April 25, 2020 in conjunction with Coloring in the Street. The committee is trying to come up with an incentive to utilize no idle zone at the schools.

PLANNING COMMISSION – no report.

PARKS AND REC. COMMITTEE – Commissioner Goodman reported:
The Parks & Rec. committee will be visiting each park this month to do an inventory. The Committee would like to start a donation program and want to identify the areas and what can go in those areas (i.e. benches, tree, bike racks, etc.).

PUBLIC INFORMATION – Commissioner Falcinelli reported:
Encouraged our residents to sign up for our list serve and robo calls.

NEW BUSINESS:

Inspection Vehicle Bids – Motion by Commissioner Bussard to approve the bid from Frederick Subaru for $27,627.07, seconded by Commissioner Dietrick. Motion carried (5-0).

Request for Legislative Items for General Assembly – Burgess Miller stated that we received a letter from Jan Gardner, County Executive asking for ideas or suggestions for Frederick County's legislative package for 2020.

Frederick County Goes Purple (FCGP) Initiative - This is a grass roots initiative within the county to reduce substance abuse related deaths and overdoses and supports those in addiction recovery and their families. This observance will occur during the month of September (National Recovery Month). Everyone is encouraged to wear purple every Friday to bring awareness and understanding of mental health and substance abuse disorders, and to celebrate those living in recovery. Burgess Miller stated that

Town staff is currently working on ordering shirts that state "Middletown Goes Purple" and we will install purple lights in the front of the Municipal Center for the month of September.

PUBLIC COMMENTS:
Ron Moss, 213 Broad Street – stated that at the workshop meeting earlier this month he neglected to ask for more police presence on Broad Street.

Bob Smart, 7525 Coblentz Road – stated that he would like to compliment the Town Staff on their quick attention to one of the toys at Memorial Park that needed repaired.

ANNOUNCEMENTS:

- *Movie Night – Friday, August 16, 2019 at Middletown Park*
- *Pep Rally in the Valley – Saturday, August 24, 2019*
- *Public Hearing – Self Storage Amendments – Monday, August 26, 2019 at 7pm.*

Workshop adjourned at 8:15pm.

Respectfully submitted,

Ann Griffin,
Office Manager

DRAFT

ORDINANCE NO. 19-07-03

AN ORDINANCE TO AMEND TITLE 3, CHAPTER 3.04 OF THE MIDDLETOWN MUNICIPAL CODE TO AUTHORIZE THE UTILIZATION OF INSURED CASH SWEEP (ICS) SERVICES AS PART OF THE TOWN'S INVESTMENT POLICY; TO MAKE CORRECTIONS TO ANTEDATED REFERENCES TO THE ANNOTATED CODE OF MARYLAND.

SECTION I. BE IT ORDAINED AND ENACTED by the Burgess and Commissioners of Middletown that Title 3, Chapter 3.04, Section 3.04.070 and Section 3.04.080 of the Middletown Municipal Code be, and hereby are, amended as follows. Language being repealed and deleted is designated by being in ~~[brackets and stricken through]~~. New language is designated by being in **BOLD CAPITAL LETTERS**:

TITLE 3 – REVENUE AND FINANCE

Chapter 3.04 - INVESTMENT POLICY

3.04.070 - Authorized investments and deposits.

The town may invest in the following types of securities and/or deposits, their authorized financial dealers and institutions:

A. U.S. Treasury Obligations;

B. U.S. Government Agency Securities;

C. Repurchase agreements secured by U.S. Treasury obligations or U.S. Government agency securities;

D. The Maryland Local Government Investment Pool;

E. Interest-bearing accounts in any bank as provided by ~~[Article 95, Section 22]~~ **THE LOCAL GOVERNMENT ARTICLE, DIVISION IV, TITLE 17, SUBTITLE 1** of the Annotated Code of Maryland;

F. Shares in an investment company or investment, trust, as provided by ~~[Article 95, Section 22N]~~ **THE LOCAL GOVERNMENT ARTICLE, SECTION 17-104** of the Annotated Code of Maryland.

G. INSURED CASH SWEEP (ICS) SERVICES.

3.04.080 - Collateralization.

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

A. Collateral shall be in conformance with ~~[Article 95, Section 22]~~ **THE LOCAL GOVERNMENT ARTICLE, DIVISION IV, TITLE 17, SUBTITLE 1** of the Annotated Code of Maryland.

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.

C. The right of collateral substitution is granted.

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

INTRODUCED ON THE _____ DAY OF _____, 2019

PASSED ON THE _____ DAY OF _____, 2019

EFFECTIVE DATE: _____, 2019

ATTEST:

BURGESS AND COMMISSIONERS OF MIDDLETOWN

_____
Andrew J. Bowen, Town Administrator

By:_____
John D. Miller, Burgess

MEMORANDUM

DATE: August 1, 2019

TO: Burgess and Commissioners

FROM: Andrew J. Bowen, Town Administrator

SUBJECT: Water Billing System – Rounding Error

ISSUE

The water billing system (Impresa) is rounding ½ cent rates up causing some accounts to be billed an additional 1 to 3 cents, depending on usage.

BACKGROUND

On July 3, 2019, Commissioner Falcinelli received an email from a resident questioning her water bill. She pointed out that according to our water and sewer rates, she was over billed by 2 pennies. Staff investigated the issue and determined that the billing system was applying an additional ½ cent, when the rate was an odd number due to rounding. The reason ½ cents are used is because the Town splits the established rate equally between the water fund and the sewer fund. For example:

Base Rate for Water & Sewer – Residential Accounts:	$72.33
Water Fund:	$36.165 (50%)
Sewer Fund:	$36.165 (50%)

The water billing system rate code (where staff enters the dollar amounts) accepts up to three decimal places. Staff assumed the system carried ½ cents forward as is done with other systems we use such as payroll. When investigating this issue raised by the resident, we found this was not the case.

Staff contacted the software company, Harris Computer, and confirmed that when using the third decimal spot in the rate codes, the system will round up using standing rounding principals. Staff also contacted the Town Attorney to inquire as to the statute of limitation that the Town is responsible to customers. The answer is under civil actions the statute of limitation is three (3) years.

Staff then calculated a sample of the July 2019 Quarterly Billing. Staff took a sample of 147 accounts (8.6%) of both residential and non-residential accounts based on system usage. Below are the results of the sample:

- 1.4% - Over Charged $0.03
- 52.4% - Over Charged $0.02
- 44.2% - Over Charged $0.01
- 1.4% - Correct Billing
- 0.7% - Under Charged $0.01

Total overcharge of the sample set (147) is $2.24. If you were to apply these percentages across the entire billing, we are talking about an overcharge of $26.09. If you were to apply the statute of limitations to this sample set, the total overcharge would be $313.08 ($26.09 X 12 quarters).

Staff then contacted Harris Computer to find out if their programmers could write a program to calculate each individual account over the past 12 quarters to determine the exact amount of possible over or under charge and the answer is yes. The minimum charge for custom work is $1,200.00. Harris Computer's development team estimates that this would take 30 hours of programming at $200.00/hour, not including time for testing and delivery. Delivery would take at least 90 days. Total estimated cost for this option is at least $6,000.00.

RECOMMENDATION

Staff is recommending the Burgess and Commissioners considering applying a 3 cent credit for the past 12 quarters to all accounts to reimburse any account that may have been overcharge on our next billing cycle, October 2019. The total cost for this action would be $616.32. Staff has consulted with the Town Attorney on this course of actions and he is in agreement.

ATTACHMENTS

None

SPEED LAWS IN MARYLAND 2019

There appears to be no restriction for how low a speed can be posted in an urban area. The MD legislature has legislation for specific counties but Frederick is not one of them. The MD Code is reprinted at the end of this information.

From the MDSHA website.

Speed Limits

Maryland's State and local traffic engineers receive requests to raise, lower, or simply review speed limits on streets and highways throughout the State. Here is how speed limits are set and how speed limits affect traffic and safety.

To learn more, visit

Percentile Speed and Safety

Restrictions

How are speed limits set?

Speed limits for various streets and highways are set by Maryland vehicle law. In many instances, these statutory limits do not account for actual traffic conditions important in the safe and efficient movement of traffic. The law allows these limits to be raised or lowered based on traffic engineering studies.

What conditions influence speed limits?

Speed limits are set higher or lower than the statutory limits when one or more of the following circumstances are present:

- Traffic characteristics are unusual because of land use or other conditions
- Road design elements substantially differ from the norm
- Prevailing speeds are consistently higher or lower than the statutory speed limit
- Transition between rural and urban areas on major highways suggest reconsidering speed limits
- Schools and significant pedestrian traffic suggest reconsidering speed limits
- Road construction requires modified speed limits
- Frequent collisions in which speed is a contributing cause suggest reconsidering speed limits
- Unusual or unanticipated conditions suggest reconsidering speed limits

After a speed limit is established, changes could prompt a new traffic engineering study to determine if the speed limit needs to be raised or lowered.

Speed Limits - Restrictions

Are there any restrictions on how high or low speed limits may go?

Maryland law restricts how much speed limits may be raised or lowered and sets broad standards. For example, 70 mph is the maximum speed limit that can be established on any interstate highway or expressway. And 55 mph is the maximum speed limit that can be established on all other highways.

What is a traffic engineering study?

A traffic engineering study is the observation and analysis of road and traffic characteristics to guide the further application of traffic engineering principles. The study of speed limits examines the following:

- Review of the road's environment, features, and condition and traffic characteristics.
- Observation and measurement of vehicle speeds at one or more representative spots along the road in ideal weather and under free-flowing traffic.
- Analysis of vehicle speeds to determine average and 85th percentile speeds, as well as other characteristics.
- Review of the road's speed history.
- Review of unusual conditions not apparent to drivers.

What is the 85th percentile speed?

The 85th percentile speed is the speed at or below which 85 percent of the motorists drive on a given road when unaffected by slower traffic or poor weather. This is the speed that most motorists on that road consider safe and reasonable under ideal conditions. It is a good guideline for the appropriate speed limit for that road

Will crashes increase if the speed limit is raised?

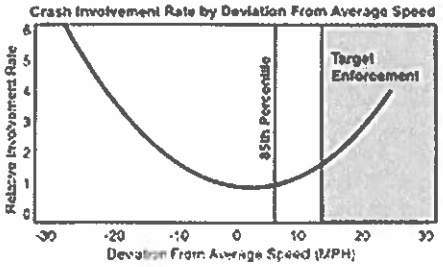
Probably not. Research shows that the posted speed limit has little effect on the speeds at which most motorists drive. Raising the speed limit does not significantly raise the speeds at which motorists drive and lowering the limit generally does not appreciably decrease their speeds. However, the more motorists learn from experience that set speed limits are safe and reasonable, the greater the chance that motorists will heed them. Speed limits significantly lower than the 85th percentile speed are ignored by drivers and difficult to enforce.

In most instances, a speed limit based on the 85th percentile reflects the expectations of most drivers; that is:

- a safe and comfortable limit
- facilitates speed enforcement
- offers the greatest chance of achieving uniformity in speeds on a given road.

When motorists drive at a relatively uniform speed, tailgating, lane changing, and overtaking are reduced. As a result, collisions are less likely to occur.

Those who drive much faster or slower than most drivers around them place themselves and others at considerable risk of a collision. When the posted limit is reasonable, enforcement can be targeted to the relatively small percentage that exceeds the speed limit.



Speed Limits - Percentile Speed and safety

Does a speed limit set at the 85th percentile speed satisfy everyone?

Society expects behavioral consistency among those driving on our streets and highways. But drivers' skills, attitudes, and time pressures vary greatly, as does their perception of an appropriate speed limit. Whatever the speed limit, some will consider it too high; others, too low. What you should expect is that, within the latitude provided in Maryland law, engineers set the most appropriate speed limits on the basis of thorough study and the application of sound traffic engineering principles.

If motorists speed through a residential neighborhood, what should be done?

If the speed limit appears to be appropriate but speeders are creating a hazard, that calls for enforcement. Contact the law enforcement officers with jurisdiction over your street and ask them to check speeds and enforce the law.

If your street's speed limit itself seems unrealistically high, contact the traffic engineering agency with jurisdiction – all large political subdivisions have a traffic engineering office. If there is no such office, contact your law enforcement agency.

What if those steps fail to achieve appropriate speeds?

Some residential areas need slower speeds than posted speed limits. Traffic engineering studies can determine if "traffic calming" techniques, such as roundabouts, chokers, speed humps (not speed bumps), raised crosswalks, pedestrian refuge areas, or other physical controls, can reduce speeds and make your street safer.

Is it always safe to drive at the speed limit?

Speed limits are set for ideal conditions. Drivers need to respond to adverse conditions. Maryland vehicle law requires that motorists drive at a reasonable and prudent speed and with a regard for danger. Motorists must adjust their speed according to the existing vehicle and pedestrian traffic, road surface, lighting, and weather conditions. You should always maintain a safe speed.

MARYLAND DEPARTMENT OF TRANSPORTATION

Effective: March 27, 2019

MD Code, Transportation, § 21-803

§ 21-803. Maximum speed limits altered by local authorities

Currentness

Engineering and traffic investigations

(a)(1) If, on the basis of an engineering and traffic investigation, a local authority determines that any maximum speed limit specified in this subtitle is greater or less than reasonable or safe under existing conditions on any part of a highway in its jurisdiction, it may establish a reasonable and safe maximum speed limit for that part of the highway, which may:

(i) Decrease the limit at an intersection;

(ii) Increase the limit in an urban district to not more than 50 miles per hour;

(iii) Decrease the limit in an urban district; or

(iv) Decrease the limit outside an urban district to not less than 25 miles per hour.

(2) An engineering and traffic investigation is not required to conform a posted maximum speed limit in effect on December 31, 1974, to a different limit specified in § 21-801.1(b) of this subtitle.

School zones

(b) In school zones designated and posted by the local authorities of any county:
(1) The county may decrease the maximum speed limit to 15 miles per hour during school hours, provided the county pays the cost of placing and maintaining the necessary signs; and
(2) Any municipality within each county may decrease the maximum speed limit in a school zone within the municipality to 15 miles per hour during school hours, provided the municipality pays the cost of placing and maintaining the necessary signs.

Speed limit effective when posted on signs

(c) An altered maximum speed limit established under this section is effective when posted on appropriate signs giving notice of the limit.

Approval by State Highway Administration

(d) Except in Baltimore City, any alteration by a local authority of a maximum speed limit on a part or extension of a State highway is not effective until it is approved by the State Highway Administration.

Maximum speed limits for alleys

(e)(1) If a local authority determines that any maximum speed limit specified in this subtitle is greater than reasonable or safe in an alley in its jurisdiction, the local authority may establish a reasonable and safe maximum speed limit for the alley.
(2) The local authority shall post a speed limit established under this subsection on appropriate signs giving notice of the speed limit.

Credits

Added by Acts 1977, c. 14, § 2, eff. July 1, 1977. Amended by Acts 1977, c. 469; Acts 1979, c. 497; Acts 1982, c. 252; Acts 1997, c. 6, § 1, eff. Oct. 1, 1997; Acts 2019, c. 8, § 1, eff. March 27, 2019.
Formerly Art. 66 ½, § 11-803.

Editors' Notes

HISTORICAL AND STATUTORY NOTES

2019 Legislation

Acts 2019, c. 8, § 1, amended (a)(1)(ii) by providing:
"(ii) Increase the limit in an urban district to not more than 50 miles ~~an~~ per hour;"
Acts 2019, c. 8, § 1, amended (a)(1)(iv) by providing:
"(iv) Decrease the limit outside an urban district to not less than 25 miles ~~an~~ per hour.
MD Code, Transportation, § 21-803, MD TRANS § 21-803
Current through legislation effective July 1, 2019, from the 2019 Regular Session of the General Assembly.

Average Vehicle Count

Technician Name: administrator

Location: Ingalls Drive
Address:
Speed Limit: 25

Report Period: 7/22/2019 to 7/27/2019
Total Vehicle Count: 1,110

Hour	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Average Weekday	Average Weekend	Average Week	Average Speed	85% Speed
00-01	n/a	2	0	0	1	1	n/a	1	1	1	13	17
01-02	n/a	3	0	0	0	0	n/a	1	0	1	3	3
02-03	n/a	0	0	1	0	0	n/a	0	0	0	19	19
03-04	n/a	0	0	0	0	0	n/a	n/a	n/a	n/a	n/a	n/a
04-05	n/a	1	0	0	1	0	n/a	1	0	0	16	17
05-06	n/a	1	1	0	2	0	n/a	1	0	1	15	14
06-07	n/a	4	1	2	5	2	n/a	3	2	3	11	17
07-08	9	11	22	9	H 20	1	n/a	14	1	12	10	16
08-09	11	11	10	5	10	4	n/a	9	4	9	12	17
09-10	14	12	6	14	H 20	10	n/a	13	10	13	11	15
10-11	H 19	13	24	18	8	H 16	n/a	16	16	16	12	17
11-12	14	13	7	18	13	15	n/a	13	15	13	12	18
12-13	12	21	12	H 20	18	5	n/a	17	5	15	12	16
13-14	14	11	25	9	7	6	n/a	13	6	12	12	16
14-15	9	16	18	17	10	H 16	n/a	14	16	14	11	16
15-16	18	28	8	19	13	5	n/a	17	5	15	11	17
16-17	4	20	H 28	16	7	14	n/a	15	14	15	10	14
17-18	7	10	12	19	10	1	n/a	12	1	10	10	14
18-19	9	15	9	15	8	n/a	n/a	11	n/a	11	12	16
19-20	8	12	11	11	5	n/a	n/a	9	n/a	9	11	16
20-21	9	H 31	6	8	17	n/a	n/a	14	n/a	14	9	13
21-22	5	5	16	4	3	n/a	n/a	7	n/a	7	8	13
22-23	1	1	3	0	2	n/a	n/a	1	n/a	1	7	7
23-24	0	0	5	1	0	n/a	n/a	1	n/a	1	12	11
TOTAL:	**163**	**241**	**224**	**206**	**180**	**96**	**0**	**203**	**96**	**193**	**11**	**15**

Statistics Summary Report

Technician Name: administrator

Location: Ingalls Drive

Address:

Speed Limit: 25

Report Period: 7/22/2019 to 7/27/2019

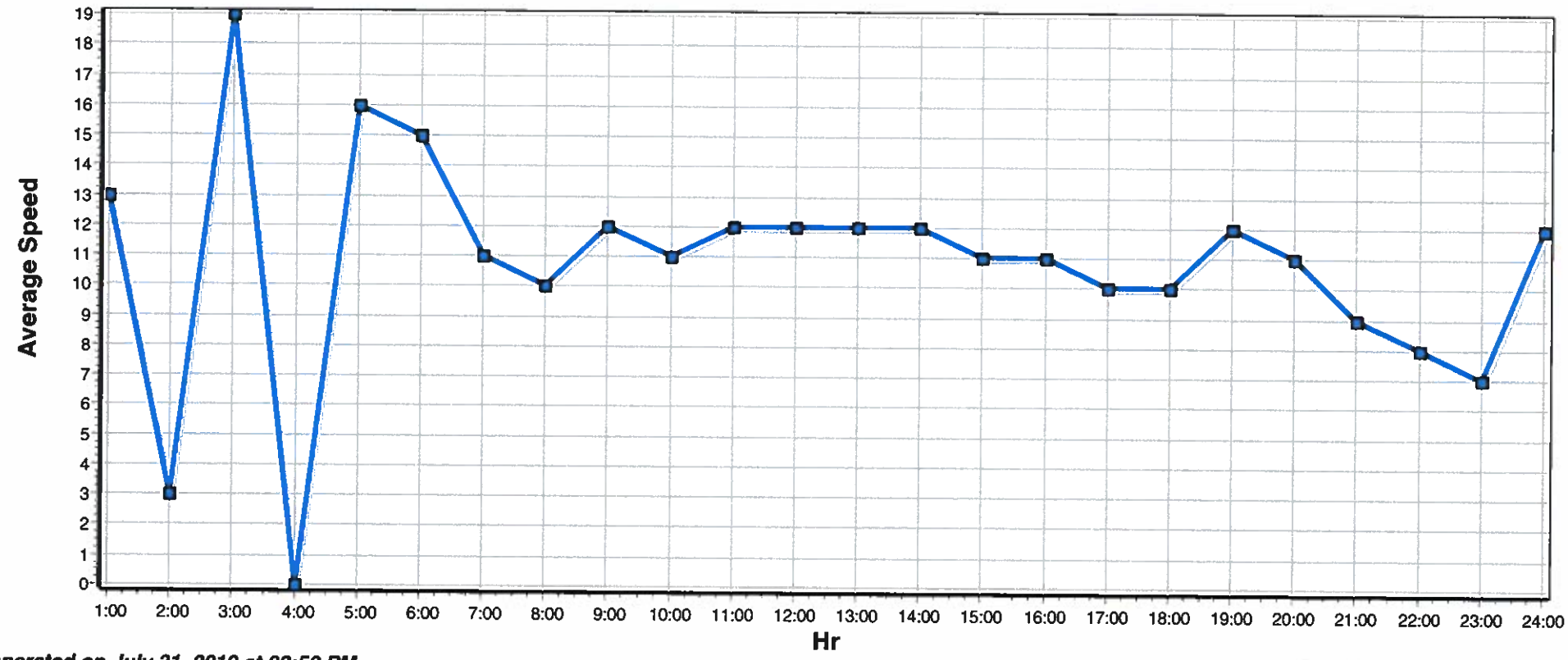
Total Vehicle Count: 1,110

Hour	Total Vehicles	Average Vehicles	Total Violations	% Violations	Min. Speed	Max. Speed	Avg. Speed	85% Speed
00-01	4	1	0	0 %	3	19	13	17
01-02	3	1	0	0 %	3	3	3	3
02-03	1	0	0	0 %	19	19	19	19
03-04	0	0	0	0 %	0	0	0	0
04-05	2	0	0	0 %	15	17	16	17
05-06	4	1	0	0 %	12	17	15	14
06-07	14	3	0	0 %	4	21	11	17
07-08	72	12	0	0 %	3	19	10	16
08-09	51	9	0	0 %	3	24	12	17
09-10	76	13	0	0 %	3	18	11	15
10-11	98	16	0	0 %	3	22	12	17
11-12	80	13	1	1 %	4	27	12	18
12-13	88	15	0	0 %	3	25	12	16
13-14	72	12	0	0 %	4	22	12	16
14-15	86	14	0	0 %	3	22	11	16
15-16	91	15	0	0 %	3	21	11	17
16-17	89	15	0	0 %	3	23	10	14
17-18	59	10	0	0 %	3	19	10	14
18-19	56	11	0	0 %	3	21	12	16
19-20	47	9	0	0 %	3	21	11	16
20-21	71	14	0	0 %	3	19	9	13
21-22	33	7	0	0 %	3	15	8	13
22-23	7	1	0	0 %	3	11	7	7
23-24	6	1	0	0 %	3	16	12	11
	1,110	**193**	**1**	**0 %**	**5**	**18**	**11**	**15**

Technician Name: administrator

Average Speed
Hourly Values

Ingalls Drive ()
7/8/2019 to 8/5/2019



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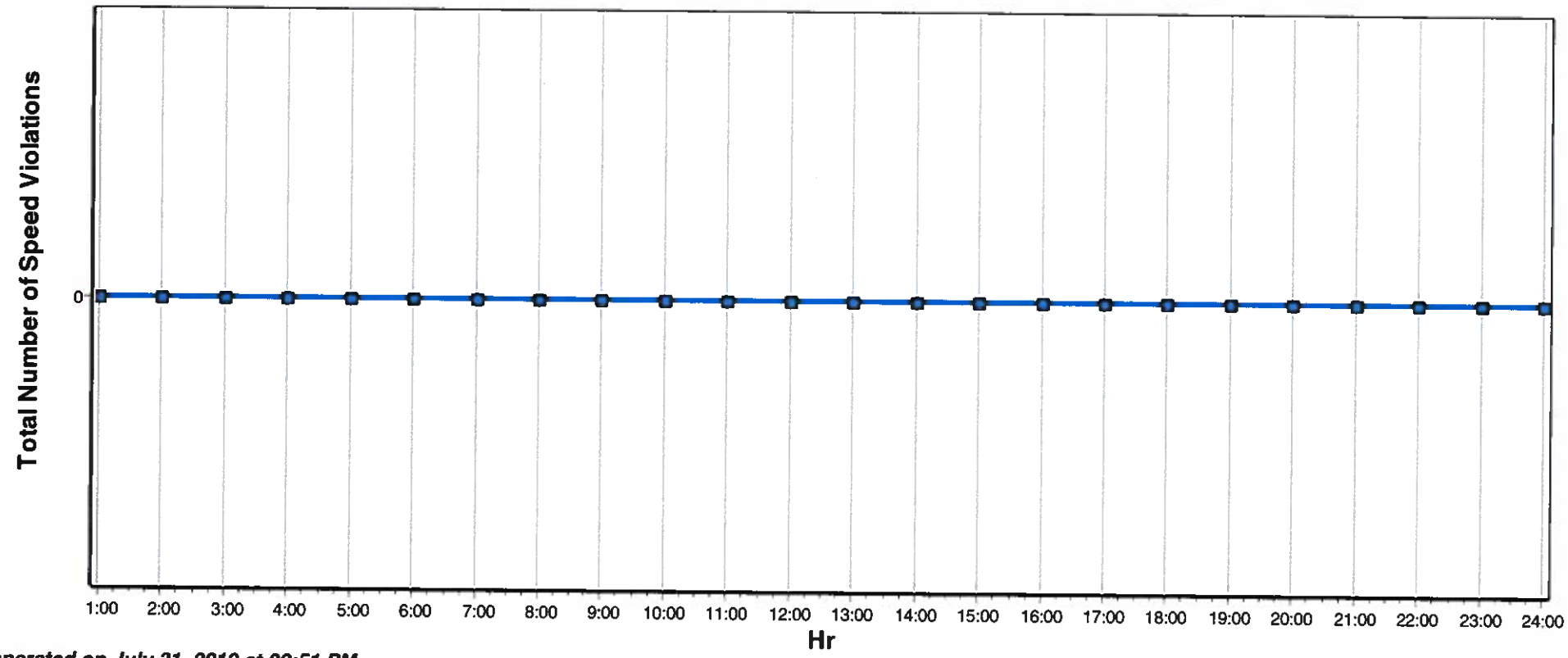
Technician Name: administrator

Total Number of Speed Violations
Hourly Values

Ingalls Drive ()
7/8/2019 to 8/5/2019



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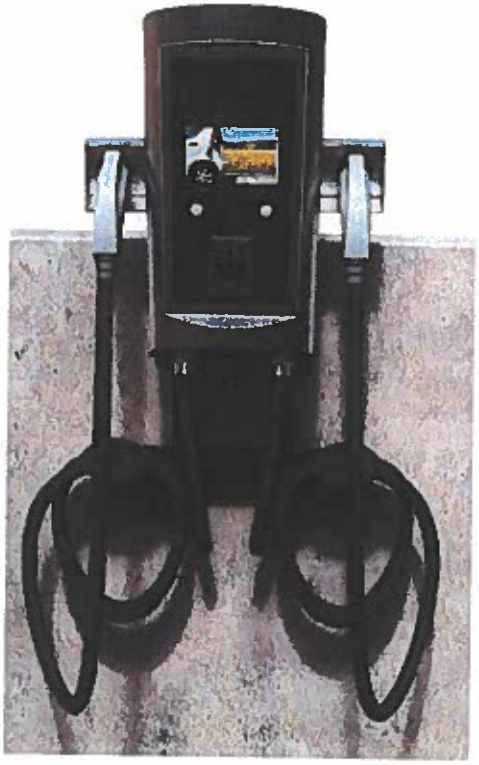
SafePace® Pro by Traffic Logix®

Electric Vehicle Institute

EVI Level 2 AC Charging Station



Technical Specification	
Network	EVP, Credit Cards, Loyalty
Input Power	208/240 VAC
Input Breaker	40A per side (2 separate panel breakers required)
Output Current	30A per side
Output Charging Power	6kW per side
Output Voltage	208/240 VAC
Connector	SAE J1772, 18' and 25' available.
Operating Temperature	-20C to 45C
Safety Compliance	UL2594, UL2231-1, UL2231-2 - Pending

Electrical Panel Requirements	
Single Charge Port Station	One 40A circuit breaker
Dual Charge Port Station	Two separate 40A circuit breakers

- Dual Port – SAE J1772
- Pedestal Installation
- 7" outdoor color display with touch screen
- Payment System (supports all major credit cards)
- Loyalty System (customer engagement program)
- Microphone
- Speakers
- Camera
- Product dimensions: 18"[w] x 56.25" [h] x 10" [d]

Electric Vehicle Institute.1120 North Charles Street.Fourth Floor Suite 401.Baltimore, Maryland, 21201
Telephone: (410)-685-1109.Fax: (410)-685-0036

ELECTRIC VEHICLE INSTITUTE
1120 NORTH CHARLES STREET, FOURTH FLOOR • BALTIMORE, MD 21201
TEL: 410-685-1109 | info@ev-institute.com

MATTHEW WADE
President/CEO

SUBJECT: EVI's Maryland EV Charging Project
DATE: Thursday, May 23, 2019

Established in 2010, the Electric Vehicle Institute (EVI) is a highly-focused electric vehicle infrastructure company, which provides a range of cutting edge products, services and solutions in the constantly evolving world of electric vehicles. EVI developed the Maryland EV Charging Project to support both public and private entities deploy EV charging stations as part of a statewide initiative to develop electric drive and charging infrastructure. EVI currently has installed and operates EV charging stations across the State of Maryland and the mid-Atlantic Region. Through this initiative, EVI has partnered with well over two hundred public and private entities in the State.

PROJECT OVERVIEW

- Project Scope: The provision, installation and maintenance of Level 2 EV Charging Stations in the parking areas of the Host's facility.
- Project Funding: The Project shall be funded solely by EVI.
- Host Responsibility: (i) Host the charging stations; and (ii) power source.
- EVI Responsibility: (i) Charging equipment and permitting plus installation labor and material of entire electrical connection; and (ii) minimum of five (5) years of operation management, maintenance, monitoring and reporting.

EVI appreciates the opportunity to provide you with this overview. Upon your review of the information outlined above, please do not hesitate to reach to me regarding any questions or requests via email, wadem@ev-institute.com, or phone, 410-685-1109.

Regards,

Matthew Wade

MEMORANDUM

DATE: August 19, 2019

TO: Burgess and Commissioners

FROM: Andrew J. Bowen, Town Administrator

SUBJECT: Pedestrian Safety Sidewalk Enhancement Plan

ISSUE

With the anticipated completion of the Streetscape Project within the next 9-12 months, should the Town conduct sidewalk inspections throughout the Town?

BACKGROUND

In 2012, the Burgess and Commissioners established the Pedestrian Safety Sidewalk Enhancement Plan. This plan requires the Town to conduct inspections of sidewalks throughout Town in accordance with Section 12.04 of the Town Code. At the time of the implementation of this plan, many Main Street Property Owners were granted waivers due to the impending Streetscape Project.

RECOMMENDATION

Staff does not have any recommendation and is only requesting direction of the Burgess and Commissioners as to how to proceed.

ATTACHMENTS

None