



# AGENDA FOR THE TOWN MEETING

April 24, 2017

6:30 p.m.

## PLEDGE TO THE FLAG

## CALL TO ORDER

## BUDGET WORKSHOP

Community Groups Requests for Funding

General Fund Operating Budget FY 2018

General Fund Capital Improvement Program (CIP)

Red Indicates – Action Item  
Green Indicates – Ordinance Introduction  
Blue Indicates – Link to Additional Information

## CONSENT AGENDA

- Lion's Club Request for Storage Area
- Francie's Family 5K Run/Walk
- Town Meeting Minutes
  - April 6, 2017 – Town Meeting

## PERSONAL REQUESTS FOR AGENDA:

## UNFINISHED BUSINESS:

- Ordinance 17-04-01 – Peddler's License Requirements
- Public Meeting – Discussion of Addition or Deletion of Fluoride Treatment
- Memar Annexation – Annexation Topic for Discussion
  - Streets & Roads
  - Schools

## NEW BUSINESS:

- Appointment to Board of Appeals

## PUBLIC COMMENTS:

## ANNOUNCEMENTS:

- *Sustainability Committee Openings*

## ADJOURNMENT

**Community Events - Contributions**

| Organizations                               | Board Approved 2013 | Board Approved 2014 | Board Approved 2015 | Board Approved 2016 | Board Approved 2017 | FY 2018 Requests |
|---|---------------------|---------------------|---------------------|---------------------|---------------------|------------------|
| <b>Middletown Arts and Activities</b>       |                     |                     |                     |                     |                     |                  |
| Movie Nights in the Park                    | \$ 4,400.00         | \$ 4,400.00         | \$ 4,780.00         | \$ 6,270.00         | \$ 6,570.00         |                  |
| Scarecrow Event                             | \$ 820.00           | \$ 860.00           | \$ 980.00           | \$ 980.00           | \$ 1,150.00         |                  |
| Memorial Day Celebration                    | \$ 2,415.00         | \$ 2,305.00         | \$ 2,305.00         | \$ 2,845.00         | \$ 3,620.00         |                  |
| General Expenses                            | \$ 50.00            | \$ 50.00            | \$ 50.00            | \$ 50.00            | \$ 50.00            |                  |
| Less: Charity Golf Tournament               |                     |                     |                     |                     |                     |                  |
| Remaining Funds                             | \$ (2,368.77)       | \$ (1,188.00)       | \$ (700.00)         | \$ (3,700.00)       | \$ (1,650.00)       |                  |
| Sub-Total                                   | \$ 5,500.00         | \$ 6,427.00         | \$ 7,415.00         | \$ 6,445.00         | \$ 9,740.00         | \$ -             |
| <b>Lions Club</b>                           |                     |                     |                     |                     |                     |                  |
| Halloween Parade                            | \$ 1,975.00         | \$ 2,000.00         | \$ 2,000.00         | \$ 2,305.00         | \$ 2,000.00         |                  |
| Less: Charity Golf Tournament               |                     |                     |                     |                     |                     |                  |
| Sub-Total                                   | \$ 1,975.00         | \$ 2,000.00         | \$ 2,000.00         | \$ 2,305.00         | \$ 2,000.00         | \$ -             |
| <b>Christmas in the Valley</b>              |                     |                     |                     |                     |                     |                  |
|   | \$ -                | \$ -                | \$ -                | \$ -                | \$ -                |                  |
| <b>Heritage Weekend**</b>                   |                     |                     |                     |                     |                     |                  |
|   | \$ 8,000.00         | \$ 7,500.00         | \$ 5,000.00         | \$ 5,000.00         | \$ 8,000.00         |                  |
| Sub-Total                                   | \$ 8,000.00         | \$ 7,500.00         | \$ 5,000.00         | \$ 5,000.00         | \$ 8,000.00         | \$ -             |
| <b>Middletown Rec Council</b>               |                     |                     |                     |                     |                     |                  |
| 4th of July Celebration                     | \$ 8,500.00         | \$ 7,500.00         | \$ 9,500.00         | \$ 7,500.00         | \$ 7,500.00         |                  |
| Sub-Total                                   | \$ 8,500.00         | \$ 7,500.00         | \$ 9,500.00         | \$ 5,000.00         | \$ 7,500.00         | \$ -             |
| <b>National Night Out</b>                   |                     |                     |                     |                     |                     |                  |
|   |                     |                     |                     |                     | \$ 2,010.00         |                  |
| <b>Childrens Police Junior Academy</b>      |                     |                     |                     |                     |                     |                  |
|   | \$ 800.00           | \$ 1,000.00         | \$ 1,000.00         | \$ 1,000.00         | \$ 1,000.00         |                  |
| <b>Middletown Valley Historical Society</b> |                     |                     |                     |                     |                     |                  |
|   | \$ 5,000.00         | \$ 5,000.00         | \$ 5,000.00         | \$ 5,000.00         | \$ 5,000.00         |                  |
| <b>Community Events Total</b>               | \$ 29,775.00        | \$ 24,427.00        | \$ 24,915.00        | \$ 19,750.00        | \$ 30,250.00        | \$ -             |
| <b>Main Street</b>                          |                     | \$ 8,500.00         | \$ 8,800.00         | \$ 10,000.00        | \$ 10,000.00        |                  |

**TOWN OF MIDDLETOWN  
GENERAL FUND  
BUDGET FY 2017**

| DESCRIPTION                              | AUDIT<br>FY2014  | AUDIT<br>FY2015  | AUDIT<br>FY2016  | Budget<br>FY 2017 | Budget<br>FY 2018 |
|--|------------------|------------------|------------------|-------------------|-------------------|
| <b>REVENUE</b>                           |                  |                  |                  |                   |                   |
| <b>LOCAL TAXES</b>                       |                  |                  |                  |                   |                   |
| Real Property                            | 1,111,313        | 1,125,061        | 1,133,834        | 1,244,642         | 1,269,903         |
| Tangible Personal Property               | 35,392           | 38,043           | 39,544           | 37,108            | 38,248            |
| Public Utilities                         | 10,664           | 11,609           | 9,400            | 12,841            | 9,827             |
| Franchise (Cable)                        | 45,419           | 46,222           | 48,405           | 49,940            | 50,615            |
| Discounts                                | (13,585)         | (13,458)         | (14,112)         | (16,182)          | (16,475)          |
| Penalties & Interest                     | 1,652            | 8,540            | 8,085            | 10,357            | 10,544            |
|  | <b>1,190,855</b> | <b>1,216,017</b> | <b>1,225,156</b> | <b>1,338,705</b>  | <b>1,362,662</b>  |
| <b>STATE SHARED TAXES</b>                |                  |                  | 11.91%           | 3.88%             |                   |
| Amusement Taxes                          | 33,016           | 20,856           | 9,565            | 22,500            | 21,526            |
| Highway User Taxes                       | 132,049          | 137,530          | 156,127          | 162,421           | 160,606           |
|  | <b>165,065</b>   | <b>158,386</b>   | <b>165,692</b>   | <b>184,921</b>    | <b>182,132</b>    |
| <b>COUNTY SHARED TAXES</b>               |                  |                  |                  |                   |                   |
| Income Taxes                             | 774,117          | 788,153          | 915,506          | 867,672           | 896,179           |
| Tax Equity                               | 584,765          | 581,111          | 555,964          | 566,687           | 610,423           |
|  | <b>1,358,882</b> | <b>1,369,264</b> | <b>1,471,470</b> | <b>1,401,624</b>  | <b>1,506,602</b>  |
| <b>LICENSES, PERMITS &amp; FEES</b>      |                  |                  |                  |                   |                   |
| Filing/Permit Fees                       | 7,688            | 6,501            | 6,013            | 6,500             | 6,500             |
| Beer, Wine & Liquor                      | -                | -                | -                | 1,950             | -                 |
| Traders                                  | 6,898            | 4,899            | 4,752            | 4,900             | 4,900             |
| Planning & Zoning                        | 31,995           | 34,881           | 11,450           | 13,691            | 21,450            |
|  | <b>46,581</b>    | <b>46,281</b>    | <b>22,215</b>    | <b>27,041</b>     | <b>32,850</b>     |
| <b>PARKS &amp; RECREATION</b>            |                  |                  |                  |                   |                   |
| Pavillion Fees                           | 1,860            | 1,860            | 3,158            | 1,900             | 3,158             |
| <b>POLICE PROTECTION</b>                 |                  |                  |                  |                   |                   |
| State Grant                              | 24,236           | 24,066           | 24,987           | 26,187            | 26,187            |
| <b>MISC INCOME</b>                       |                  |                  |                  |                   |                   |
| Other (Bank Grant, Animal, Citations)    | 2,016            | 21,909           | 4,910            | 2,500             | 2,500             |
| LGIT Health Insurance Rebate             | 13,531           | -                | -                | -                 | -                 |
| FredCo Municipal Recycling Reimbursement | -                | -                | -                | 5,000             | -                 |
| Community Events (Hotel Tax)             | 13,386           | -                | -                | -                 | 38,000            |
| MISC                                     | 28,933           | 21,909           | 4,910            | 7,500             | 2,500             |
| <b>OPERATING REVENUE</b>                 | <b>2,816,412</b> | <b>2,837,782</b> | <b>2,917,587</b> | <b>2,987,878</b>  | <b>3,116,092</b>  |
| <b>EXPENSES</b>                          |                  |                  |                  |                   |                   |
| <b>LEGISLATIVE</b>                       |                  |                  |                  |                   |                   |
| Commissioner's Fees                      | 12,000           | 12,000           | 12,900           | 15,600            | 16,500            |
| Communications                           | 3,394            | 3,127            | 3,185            | 3,480             | 9,480             |
| Dues & Subscriptions                     | 7,420            | 7,525            | 7,226            | 7,400             | 7,400             |
| Office Supplies/Expenses                 | 2,731            | 3,343            | 7,359            | 3,600             | 7,500             |
| Advertising                              | 513              | 613              | 2,331            | 750               | 2,500             |
| Meetings & Conventions                   | 4,633            | 6,403            | 15,048           | 9,000             | 15,000            |
|  | <b>30,691</b>    | <b>33,011</b>    | <b>48,049</b>    | <b>39,830</b>     | <b>58,380</b>     |
| <b>EXECUTIVE</b>                         |                  |                  |                  |                   |                   |
| Burgess                                  | 6,000            | 6,000            | 7,050            | 10,200            | 10,200            |
| <b>ELECTION EXPENSES</b>                 |                  |                  |                  |                   |                   |
| Clerk Fees                               | 350              | -                | 450              | -                 | 450               |
| Printing, Supplies, Advertising          | 59               | -                | 223              | -                 | 250               |
|  | <b>409</b>       | <b>-</b>         | <b>673</b>       | <b>-</b>          | <b>700</b>        |
| <b>GENERAL/ADMINISTRATIVE SERVICES</b>   |                  |                  |                  |                   |                   |
| Capital Outlay                           | 14,075           | -                | -                | -                 | -                 |
| Administration Salary                    | 199,118          | 216,763          | 248,153          | 247,131           | 254,512           |
| Postage & Printing                       | 74               | 36               | 16               | 200               | 200               |
| Communications                           | 7,824            | 6,774            | 6,788            | 6,977             | 7,205             |
| Computer Expenses                        | 26,983           | 24,355           | 27,814           | 28,400            | 29,512            |
| Supplies & Expense                       | 23,750           | 24,396           | 26,345           | 26,000            | 27,953            |
| Maintenance & Repairs                    | 42,395           | 32,801           | 30,325           | 13,400            | 29,600            |
| Professional Services                    | 6,809            | 4,845            | 5,470            | 4,600             | 4,600             |
| Dues & Subscriptions                     | 111              | -                | -                | 150               | 150               |
| Meetings & Seminars                      | 26               | 132              | 161              | 100               | 100               |

**TOWN OF MIDDLETOWN  
GENERAL FUND  
BUDGET FY 2017**

| <b>DESCRIPTION</b>                    | <b>AUDIT<br/>FY2014</b> | <b>AUDIT<br/>FY2015</b> | <b>AUDIT<br/>FY2016</b> | <b>Budget<br/>FY 2017</b> | <b>Budget<br/>FY 2018</b> |
|---------------------------------------|-------------------------|-------------------------|-------------------------|---------------------------|---------------------------|
| Water and Sewer Grant                 | 100,000                 | 203,219                 | 80,000                  | -                         | -                         |
|                                       | <b>421,165</b>          | <b>513,321</b>          | <b>425,072</b>          | <b>326,958</b>            | <b>353,833</b>            |
| <b>OPERATIONS/MAINTENANCE</b>         |                         |                         |                         |                           |                           |
| Maintenance - Capital Outlay          |                         |                         |                         |                           |                           |
| Director Salary                       | 86,659                  | 91,351                  | 97,515                  | 97,355                    | 101,415                   |
| Maintenance Salary                    | 40,297                  | 40,064                  | 90,045                  | 126,742                   | 130,351                   |
| Communications                        | 6,878                   | 7,564                   | 8,830                   | 9,000                     | 9,000                     |
| Supplies                              | 6,540                   | 10,426                  | 11,631                  | 17,000                    | 17,960                    |
| Dues/Training/Certifications          | 1,509                   | 449                     | 2,299                   | 1,500                     | 1,500                     |
| Landscaping / Beautification          |                         |                         |                         |                           |                           |
| Maintenance & Repairs                 | 13,900                  | 11,963                  | 15,514                  | 8,000                     | 14,540                    |
| Mowing                                | 10,646                  | 12,047                  | 11,780                  | 12,133                    | 12,133                    |
| Tools & Equipment                     | 3,256                   | 1,288                   | 1,726                   | 500                       | 2,544                     |
|                                       | <b>169,685</b>          | <b>175,152</b>          | <b>239,340</b>          | <b>272,230</b>            | <b>289,443</b>            |
| <b>PROFESSIONAL SERVICES</b>          |                         |                         |                         |                           |                           |
| Independent Accounting                | 13,000                  | 28,100                  | 13,000                  | 16,000                    | 16,000                    |
| Legal - Development & Ordinance       | 8,892                   | 5,852                   | 9,309                   | 7,796                     | 7,388                     |
|                                       | <b>21,892</b>           | <b>33,952</b>           | <b>22,309</b>           | <b>23,796</b>             | <b>23,388</b>             |
| <b>PLANNING &amp; ZONING</b>          |                         |                         |                         |                           |                           |
| Salaries                              | 39,200                  | 41,194                  | 41,672                  | 44,072                    | 43,997                    |
| Bd Members Compensation               | 7,800                   | 7,800                   | 7,950                   | 7,800                     | 7,800                     |
| Zoning Expenses                       | 2,593                   | 3,114                   | 1,716                   | 3,207                     | 1,778                     |
|                                       | <b>49,593</b>           | <b>52,108</b>           | <b>51,338</b>           | <b>55,079</b>             | <b>53,574</b>             |
| <b>MAIN STREETS MANAGER</b>           |                         |                         |                         |                           |                           |
| Mainstreet - Capital Outlay           |                         |                         |                         |                           |                           |
| Salary                                | 41,190                  | 43,720                  | 41,716                  | 43,680                    | 45,482                    |
| Town Contribution                     | 9,523                   | 10,366                  | 10,970                  | 10,000                    | 10,000                    |
| Wayfinding Signs Grant Contribution   |                         |                         |                         |                           |                           |
|                                       | <b>50,713</b>           | <b>54,086</b>           | <b>52,686</b>           | <b>53,680</b>             | <b>55,482</b>             |
| <b>PUBLIC SAFETY</b>                  |                         |                         |                         |                           |                           |
| Fire Department Donation              | 15,000                  | 20,000                  | 20,000                  | 20,000                    | 20,000                    |
| School Crossing Guards                | 13,747                  | 14,812                  | 15,694                  | 15,758                    | 16,338                    |
| Deputy Contract Services              | 316,375                 | 333,374                 | 352,149                 | 401,611                   | 385,232                   |
|                                       | <b>345,122</b>          | <b>368,186</b>          | <b>387,843</b>          | <b>437,369</b>            | <b>421,570</b>            |
| <b>SANITATION &amp; WASTE REMOVAL</b> |                         |                         |                         |                           |                           |
| Trash Collection & Disposal           |                         |                         |                         |                           |                           |
| Recycling Pickup Station              | 7,201                   | 7,459                   | 6,876                   | 5,000                     | 5,000                     |
| Regular Pick-up                       | 132,025                 | 130,862                 | 128,862                 | 133,126                   | 133,126                   |
| Landfill - Tipping Fees               | 79,575                  | 82,595                  | 84,356                  | 84,830                    | 84,798                    |
| Yard Waste (April - Dec)              | 30,024                  | 30,024                  | 27,832                  | 30,672                    | 30,672                    |
| Eco-Bags                              | 18,011                  | 19,566                  | 19,610                  | 20,260                    | 18,200                    |
|                                       | <b>266,836</b>          | <b>270,507</b>          | <b>267,536</b>          | <b>273,888</b>            | <b>271,796</b>            |
| <b>RECREATION &amp; CULTURE</b>       |                         |                         |                         |                           |                           |
| Park Capital Outlay                   | 234,263                 |                         |                         |                           |                           |
| Park Interest                         | 20,968                  | 17,847                  | 14,632                  | 11,320                    | 7,906                     |
| Park Loan Payments                    | 102,582                 | 105,702                 | 108,917                 | 112,230                   | 115,643                   |
| Park Salary                           | 49,802                  | 42,320                  | 50,350                  | 34,807                    | 45,030                    |
| Park Electric                         | 1,807                   | 2,289                   | 1,104                   | 2,358                     | 1,175                     |
| Park Supplies/Equipment               | 3,832                   | 15,574                  | 1,143                   | 1,500                     | 1,500                     |
| Park Mowing Contract                  | 22,113                  | 23,964                  | 26,692                  | 26,215                    | 32,319                    |
| Park Repairs & Maintenance            | 28,316                  | 24,439                  | 45,351                  | 24,950                    | 35,990                    |
|                                       | <b>463,683</b>          | <b>232,135</b>          | <b>248,189</b>          | <b>213,379</b>            | <b>239,564</b>            |
| <b>HIGHWAYS &amp; STREETS</b>         |                         |                         |                         |                           |                           |
| Streets Capital Outlay                | 398,137                 |                         |                         |                           |                           |
| Vehicle/Equipment Capital Outlay      |                         |                         |                         |                           |                           |
| Salaries - Regular                    | 90,310                  | 76,647                  | 73,748                  | 48,841                    | 71,266                    |
| Street Lighting                       | 160,240                 | 160,973                 | 167,897                 | 161,916                   | 203,160                   |
| Storm Water Management                | 7,688                   | 1,673                   | 2,299                   | 7,800                     | 7,800                     |
| Snow Removal                          | 80,759                  | 100,830                 | 72,612                  | 75,000                    | 83,100                    |
| Mowing (SWM & Streets)                | 27,648                  | 29,696                  | 31,744                  | 32,696                    | 33,440                    |
| Repairs & Resurfacing                 | 34,504                  | 166,470                 | 6,794                   | 67,195                    | 92,000                    |
| Signs                                 | 5,367                   | 3,904                   | 5,083                   | 6,200                     | 12,400                    |
| Truck Repair & Maintenance            | 40,460                  | 35,615                  | 35,693                  | 48,600                    | 42,600                    |
| Equipment Repairs & Maintenance       | 2,281                   | 3,135                   | 3,511                   | 10,000                    | 26,675                    |
| Street Loan - Principal               | 11,000                  | 11,500                  | 12,000                  | 78,460                    | 79,300                    |

**TOWN OF MIDDLETOWN  
GENERAL FUND  
BUDGET FY 2017**

| <b>DESCRIPTION</b>                        | <b>AUDIT<br/>FY2014</b> | <b>AUDIT<br/>FY2015</b> | <b>AUDIT<br/>FY2016</b> | <b>Budget<br/>FY 2017</b> | <b>Budget<br/>FY 2018</b> |
|---|-------------------------|-------------------------|-------------------------|---------------------------|---------------------------|
| Street Loan - Interest                    | 9,016                   | 7,418                   | 85,447                  | 60,927                    | 59,874                    |
| Case Loader -Principal & Interest         | 14,555                  | 28,352                  | -                       | 15,159                    | -                         |
|   | <b>881,965</b>          | <b>626,213</b>          | <b>496,828</b>          | <b>612,795</b>            | <b>711,615</b>            |
| <b>MISCELLANEOUS</b>                      |                         |                         |                         |                           |                           |
| MT Historical Society                     | 5,000                   | 5,000                   | 5,000                   | 5,000                     | 5,000                     |
| Donations                                 | -                       | -                       | 1,000                   | 100                       | 100                       |
| Mileage - Travel                          | 2,698                   | 3,436                   | 1,957                   | 4,578                     | 2,732                     |
| Web Page / Directory / Public Information | 4,445                   | 3,625                   | 15,097                  | 1,400                     | 3,890                     |
| Community Events                          | 36,268                  | 37,855                  | 51,772                  | 30,250                    | 35,000                    |
| Payroll Taxes                             | 41,414                  | 42,269                  | 54,019                  | 56,578                    | 58,923                    |
| Insurance                                 |                         |                         |                         |                           |                           |
| Property                                  | 12,559                  | 12,986                  | 12,477                  | 13,376                    | 13,499                    |
| Health                                    | 98,119                  | 96,741                  | 122,055                 | 111,243                   | 115,842                   |
| Worker's Compensation                     | 14,784                  | 15,487                  | 14,456                  | 11,921                    | 20,372                    |
| Professional                              | -                       | 946                     | 946                     | 688                       | 946                       |
| Pension                                   | 49,131                  | 56,298                  | 49,784                  | 75,062                    | 68,184                    |
| Real Estate Taxes                         | 2,356                   | 712                     | 800                     | 1,242                     | 800                       |
| Miscellaneous                             | 10,116                  | 1,231                   | 12,688                  | 3,500                     | 3,500                     |
|   | <b>316,890</b>          | <b>276,586</b>          | <b>342,051</b>          | <b>314,938</b>            | <b>328,789</b>            |
| <b>TOTAL OPERATING EXPENSES</b>           | <b>2,373,169</b>        | <b>2,636,256</b>        | <b>2,583,964</b>        | <b>2,634,143</b>          | <b>2,818,334</b>          |
| <b>TOTAL OPERATING SURPLUS</b>            | <b>443,243</b>          | <b>201,526</b>          | <b>333,623</b>          | <b>353,735</b>            | <b>297,757</b>            |



**BURGESS AND COMMISSIONERS OF MIDDLETOWN**

**GENERAL CAPITAL IMPROVEMENT BUDGET**

**FY 2018 - FY 2022**

|  | FY '18             | FY '19            | FY '20             | FY '21              | FY '22               |
|--|--------------------|-------------------|--------------------|---------------------|----------------------|
| <b>INCOME</b>  |                    |                   |                    |                     |                      |
| CASH RESERVES  | \$881,203          | \$166,483         | (\$229,344)        | (\$711,917)         | (\$2,617,697)        |
| INTEREST INCOME  | \$2,203            | \$416             | (\$573)            | (\$1,780)           | (\$6,544)            |
| OPERATING INCOME From Previous Years   | \$353,739          | \$297,757         | \$300,000          | \$473,000           | \$523,000            |
| COMMUNITY LEGACY GRANTS  | \$64,000           |                   |                    |                     |                      |
| PROGRAM OPEN SPACE and Community Parks & Playground                                  | \$76,500           |                   |                    |                     |                      |
| <b>SUB-TOTAL</b>   | <b>\$1,377,645</b> | <b>\$464,656</b>  | <b>\$70,083</b>    | <b>(\$240,697)</b>  | <b>(\$2,101,241)</b> |
| <b>PROJECTS</b>  |                    |                   |                    |                     |                      |
| <b>Highways &amp; Streets</b>  |                    |                   |                    |                     |                      |
| SHA Streetscape Lighting   | \$175,000          |                   | \$250,000          | \$1,250,000         | \$200,000            |
| Boleau Court - Mill & Overlay  |                    | \$50,000          |                    |                     |                      |
| Broad St. - Franklin Street (Inlets and Road Reconstruction)                         |                    | \$80,000          | \$160,000          |                     | \$300,000            |
| Cone Branch Drive & Court - Mill & Overlay   |                    | \$40,000          | \$100,000          | \$590,000           |                      |
| Elm Street Parking Lot Upgrades - Reconfiguration and Paving                         | \$207,500          |                   |                    |                     |                      |
| Franklin Street - Mill & Overlay (Broad to Walnut Pond Court)                        | \$125,000          |                   | \$30,000           |                     | \$100,000            |
| Franklin Street - Mill & Overlay   |                    |                   | \$175,000          |                     | \$100,000            |
| Ivy Hill Drive - Mill & Overlay  |                    |                   |                    |                     |                      |
| Linden Blvd. (Broad Street to Pine Street)   |                    |                   |                    |                     |                      |
| Linden Blvd. Culvert Replacement   |                    |                   |                    |                     |                      |
| Locust Blvd. & Court (Road Reconstruction)   |                    |                   |                    |                     |                      |
| Lombardy Court - Selective Patching, Mill & Overlay                                  |                    |                   |                    |                     |                      |
| Martha Mason Drive - Mill & Overlay  |                    |                   |                    |                     |                      |
| Manda Drive - Mill & Overlay   |                    |                   |                    |                     |                      |
| Manda Court - Mill & Overlay   |                    |                   |                    |                     |                      |
| Prospect St. (Road Reconstruction)   | \$10,000           | \$50,000          |                    | \$500,000           |                      |
| Washington Street Retaining Wall   | \$130,000          | \$25,000          |                    |                     |                      |
| Young Branch Drive - Mill & Overlay  |                    |                   |                    |                     |                      |
| Foxfield Swale Reconstruction  | \$15,000           |                   |                    |                     |                      |
| Expansion of Maintenance Shop  | \$75,000           | \$250,000         |                    |                     |                      |
| Pedestrian Safety Improvements - Franklin Street (Prospect to Primary School)        | \$75,000           |                   |                    |                     |                      |
| Wayfinding Signs   | \$8,750            |                   |                    |                     |                      |
| Variable Message Sign - SMC2000ST  | \$18,825           |                   |                    |                     |                      |
| SWM Fence Replacements   |                    | \$12,000          |                    |                     |                      |
| <b>Recreation &amp; Culture</b>  |                    |                   |                    |                     |                      |
| Remsburg Park - Walking Trail and Bridge over Cone Branch Creek (90% Grant, POS 10%) | \$87,000           |                   |                    |                     |                      |
| Remsburg Park - Entrance Sign  | \$10,000           |                   |                    |                     |                      |
| Remsburg Park - Precast Concrete Bathroom (90% Grant, POS 10%)                       | \$40,000           |                   |                    |                     |                      |
| Memorial Park - Playground Replacement & Rehab (90% Grant, POS 10%)                  | \$36,000           |                   |                    |                     |                      |
| Heritage Park (MVB Property)   | \$31,883           |                   |                    |                     |                      |
| Heritage Museum (Upstairs Town Office)   | \$39,000           |                   |                    |                     |                      |
| Befco Sit Seeder - Field Maintenance   | \$8,000            |                   |                    |                     |                      |
| <b>General Services Administration &amp; Operations</b>                              |                    |                   |                    |                     |                      |
| Municipal Center - HVAC Replacement  | \$30,000           |                   |                    |                     |                      |
| Municipal Center - Boiler Replacement to Natural Gas                                 | \$35,000           |                   |                    |                     |                      |
| Information Technology - Computers, Servers, Phones, Data Backup & Recovery Systems  | \$37,000           | \$37,000          | \$37,000           | \$37,000            | \$37,000             |
| Subaru Forester Replacement  |                    |                   | \$30,000           |                     |                      |
| GMC Truck Body Replacement   | \$17,204           | \$150,000         |                    |                     |                      |
| Dump Truck Replacement   |                    | \$694,000         |                    |                     |                      |
| <b>SUB-TOTAL</b>   | <b>\$1,211,162</b> | <b>\$782,000</b>  | <b>\$2,377,000</b> | <b>\$2,377,000</b>  | <b>\$637,000</b>     |
| <b>SURPLUS/(DEFICIT)</b>   | <b>\$166,483</b>   | <b>-\$229,344</b> | <b>-\$711,917</b>  | <b>-\$2,617,697</b> | <b>-\$2,738,241</b>  |

RECEIVED

MAR 29 2017

TOWN OF MIDDLETOWN, MD



86 years of Service

Middletown Lions Club  
P.O. Box 190  
Middletown, MD 21769

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

March 28, 2017

Town of Middletown  
31 West Main Street  
Middletown, MD 21769  
ATTN: Town Administrator (Andrew Bowen)

Dear Mr. Bowen,

The Middletown Lions Club has served the Middletown Valley for 86 years. We are pleased to be part of this wonderful community. As a non-profit organization, we exist to help those in our community who are in need by providing vision screening for young students in our church and county schools as well as through \$2000 scholarships for three Middletown High School students every year, and providing food items for the Middletown Food Bank. These are just a few of the initiatives our club supports that serve others in our community.

I am writing on behalf the Middletown Lions Club to request storage space in the municipal center for the Middletown Lions Club to store some of their files, memorabilia, etc. We are currently storing these items in members' homes. We anticipate needing a 10 foot by 10 foot space where our club's items could be stored and be accessible to club members during the town government's normal business hours.

Thank you for considering this request.

Sincerely,

Ronald G. Forrester  
First Vice-President  
Middletown Lions Club

*Our Motto: We Serve*



# Maryland State Highway Administration Special Event Permit - Data Sheet

Event: Francie's Family 5K Run/Walk  
 Start Date: Sat. May 6, 2017 End Date: Sat. May 6, 2017  
 Start Time: Race 9:00 / setup 7:00 a.m. End Time: 12:00 p.m.  
 Purpose/Type: Race / 5K  
 Organizer: Francie's Family 5K Committee  
 Contact Person: Angela Phillips Daytime Phone: 301 606-9071  
 and Address: 5155 Woodhurst Court Evening Phone: same  
Frederick MD 21703 Email Address: philcot1961@gmail.com  
 No. of Participants: 200-250 No. of Vehicles/Units: 0 Rain/Snow Date: N/A

Proposed Route: \_\_\_\_\_  
 (Written Description) \_\_\_\_\_

Will you be occupying all or part of a highway travel lane? No  Yes \_\_\_\_\_

Will you be closing all or part of a roadway? No  Yes \_\_\_\_\_

If Yes to either of the above, where? \_\_\_\_\_

Have you requested Local Police assistance?\* No \_\_\_\_\_ Yes  Number \_\_\_\_\_

Have you requested Maryland State Police assistance?\* No \_\_\_\_\_ Yes  Number \_\_\_\_\_

**\* THE EVENT ORGANIZER IS RESPONSIBLE FOR OBTAINING LOCAL AND/OR STATE POLICE ASSISTANCE \***

CIRCLE THE DISTRICT(S) AND COUNTY(S) YOUR EVENT WILL TAKE PLACE IN

DISTRICT 1 Dorchester / Somerset / Wicomico / Worcester

DISTRICT 2 Caroline / Cecil / Kent / Queen Anne's / Talbot

DISTRICT 3 Montgomery / Prince George's

DISTRICT 4 Baltimore / Harford

DISTRICT 5 Anne Arundel / Calvert / Charles / St. Mary's

DISTRICT 6 Allegany / Garrett / Washington

DISTRICT 7 Carroll / Howard / Frederick

RECEIVED

APR 07 2017

TOWN OF MIDDLETOWN, MD

ATTACH THE FOLLOWING

- Map of affected routes
- Traffic Control Plan (including details on how intersections will be controlled, a detour plan, locations of police officers/volunteers and locations of all traffic control devices, as appropriate)
- Other event details \_\_\_\_\_

(Contact the District Office to determine what, if any, additional information will be required for your event.)

**\* Submit completed Data Sheet and Signature Sheet to SHA no later than 60 DAYS prior to your event \***

<http://www.marylandroads.com/Index.aspx?PageId=59>



# Maryland State Highway Administration Special Event Permit - Signature Sheet

EVENT: Francie's Family 5K Run/walk

### ORGANIZER'S ACKNOWLEDGEMENT

I/We hereby affirm that the ORGANIZER of this EVENT and all PARTICIPANTS will comply with the Laws of the State of Maryland and any applicable county and municipal statutes and ordinances and will adhere to the terms and conditions set forth in this PERMIT. My/Our signature(s) below confirm that the ORGANIZER and all PARTICIPANTS agree to hold harmless from any liability, incurred by them or to others associated with this EVENT, the various governmental agencies providing assistance for this EVENT. The ORGANIZER may be required to obtain Liability and Property Damage Insurance with limits of at least \$300,000 per incident/\$1,000,000 aggregate.

ORGANIZER: Francie's Family 5K Committee  
PLEASE PRINT NAME

REPRESENTATIVE: Angela Phillips  
PLEASE PRINT NAME

SIGNATURE: Angela Phillips  
PLEASE SIGN

### TERMS AND CONDITIONS

- 1) This EVENT shall adhere to the route, number of participants and vehicles (not more than 10% higher than the numbers on this Permit), date(s) and times shown on the attached \_\_\_\_\_ sheet(s).
- 2) The ORGANIZER shall ensure that the approved TRAFFIC CONTROL PLAN is followed.
- 3) In the event of winter weather during the event, SHA will require access to all State Highways for weather related operations. This may require cancellation of the event.
- 4) Immediately following the event, the ORGANIZER shall clean up all litter, temporary signs and other event materials and return the roadway to a condition equal to or better than its condition before the event.
- 5) Additional stipulations: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### AGENCY APPROVALS

Before signing and giving approval for your agency, consider the following:

- 1) Ensure you have the approval authority to sign for your agency to commit manpower and resources.
- 2) Ensure you have looked over the entire application package, including the Route Map and Traffic Control Plan. If you identify any problems, have the event organizer address them prior to signing.
- 3) If reimbursement is required, ensure you have mutually agreed upon the amount (in writing) and terms under which payment will be made.

Local Government ( \_\_\_\_\_ ): \_\_\_\_\_  
AGENCY SIGNATURE PRINTED NAME DATE

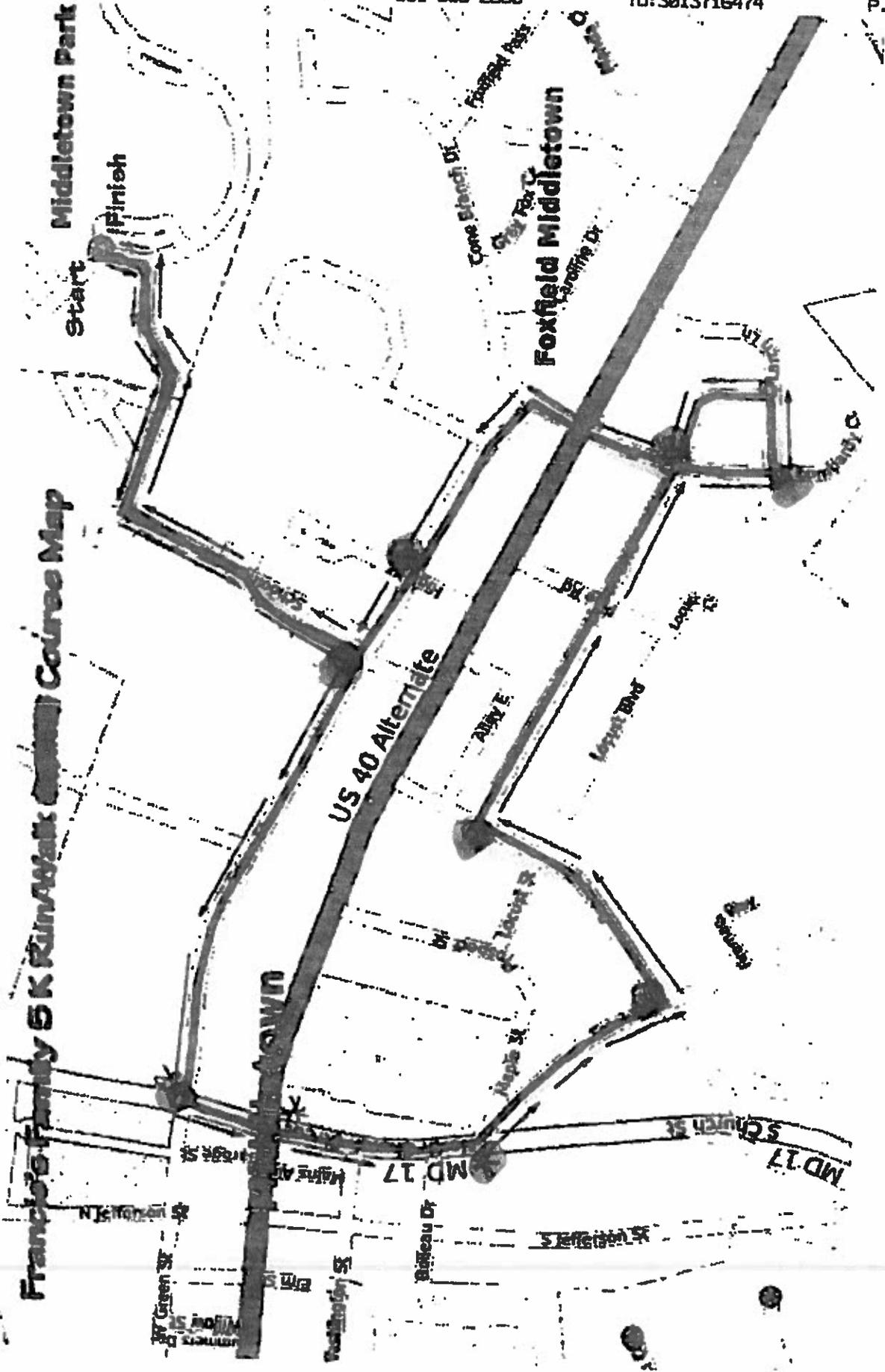
Local Government ( \_\_\_\_\_ ): \_\_\_\_\_  
AGENCY SIGNATURE PRINTED NAME DATE

Local Government ( \_\_\_\_\_ ): \_\_\_\_\_  
AGENCY SIGNATURE PRINTED NAME DATE

Maryland State Police: \_\_\_\_\_  
SIGNATURE PRINTED NAME DATE

State Highway Administration: \_\_\_\_\_  
SIGNATURE PRINTED NAME DATE

**Franco's Family 5K Run/Walk Course Map**



Start

Finish

Middletown Park

Foxfield Middletown

US 40 Alternate

MD 17

MD 17 Church St

Green St

TOWN

Main St

Church St

Maple St

Alley E

Maple Blvd

Loop C

Cone Branch Dr

Gray Fox Ct

Carriage Dr

Stevens

US 40

Hardy Ct

# *BURGESS AND COMMISSIONERS OF MIDDLETOWN MARYLAND*

## TOWN MEETING MINUTES

### REGULAR MEETING

April 6, 2017

The first monthly meeting of the Burgess and Commissioners of Middletown was called to order on April 6, 2017, by Burgess Miller at 7:00 p.m. in the Middletown Municipal Center, 31 W. Main Street, Middletown, Maryland. Present were: Commissioners Jennifer Falcinelli, Larry Bussard, Rick Dietrick, Tom Catania and Christopher Goodman.

### CONSENT AGENDA

#### *Financial Statements*

*YMCA Triathlons – June 3 and September 17, 2017*

*Town Meeting Minutes – March 27, 2017 - Town Meeting*

Commissioner Bussard motioned to accept this consent agenda as submitted, seconded by Commissioner Falcinelli and passed unanimously.

### PERSONAL REQUESTS FOR AGENDA:

**Councilman Jerry Donald – Safety Enhancement Funding for Raised Crosswalk –** Councilman Donald was present tonight on behalf of the Frederick County Council to present the Burgess & Commissioners a check in the amount of \$8,000 toward a raised crosswalk to be installed at the Primary School.

Councilman Donald also stated that the ground breaking ceremony for the new Fire Station is scheduled for May 13, 2017, time to be announced later.

**Mr. Michael Paone, Frederick County Planning Department – Livable Frederick –** did a power point presentation on Livable Frederick.

### STAFF REPORTS:

**Staff Planner –** Cindy gave her report

**Main Street Manager –** Becky gave her report

**Engineers Report –** Bruce gave his report

**Zoning Administrator –** Ron gave his report

### Unfinished Business:

**Introduction of Peddling Ordinance 17-04-01 –** Burgess Miller introduced Ordinance 17-04—01. He stated that the Town Attorney has already reviewed and made comments.

**Public Meeting – Discussion of addition or deletion of Fluoride Treatment –** Burgess Miller stated that this is our 2<sup>nd</sup> public discussion on the addition or deletion of fluoride in our water system.

Ms. Parsons, 208 N. Pointe Terrace – voiced her opposition against adding fluoride to the water. Ms. Parsons also had a statement from a Dr. opposed to adding fluoride to the water.

Burgess Miller stated that the Board will have another discussion about fluoride at the April 24, 2017 meeting and will vote on this issue at the May 8, 2017 meeting.

**Franklin Street Sidewalk Extension Plans–** Drew presented the Board with the 3 different options for the Franklin Street sidewalk extension.

After some discussion, Commissioner Goodman motioned to approve Option #2 in the amount of \$70,000, seconded by Commissioner Catania. Motion carried 6-0.

**Memar Annexation – Annexation Topic for Discussion** – Cindy stated that this annexation is consistent with Comprehensive Plan, it does not create an enclave, and R-20 zoning is consistent. Burgess Miller stated that this property is not currently in the County Growth Plan. Burgess Miller stated that the developer or the Town can request an express approval, otherwise this property cannot be subdivided for 5 years. Farhad Memarsadeghi owner was present and stated that he would like to file for an express approval. After some discussion, it was determined that the Annexation Agreement needs to be done before the request for express approval by the County.

**REPORTS OF COMMITTEES –**

**WATER & SEWER** – no report

**PUBLIC WORKS** – no report

**SUSTAINABILITY** – Commissioner Dietrick reported:

Green Expo April 29, 2017 from 10am.-2pm.

**PLANNING COMMISSION** – Commissioner Catania reported:

Workshop is Wednesday, April 1<sup>st</sup> at 7pm.

Next meeting is Monday, April 17, 2017 at 7pm.

**PARKS and RECREATION** – Commissioner Goodman reported:

Next meeting is April 19, 2017 at 7pm.

**PUBLIC INFORMATION** – Commissioner Falcinelli reported:

Rain barrels for sale \$40.

**NEW BUSINESS:**

**Discussion of Artisan Bike Racks for Downtown and Parks** – After some discussion the Board agreed to get pricing on different designs to make a decision on at a later date.

**Discussion of Wireless Telecommunications Siting Ordinance** – Cindy stated that she has reviewed Walkersville, Emmitsburg and Brunswick ordinance on this. Cindy stated that we should not rush into this, we need to be legally correct. It was agreed to take this item of the agenda until the Town Attorney has looked at.

**PUBLIC COMMENT:**

**ANNOUNCEMENTS:**

*250<sup>th</sup> Town Talk (Transportation History) – Thursday, April 13, 2017 at Town Hall at 6:30pm.*

*Sustainability Committee Openings*

*Board of Appeals Position Available*

**ADJOURNMENT**

Meeting adjourned at 9:25pm.

Respectfully submitted,

Ann Griffin  
Office Manager

**ORDINANCE NO. 17-04-01**

**AN ORDINANCE TO AMEND TITLE 5 “BUSINESS LICENSES AND REGULATIONS” OF THE MIDDLETOWN MUNICIPAL CODE BY ADDING THERETO CHAPTER 5.08 PERTAINING TO PEDDLING AND PEDDLERS; TO DEFINED THE TERMS “PEDDLING” AND “PEDDLER”; TO REQUIRE, WITH SOME EXEMPTIONS, A PEDDLER TO OBTAIN A PEDDLER’S LICENSE; TO REQUIRE CERTAIN INFORMATION TO BE PROVIDED IN AN APPLICATION FOR A PEDDLER’S LICENSE; TO AUTHORIZE THE TOWN ADMINISTRATOR TO REVIEW AND GRANT OR DENY A PEDDLER’S LICENSE; TO SET AN ADMINISTRATIVE FEE FOR SUBMISSION OF A PEDDLER’S LICENSE; TO ESTABLISH CONDITIONS FOR PEDDLING; TO PROVIDE FOR REVOCATION OF A PEDDLER’S LICENSE UPON CERTAIN CONDITIONS AND TO PROVIDE FOR AN APPEAL FROM SUCH REVOCATION; TO PROVIDE PENALTIES FOR PEDDLING WITHOUT A VALID PEDDLER’S LICENSE.**

**SECTION I. BE IT ORDAINED AND ENACTED** by the Burgess and Commissioners of the Town of Middletown, Maryland that Title 5 of the Middletown Municipal Code be, and hereby is, amended by adding thereto the following to be codified as Chapter 5.08 “Peddling and Peddler’s License”. New language is designated by being in **BOLD CAPITAL LETTERS**.

Title 5 - BUSINESS LICENSES AND REGULATIONS

**CHAPTER 5.08 PEDDLING AND PEDDLER’S LICENSE**

**5.08.010 DEFINITIONS**

**AS USED IN THIS CHAPTER:**

**“PEDDLING” IS DEFINED AS THE BUSINESS OR ENTERPRISE OF GOING ABOUT FROM HOUSE TO HOUSE OR PLACE TO PLACE SEEKING SALES, FUTURE SALES, TRADES, LEASES OR CURRENT OR FUTURE DELIVERIES OF ARTICLES, GOODS, COMMODITIES, MERCHANDISE, SERVICES OR OTHER THINGS OF VALUE TO EXISTING OR POTENTIAL CUSTOMERS.**

**“PEDDLER” IS DEFINED AS A PERSON WHO ENGAGES IN PEDDLING AND INCLUDES, BUT IS NOT LIMITED TO, THOSE PERSONS COMMONLY REFERRED**

**TO AS HAWKERS, HUCKSTERS, TRANSIENT VENDORS, AND DOOR-TO-DOOR SALESPERSONS.**

**5.08.020 LICENSE REQUIRED AND EXEMPTIONS**

**A. EXCEPT AS PROVIDED IN SUB-SECTION B., NO PERSON MAY ENGAGE IN PEDDLING IN THE TOWN OF MIDDLETOWN WITHOUT FIRST APPLYING FOR AND OBTAINING A PEDDLER'S LICENSE FROM THE TOWN.**

**B. A PEDDLER'S LICENSE IS NOT REQUIRED WHEN THE PERSON ENGAGING IN PEDDLING IS DOING SO AS A MEMBER OF OR IN ASSOCIATION WITH A CHARITABLE, RELIGIOUS, CIVIC OR SIMILAR ELEEMOSYNARY GROUP DULY AUTHORIZED AS A NON-PROFIT OR NOT-FOR-PROFIT ORGANIZATION UNDER THE TAX LAWS OF THE FEDERAL OR STATE OF MARYLAND GOVERNMENT.**

**5.08.030 APPLICATION AND ISSUANCE OF LICENSE**

**A. EXCEPT AS PROVIDED IN SUB-SECTION E, ANY PERSON APPLYING FOR A PEDDLER'S LICENSE SHALL PROVIDE THE FOLLOWING INFORMATION ON AN APPLICATION FORM PROVIDED BY THE TOWN:**

**(1) THE APPLICANT'S NAME, BUSINESS AND RESIDENCE ADDRESS, TELEPHONE NUMBER AND E-MAIL ADDRESS.**

**(2) THE NAME, ADDRESS AND TELEPHONE NUMBER OF THE APPLICANT'S EMPLOYER OR OTHER PERSON, FIRM OR ENTITY ON WHOSE BEHALF THE APPLICANT WILL BE ENGAGED IN PEDDLING.**

**(3) A DESCRIPTION OF THE TYPE OF BUSINESS IN WHICH THE APPLICANT IS ENGAGED OR OF THE TYPE OF BUSINESS OF THE APPLICANT'S EMPLOYER.**

---

(4) THE LENGTH OF TIME THAT THE APPLICANT HAS BEEN EMPLOYED BY OR ASSOCIATED WITH THE EMPLOYER.

(5) A DESCRIPTION OF THE TYPE OF GOODS, SERVICES, COMMODITIES OR OTHER ITEMS WHICH THE APPLICANT WILL BE PEDDLING.

(6) THE NAME, ADDRESS AND TELEPHONE NUMBER OF AT LEAST TWO PERSONS WHO HAVE KNOWN THE APPLICANT FOR AT LEAST ONE YEAR AND WHO ARE REFERENCES FOR THE APPLICANT.

(7) A STATEMENT IDENTIFYING ANY CRIMES, OTHER THAN MINOR TRAFFIC VIOLATIONS, FOR WHICH THE APPLICANT HAS BEEN CONVICTED, INCLUDING PROBATION BEFORE JUDGMENTS, WITHIN THE PRECEDING TEN YEARS.

(8) THE LENGTH OF TIME DURING WHICH THE APPLICANT EXPECTS TO REMAIN IN THE TOWN FOR THE PURPOSE OF ENGAGING IN PEDDLING;

(9) PROOF OF HAVING OBTAINED ALL NECESSARY STATE AND LOCAL LICENSES, INSPECTIONS AND APPROVALS TO CARRY OUT THE PROPOSED ACTIVITY.

(10) THE APPLICANT SHALL PROVIDE A PHOTOGRAPH OF THE APPLICANT'S FACE AT LEAST 2 INCHES BY 2 INCHES IN SIZE SIMILAR TO THOSE REQUIRED IN CONNECTION WITH OBTAINING A UNITED STATES PASSPORT.

B. THE TOWN ADMINISTRATOR MAY REQUIRE THAT THE APPLICANT PROVIDE SUCH SUPPLEMENTAL INFORMATION AS MAY BE REQUIRED TO FULLY RESPOND TO THE INFORMATION REQUESTED IN THE APPLICATION. THE TOWN ADMINISTRATOR IS AUTHORIZED TO MAKE SUCH FURTHER INVESTIGATION INTO THE APPLICANT AS MAY BE DEEMED NECESSARY. THE APPLICATION FOR A PEDDLER'S LICENSE IS CONTINUING IN NATURE, AND THE APPLICANT SHALL PROMPTLY PROVIDE TO THE TOWN SUCH NEW OR SUPPLEMENTAL INFORMATION TO CORRECT ANY INFORMATION ON THE APPLICATION WHICH BECOMES INACCURATE OR INAPPLICABLE.

**C. UPON THE SUBMISSION OF AN APPLICATION FOR A PEDDLER'S LICENSE, THE APPLICANT SHALL PAY A NON-REFUNDABLE FEE OF \$250.00.**

**D. UPON SATISFACTORY REVIEW OF THE APPLICATION AND ANY FURTHER INVESTIGATION UNDERTAKEN BY THE TOWN ADMINISTRATOR, THE TOWN ADMINISTRATOR SHALL ISSUE TO THE APPLICANT A PEDDLER'S LICENSE. UPON THE ISSUANCE AND DELIVERY OF THE PEDDLER'S LICENSE, THE TOWN ADMINISTRATOR SHALL ALSO PROVIDE TO THE APPLICANT THE CONDITIONS UNDER WHICH THE LICENSE IS ISSUED AS SET FORTH HEREIN.**

**E. THE APPLICATION REQUIRED TO BE SUBMITTED BY SUB-SECTION A SHALL ONLY BE REQUIRED TO BE SUBMITTED ONE TIME IN ANY ONE CALENDAR YEAR. ONCE A PEDDLER'S LICENSE HAS BEEN ISSUED TO A PEDDLER, FOR ANY SUBSEQUENT RENEWAL OF THE LICENSE DURING A CALENDAR YEAR, THE APPLICANT NEED ONLY VERIFY THE CONTINUED ACCURACY OF THE INFORMATION PREVIOUSLY PROVIDED, OR THE APPLICANT SHALL PROVIDE SUCH CHANGED, NEW AND/OR SUPPLEMENTAL INFORMATION AS REQUIRED BY SUB-SECTION A. NO APPLICATION FEE SHALL BE REQUIRED FOR ANY RENEWAL OF A PEDDLER'S LICENSE DURING ANY ONE CALENDAR YEAR.**

#### **5.08.040 CONDITIONS OF LICENSE**

**A. A PEDDLER'S LICENSE SHALL BE VALID ONLY DURING THE QUARTER-ANNUAL PERIOD DURING WHICH IT WAS ISSUED, SO THAT A PEDDLER'S LICENSE ISSUED AT ANY TIME DURING THE MONTHS OF JANUARY, FEBRUARY OR MARCH IS VALID ONLY DURING JANUARY, FEBRUARY AND MARCH OF THAT YEAR, AND SO ON FOR EACH QUARTER-ANNUAL PERIOD THEREAFTER. A PEDDLER'S LICENSE BECOMES VOID AND INVALID AT 11:59 P.M. ON THE LAST DAY OF THE QUARTER-ANNUAL PERIOD DURING WHICH IT WAS ISSUED.**

**B. NO PERSON, FIRM OR ENTITY MAY ENGAGE IN PEDDLING AT ANY RESIDENCE, BUSINESS OR OTHER PLACE WHICH DISPLAYS IN A CONSPICUOUS**

**LOCATION A SIGN STATING "NO SOLICITATION", "NO PEDDLING" OR SIMILAR SIGN GIVING NOTICE AGAINST PEDDLING AT THAT LOCATION.**

**C. NO PERSON, FIRM OR ENTITY MAY ENGAGE IN PEDDLING, OR CONTINUE TO ENGAGE IN PEDDLING, AFTER HAVING BEEN GIVEN NOTICE BY A CUSTOMER OR POTENTIAL CUSTOMER, EITHER IN WRITING OR ORALLY, TO CEASE AND TERMINATE SUCH ACTIVITY.**

**D. NO PERSON, FIRM OR ENTITY ENGAGED IN PEDDLING MAY ENTER THE RESIDENCE, BUSINESS OR OTHER ENCLOSED STRUCTURE WITHOUT THE EXPRESS CONSENT OF THE OWNER OR OCCUPANT.**

**E. NO PERSON, FIRM OR ENTITY MAY ENGAGE IN PEDDLING BETWEEN SUNDOWN OF ANY GIVEN DAY AND 9:00 AM OF THE FOLLOWING DAY.**

**F. EVERY PERSON, WHILE ENGAGED IN PEDDLING, SHALL WEAR IN A CONSPICUOUS AND VISIBLE LOCATION ON THEIR PERSON THE BADGE OR OTHER IDENTIFICATION TAG PROVIDED TO THEM BY THE TOWN.**

**G. EVERY PERSON, WHILE ENGAGED IN PEDDLING, SHALL PRESENT FOR INSPECTION THE PEDDLER'S LICENSE ISSUED BY THE TOWN UPON REQUEST OF ANY TOWN OFFICIAL, CUSTOMER OR POTENTIAL CUSTOMER.**

#### **5.08.050 REVOCATION OF LICENSE**

**A. THE TOWN ADMINISTRATOR IS AUTHORIZED TO REVOKE A PEDDLER'S LICENSE FOR:**

- (1) FRAUD IN APPLYING FOR THE LICENSE;**
- (2) MISREPRESENTATION OR PROVIDING A FALSE STATEMENT IN THE APPLICATION;**
- (3) PROVIDING MISLEADING INFORMATION IN THE APPLICATION;**
- (3) FAILURE TO CORRECT ANY STATEMENT IN THE APPLICATION; OR**

**(4) FAILURE TO OBSERVE THE CONDITIONS OF THE LICENSE.**

**B. PRIOR TO REVOKING ANY PEDDLER'S LICENSE, THE TOWN ADMINISTRATOR SHALL GIVE NOTICE OF SUCH PROPOSED REVOCATION TO THE PEDDLER, INCLUDING A STATEMENT OF THE REASONS THEREFOR, AND SHALL PROVIDE THE PEDDLER WITH AN OPPORTUNITY FOR A HEARING BEFORE THE TOWN ADMINISTRATOR. UPON RECEIVING SUCH NOTICE OF REVOCATION, THE PEDDLER MAY REQUEST A HEARING BEFORE THE TOWN ADMINISTRATOR WHO, UPON RECEIVING SUCH REQUEST, SHALL SET A HEARING AT A TIME, DATE AND PLACE WITHIN TEN (10) DAYS OF THE REQUEST. THE TOWN ADMINISTRATOR SHALL ISSUE A WRITTEN DECISION REGARDING THE PROPOSED REVOCATION PROMPTLY UPON THE CONCLUSION OF THE HEARING.**

**C. THE PERSON AGGRIEVED BY THE DECISION OF THE TOWN ADMINISTRATOR MAY APPEAL THAT DECISION TO THE BURGESS AND COMMISSIONERS BY FILING A WRITTEN REQUEST FOR A HEARING WITH THE TOWN ADMINISTRATOR WITHIN TEN (10) CALENDAR DAYS OF THE DATE OF THE DECISION OF THE TOWN ADMINISTRATOR. THE HEARING BEFORE THE BURGESS AND COMMISSIONERS SHALL BE HELD AT A TIME, DATE AND PLACE AS MAY MOST CONVENIENTLY BE SCHEDULED. THE DECISION OF THE BURGESS AND COMMISSIONERS AFTER THE HEARING SHALL BE FINAL.**

**D. ANY PERSON, FIRM OR ENTITY WHOSE PEDDLER'S LICENSE HAS BEEN REVOKED AS SET FORTH HEREIN MAY NOT APPLY FOR OR BE ISSUED ANOTHER SUCH LICENSE FOR A PERIOD OF TWELVE (12) MONTHS AFTER THE FINAL DECISION TO REVOKE THE LICENSE.**

#### **5.08.060 PENALTIES**

**ANY PERSON ENGAGED IN PEDDLING IN THE TOWN OF MIDDLETOWN WITHOUT A VALID PEDDLER'S LICENSE SHALL BE GUILTY OF A MISDEMEANOR, PUNISHABLE BY A FINE OF UP TO \$1,000.00. IN ADDITION, ANY PERSON ENGAGED IN PEDDLING IN THE TOWN OF MIDDLETOWN WITHOUT A**

**VALID PEDDLER'S LICENSE MAY BE CHARGED, AT THE DISCRETION OF THE BURGESS, WITH A MUNICIPAL INFRACTION FOR WHICH THE FINE MAY BE UP TO \$1,000.00 TO BE ENFORCED IN ACCORDANCE WITH *LOCAL GOVERNMENT* ARTICLE, DIVISION II, TITLE 6, ANNOTATED CODE OF MARYLAND (AS AMENDED FROM TIME TO TIME). NOTHING CONTAINED HEREIN SHALL PRECLUDE THE TOWN FROM SEEKING ANY OTHER REMEDIES AVAILABLE TO IT, EITHER AT LAW OR IN EQUITY, INCLUDING, BUT NOT LIMITED TO INJUNCTIVE RELIEF.**

**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 6<sup>th</sup> DAY OF April, 2017**

**PASSED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017**

**EFFECTIVE DATE: \_\_\_\_\_, 2017**

**ATTEST:**

**BURGESS AND COMMISSIONERS  
OF MIDDLETOWN**

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

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



## **MEMORANDUM**

**DATE:** January 4, 2017

**TO:** Burgess and Commissioners

**FROM:** Andrew J. Bowen, Town Administrator

**SUBJECT:** Installation of Fluoride – Brookridge WTP & Well #15

---

### **ISSUE**

Should the Burgess and Commissioners proceed with installation of fluoride injection system at the Brookridge WTP and Well #15, with the substantial increase in cost?

### **BACKGROUND**

With the construction of two additional water treatment facilities; Well #15 in 2006 and the Brookridge WTP in 2008, fluoride injection was not included in the design of either of these facilities. Fluoride is only provided at the reservoir, which is the primary source of water for the Town.

In 2015, the Town tested levels of fluoride throughout the water distribution system and determined that some sections of Town, specifically Brookridge South and Glenbrook have fluoride levels below the recommended EPA standards for the benefits of fluoride. The Town Board made a decision to have fluoride injection added to both of the new facilities and budgeted \$60,000 in the 2017 CIP. In addition, letters were sent to the affected residents informing them of the Town's plans to add the fluoride injection systems by January 2017.

With the installation of the Iron and Manganese Removal System equipment at Well #15, there is not enough physical room in the building to add a fluoride injection system. The building will have to be enlarged to accommodate a fluoride system. The preliminary cost estimate is \$30,000 to construct an addition. There is room available for the fluoride injection system at the Brookridge WTP and this project can proceed immediately.

### **RECOMMENDATION**

Staff would recommend the Town Board give serious consideration to the substantial capital cost for providing fluoride to resident's (\$90,000), which is only a benefit to a specific segment of the population, when fluoride is available through many other sources. If the Town Board decides to move forward with installation of fluoride systems at these two facilities, \$30,000 of additional funding will need to be approved.

### **ATTACHMENTS**

Approve CIP  
Letter to Residents

# FLUORIDE FACT SHEET

## Town of Middletown

February 21, 2017

- The Town of Middletown has three (3) water treatment facilities:
  - Reservoir WTP (Primary Source) – Fluoride Injection
  - Well #15 WTP – NO Fluoride
  - Brookridge WTP – NO Fluoride
- 2010 Census Information for the Town of Middletown

| Subject           | Number | Percent |
|-------------------|--------|---------|
| Age               |        |         |
| Total Population  | 4,136  | 100.0%  |
| Under 5 Years     | 254    | 6.1%    |
| 5 to 9 Years      | 326    | 7.9%    |
| 10-14 Years       | 406    | 9.8%    |
| 15 to 19 Years    | 354    | 8.6%    |
| 20 to 24 Years    | 164    | 4.0%    |
| 25 to 29 Years    | 163    | 3.9%    |
| 30 to 34 Years    | 174    | 4.2%    |
| 35 to 39 Years    | 256    | 6.2%    |
| 40 to 44 Years    | 368    | 8.9%    |
| 45 to 49 Years    | 382    | 9.2%    |
| 50 to 54 Years    | 365    | 8.8%    |
| 55 to 59 Years    | 266    | 6.4%    |
| 60 to 64 Years    | 220    | 5.3%    |
| 65 to 70 Years    | 136    | 3.3%    |
| 70 to 74 Years    | 112    | 2.7%    |
| 75 to 79 Years    | 85     | 2.1%    |
| 80 to 84 Years    | 55     | 1.3%    |
| 85 Years and Over | 50     | 1.2%    |

- Average Yearly Cost to provide Fluoride at the Reservoir WTP - \$7,500. This includes the chemical costs and equipment calibration and maintenance. The average estimated yearly cost to provide Fluoride at all water treatment facilities would be \$22,500.
- FY 2017 CIP has \$60,000 budgeted to fund two (2) Fluoride injection systems at Brookridge WTP and Well #15 WTP.
- Due to limited space at Well #15 WTP, the building must have an addition to accommodate the Fluoride injection system. Estimated cost \$30,000, which is not budgeted as of this date.

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- EPA is recommending lowering the level of Fluoride in public drinking water systems due to people receiving Fluoride from other sources. The original recommended level of Fluoride was 1.2 mg/L the new recommended level of Fluoride is 0.7 mg/L.

- National & State Statistics on Fluoride

These statistics were prepared using water system data reported by states to the CDC Water Fluoridation Reporting System as of December 31, 2014, and the U.S. Census Bureau state population estimates for July 2014. Revised July 2016.\*

## National Water Fluoridation Statistics

|  |             |
|--|-------------|
| Total US population, persons <sup>a</sup>  | 318,857,056 |
| US population on community water systems (CWS), persons <sup>b</sup>                                 | 284,099,832 |
| Total US population on fluoridated drinking water systems, persons <sup>b</sup>                      | 211,393,167 |
| Percentage of US population receiving fluoridated water <sup>c</sup>                                 | 66.3%       |
| Percentage of US population on CWS receiving fluoridated water <sup>d</sup>                          | 74.4%       |
| Number of CWS providing fluoridated water <sup>b</sup>   | 18,186      |
| Number of CWS adjusting fluoride <sup>b</sup>  | 5,919       |
| Number of CWS consecutive to systems with optimal fluoride levels <sup>b</sup>                       | 6,015       |
| Number of CWS with naturally occurring fluoride at or above optimal levels <sup>b,e</sup>            | 6,205       |
| Population served by CWS with naturally occurring fluoride at or above optimal levels <sup>b,e</sup> | 11,883,007  |

AND for Maryland:

### State Fluoridation Percentage Calculations and States Ranked by Fluoridation Percentage

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STATE PERSONS RECEIVING FLUORIDATED PERSONS SERVED BY PUBLIC WATER SYSTEMS

|          |           |           | %     | RANK |
|----------|-----------|-----------|-------|------|
| Maryland | 5,021,283 | 5,206,520 | 96.4% | 5    |

- **Local Water Systems that do NOT provide Fluoride:**
    - **Thurmont**
    - **Myersville**
    - **Brunswick**
    - **Rosemont**
    - **Boonsboro**
    - **Poolesville**
    - **Westernport**
  
  - **Local Water Systems that DO provide Fluoride:**
    - **WSSC**
    - **Walkersville**
    - **Emmitsburg**
    - **City of Frederick**
    - **Mt. Airy**
    - **City Hagerstown**
    - **Rockville**
    - **Westminster**
-

# FLUORIDE FACTS

March 23, 2017

## CDC Website

Although other fluoride-containing products, such as toothpaste, mouth rinses, and dietary supplements are available and contribute to the prevention and control of tooth decay, community water fluoridation has been identified as the most cost-effective method of delivering fluoride to all, reducing tooth decay by 25% in children and adults.<sup>1</sup>

<sup>1</sup> Griffin SO, Regnier E, Griffin PM, Huntley VN. Effectiveness of fluoride in preventing caries in adults. *J Dent Res.* 2007;86(5):410–414.

### Benefits: Strong Teeth

Fluoride benefits children and adults throughout their lives. For children younger than age 8, fluoride helps strengthen the adult (permanent) teeth that are developing under the gums.

## Absorption, Recommended dosage of Fluoride and Dietary Sources

Texas A&M University Dr.E.D.Harris NUTR/POSC 650 NUTR 450

### Fluoride Absorption

20-25% of fluoride is absorbed by the stomach. Conditions of higher gastric acidity promote fluoride absorption from the stomach.

75-80% is absorbed by the small intestine.

Absorption from the small intestine is pH-independent. The majority of fluoride absorption occurs in the small intestine via passive diffusion quite possibly through membrane channels.

In the fasted state, fluoride in the form of fluoridated water or sodium fluoride tablets, the absorption is 100%. However, when fluoride is found in food sources, or taken with food, the absorption varies from 50-80%.

Absorbed fluoride enters the plasma where the concentration under usual intake ranges from 10-20µg/L. It is quickly taken from the plasma into tissue in exchange with other anions (hydroxyl, citrate, and carbonate ions). 95% of total body fluoride is found in bones and teeth. 90% of fluoride excretion occurs in the urine

## Adequate Intake for Fluoride

| <b>Life Stage</b> | <b>Age</b>         | <b>Males (mg/day)</b> | <b>Females (mg/day)</b> |
|-------------------|--------------------|-----------------------|-------------------------|
| Infants           | 0-6 months         | 0.01                  | 0.01                    |
| Infants           | 7-12 months        | 0.5                   | 0.5                     |
| Children          | 1-3 years          | 0.7                   | 0.7                     |
| Children          | 4-8 years          | 1.0                   | 1.0                     |
| Children          | 9-13 years         | 2.0                   | 2.0                     |
| Adolescents       | 14-18 years        | 3.0                   | 3.0                     |
| Adults            | 19 years and older | 4.0                   | 3.0                     |
| Pregnancy         | all ages           | -                     | 3.0                     |
| Breastfeeding     | all ages           | -                     | 3.0                     |

## Dietary Sources of Fluoride

| <b>Food</b>                | <b>Serving</b> | <b>Fluoride (mg)</b> |
|----------------------------|----------------|----------------------|
| Tea                        | 3.5 ounces     | 0.1-0.6              |
| Grape Juice                | 3.5 ounces     | 0.02-0.28            |
| Canned Sardines with Bones | 3.5 ounces     | 0.2-0.4              |
| Fish without Bones         | 3.5 ounces     | 0.01-.17             |
| Chicken                    | 3.5 ounces     | 0.06-.1              |

## Oregon State University, Noelle J. Fein MS Nutrition and Health Management

Mechanically separated chicken (MSC) is an ingredient in infant foods, toddler foods, canned meats, and luncheon meats. The present study examined the fluoride content of foods made with MSC to determine the extent to which they could contribute to the total fluoride intake of infants and children. Chicken sticks made with MSC had the highest fluoride concentrations followed by infant foods, luncheon meats, and canned meats. A serving of chicken sticks containing the highest fluoride concentration would provide nearly the recommended daily intake for fluoride and nearly 1/2 of the upper limit of safety for a one year old child. High

fluoride content of chicken bones found in this study supports this possibility. The major conclusion of the present study is that foods made with MSC but not those made with MST contain high concentrations of fluoride which can contribute significantly to the total fluoride intake of infants and children.

### Livestrong.com

Your body needs fluoride to keep your bones strong and to help prevent tooth decay. Men should have 4 milligrams of the mineral each day, while women need approximately 3 milligrams. Most people in the United States easily meet their daily fluoride requirement by drinking fluoridated water, consuming foods and beverages that have been prepared with fluoridated water and using dental products like toothpaste or mouthwash that contain added fluoride, though some foods also naturally contain small concentrations

A 3.5-fluid ounce serving of black tea typically contains between 0.25 to 0.39 milligrams of fluoride, according to the Linus Pauling Institute. This amount would supply a man with up to 9.7 percent of his daily fluoride requirement and a woman with 13 percent of her needs per day. The fluoride found in black tea comes from the high concentration of the mineral in the tea leaves, not fluoridated water, though preparing the tea with treated water would further increase the amount per serving.

An ounce of a white wine like chardonnay contains 0.06 milligrams of fluoride, meaning that a standard 5-ounce serving of white wine supplies 0.3 milligrams. Each glass contains 7.5 percent of a man's daily fluoride needs and 10 percent for a woman.

## Municipal Water Treatment – Town of Middletown

Middletown's source water consists of drilled wells and springs which contain many constituents such as iron, manganese, trace amounts of fluoride, dissolved solids, sulfates and chloride. Hardness is generally a measure of the calcium and magnesium dissolved in water. There are three water treatment facilities in Middletown and the hardness is different at each source. Generally, the water in Middletown is Hard with 100 – 200 mg/l of Calcium Carbonate. Other chemicals added at two of the treatment plants are Sodium Hypochlorite and the remaining plant (reservoir) uses Sodium Hydroxide for pH adjustment and Fluoride injection.

The reservoir feeds chemicals in an underground delivery pipe to the 12" suction pipe where they are injected into the flow stream. In the second week of March 2017 the process water meter began slowing down which typically indicates a restriction in the 2" pipe. After disassembly Town staff found the 2" pipe clogged with calcium carbonate buildup. Further investigation revealed the injection corporation stop completely clogged inside the 12" suction pipe. The solid was broken up into pieces, initially about 9" long and settled in the bottom of the pipe, then broken up and removed from the pipe. The formation in the 2" pipe cannot reasonably be removed (mechanical and chemical methods were used). A new pipe (200 feet) will need to be pulled into the underground chase. This calcification issue represents significant work and expense that is directly related to the injection of fluoride. The Water Fluoridation Manual from AWWA and several other Water Treatment Professional's support our findings.



This issue can be resolved, although not easily, at the reservoir but the remaining water treatment plants do not have this type of chemical delivery where the pipe can be replaced or "easily" pigged. The resulting calcium formation may require difficult removal, pipe replacement and temporary loss of plant service if fluoride injection is installed at the other plants.

#### Maintenance and Operational Cost for Fluoride Injection

|   |           |
|---|-----------|
| Fluoride Analyzer Annual Maintenance Contract | \$2050.00 |
| Annual Analyzer and Lab Reagents              | \$1950.00 |
| Sodium Fluoride Chemical                      | \$ 950.00 |

|   |                    |
|---|--------------------|
| Equipment Repairs and Maintenance       |                    |
| Pumps and Tubing, Parts                 | \$ 500.00          |
| Salt for Softener, Softener Maintenance | \$ 150.00          |
| Chemical Feed Piping Replacement        | \$ 600.00          |
| <b>Total Annual M&amp;O</b>             | <b>\$ 6,200.00</b> |

|  |                    |
|--|--------------------|
| Daily Operation - Labor                    |                    |
| Operator 30 min/day                        | \$5,475.00         |
| <b>Total Operational Cost per Facility</b> | <b>\$11,675.00</b> |

#### Middletown Source Water Fluoride Content

Natural Fluoride Content, as of June 01, 2015

Well 15 = 0.2mg/l    Brookridge WTP <0.2 mg/l    Booster Station <0.2 mg/l (limit of test is 0.2 mg/l)

## Memorandum

To: Middletown Burgess and Commissioners

From: Cindy Unangst, Staff Planner

Date: February 27, 2017

**RE: MEMAR ANNEXATION PETITION**

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### MIDDLETOWN ANNEXATION

#### Annexation Plan

Petitioner: Memar Corporation

Request: Annexation of 93.938 acres of land to be zoned R-20.

Location: West side of Coblenz Road, and north of Middletown County Park

Land Use & Zoning: The subject property is currently open, undeveloped farmland with drainage predominately to the south. The property is currently zoned A-Agricultural under the Frederick County jurisdiction. County A-Agricultural zoning adjoins this property to the north and west. Middletown R-20 Residential zoning is to the east and Middletown OS – Open Space is to the south for the County Park and southwest for the school complex.

Land use adjoining the subject property is a combination of agricultural, residential, open space and institutional. A large agricultural tract remains to the north, which is in the county's Agriculture Preservation program. Single-family homes adjoin the property to the east, and the remainder of the property adjoins institutional property owned by the Frederick County Board of Education and parkland owned by Frederick County Board of County Commissioners.

**The petition under item #4 requests a change of zoning upon annexation to R-20 Residential. This request is not consistent with the *Frederick County's Future – Many Places, One Community - A Comprehensive Plan for Frederick County, Maryland (Adopted April 2010)* classification as outlined on the 2010 Adopted Countywide**

**Comprehensive Land Use Plan which designates Agricultural/Rural land use where the R-20 zoning is proposed and the Zoning Plan designates the parcel as Agricultural zoning. The request is consistent with the Middletown 20-Year Land Use Comprehensive Plan map which indicates Low Density Residential land use for the parcel in question and which is within the municipal growth boundary.**

**Comprehensive Plan:** The *Frederick County's Future – A Comprehensive Plan for Frederick County, Maryland (Frederick County Comprehensive Land Use Plan)* designates this property as Agricultural/Rural and does not show the parcel within the growth boundary for the municipality. The County Land Use Plan shows a proposed collector road running east/west thru the southern portion of the property. The *Middletown Comprehensive Plan*, adopted March 2010, designates the property as Low Density Residential. *Middletown Comprehensive Plan* maps show an unnamed stream running north to south through the property, and the transportation map shows a future roadway running east/west thru the southern boundary of the property. The proposed annexation is within the growth boundary established by the Middletown Comprehensive Plan. **Due to the fact that the annexation petition is not consistent with the County's Comprehensive Plan, this petition would trigger the need for an Express Approval review by the County Council. The Middletown Town Board would need to request that the County Council conduct that review, which can occur before or even after the town board public hearing.**

**Streets & Roads:** The subject property totals 537.47 ft. of frontage on Coblentz Road, which is a 22ft. wide bituminous concrete County road with no curb and gutter. The Middletown Comprehensive Plan designates Coblentz Road as a county road. Improvements to this property with access to this road would require approval from appropriate agencies. Both the Frederick County Comprehensive Plan and the Middletown Comprehensive Plan show a proposed collector road running east/west at the southern end of the property.

**Although the petition does not address this item, the concept plan does provide for the collector road which aligns to the east with Smithfield Drive. Consideration should also be given to the following:**

- a traffic impact study should be required as part of the annexation agreement,**
- upgrading Coblentz Road to Town standards,**
- only one access point serving this entire development**

## Community Facilities

Schools: The subject property is located in the Middletown Primary, Middletown Elementary, Middletown Middle and Middletown High School districts. The current enrollment of each school as of December 30, 2016 is 99%, 83%, 93%, and 95% respectively. FCPS projections out to 2025 show the Primary, Elementary and Middle schools to remain at 80-99% of capacity for that time frame. There are three years during the time frame given that show the High School to be at 100-119% of capacity. Those years are projected to be at 100%, 102% and 103% of capacity. Both Middletown Middle School and Middletown High School are to have modernization projects completed by 2025, but neither will include increased student capacity.

**The requested zoning of R-20 Residential (without consideration of active adult housing) could yield the following densities according to the Pupil Yield Rates Report done by Frederick County Public Schools:**

**Primary School – additional 24 students**  
**Elementary School – additional 24 students**  
**Middle School – additional 12 students**  
**High School – additional 19 students**

Water/Sewer: The subject property, if annexed, would be required to be served by Middletown water and sewer systems. Water and sewer taps are made available for new developments through annexation agreements with the Town.

**The adequate public facilities policy for the Town now requires that all development provide 250 gpd/unit of water into the system. The policy also requires that any upgrades to the sewer system to serve development be funded at the sole cost of the developer. The developer agrees to such conditions under item #3.1 in the petition.**

The Town has adopted a Water/Sewer Certification Ordinance that requires that resources be available in the system prior to approval of Improvement Plans.

**The petitioner requested an appropriation from MDE for a total of 57,000 gpd, but received a water rights evaluation from MDE for 34,200 gpd. This would provide for approximately 137 units based on 250 gpd/unit. The Town would need to determine whether the water must be appropriated or connected prior to the development moving**

**forward, whether the entire amount must be achieved before allowing development to move forward, and whether the Town would provide any existing reserve to support any “other” component of this development.**

The Town has adopted a Water Resources Element and associated water and sewer service maps as a component of the Middletown Comprehensive Plan adopted in 2010. Under this plan, the property is classified a PS – Planned Service, which projects development for this property to occur within the 11-20 year time frame (2021-2030).

**The designation of PS – Planned Service is not consistent with the County Master Plan for water and sewer which shows NPS – No Planned Service. The petition does not address the timeframe in which to proceed with development of the property.**

**Fire Service:** This property would be served by the Middletown Fire and Ambulance service currently located less than 1 mile southwest of the site. The average calls for service have increased by 20-30 per year over the last decade, while the increase in residents over the last decade has been about 200 total residents.

**Police Service:** Police service would be provided by the Frederick County Sheriff’s Department. Due to continued growth, the Town now has three deputies as well as an additional resource deputy who works out of the Middletown High School.

**Solid Waste Disposal:** The Town of Middletown contracts with a private hauler for trash service for residential and some smaller commercial customers. This service would be extended to this property if annexed.

**Electric:** Allegheny Power currently provides service to the area. This service would continue.

**Parks:** The Middletown Community Park adjoins this property to the south. Additional park facilities are further south and west in Town.

**Although the petition does not address parkland, the concept plan shows 40 acres of open space with a proposed walking trail and gazebo. This proffer of open space should be subject to review by the Planning Commission as expressly stated in the Town residential growth policy. Further, FRO and SWM can no longer be counted as open space and each development must provide a minimum of .05 acres/ unit. Please note that based on the proposed development of 116**

**units, 5.8 acres would be required to meet the requirements of all policies and ordinances subject to that acreage not including FRO, SWM, and unusable areas as determined by the Planning Commission.**

**Growth Policy:** The adequate public facilities policy requires the following:

- Must provide 250 gpd/unit for water/sewer prior to water/sewer certification being approved.

**Based on the petition and the water rights analysis from MDE, the developer could build 137 units.**

- Schools cannot be greater than 105% over State-rated capacity at time of Preliminary approval.

**None of the schools is projected to be over 105% of the State-rated capacity prior to 2025.**

- Must provide traffic impact study at time determined by Town.

**There is no mention of providing a traffic impact study as part of this petition, but given the road connections, staff would assume one should be required early in the plan review process.**

- Must provide .05 acre/unit of usable open space as determined by the Planning Commission.

**As stated above, the concept plan does appear to meet the requirement, subject however to review and agreement on usable space provided.**

- No development will receive more than 20 of the available 30 permits per year.

**This phasing would be worked out under petition item #6.**

- All off-site improvements will be negotiated through public works agreements with the Town.

**This would be worked out under petition item #6.**

**Staff Comments:** The requested annexation and zoning for R-20 Residential on the subject property is consistent with the adopted 2010 Middletown Comprehensive

Plan. Annexation would ensure that development occurs under Town standards and that the Town gets the tax benefits of this growth. The staff generally supports municipal annexations where facilities and services are in place to support development.

As stated in connection with other annexations, the staff is of the opinion that any future development in and around existing municipalities should first be considered for annexation. This is stated County and State policy. This proposal is within a logical area for annexation into the Town limits. In addition, this property already has water and sewer in close proximity.

**Recommendations:**

1. Given the most recent information regarding the Level of Service as it pertains to roads, schools, water and sewer, as well as other services, staff would recommend that all outstanding issues, affected by this proposal, be addressed and/or resolved before development of this proposed annexation is considered.
2. The Town Board will need to determine whether to request an Express Approval review by the Frederick County Council in order to avoid having to wait the five years for any development to occur.
3. Because of the amount of growth currently in the development pipeline for the Town of Middletown, it would appear to be in the Town's best interest for future growth and development to maintain the orderly process of phasing in any and all future development proposals. As the Town attempts to address infrastructure needs at all levels, this process of phasing should be updated to assure that growth remains congruent with the services that are available.
4. This site appears to contain a location for a collector road with future connection to extend west toward MD Route 17, which should be considered in the timing of development of this property. The staff would also recommend that consideration be given to Coblentz Road for improvements to Town standards.
5. Consideration should be given for this property's connectivity to the County Park adjacent to the south, and the Town should consider requiring that some open space be provided for usable recreational activities, as requested by the Middletown Parks and Recreation Committee.
6. Public Works agreements are needed to be in place so that the development of this property does not occur prior to any needed water and sewer system improvements.

7. Consideration should also be given for the development of a certain percentage of homes to be moderately-priced dwelling units in order to provide some much-needed entry-level homes within the Town.

DRAFT

John D. Miller  
Burgess

Commissioners  
Larry K. Bussard  
Thomas S. Catania  
Richard L. Dietrick  
Jennifer J. Falcinelli  
Christopher I. Goodman

*Middletown*  
Celebrating 250 Years 1767 - 2017



**Memorandum**

To: Middletown Burgess and Commissioners

From: Cindy Unangst, Staff Planner and the Middletown Planning Commission  
*cxu*

Date: February 27, 2017

**RE: MEMAR ANNEXATION PETITION- RECOMMENDATION**

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After review of the proposed annexation of the 94+ acre Memar Property, the Planning Commission recommended that the petition is indeed consist with the Middletown Comprehensive Plan at their meeting held on Monday, February 20, 2017. Staff notes below information that was included in the materials submitted to the Planning Commission:

**I. Findings of fact**

- A. Property DOES adjoin existing corporate boundary
- B. Property DOES NOT create an enclave of any unincorporated area
- C. Property DOES NOT exceed 1.5% of the present corporate area
- D. Request for zoning of R-20 IS consistent the 2010 Middletown Comprehensive Plan

**II. Recommendation – Planning Commission voted to accept the proposed annexation petition.**



## Memorandum

To: Middletown Burgess and Commissioners

From: Middletown Planning Commission

Date: April 17, 2017

**RE: MEMAR ANNEXATION PLAN - COMMENTS**

At their meeting held on Monday, March 20, 2017, the Planning Commission (PC) reviewed and discussed the draft annexation plan for the 94+ acre Memar Property.

The discussion centered on density, traffic and open space – issues the PC determined were appropriate for them to provide comments on to the Town Board. PC agreed that the maximum density for the site using the R-20 proposed zoning would be 186 units. The PC understands that other considerations would decrease the final number of units, i.e. . The members also strongly feel that there will be a significant impact to town roads (including Coblentz Road) with the proposed annexation and have additional concerns regarding the limited ingress and egress from the property.

The comments of the Planning Commission are:

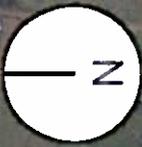
- A traffic impact study should be completed prior to an annexation agreement being finalized using a maximum density number of 186 dwellings. The Town should be review, revise and approve the assumptions used in the study and be allowed to fully review and evaluate its results.
- Coblentz Road should be upgraded to town standards and the ownership of the road (from County) should be considered as part of the annexation agreement.
- More than one access point for ingress and egress (for emergency purposes) from the property should be identified prior to finalization of the annexation agreement.
- At least 9.3 acres should be provided of usable open space (not including wetlands, stormwater management areas, forest conservation areas, etc) as determined by the maximum number of units using the R-20 zoning.

The Planning Commission appreciates the opportunity to comment on this annexation agreement and is available to answer any questions regarding these comments.

**Foxfield Section 6**

REGIONAL MAP

Middletown, Maryland



# Foxfield Section 6

Master Plan  
Middletown, Maryland

11.25.2016



### LOT TABLE

| Single Family Estate Lots | Active Acre Lots |
|---------------------------|------------------|
| Lot 1                     | 0.28 Acres       |
| Lot 2                     | 0.18 Acres       |
| Lot 3                     | 0.18 Acres       |
| Lot 4                     | 0.17 Acres       |
| Lot 5                     | 0.17 Acres       |
| Lot 6                     | 0.17 Acres       |
| Lot 7                     | 0.17 Acres       |
| Lot 8                     | 0.17 Acres       |
| Lot 9                     | 0.17 Acres       |
| Lot 10                    | 0.17 Acres       |
| Lot 11                    | 0.17 Acres       |
| Lot 12                    | 0.17 Acres       |
| Lot 13                    | 0.17 Acres       |
| Lot 14                    | 0.17 Acres       |
| Lot 15                    | 0.17 Acres       |
| Lot 16                    | 0.17 Acres       |
| Lot 17                    | 0.17 Acres       |
| Lot 18                    | 0.17 Acres       |
| Lot 19                    | 0.17 Acres       |
| Lot 20                    | 0.17 Acres       |
| Lot 21                    | 0.17 Acres       |
| Lot 22                    | 0.17 Acres       |
| Lot 23                    | 0.17 Acres       |
| Lot 24                    | 0.17 Acres       |
| Lot 25                    | 0.17 Acres       |
| Lot 26                    | 0.17 Acres       |
| Lot 27                    | 0.17 Acres       |
| Lot 28                    | 0.17 Acres       |
| Lot 29                    | 0.17 Acres       |
| Lot 30                    | 0.17 Acres       |
| Lot 31                    | 0.17 Acres       |
| Lot 32                    | 0.17 Acres       |
| Lot 33                    | 0.17 Acres       |
| Lot 34                    | 0.17 Acres       |
| Lot 35                    | 0.17 Acres       |
| Lot 36                    | 0.17 Acres       |
| Lot 37                    | 0.17 Acres       |
| Lot 38                    | 0.17 Acres       |
| Lot 39                    | 0.17 Acres       |
| Lot 40                    | 0.17 Acres       |
| Lot 41                    | 0.17 Acres       |
| Lot 42                    | 0.17 Acres       |
| Lot 43                    | 0.17 Acres       |
| Lot 44                    | 0.17 Acres       |
| Lot 45                    | 0.17 Acres       |
| Lot 46                    | 0.17 Acres       |
| Lot 47                    | 0.17 Acres       |
| Lot 48                    | 0.17 Acres       |
| Lot 49                    | 0.17 Acres       |
| Lot 50                    | 0.17 Acres       |
| Lot 51                    | 0.17 Acres       |
| Lot 52                    | 0.17 Acres       |
| Lot 53                    | 0.17 Acres       |
| Lot 54                    | 0.17 Acres       |
| Lot 55                    | 0.17 Acres       |
| Lot 56                    | 0.17 Acres       |
| Lot 57                    | 0.17 Acres       |
| Lot 58                    | 0.17 Acres       |
| Lot 59                    | 0.17 Acres       |
| Lot 60                    | 0.17 Acres       |
| Lot 61                    | 0.17 Acres       |
| Lot 62                    | 0.17 Acres       |
| Lot 63                    | 0.17 Acres       |
| Lot 64                    | 0.17 Acres       |
| Lot 65                    | 0.17 Acres       |
| Lot 66                    | 0.17 Acres       |
| Lot 67                    | 0.17 Acres       |
| Lot 68                    | 0.17 Acres       |
| Lot 69                    | 0.17 Acres       |
| Lot 70                    | 0.17 Acres       |
| Lot 71                    | 0.17 Acres       |
| Lot 72                    | 0.17 Acres       |
| Lot 73                    | 0.17 Acres       |
| Lot 74                    | 0.17 Acres       |
| Lot 75                    | 0.17 Acres       |
| Lot 76                    | 0.17 Acres       |
| Lot 77                    | 0.17 Acres       |
| Lot 78                    | 0.17 Acres       |
| Lot 79                    | 0.17 Acres       |
| Lot 80                    | 0.17 Acres       |
| Lot 81                    | 0.17 Acres       |
| Lot 82                    | 0.17 Acres       |
| Lot 83                    | 0.17 Acres       |
| Lot 84                    | 0.17 Acres       |
| Lot 85                    | 0.17 Acres       |
| Lot 86                    | 0.17 Acres       |
| Lot 87                    | 0.17 Acres       |
| Lot 88                    | 0.17 Acres       |
| Lot 89                    | 0.17 Acres       |
| Lot 90                    | 0.17 Acres       |
| Lot 91                    | 0.17 Acres       |
| Lot 92                    | 0.17 Acres       |
| Lot 93                    | 0.17 Acres       |
| Lot 94                    | 0.17 Acres       |
| Lot 95                    | 0.17 Acres       |
| Lot 96                    | 0.17 Acres       |
| Lot 97                    | 0.17 Acres       |
| Lot 98                    | 0.17 Acres       |
| Lot 99                    | 0.17 Acres       |
| Lot 100                   | 0.17 Acres       |

Open Space  
80.00 Acres

### DEVELOPMENT NOTES

Total Development Area: 98.9 Acres  
 Zoning: R-30  
 Block: Parcel, Detached  
 Block: 30'  
 Block: 12'  
 Minimum Lot Area: 40'  
 Minimum Lot Width: 100'  
 Accessible  
 Front: 20'  
 Side: 5'  
 Minimum Lot Area: 3,200 SF @ 0.07 Acres



**Tonight we are appointing a new member to the Middletown Board of Appeals. The vacancy is being filled due to the retirement of Mr. Fred Rudy effective April 3, 2017.**

*According to section 2.20.020 - Composition. The burgess shall appoint, with confirmation by the commissioners, three members, and one alternate and a temporary alternate, all of whom shall be taxpayers and residents of the town of Middletown, each to serve for three years or until a successor takes office.*

Our long-standing practice has been that if a vacancy occurs on the Board of Appeals the alternate essentially is asked to “move up” and is nominated as a standing member of the Board of Appeals. However, in this case the alternate is not interested in filling a standing seat on the Board of Appeals.

Two people have expressed an interest in serving on the Board of Appeals. For tonight’s appointments, Daphne Gabb and Bob Smart are expressing interest in the position. All were given careful consideration by the Burgess.

\*Tonight I am recommending to you Daphne Gabb for appointment to the Board of Appeals for the remainder of Mr. Rudy’s term which ends in May of 2019.

**The recommendations are before you and the floor is now open for action. The Chair will entertain a motion for appointments to the Board of Appeals.**

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John D. Miller  
**Burgess**

**Commissioners**  
Jennifer J. Falcinelli  
Larry K. Bussard  
Thomas S. Catania  
Richard L. Dietrick  
Christopher I. Goodman

*Middletown*  
Founded in 1767



March 15, 2017

TO: Middletown Board of Appeals members  
Burgess and Commissioners  
Town Administrator  
Staff Planner  
Annette Alberghini

FROM: Ronald G. Forrester, Zoning Administrator

SUBJECT: Board of Appeals (BoA) Members Appointment Terms

**Middletown Board of Appeals Terms of Appointment**

**Fred Rudy**, Chairman – term May 2016 to May 2019

**Tim Coakley**, term January 2017 to January 2020

**Tom Routzahn**, term January 2017 to January 2020

**Alex Kundrick** (temporary alternate), term March 2017 to March 2020.

Chapter 2.20, BOARD OF APPEALS, Section 2.20.20 – Composition – of the Middletown Municipal Code states that “*The burgess shall appoint, with confirmation by the commissioners, three members, and one alternate and a temporary alternate, all whom shall be taxpayers and residents of the town of Middletown, each to serve for three years or until a successor takes office.*”

Ronald G. Forrester  
Zoning Administrator  
Board of Appeals Secretary