



AGENDA FOR THE TOWN MEETING

April 14th, 2025

Regular Meeting - 7:00PM

Drought Status- [Code Yellow](#)

PLEDGE TO THE FLAG

CALL TO ORDER

PUBLIC COMMENT

PRESENTATION

CONSENT AGENDA

- Town Meeting Minutes
 - [March 6th, 2025 – Workshop Meeting Minutes](#)
 - [March 10th, 2025 – Regular Meeting Minutes](#)
 - [March 24th, 2025 – Regular Meeting Minutes](#)
 - [April 3, 2025– Workshop Meeting Minutes](#)
- [Drought Warning & Status Update¹²](#)

UNFINISHED BUSINESS

- [Resolution 2025-02-01](#) Annexation of the Harris property into the Middletown corporate limits^v
- [Ordinance No. 25-02-01 CDA LGIFP Loan-](#) to move forward with the application for a 20-year CDA loan up to \$2.5 million to finance the Middletown Road and Stream Restoration projects^v
- Town Park Security & Surveillance Project Update
- Overview of Proposed Budgets
- Sustainable Maryland Action Grant – Remsberg Park Perimeter Nature Trail Design (\$20,000)

- POS & Other Grant Summary Update

REPORT OF COMMITTEES:

- | | |
|-----------------------|--------------------------|
| • Water/Sewer | Commissioner Falcinelli |
| • Public Works | Commissioner Dietrick |
| • Sustainability | Commissioner Stottlemyer |
| • Planning Commission | Commissioner Bussard |
| • Parks & Recreation | Commissioner Goodman |
| • Public Information | Commissioner Falcinelli |

NEW BUSINESS

- Potential Rezoning of 101 & 103 Prospect Street to “Open Space” and related Zoning Map Amendment

TOWN ADMINISTRATOR’S REPORT

- 15-Minute Parking Spot at Town Hall- Update
- Rental Housing Licenses Update

ADJOURNMENT

Lifesize Meeting Invite Information

*Join the meeting: <https://call.lifesizecloud.com/11085268>.
Passcode: 21769*

*Click to call from Mobile (audio only)
United States: +1 (312) 584-2401,, 11085268#,21769#*

*Call in by Phone (audio only)
United States: +1 (312) 584-2401
Meeting extension: 11085268#
Passcode: 2176*

Identifies the Number of Times the Item has been on a Town Workshop and/or Town Meeting Agenda

V Identifies a Vote to be taken on the agenda item

**BURGESS AND COMMISSIONERS
OF MIDDLETOWN MARYLAND**

TOWN WORKSHOP MINUTES

March 6, 2025

The workshop of the Burgess and Commissioners of Middletown was called to order on March 6, 2025, by Burgess Miller at 7:00 p.m. Present were Commissioners Jennifer Falcinelli, Rick Dietrick, Larry Bussard, Kevin Stottlemeyer, and Chris Goodman.

STAFF REPORTS:

Deputy Report – Deputy Chudoba reviewed his report.

Staff Planner Report – JJ reviewed his report. At the end of his report JJ asked if town recordings could be considered legal record. He suggested using them if they were approved as legal records to save staff time. If minutes are still needed JJ suggested using AI as a tool to generate meeting minutes from recordings. He has tested AI with recordings to see how well they turned out. Becky stated that Main Street utilizes AI and recordings for her meetings. The town board is considering this option. Research needs to be done to see if this will satisfy the legal record requirement.

Public Works & Utilities Report – Bruce reviewed his report.

Main Street Manager Report – Becky provided her report.

Zoning Administrator's Report – Robert was not present to provide his report.

Finance Officer's Report – Bea reviewed her report.

All staff reports are included at the end of these meeting minutes.

CONSENT AGENDA:

- **Town Meeting Minutes**
 - *February 6, 2025 – Town Workshop Minutes*
 - *February 10, 2025 – Town Board Meeting Minutes*

- **February 2025 Speed Camera Report** – Included in the meeting packet were the town's speed mitigation, speed table and raised crosswalk policies. The speed camera has been left on Broad Street for 3 months. The Town Administrator stated that the issue with the speeding on Broad Street is not the frequency in the number of speeding drivers, but the rate of speed at which drivers are driving. Town board members were asked to review the data and identify types of speed mitigation the town could utilize. There was discussion as to whether the data supported the need for speed mitigation.

in February. If there isn't much change in precipitation Spring could be difficult. The current drought map shows Middletown in moderate drought status. The DPW recommends that the town continue in the Code Yellow status.

NEW BUSINESS

Draft Budget Workshop Meeting Schedule – The Town Administrator reviewed the proposed dates for the FY2026 Budget. The second Monday meetings each month would be used for budget work only.

Budget Amendment #25-04 – This budget amendment request is for increased funding for Springline replacement (including the mill and overlay of Hollow Road, springhead enclosure improvements, and property surveys, as built drawings and easement creations), funding for the FCPS waterline replacement design and funding for the Foxfield SCADA upgrade. The total costs for these three projects is \$104,000. It would be paid for using \$10,000 from the Rural Maryland Council grant award, and transferring \$94,000 from the Church Street Meter Replacement line item which is not being spent since SHA postponed the project indefinitely.

Budget Amendment #25-05 – This budget amendment request is for funding the Remsberg Park Landscape Plan implementation of \$25,081. The plan includes the planting of 255 cherry laurels along both the upper and lower parking lots to address the illumination from headlights of cars in the park shining into neighboring properties. Also included is the planting of 9 arborvitae along the downside of the berm area of the stormwater management area parallel to Holter Road. This would block the view of the pickleball courts from neighbors. If approved the plants would be provided and planted by Stadler Nurseries. The monies to pay for this would come from the snow removal budget line item and moved to the park maintenance line item.

TOWN ADMINISTRATOR'S REPORT

2025 Congressionally Directed Spending & Community Project Funding Applications – The congressionally directed spending is due out tomorrow. The town has applied for monies towards the ENR project totaling \$29.4 million and \$2.8 million from flood management. The town is waiting for notification.

Town Parks Security & Surveillance Project Update – Town staff have been installing the outside weatherproof boxes needed to install the security cameras and modems at the parks. Potomac Edison will be installing a service drop at Wiles Branch Park sometime May/June 2025. A contract with Comcast is being worked out to provide internet service. Once complete Skyline will work with town staff to install the software and hardware needed.

Remsberg Park Perimeter Nature Trail Design Project Update – The survey and base map work will begin in April/May 2025. This is paid for by a grant from Sustainable Maryland with no matching funds required by the town. The Parks and Rec committee will visit the site once the weather gets warmer.

Wiles Branch Stream Restoration (Phase 2) – Chesapeake Bay Trust Grant – Phase 1 of the restoration is complete. The MS4 requirements for this permit have been met. With all the work

completed to date the next permit will only require 2 acres worth of work. The Chesapeake Bay Trust Grant has monies available to apply for that would fund the design of phase 2. After much discussion and reviewing staff “bandwidth” to oversee this grant the town board agreed by consensus to forgo application for this grant.

ANNOUNCEMENTS:

- Middletown Health & Wellness Expo – Saturday, March 8, 2025 Middletown Activities Center 10:00am – 2:00pm.
- The triple shootout basketball hoop has been approved for Wiles Branch Park.
- Pickleball events will be included as part of the Parks & Recreation committee monthly report.

The meeting adjourned at 9:14pm.

Respectfully submitted,

Annette Alberghini,
Office Manager

BURGESS AND COMMISSIONERS OF MIDDLETOWN MARYLAND

TOWN MEETING MINUTES

March 10, 2025

The meeting of the Burgess and Commissioners of Middletown was called to order on March 10, 2025, by Burgess Miller at 7:00 p.m. Present were Commissioners Jennifer Falcinelli, Rick Dietrick, Larry Bussard, Kevin Stottlemyer, and Chris Goodman.

PUBLIC COMMENT:

2025 Memorial Day Ceremony – Ron Moss reported that the Memorial Day Ceremony will take place Monday, May 26, 2025, beginning at 11:00AM. It will take place at the Middletown War Memorial. The Town Board is invited to attend and participate. Mr. Moss passed out copies of this year's program. Music will be provided by the Rohrersville Cornet Band. The color guard is provided by the Clopper-Michael American Legion Honor Guard from Boonsboro. Sons of Amvets Post 9 will again sponsor the tent this year. Since the event last year was cancelled due to weather the same 2 people will be highlighted this year: PVT Edward Lighter Fulmer and PVT Charles Austin Brandenburg. Same as last year, Mr. Moss requested that the Town provide two monetary donations 1. \$250 for the Rohrersville Coronet Band, and 2. \$125 for the Clopper- Michael Honor Guard. He appreciates the pre-event meeting with town staff that occurred last year and is requesting the same this year.

Motion: Commissioner Bussard motioned to approve the town donation totaling \$375 to cover the cost of the band and the honor guard as requested. Seconded by Commissioner Goodman. Motion passed (6-0).

PRESENTATION:

Eagle Scout Project Presentation and Donation Request – Truman Funk a senior at MHS, a boy scout, and an avid lacrosse player was present to discuss a proposed eagle scout project. He has been active in the MVAA program from 6 years old to present. His eagle scout project, if approved, is to install a lacrosse backstop at the northern side of the multi playing fields near the parking lot and bathrooms. The project was developed after a missed lacrosse shot on net struck another person in the back who was on the walking trail. No serious injury was reported. The project addresses the safety risk posed by these errant balls leaving the playing field to both pedestrians and vehicles in the nearby parking lot. The backstop is similar to the one at a college he visited. Five vinyl coated poles would be fitted into sleeves sunk into the ground, spread equidistant apart. The poles would be 12-feet tall above ground with wires strung between. Netting would be attached to the wires that would cover the distance between the poles. The netting would be pulled towards the middle and secured when not in use. The town board suggested adding safety yellow strips to both the poles and the wires strung across so people are aware of their presence. The plan includes ordering materials this month. Once the materials arrive installation will be sometime in April. He requests that the town dig the needed holes for the project. Mr. Funk is requesting \$500 to cover the remaining costs for the project. He has raised funds to cover most of the costs. The Town Administrator will speak with public works staff regarding the post hole digging.

Motion: Commissioner Goodman motioned to approve the \$500 request for the eagle scout project as presented. Seconded by Commissioner Stottlemyer. Motion passed (6-0).

CONSENT AGENDA:

- **Town Meeting Minutes**
 - *February 6, 2025 – Town Workshop Minutes*
 - *February 10, 2025 – Town Board Meeting Minutes*

Motion: Commissioner Falcinelli motioned to approve both meeting minutes as presented. Seconded by Commissioner Bussard. Motion passed (6-0).

- **February 2025 Speed Camera Report** – Included in the meeting packet.
 - **Speed Mitigation Policy**
 - **Raised Crosswalk Policy**
 - **Speed Table Policy**

The Town Administrator (TA) reviewed the Broad Street speed camera reports from the past 3 months. As stated previously there have been instances of speeding down that street, and many use the street as a cut through. Residents present stated that the volume of traffic on the street has increased and now includes larger vehicles such as box trucks and large trucks. This is a diverse neighborhood, and safety is an issue for all. It was suggested to place a speed bump/speed table on Broad Street and have the deputies step up their presence and write tickets. There were mixed views to installing a speed bump/speed table. The one on Franklin Street does not seem to be slowing down traffic. It was suggested that “speed is photo enforced” signs be installed. This will slow traffic speed. The town could even set up an empty speed camera box to “monitor” speeds and move it periodically. This deceptive camera has slowed traffic in other municipalities. Speed camera legislation has been introduced at the State legislature. If approved, that could be an option using certified town staff to review and ticket. It was noted that speed cameras in that program did not register speeding vehicles until they were 12 mph over the posted speed. The town board and staff will gather more information, provide feedback and identify the next steps regarding this item.

- **Proposed Personnel Policy Amendments**
 - **Utilities Department 12-Day Workweek Alternative Scheduling Policy** – Each month Water and Sewer employees take turns working 12-days straight (Monday through Friday, Saturday and Sunday, and the following Monday through Friday) to ensure the proper operation of water and wastewater facilities. To reduce safety risks and to try to provide a work life balance the TA proposed that during the 12 straight days run that the employee can take the second Monday off. The employee must then work four 10-hour shifts the rest of the week. This must be done with prior supervisor approval. Employees are aware of the 12-day requirement when hired. It was recommended to make clearer that this is an optional choice for the employee.

Motion: Commissioner Falcinelli motioned to approve the Utility Departments 12-Day workweek alternative scheduling policy with clearer optional choice change. Seconded by Commissioner Goodman. Motion passed (6-0).

- **Health Savings Account Contribution Proration Policy** – When a new employee is hired their HSA contribution is prorated based upon their date of hire and the start of their health benefits. Previously an employee raised the point that the deductible is not prorated, so the HSA should not be. The personnel committee recommends prorating the HSA contribution for newly hired employees based upon their hire date and the start of health insurance benefits.

Motion: Commissioner Falcinelli motioned to approve the health savings account proration policy as presented. Seconded by Commissioner Stottlemyer. Motion passed (6-0).

- **Use and Operation of Town Facilities, Vehicles, and Equipment Policy** – When a LGIT representative recently reviewed town facilities with staff recommendations were made to add to the personnel policy. The draft updates reviewed tonight are a result. The updates included no smoking or vaping in any town building, vehicle or town property, and the requirements of employees who operate town vehicles. Self-reporting of any major or minor traffic violations is required. Disciplinary actions for violations were reviewed. The courts determine loss of license and for how long. Questions regarding suspending town driving privileges until court adjudications were raised. Town liability for second offenses were raised. Staff were asked to have LGIT review the p[olicy and offer feedback. This item is tabled.
- **Weather Related Leave Policy** – The TA reviewed the proposed updates. Middletown will follow Frederick County’s policy. If Frederick County offices close or delay opening, Middletown will close or delay opening. If closed, it will be paid leave (excluding those employees already scheduled off). If marginal weather conditions exist, or if travel is deemed unsafe, Liberal Leave would be available for use by nonessential employees with supervisor approval. Liberal leave means nonessential employees would utilize their leave (annual, personal, or accrued comp time), excluding sick leave, to cover late arrival to, or absence from work.

Motion: Commissioner Goodman motioned to approve the weather-related leave policy as presented. Seconded by Commissioner Bussard. Motion passed (6-0).

- **Drought Warning & Status Update** – There has been no change in the drought status. The town only received 1.3 inches of rain in February. If there isn’t much change in precipitation Spring could be difficult. The current drought map shows Middletown in moderate drought status. The town will continue in the Code Yellow status.

UNFINISHED BUSINESS

Draft Budget Workshop Meeting Schedule – The Town Administrator reviewed the proposed dates for the FY2026 Budget. The second Monday meetings each month would be used for budget work only. The second meeting in June will not occur due to the MML conference.

The town board approved by consensus the draft budget workshop meeting schedule.

The draft budgets will include both the raw data budgets and the budgets with changes that balance the budget for review. It was noted that all items will be up for discussion.

Budget Amendment #25-04 –

Previously - This budget amendment request was for increased funding for Springline replacement (including the mill and overlay of Hollow Road, springhead enclosure improvements, and property surveys, as built drawings and easement creations), funding for the FCPS waterline replacement design and funding for the Foxfield SCADA upgrade. The total costs for these three projects is \$104,000. It would be paid for using \$10,000 from the Rural Maryland Council grant award, and transferring \$94,000 from the Church Street Meter Replacement line item which is not being spent since SHA postponed the project indefinitely.

Tonight – The CIP Project Manager received cost estimates for the Spring Line replacement. It was \$11,000 less than budgeted (\$601,000 instead of 612,000). Because of this another project was added to this budget amendment, the Booster Station SCADA upgrade (\$7,500). The Booster Station had a landline hooked up to the system that has been cancelled. Removing several landlines and replacing with one cellular line is an initial cost of \$7,500 but will save \$2,500 annually.

Motion: Commissioner Bussard motioned to approve Budget Amendment #25-04 as presented this evening. Seconded by Commissioner Goodman. Motion passed (6-0).

Budget Amendment #25-05 – This budget amendment request is for funding the Remsberg Park Landscape Plan implementation of \$25,081. The plan includes the planting of 255 cherry laurels along both the upper and lower parking lots to address the illumination from headlights of cars in the park shining into neighboring properties. Also included is the planting of 9 arborvitae along the downside of the berm area of the stormwater management area parallel to Holter Road. This would block the view of the pickleball courts from neighbors. If approved the plants would be provided and planted by Stadler Nurseries (including 1-year warranty). The monies to pay for this would come from the snow removal budget line item and moved to the park maintenance line item.

Motion: Commissioner Stottlemyer motioned to approve Budget Amendment #25-05 as presented. Seconded by Commissioner Dietrick. Motion passed (6-0).

REPORT OF COMMITTEES

WATER & SEWER – Commissioner Falcinelli deferred to what was presented at the town workshop through staff reports.

PUBLIC WORKS – Commissioner Dietrick reported:

Town staff have been cold patching streets throughout town. They have been completing snow related maintenance on equipment. They continued regular maintenance and repairs on equipment. Hydrants are being refurbished. Town equipment is being moved to the Harris property.

SUSTAINABILITY – Commissioner Stottlemyer reported:

The committee will be holding a social event to add members. They will be working with the Lucy School regarding rain barrels and garden design in April. The committee will be amending its policy regarding planting only native species in town to allow the planting of non-native noninvasive species. This is similar to what the City of Frederick allows. Since there have been issues accessing the Sustainability Facebook page the committee will be creating a new page with the town. It will be information only, similar to the town's Facebook page. The committee will work with town staff regarding the upcoming Arbor Day tree planting.

PLANNING COMMISSION – Commissioner Bussard reported:

The planning commission reviewed the Harris property annexation documents, the noise ordinance, and residence letters sent to FCPS regarding construction noise. Mark Carney was reappointed as the Planning Commission Chair, and Lloyd Hiller was appointed the Vice-Chair.

PARKS AND REC. COMMITTEE – Commissioner Goodman committee reviewed sound attenuation materials for the pickleball courts. Installing a glass perimeter would costs \$100,860. Commissioner Falcinelli visited pickleball courts with sound attenuation in Arlington. She stated the materials used looked terrible and noise could still be heard. She took a video. Quotes for several different types of materials have been received. The town has done much research on sound attenuation and no good

solution(s) has been found. Pickleball equipment is beginning to be produced that will lower the sound. It will take a couple of years to catch on. The pickleball subcommittee has provided a schedule through May for clinics, league play, court closure and the Friends of the Library fundraiser to the Parks & Rec committee and to staff for publication.

PUBLIC INFORMATION – Commissioner Falcinelli stated there were 2473 individual visits to the town’s website. The top 5 pages reviewed were 1. Business Directory, 2. Community Calendar, 3. Water and Sewer, 4. Town Government and 5. Agendas and Minutes. Residents are reminded to sign up at Citizen Connect on the Town’s website to stay up to date with what is going on in town.

TOWN ADMINISTRATOR’S REPORT

15-Minute Parking Spot at Town Hall – Customers visiting town hall usually have to park in the municipal parking lot behind town hall. Senior citizens then must walk down North Jefferson Street to access the building. Both the Office Manager and Receptionist are requesting the installation of a 15-minute parking space in front of town hall. This convenience will allow individuals to pick up brown bags, drop off old medications, etc. more quickly and safely. Two such parking spots would be ideal. This would only be a 15-minute parking space during office hours (8-4, Monday through Friday) to still have an additional space for business use after hours. Town staff would have to contact SHA for permission. It was suggested that Main Street send a message to downtown businesses that business employees park in the town lot behind town hall and not on Main Street to free up parking spaces during the day. The town board agreed by consensus to pursue the parking spaces with State Highway.

ANNOUNCEMENTS:

The Hesalth & Wellness Expo was very well done and well attended. Congratulations to those who worked so hard to make it such a hit.

The meeting adjourned at 8:45pm..

Respectfully submitted,

Annette Alberghini,
Office Manager

BURGESS AND COMMISSIONERS OF MIDDLETOWN MARYLAND

TOWN MEETING MINUTES

March 24, 2025

The meeting of the Burgess and Commissioners of Middletown was called to order on March 10, 2025, by Burgess Miller at 7:00 p.m. Present were Commissioners Jennifer Falcinelli, Rick Dietrick, Larry Bussard, Kevin Stottlemyer, and Chris Goodman.

Burgess Miller requested an addition to the agenda of **Resolution 2024-03 amended**, which reimburses expenditures related to certain projects or programs from certain funds with the proceeds of debt.

Motion: Commissioner Falcinelli motioned to approve the addition of Resolution 2024-03 amended as an agenda item to the evenings agenda as presented. Seconded by Commissioner Goodman. Motion passed (6-0).

PUBLIC HEARING:

Resolution No. 2025-2-01 – Annexation of the Harris Property to within Middletown Boundaries –

This is a public hearing to change the boundaries of the town by annexing into the corporate limits 30.77 acres of farmland, located south of Alternate Route 40 across from Old Middletown Road. The property is known as the Harris Property and was purchased by the Town in 2024. This property was purchased using Program Open Space monies. If annexed the property will be rezoned OS and used as a park. It will not be developed into anything requiring density. Most of the acreage lies within a flood plain. The existing buildings on the property are not located in the flood plain. The property is not currently serviced by town water or sewer. If annexed those services will be provided. Several buildings located on the property will be repurposed as part of the Town's Maintenance Department. If annexed, the property will connect to Wiles Branch Park. Town staff support the annexation as it meets the State's smart growth policy, is located within the town's growth area, and the property and facilities are owned and maintained by the town. Burgess Miller stated that there will be no residential development of the property. The property would become a park. Any type of park development would come over the next 5-10 years.

Burgess Miller opened the floor for comments and questions. Both residents and non-residents were in attendance. Those in attendance had similar concerns and questions related to the property's development. This included the need for another park in Middletown, what kind of park it will become, concerns about noise levels, lighting and parking, questions regarding the continuation of the walking path from Wiles Branch Park, park maintenance, the effect on wildlife, and traffic safety when entering and exiting the property.

The only currently active plan is the planting of nut and berry trees along the creek that runs along the west side of the property. There is no master plan for this proposed park at this time. When the master plan is being developed residents and neighboring property owners will be involved in the discussions. Questions were asked if these trees would provide a buffer to the park or block the view. They are not being planted as buffers, and the trees should not grow tall enough to impact the view. The Town would like to annex this town owned property so that any future park development follows the town processes with limited County processes and fees to contend with. MVAA has requested that 2 practice fields be

constructed on the property to assist with the limited practice fields access. The fields would be mowed and include a mowed path to them from the parking area. The town has agreed to the request.

There was discussion of future development of the barn on the property into a community center or event center. Questions were again raised regarding parking and traffic safety. The Town will have to institute any SHA directives given regarding that development if/when it occurs. It was reiterated that there are no plans for the park except the fruit and nut tree planting. Any future master plan development of the park will include input from surrounding neighbors. It will be 5-10 years before any significant park development occurs.

The public hearing ended at 8:03pm.

PUBLIC COMMENT:

Becky Myers, 2 Woodmere Circle, asked if the town actually needed a peddler's license for door-to-door solicitation within town limits. Since the hailstorm she has had numerous solicitors but only 2 had the required badges. The peddler's license requirement came about because of the number solicitors that were going door to door in the past. There have been posts to Facebook that if a company has a peddler's license, they have the approval to do business in town. Part of the background checking for peddler's license is to research the business license of the applicant and check with the Better Business Bureau.

UNFINISHED BUSINESS

Resolution 2024-03 amended, which reimburses expenditures related to certain projects or programs from certain funds with the proceeds of debt. This resolution has been amended to include costs associated with the Linden Boulevard reconstruction project.

Motion: Commissioner Falcinelli motioned to approve Resolution 2024-03 amended as presented. Seconded by Commissioner Bussard. Motion passed (5-0). Commissioner Dietrick was absent.

NEW BUSINESS

Review and Discussion of Fiscal Year 26 Draft Budgets

The Financial Officer stated that the copies for both the water and sewer (WS) and the general fund (GF) draft budgets contains preliminary "raw" operating budget information from February 2025 based on initial staff walk through of facilities and staff projections, and a summary of changes made by internal staff discussions for each operating budget and inclusion of the corresponding CIP. These draft budgets include the following: 1. An estimated 14% increase for health insurance and no change to the Town HSA contribution or employee contribution, 2. The employee portion of the pension expense (approximately 11% of base salary) is budgeted as one lump sum in Misc/Admin due to all the audit adjustments needed at year end, 3. Includes a proposed 5% salary increase for employees (1% equates to approximately \$13,000 in the GF, and \$5,000 in the WS), 4. An attempt was made to begin allocating costs appropriately amongst the different funds. Approximately \$41,000 was allocated from the GF to the WS fund for mowing and property insurance, 5. An assumption was made that growth for Wormald/Foxfield Section 6 would not begin until FY27, and 6. Includes a 6% water/sewer rate increase. (1% increase in water/sewer rates equates to \$15,500.) and an increase in the Capital Improvement fee to \$57.50.

- **Water and Sewer Operating and Capital Improvement Program** – Total projected revenue for FY 2026 is \$1,883,693. Total projected operating expenses are \$1,663,690. Debt Service is \$249,527. Leaving a deficit of \$29,525. FY2026 has \$0.00 for I&I accrual. It is planned to skip it in FY 2026 and resume in FY 2027. The budget shows a decrease in contracted services which would cover the costs of a new FT employee split 50/50 with the Public Works Department. To cover the projected deficit, the town board decided to cut the new employee position from the

budget. Total funds available for CIP \$1,708,495. Projected costs for CIP projects are \$1,587,965, leaving a surplus of \$120,530.

- **General Fund Operating and Capital Improvement Program** - Total projected revenue for FY 2026 is \$4,580,331. Total projected operating expenses are \$4,300,977. Leaving a surplus of \$279,355. The budget shows a decrease in contracted services which would cover the costs of a new FT employee split 50/50 with the Water & Sewer Department. The town board decided to cut this new position. The Sustainability Committee will not be able to do tree planting if their budget is cut in half as proposed. It was recommended to take the \$3,500 from the surplus. The FO expects the County Tax Equity to decrease since the town only contracts two community deputies. Also expected is an increase in the County's property taxes. Once final numbers are received, the budget will be updated to actual numbers. This budget includes a PT admin person with an accounting background to assist with the office financial duties. It would be a 10-hour-per-week position. With the removal of the new FT employee split with water and sewer, the surplus increased to \$308,345.

Original total funds available for CIP were \$3,247,995. Original projected costs for CIP projects were \$3,280,573, leaving a deficit of \$32,578. Discussion ensued regarding POS monies and projects. POS costs are usually split 90/10 or 75/25. The new figures shown in the budget show a 65/35 split for one project and an 83/17 split for another. Staff is researching to determine how the previous Town Administrator created those calculations. More information will be needed before approval can be given. After discussion it was recommended to remove the pickleball sound attenuation and the Wiles Branch Park exercise equipment from the proposed CIP budget and return the monies to the County. With those projected changes there is now a projected surplus in the CIP budget of \$16,479.

ANNOUNCEMENTS:

- Public Hearing on a \$2.5 million Bond Bill – Thursday April 3, 2025 7:00PM
- Arbor Day Tree Planting – Friday, April 25, 2025
- Middletown Farmer's Market Opens – Thursday May 1, 2025
- Memorial Day Ceremony – Monday, May 26, 2025
- Vintage Vehicles in the Valley – Saturday, June 7, 2025
- Independence Day Celebration – Saturday, June 28, 2025

The meeting was reconvened to an Executive Session at 8:45pm..

Respectfully submitted,

Annette Alberghini,
Office Manager

BURGESS AND COMMISSIONERS OF MIDDLETOWN MARYLAND

TOWN WORKSHOP MINUTES

April 3, 2025

The workshop of the Burgess and Commissioners of Middletown was called to order on April 3, 2025, by Burgess Miller at 7:00 p.m. Present were Commissioners Rick Dietrick, Larry Bussard, Kevin Stottlemeyer, and Chris Goodman.

SPECIAL BUSINESS

Proclamation: National Child Abuse Prevention Month, April 2025 – Representatives from the Child Advocacy Center of Frederick County were present to receive the April is Child Abuse Prevention Month proclamation from the Burgess and Commissioners. Burgess Miller read the proclamation before giving it to those representatives. The town board thanked those present for their dedication to the children of Frederick County.

PUBLIC HEARING:

Ordinance No. 25-02-01 CDA LGIFP Loan – If approved this would allow the town to secure a CDA loan up to \$2.5 million for Middletown stream restoration (Wiles Branch stream restoration) and Middletown road and utility improvements (Linden Boulevard). The loan would be a 20-year loan with an interest rate not to exceed 5.3%.

The hearing was open for comments and questions from the public. There were no questions or comments. This item will be voted on at the April 14th town board meeting.

The public hearing ended at 7:08pm.

STAFF REPORTS:

Deputy Report – No deputy was present to give the report.

Staff Planner Report – JJ reviewed his report. Discussion included the proposed EV charging stations at Cross Stone Commons and its impact on current parking. The Staff Planner requested the developer include some landscaping of the area.

Public Works & Utilities Report – Bruce reviewed his report. The springs are currently up to 57 gpm. With little ground water the I&I is not diluted and there is concerns regarding BOD limits in the affluent discharge. It may be pumped to the west plant for discharge. April to May is when the requirements become stricter regarding the discharge.

Main Street Manager Report – Becky provided her report. There is a ribbon cutting ceremony for Bug & June on April 12th. There were an estimated attendance at the Health and Wellness Expo of over 500 people. The Main Street Manager requested a donation from the town that would cover lodging and gas so that she could attend the 2025 Maryland Association of Counties (MACo) conference in August. Main Street will not be attending the MML conference but was asked to attend the MACo Conference. The County will be paying for registration and a booth. The town board asked that she check room rates for 3 locations to get the best price.

Zoning Administrator's Report – Robert reviewed his report.

Finance Officer's Report – Bea reviewed her report. The Tyler Technology upgrade is progressing slowly.

Budget Update –

- Water & Sewer Operating – Operating revenues are \$1,883,693. Operating expenses are \$1,875,365. Removed from the budget is the public works employee. The increase in health insurance for FY26 was only 10%. This leaves an adjusted surplus of \$8,328.
- Water and Sewer CIP – Now includes an increase in the AMI meter conversion line item to \$98,067 due to increased costs. This leaves a projected surplus of \$147,281.
- General Fund Operating – Operating revenues are \$4,551,575. Operating expenses are \$4,330,361. With the health insurance projected only a 10% increase, the community deputy contract only increasing \$2,500, and with the personnel changes in the Town Administrator position this leaves an adjusted surplus of \$332,993.
- General Fund CIP – at the March 24th meeting it was recommended to remove the pickleball sound attenuation and the exercise equipment from the POS line items to save money. These projects are encumbered. Staff will be meeting with the County on April 22nd to determine if the monies can be returned. These line items were left in the budget as a worst-case scenario. The surplus for FY 2026 is \$21,060.

All staff reports are included at the end of these meeting minutes.

CONSENT AGENDA:

- **Town Meeting Minutes**
 - *March 6, 2025 – Town Workshop Minutes*
 - *March 10, 2025 – Town Board Meeting Minutes*
 - *March 24, 2025 – Town Board Meeting Minutes* – Commissioner Dietrick requested that the motion vote for the Resolution 2024-03 amended be changed from him abstaining, to him being absent. He did not abstain. The minutes will be corrected for the April 14th meeting.
- **Drought Warning & Status Update** – The Director of Public Works (DPW) stated that there has been no change in the drought status. The springs are currently up to 57 gpm or 82,080 gpd. The town received 1.4 inches of rain by March 30th but received an additional 1.25 inches on March 31st. The current drought map shows Middletown in severe drought status. The DPW recommends that the town continue in the Code Yellow status.

UNFINISHED BUSINESS

Town Park Security & Surveillance Project Update – One third of the infrastructure is complete. The equipment should be arriving early May. Everything should be completed by December. Skyline will be visiting April 16th. Once cameras have been installed town staff and the deputies will check camera angles and views for the best coverage. The costs for this project totaled \$100,000 and were paid for with 100% grant monies. There will be an annual cost of \$9,600.

Discussion of Resolution 2025-02-01 Annexation of the Harris property into the Middletown corporate limits - This is to change the boundaries of the town by annexing into the corporate limits 30.77 acres of farmland, located south of Alternate Route 40 across from Old Middletown Road. The property was purchased by the Town in 2024 using Program Open Space monies. If annexed the property

will be rezoned OS and used as a park. Several buildings located on the property will be repurposed as part of the Town's Maintenance Department. If annexed, the property will connect to Wiles Branch Park. Town staff support the annexation as it meets the State's smart growth policy, is located within the town's growth area, and the property and facilities are owned and maintained by the town.

This will be voted on at the April 14th town board meeting.

Overview of Proposed Budgets – Please see the Financial Officers report earlier in these minutes.

Speed Enforcement in Middletown – The new Town Administrator will meet with the community deputies to discuss this agenda item. The camera is still on Broad Street

Sustainable Maryland Action Grant – Remsberg Park Perimeter Nature Trail Design – The Town has been awarded \$20,000 for the design of this nature trail. The town has a proposal from Frederick Seibert and Associates. A kick-off meeting with a site walk through has yet to be scheduled.

POS & Other Grant Summary Update – Decisions on this year's POS projects need to be made by April 14th so that pricing costs can be obtained from vendors. Application submittals with pricing must be submitted May 1, 2025. Possible projects identified are 1. The fire siren monument at Heritage Park and 2. Pickleball glass sound attenuation at Remsberg Park. The board discussed removing the glass pickleball sound attenuation due to the expensive costs. The POS application project is following a new format. If projects are not completed within the fiscal year the monies get turned back into the County.

ANNOUNCEMENTS:

- Arbor Day Tree Planting – Friday, April 25, 2025
- Middletown Farmer's Market Opens – Thursday May 1, 2025
- Memorial Day Ceremony – Monday, May 26, 2025
- Vintage Vehicles in the Valley – Saturday, June 7, 2025
- Independence Day Celebration – Saturday, June 28, 2025

The meeting adjourned at 8:29pm.

Respectfully submitted,

Annette Alberghini,
Office Manager



Burgess and Commissioners of Middletown 31 W Main St Middletown, MD 21769 Phone 301-371-6171 Fax 301-371-6474
 Bruce A. Carbaugh, P.E. Director of Public Works Email: bcarbaugh@ci.middletown.md.us

MEMORANDUM


DATE: April 3, 2025
TO: Middletown Burgess and Commissioners
FROM: Bruce Carbaugh, Director of Public Works
SUBJECT: Water Supply Status and Drought

March Water Supply and Drought Status

The current monthly water usage is 293,437 up from 290,920 gallons in February 2025.
 The current monthly spring yield is 62,773 gpd, February 59,368 Today: 46 gpm or 66,240 gpd
 Rainfall 1.3 inch, last year 4.7 inch

"Anchor" Well Depths 2024 -2025

2
3
4
5
6
7
8



Burgess and Commissioners of
Middletown, Maryland


Town Wells Annual Well Depth Monitoring Spreadsheet 2025

Well	Well ID #	JANUARY		FEBRUARY		MARCH		Water Depth BTC (Feet)
		Water Depth BTC (Feet)	Well Running Yes/No	Water Depth BTC (Feet)	Well Running Yes/No	Water Depth BTC (Feet)	Well Running Yes/No	
# 6	FR-73-6397	19	No	49	Yes	12	No	
# 7	FR 65-0491	25	Yes	37	Yes	14	No	
# 8	FR-73-1944	57	Yes	63	Yes	57	Yes	
# 9	FR 04-8794	45	No	45	No	45	Yes	

9
15
16
17
18
19

2023 – 2024

1
2
3
4
5
6
7
8



Burgess and Commissioners of
Middletown, Maryland

Town Wells Annual Well Depth Monitoring Spreadsheet 2024

Well	Well ID #	JANUARY		FEBRUARY		MARCH		Water Depth BTC (Feet)
		Water Depth BTC (Feet)	Well Running Yes/No	Water Depth BTC (Feet)	Well Running Yes/No	Water Depth BTC (Feet)	Well Running Yes/No	
# 6	FR-73-6397	52	yes	52	yes	44	Yes	51
# 7	FR-65-0491	50	yes	50	yes	14	No	48
# 8	FR-73-1944	26	yes	26	yes	58	Yes	50
# 9	FR-04-8794	47	no	47	no	42	no	47

9
15
16
17
18
19
20

CODE YELLOW (yellow water drop):

- Ground water conditions are decreasing at a rapid rate.
- Watering of lawns is prohibited.
- Additional voluntary water conservation is requested. Residents are requested to follow water conservation practices as outlined in "20 Tips to Prevent Water Waste" found on the town's website.

Critical Factors: Any of the following factors may trigger **CODE YELLOW:** The Maryland Department of the Environment (MDE) issues a drought declaration watch, spring flows range between 43,000-59,000 (gpd), water table levels in wells are below historic levels and dropping, the U.S. Drought Monitor for Frederick County, Maryland indicate a drought condition of MODERATE.

CODE ORANGE (orange water drop):

- Ground water conditions continue to decrease at a rapid rate.
- Watering of grass is prohibited. This includes athletic and/or playing fields.
- Washing paved surfaces such as streets, roads, sidewalks, driveways, garages, parking areas, tennis courts, and patios is prohibited.
- No vehicle washing, including automobiles, trucks, trailers and boats. Except cleaning of emergency vehicles, if necessary, to preserve the proper functioning and safe operation of the vehicle.
- Golf courses must have a water conservation plan in effect that shows a 10% reduction in usage, even if they do not use town water. No restriction on effluent usage.
- No flushing of water lines, fire hydrants or distribution equipment.
- Any additional restrictions the Burgess and Commissioners deem necessary per section 13.04.010.
- A reduction goal of 10% - 15% of the daily use will be monitored using the water plant distribution meters and evaluating previous non drought year/ month usage in calculating the reduction.
- **Use of rain barrels and gray water (i.e., used bath water) is permitted and encouraged.

Critical Factors: Any of the following factors may trigger **CODE ORANGE:** MDE issues a declaration of a drought warning and/or spring flows are below 43,000 gpd and/or the water table levels in wells are far below historic levels and are dropping. U.S. Drought Monitor for Frederick County, Maryland indicates a drought condition of SEVERE.

Current Drought Map Wednesday March 27, 2025 D2 – Severe Drought

U.S. Drought Monitor

[Current](#)[Maps](#)[Data](#)[Summary](#)[About](#)[Conditions & Outlooks](#)[Ag in Drought](#)[En Español](#)[NADM](#)

Frederick County, MD

[Home](#) / Frederick County, MD

Map released: Thurs. March 27, 2025

Data valid: March 25, 2025 at 8 a.m. EDT

Intensity

None

 D0 (Abnormally Dry)

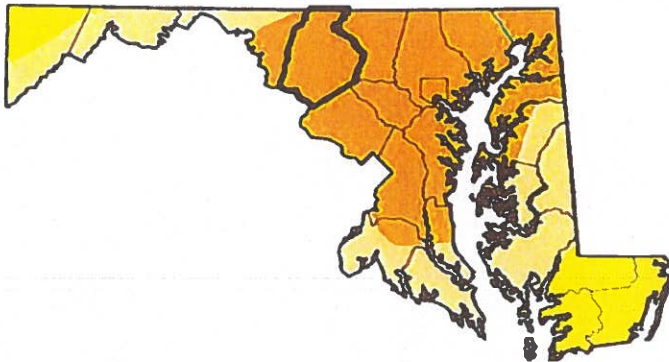
 D1 (Moderate Drought)

 D2 (Severe Drought)

 D3 (Extreme Drought)

 D4 (Exceptional Drought)

 No Data



Authors

United States and Puerto Rico Author(s):

[Brad Rippey](#), U.S. Department of Agriculture

Pacific Islands and Virgin Islands Author(s):

Applicable Tips to Prevent Water Waste

1. Use a broom, not a hose, to clean driveways and sidewalks.
2. Don't allow the hose to run while washing your car.
3. Tell your children not to play with the hose and sprinklers.
4. Check for leaks in pipes, hoses faucets, and couplings.
5. Check your toilets for leaks. Put a little food coloring in your toilet tank. If, without flushing, the color begins to appear in the bowl, you have a leak that should be repaired immediately.
6. Take shorter showers.
7. Install water-saving shower heads or flow restrictors.
8. Turn off the water after you wet your toothbrush.
9. Check faucets and pipes for leaks. Even the smallest drip from a worn washer can waste 20 or more gallons a day. Larger leaks can waste hundreds.
10. Use your dishwasher and washing machine only for full loads.
11. If you wash dishes by hand, don't leave the water running for rinsing.
12. Don't let the faucet run while you clean vegetables.
13. Keep a bottle of drinking water in the refrigerator. Running tap water to cool it off for drinking water is wasteful.

Staff Recommendation

The only ORANGE criteria met is the SEVERE drought. Monitor spring flow and Continue Code Yellow status.

RESOLUTION NO. 2025-02

(FORMER HARRIS PROPERTY ANNEXATION)

A RESOLUTION TO CHANGE THE BOUNDARIES OF THE TOWN OF MIDDLETOWN BY ANNEXING INTO THE CORPORATE LIMITS OF THE TOWN OF 30.77 ACRES OF REAL PROPERTY, MORE OR LESS, UPON THE INITIATION OF THIS RESOLUTION BY THE BURGESS AND COMMISSIONERS OF MIDDLETOWN (“TOWN”).

WHEREAS, the Town, currently owns and desires to have certain property consisting of 30.77 acres of real property, more or less, and more commonly known as the Harris Property (hereinafter referred to as “the Property”) to be annexed into and made a part of the Town of Middletown, Maryland; and

WHEREAS, pursuant to Md. Annotated Code, *Local Gov’t*, §4-403, an Annexation Resolution may be initiated by the municipal legislative body of a municipality;

WHEREAS, the Property is depicted on a Plat entitled “Kimberly L. Harris (Sheffran Mill Remainder) Addition to Town of Middletown,” a copy of which is attached hereto and incorporated herein as **Exhibit A** and is more fully described on a metes and bounds description attached hereto and incorporated by reference herein as **Exhibit B**; and

WHEREAS, it has been ascertained that the Town is the owner of the Property to be annexed (but the Property currently is not within the boundaries of the Town of Middletown) and that there are no persons residing in the area to be annexed; and

WHEREAS, the Property is adjacent to and contiguous with the existing corporate limits of the Town and its annexation will not create any unincorporated area completely surrounded by land currently within the corporate limits of the Town.

NOW, THEREFORE, BE IT RESOLVED by the Burgess and Commissioners of the Town of Middletown as follows:

SECTION I: The boundaries of the Town are hereby enlarged by including within the corporate boundary of the Town all that real property consisting of 30.77 acres, more or less, as depicted on a Plat attached hereto as **Exhibit A** and which is more fully described by metes and bounds in **Exhibit B**; and the description of the boundary of the Town in the Charter of the Town of Middletown is amended to include the Property annexed in this Resolution.

SECTION II: Except as otherwise provided in this Resolution, the Property and any persons now or in the future residing thereon, if any, shall be subject to the provisions of the Charter and applicable laws, ordinances and regulations of the Town.

SECTION III: Upon annexation, the Property shall be zoned “Open Space District” (OS), under the Zoning Ordinance of the Town.

SECTION IV: This Resolution shall become effective forty-five (45) days following the date of its enactment.

ENACTED this _____ day of _____, 2025 by the Burgess and Commissioners of the Town of Middletown.

ATTEST:

**BURGESS AND COMMISSIONERS
TOWN OF MIDDLETOWN**

Town Administrator

John Miller, Burgess

Jennifer Falcinelli, Commissioner

Rick Dietrick, Commissioner

Kevin Stottlemyer, Commissioner

Larry Bussard, Commissioner

Christopher Goodman, Commissioner

EXHIBITS A AND B ARE PART OF THIS RESOLUTION

I HEREBY CERTIFY THAT A PUBLIC HEARING WAS HELD ON THIS RESOLUTION NO. 2025-02 ON THE _____ DAY OF _____, 2025. I FURTHER CERTIFY THAT NOTICE OF THE TIME, DATE, PLACE AND PURPOSE OF THE PUBLIC HEARING WAS PUBLISHED IN THE FREDERICK NEWS-POST NEWSPAPER ON THE FOLLOWING DATES:

_____, 2025
_____, 2025
_____, 2025
_____, 2025

THE PUBLIC HEARING WAS HELD NOT LESS THAN FIFTEEN DAYS AFTER THE LAST PUBLICATION OF NOTICE.

Town Administrator

Date: _____, 2025

ORDINANCE NO. 25-02-01

**BURGESS & COMMISSIONERS OF MIDDLETOWN
INFRASTRUCTURE BONDS, 2025 SERIES A**

AN ORDINANCE OF THE BURGESS & COMMISSIONERS OF MIDDLETOWN, A MUNICIPAL CORPORATION OF THE STATE OF MARYLAND (THE "ISSUER"), PROVIDING FOR THE ISSUANCE AND SALE OF AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED TWO MILLION, FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000.00) OF BONDS OF THE BURGESS & COMMISSIONERS OF MIDDLETOWN, MARYLAND, TO BE KNOWN AS "THE BURGESS & COMMISSIONERS OF MIDDLETOWN, INFRASTRUCTURE BONDS, 2025 SERIES A" (OR BY SUCH OTHER OR ADDITIONAL DESIGNATIONS AS REQUIRED BY THE COMMUNITY DEVELOPMENT ADMINISTRATION IDENTIFIED HEREIN) (THE "BONDS"), TO BE ISSUED AND SOLD PURSUANT TO THE AUTHORITY OF SECTIONS 4-101 THROUGH 4-255 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AS AMENDED, FOR THE PURPOSE OF (I) PROVIDING ALL OR A PORTION OF THE FUNDS NECESSARY FOR FINANCING AND/OR REFINANCING THE FOLLOWING PROJECTS: (A) MIDDLETOWN ROAD & UTILITY IMPROVEMENTS, AND (B) MIDDLETOWN STREAM RESTORATION, (II) FUNDING A PORTION OF A CAPITAL RESERVE FUND AND/OR OTHER RESERVES AND (III) PAYING ISSUANCE AND OTHER COSTS RELATED TO THE BONDS; PROVIDING THAT THE BONDS SHALL BE ISSUED UPON THE FULL FAITH AND CREDIT OF THE ISSUER; PROVIDING FOR THE DISBURSEMENT OF THE PROCEEDS OF THE SALE OF THE BONDS AND FOR THE LEVY OF ANNUAL TAXES UPON ALL ASSESSABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE ISSUER FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE BONDS AS THEY SHALL RESPECTIVELY MATURE; PROVIDING FOR THE FORM, TENOR, DENOMINATION, MATURITY DATE OR DATES AND OTHER PROVISIONS OF THE BONDS; PROVIDING FOR THE SALE OF THE BONDS; AND PROVIDING FOR RELATED PURPOSES, INCLUDING (WITHOUT LIMITATION) THE METHOD OF FIXING THE INTEREST RATE OR RATES TO BE BORNE BY THE BONDS, THE APPROVAL, EXECUTION AND DELIVERY OF DOCUMENTS, AGREEMENTS, CERTIFICATES AND INSTRUMENTS AND THE MAKING OF OR PROVIDING FOR THE MAKING OF REPRESENTATIONS AND COVENANTS CONCERNING THE TAX STATUS OF INTEREST ON THE BONDS.

WHEREAS, the Burgess & Commissioners of Middletown (the "Issuer") is a municipal corporation of the State of Maryland organized and operating under [a charter (the "Charter")]

adopted in accordance with Article XI-E of the Constitution of Maryland and relevant sections of the Local Government Article of the Annotated Code of Maryland, as amended; and

WHEREAS, Sections 4-101 through 4-255 of the Housing and Community Development Article of the Annotated Code of Maryland, as amended (the “Act”), authorize the Community Development Administration (the “Administration”), a governmental unit in the Division of Development Finance of the Department of Housing and Community Development, a principal department of the government of the State of Maryland, to provide financial assistance to political subdivisions and municipal corporations to finance, among other things, infrastructure projects and to establish a capital reserve fund in connection therewith; and

WHEREAS, pursuant to the authority of the Act, the Issuer has determined to issue one or more of its general obligation bonds in the aggregate principal amount not to exceed Two Million, Five Hundred Thousand Dollars (\$2,500,000.00) (the “Bonds” as defined herein) for the purpose of (i) financing and/or refinancing all or a portion of the costs of the Project (as defined herein), (ii) funding a portion of a capital reserve fund and/or other reserves required by the Administration under the Program identified below and (iii) paying issuance and other costs related to the Bonds; and

WHEREAS, the Issuer proposes to issue and sell the Bonds to the Administration, in connection with the Local Government Infrastructure Financing Program of the Administration (the “Program”); and

WHEREAS, it is the intention of the Issuer by this Ordinance to provide for the issuance and sale of the aforementioned Bonds and to obtain a loan or loans from the Administration pursuant to the Program (collectively, the “Loan”); and

WHEREAS, the Issuer intends to authorize the execution and delivery of the Bonds and all other documents, certificates and other materials related to the issuance, sale and delivery of the Bonds and the Loan; and

WHEREAS, the Administration intends to issue one or more series of its Local Government Infrastructure Bonds to finance the Loan and other loans to be financed pursuant to the Program.

NOW, THEREFORE, BE IT ORDAINED BY THE BURGESS & COMMISSIONERS OF MIDDLETOWN:

Section 1. Authorization, Terms, Form of Bonds.

(a) The Burgess & Commissioners of Middletown (the "Issuer") shall borrow upon its full faith and credit and shall issue and sell upon its full faith and credit an aggregate principal amount not to exceed Two Million, Five Hundred Thousand Dollars (\$2,500,000.00) of its general obligation bonds, to be issued pursuant to the authority of Sections 4-101 through 4-255 of the Housing and Community Development Article of the Annotated Code of Maryland, as amended (the "Act"), to be known as the "Burgess & Commissioners of Middletown, Infrastructure Bonds, 2025 Series A", as such designation may be modified by the Administration (defined below) prior to issuance (the "Bonds"). The proceeds from the sale of the Bonds shall be used for the purpose of (i) providing all or a portion of the funds necessary for financing and/or refinancing of the costs of the following two (2) projects: (a) Middletown Road & Utility Improvements and (b) Middletown Stream Restoration (collectively, the "Project"), (ii) funding a portion of a capital reserve fund and/or other reserves required by the Administration under the Program and (iii) paying issuance and other costs related to the Bonds.

(b) The Bonds shall be issued as one or more fully registered bond certificate(s) in the aggregate principal amount not to exceed Two Million, Five Hundred Thousand Dollars (\$2,500,000.00) payable to the Community Development Administration (the "Administration") as the registered owner thereof. The Bonds shall be issued in such amount or such lesser amount as determined by the [Government Officer (e.g. Mayor, President of Council or other Chief Executive Government Officer)] pursuant to subsection (g) below, which shall be equal to the principal amount of the loan to the Issuer from the Administration (the "Loan") under the Local Government Infrastructure Financing Program of the Administration (the "Program").

(c) The Bonds shall be dated as of the date of issue, or as of such other date as is specified by the Administration; shall be numbered from R-1 upward or as otherwise required by the Administration; shall be initially registered in the name of the Administration or its designee; shall bear interest from the date of issuance of the Local Government Infrastructure Bonds issued by the Administration (the "Administration's Bonds"), payable semiannually on April 1 and October 1, at such annual rate or rates and be payable in annual principal installments at the designated office of the Administration.

(d) The Bonds shall bear interest at an aggregate rate or rates of interest for a total interest cost (expressed as a yield) not to exceed 5.3% percent for a loan with a maturity of twenty years, the actual maturity or maturities and rate or rates of interest to be borne by the Bonds to be determined and established by the Burgess & Commissioners of Middletown acting pursuant to Section 1(g) of this Ordinance.

(e) The Bonds shall be in substantially the form set forth on Exhibit A attached hereto and made a part hereof, which form, together with all of the covenants and conditions therein

contained, is hereby adopted by the Issuer as and for the form of obligation to be incurred by the Issuer and such covenants and conditions are hereby made binding upon the Issuer, including the promise to pay therein contained.

(f) The Bonds are to be issued in connection with the Program (i) to finance and/or refinance all or a portion of the Project, (ii) to fund a portion of a capital reserve fund and/or other reserves required by the Administration under the Program and (iii) to pay issuance and other related costs of the Bonds. Under the Program, the Issuer will enter into a Repayment Agreement and a Pledge Agreement with the Administration (respectively, the “Repayment Agreement” and the “Pledge Agreement”). The Issuer also will execute and deliver in connection with the issuance of the Bonds and the Program any additional documents, agreements, instruments and certificates requested by the Administration (which, together with the Repayment Agreement and the Pledge Agreement are herein referred to as the “Program Documents”). The Program Documents shall be in such form and shall contain such terms and conditions as shall be approved by the Burgess & Commissioners of Middletown and be acceptable to the Administration.

(g) Because this Ordinance is being adopted before the details have been finalized for the financing pursuant to which the Administration will issue the Administration’s Bonds (the “Administration Financing”) that will fund the Loan to the Issuer under the Program, the Burgess & Commissioners of Middletown is hereby authorized to make such changes to the amount and form of the Bonds, including insertions therein or additions or deletions thereto, as may be necessary or appropriate to conform the terms of the Bonds to the terms of the financing to be provided to the Issuer under the Program. Without limiting the foregoing, it is presently contemplated that the Loan will be in an amount not to exceed \$2,500,000.00 in aggregate principal amount hereby authorized, subject to final approval by the Administration; accordingly, the Burgess & Commissioners of Middletown is specifically authorized: (i) to make changes to the maturity or maturities and aggregate principal amount of the Bonds in order to reflect the final aggregate principal amount of the Loan not to exceed \$2,500,000.00 as approved by the Administration and accepted by the Issuer and (ii) to authorize and approve an interest rate or rates and payment schedule(s) reflecting the principal and interest payments with respect to the Bonds but not to exceed the maximum total interest cost to be borne by the Bonds as set forth in subsection (d) above.

(h) This borrowing shall be exempt from the provisions of Sections 19-205 and 19-206 of the Local Government Article of the Annotated Code of Maryland, as amended.

(i) This borrowing is in conformance with and does not exceed any and all applicable debt limitations under the Charter.

Section 2. Execution. The Bonds shall be executed on behalf of the Issuer by the manual or facsimile signature of the Burgess & Commissioners of Middletown, and the seal of the Issuer shall be affixed thereto or reproduced thereon and attested by the manual signature of the Town Administrator of the Issuer. The Program Documents shall be executed on behalf of the Issuer by an authorized official of the Issuer. In the event any official whose signature appears on any of the Bonds or the Program Documents shall cease to be an official prior to the delivery of the Bonds or the Program Documents, or, in the event any official whose signature appears on any of the Bonds or the Program Documents becomes an official or officer after the date of the issue, the Bonds and the Program Documents shall nevertheless be valid and binding obligations of the Issuer in accordance with their terms. The Town Administrator of the Issuer is hereby authorized, empowered and directed to complete the applicable form of the Bonds and to make modifications, deletions, corrections or other changes thereto in any manner which the Burgess, in the Burgess's discretion, shall deem necessary or appropriate to complete the issuance and sale of the Bonds, as will not alter the substance thereof. The Burgess or other duly authorized official of the Issuer is hereby authorized, empowered and directed to complete the applicable form of the Program Documents and to make modifications, deletions, corrections or other changes thereto in any manner which such official, in the discretion of such official, shall deem necessary or appropriate to complete the execution and delivery of the Program Documents in accordance with the provisions of this Ordinance, as will not alter the substance thereof. The execution and delivery of the Bonds and the Program Documents by the duly authorized official shall be conclusive evidence of such official's approval of the form and substance thereof.

Section 3. Registration of Bonds. The Town Administrator shall act as registrar for the Bonds and shall maintain registration books for the registration and registration of transfer of the Bonds. No security or bond shall be required of the Town Administrator in the performance of the duties of registrar for the Bonds.

The Issuer may deem and treat the person in whose name any Bond shall be registered upon the books of the Issuer as the absolute owner of such Bond, whether such Bond shall be overdue or not, for the purpose of receiving payment of, or on account of, the principal of, premium, if any, and interest on such Bond and for all other purposes.

Section 4. Prepayment. The Bonds are being issued in connection with the Program and will secure payment of the Administration's Bonds, which are being issued by the Administration to provide funds to purchase the Bonds from the Issuer, among other purposes. The Repayment Agreement limits the right of the Issuer to prepay the Bonds in accordance with restrictions upon the right of the Administration to redeem the Administration's Bonds. Accordingly, the Issuer may prepay the Bonds only in accordance with the provisions of the Repayment Agreement and the terms governing prepayments as set forth in the Bonds.

Section 5. Replacement of Mutilated, Lost, Stolen, or Destroyed Bonds. In case any Bond (a "Bond" being, for purposes of this Section, any one of the Bonds) shall become mutilated or be destroyed, lost or stolen, the Issuer may cause to be executed and delivered a new Bond of like date and tenor and bearing the same or a different number, in exchange and substitution for each Bond mutilated, destroyed, lost or stolen, upon the owner paying the reasonable expenses and charges of the Issuer in connection therewith and, in the case of any Bond being destroyed, lost or stolen, upon the owner filing with the Issuer evidence satisfactory to it that such Bond was destroyed, lost or stolen, and furnishing the Issuer with indemnity satisfactory to it. Any Bond so issued in substitution for a Bond so mutilated, destroyed, lost or stolen: (i) may be typewritten, printed or otherwise reproduced in a manner acceptable to the Administration, and (ii) shall constitute an original contractual obligation on the part of the Issuer under this Ordinance whether or not the Bond in exchange for which said new Bond is issued shall at any later date be presented for payment and such payment shall be enforceable by anyone, and any such new Bond shall be equally and proportionately entitled to the benefits of this Ordinance with all other like Bonds, in the manner and to the extent provided herein.

Section 6. Use of Proceeds. The proceeds of the Bonds shall be held and invested by the Administration in its sole discretion and shall be:

(a) Administered and disbursed by the Administration pursuant to the Repayment Agreement. The proceeds of the Bonds shall be used, when and as required, to pay Development Costs (as defined in the Repayment Agreement).

(b) After the Project has been completed and all Development Costs in connection therewith have been paid, any balance of the proceeds of the sale of the Bonds held by the Administration under the Repayment Agreement may be applied to the next maturing principal installment, payment of interest on the Bonds or prepayment of the Bonds, as permitted by the Administration.

Section 7. Covenants. The Issuer covenants with the Administration, for the benefit of the Administration and the owners from time to time of the Bonds, that so long as the Bonds or installments of principal thereunder shall remain outstanding and unpaid:

(a) The Issuer will duly and punctually pay, or cause to be paid, to the Administration the principal of the Bonds, premium (if any) and interest accruing thereon, at the dates and places and in the manner mentioned in the Bonds from unlimited ad valorem taxes in the event that available funds are inadequate to make such payment.

(b) The Issuer covenants that so long as any of the Bonds are outstanding and not paid, unless other funds are available for payment of principal of, premium, if any, and interest on the Bonds, it shall levy annually, in the manner prescribed by law, a tax on all real and

tangible personal property within its corporate limits subject to assessment for unlimited taxation, ad valorem taxes in rate and amount sufficient to provide for the payment of the principal of and interest on the Bonds as the same become due and payable; and in the event that the revenues available from the taxes so levied in any fiscal year shall prove inadequate for the above purposes, the Issuer shall levy additional taxes in the succeeding fiscal year to make up such deficiency; and the full faith and credit and the unlimited taxing power of the Issuer are hereby irrevocably pledged to the punctual payment of the principal of and interest on the Bonds as the same become due.

(c) The Issuer will promptly provide to the Administration (or to any person designated by the Administration) all financial information and operating data concerning the Issuer as may be required by the Administration in its discretion in order to comply with the requirements of Rule 15c2-12 of the United States Securities and Exchange Commission, as in effect from time to time, applicable to the Administration's Bonds.

Section 8. Ordinance a Contract. The provisions of this Ordinance shall constitute a contract with the purchasers and owners from time to time of the Bonds, and this Ordinance shall not be repealed, modified or altered in any manner materially adverse to the Administration and/or the interests of such purchasers or owners while the Bonds or any portion thereof remain outstanding and unpaid without the consent of the owners of the Bonds and the Administration.

Section 9. Pledge of Local Government Payments. As contemplated and authorized by Section 4-229(b) of the Act, the Issuer hereby pledges, assigns and grants a lien and a security interest to the Administration, its successors in trust and assigns, in all right title and interest of the Issuer in and to the Local Government Payments (as defined in the Pledge Agreement), now or hereafter acquired, (i) to secure payment of the principal of, premium, if any, and interest on the Bonds and any other Local Obligations (as defined in the Pledge Agreement) issued and to be issued from time to time by the Issuer under the Program and (ii) to provide for deposits to the capital reserve fund securing the Bonds and/or other reserves required under the Program the amount of the Issuer's portion of any deficiency in such capital reserve fund and/or such other reserves as the Administration shall require, all as more fully set forth and provided in the Pledge Agreement.

Section 10. Purchase Price of Bonds. The Bonds shall be sold for cash in accordance with the terms and provisions of this Ordinance at par, or if premium or discount is permitted by law, at such premium or discount as is agreed to by the Administration in accordance with the terms and provisions of this Ordinance, and as authorized by Section 4-229(a) of the Act.

Section 11. Sale of Bonds. The Bonds shall be sold to the Administration under the Program at private sale, as authorized by Section 4-229(a) of the Act.

Section 12. Authority to Take Action; Publication and Public Hearing.

(a) The officials, officers and employees of the Issuer are hereby authorized and directed to do all acts and things required of them by the provisions of this Ordinance, for the full, punctual and complete performance of all the terms, covenants and provisions of the Bonds, the Program Documents and this Ordinance and to do and perform all acts and to execute, seal and deliver all documents or instruments of writing which may be necessary or desirable to carry out the full intent and purpose of this Ordinance and the Program Documents.

(b) As required by the Act, prior to the issuance of the Bonds, the Issuer shall publish in a newspaper of general circulation in the jurisdiction of the Issuer a notice of the proposed issuance of the Bonds, which notice shall include the proposed amount of the issue, the nature of the project(s) to be financed or refinanced, the time and place of the public hearing, the name of the person(s) and address of the place where written comments may be sent, and the Issuer shall hold a public hearing on the proposed issuance of the Bonds. Such actions may be (or have been) taken prior to or simultaneously with the adoption of this Ordinance [Resolution].

Section 13. Tax Matters

(a) The Burgess and/or the Town Administrator shall be the officers of the Issuer responsible for the issuance of the Bonds within the meaning of the Arbitrage Regulations (defined herein). The Burgess and/or the Town Administrator shall also be the officers of the Issuer responsible for the execution and delivery (on the date of issuance of the Bonds) of a certificate of the Issuer (the 'Section 148 Certificate') which complies with the requirements of Section 148 of the Internal Revenue Code of 1986, as amended ("Section 148"), and the applicable regulations thereunder (the "Arbitrage Regulations"), and such official is hereby directed to execute the Section 148 Certificate and to deliver the same to the Administration on the date of the issuance of the Bonds. The Section 148 Certificate may be contained within any of the Program Documents at the discretion of the Administration.

(b) The Issuer shall set forth in the Section 148 Certificate its reasonable expectations as to relevant facts, estimates and circumstances relating to the use of the proceeds of the Bonds, or of any monies, securities or other obligations to the credit of any account of the Issuer which may be deemed to be proceeds of the Bonds pursuant to Section 148 or the Arbitrage Regulations (collectively, "Bond Proceeds"). The Issuer covenants that the facts, estimates and circumstances set forth in the Section 148 Certificate will be based on the Issuer's reasonable expectations on the date of issuance of the Bonds and will be, to the best of the certifying official's knowledge, true and correct as of that date.

(c) The Issuer covenants and agrees with each of the holders of any of the Bonds that it will not make, or (to the extent that it exercises control or direction) permit to be made, any use

of the Bond Proceeds which would cause the Bonds to be “arbitrage bonds” within the meaning of Section 148 and the regulations thereunder which are applicable to the Bonds on the date of issuance of the Bonds and which may subsequently lawfully be made applicable to the Bonds.

(d) The Issuer further covenants that it shall make such use of the proceeds of the Bonds, regulate the investment of the proceeds thereof, and take such other and further actions as may be required to maintain the excludability from gross income for federal income tax purposes of interest on the Bonds. All officials, officers, employees and agents of the Issuer are hereby authorized and directed to take such actions, and to provide such certifications of facts and estimates regarding the amount and use of the proceeds of the Bonds, as may be necessary or appropriate from time to time to comply with, or to evidence the Issuer’s compliance with, the covenants set forth in this Section.

(e) The Burgess and/or the Town Administrator, on behalf of the Issuer, may make such covenants or agreements in connection with the issuance of Bonds issued hereunder as such officer(s) shall deem advisable in order to assure the registered owners of such Bonds that interest thereon shall be and remain excludable from gross income for federal income tax purposes, and such covenants or agreements shall be binding on the Issuer so long as the observance by the Issuer of any such covenants or agreements is necessary in connection with the maintenance of the exclusion of the interest on such Bonds from gross income for federal income tax purposes. The foregoing covenants and agreements may include such covenants or agreements on behalf of the Issuer regarding compliance with the provisions of the Internal Revenue Code of 1986, as amended (the “Code”), as the Burgess and/or the Town Administrator shall deem advisable in order to assure the registered owners of such Bonds that the interest thereon shall be and remain excludable from gross income for federal income tax purposes, including (without limitation) covenants or agreements relating to the investment of the proceeds of such Bonds, the payment of rebate (or payments in lieu of rebate) to the United States, limitations on the times within which, and the purpose for which, such proceeds may be expended, or the use of specified procedures for accounting for and segregating such proceeds. Such officer(s) may also make on behalf of the Issuer any elections, designations or determinations authorized or permitted by the Code or the Arbitrage Regulations.

Section 14. Effective Date; Miscellaneous. (a) Pursuant to Section 4-232(c) of the Act, this Ordinance shall take effect from the date of its adoption, and it is the intent hereof that the laws of the State of Maryland shall govern its construction and the construction of the Bonds. Any copy of this Ordinance duly certified by the Town Administrator or the Town Administrator’s successor in office shall constitute evidence of the contents and provisions hereof.

(b) References in this Ordinance to the phrase “to finance,” “to pay” or “to fund” or similar phrases shall be deemed to refer to and include “to reimburse” or “to refinance” or similar phrases.

(c) To the extent not paid from proceeds of the Bonds, the Issuer shall pay costs of issuance relating to the Bonds from other available sources.

ADOPTED THIS _____ DAY OF _____, 20__ BY BURGESS &
COMMISSIONERS OF THE TOWN OF MIDDLETOWN, MARYLAND BY AFFIRMATIVE
VOTE OF ____ TO ____ OPPOSED.

APPROVED THIS ____ DAY OF _____, 20__

[Government Officer]

ATTEST: _____
[Clerk/Other Officer]

Exhibit A. – Form of Bond

[FORM OF BOND]

EXHIBIT A

**United States of America
State of Maryland
Burgess & Commissioners of Middletown
Infrastructure Bond, 2025 Series A**

No. R-1

\$2,500,000.00

The Burgess & Commissioners of Middletown, a Municipal Corporation duly organized and existing under the Constitution and laws of the State of Maryland (the "Issuer"), hereby promises to pay to the

Maryland Community Development Administration

or its registered assigns, the principal amount of Two Million, Five Hundred Thousand Dollars (\$2,500,000.00), plus interest on each unpaid principal installment at the rates per annum set forth under the column designated "Coupon" on Exhibit A attached hereto for each principal installment, in lawful money of the United States of America, as follows: (a) interest on the outstanding and unpaid principal of this bond shall be due and payable in semiannual payments commencing on _____, 20__, and continuing on the first day of [October] and [April] in each year thereafter until final maturity; and (b) principal of this bond shall be paid commencing on _____ and on [April] 1 in each year thereafter until final maturity in the aggregate amount of principal installments as set forth on Exhibit A. Payment of the principal hereof and the interest due hereon shall be made by check mailed to the address of the registered owner of this bond as shown on the registration books maintained by the Issuer, or in such other manner and to such other address as the registered owner of this bond may designate. If any payment of the principal of or interest on this bond shall be due on a day other than a Business Day (defined herein), such payment shall be made on the next Business Day with like effect as if made on the originally scheduled date. A "Business Day" is any day other than a Saturday, Sunday or legal holiday in the State of Maryland observed as such by the Issuer.

In the event any payment hereon (whether principal, interest or both) is not paid when due and payable, such payment shall continue as an obligation of the Issuer and shall bear interest until paid at the rate or rates of interest borne by this bond.

This bond, designated as “Burgess & Commissioners of Middletown, Infrastructure Bond, 2025 Series A,” is a general obligation of the Issuer, and has been duly issued by the Issuer for the purpose of (i) providing all or a portion of the funds necessary for financing or refinancing the following projects: (a) Middletown Road & Utility Improvements, and (b) Middletown Stream Restoration, (ii) funding a portion of a capital reserve fund and/or other reserves required by the Administration (defined below) and (iii) paying issuance and other costs related to this bond. Unless paid from other sources, the Issuer covenants that so long as any portion of this bond is outstanding and not paid, it shall levy annually, in the manner prescribed by law, ad valorem taxes on all real and tangible personal property within its corporate limits subject to assessment for unlimited taxation, in rate and amount sufficient to provide for the payment of the principal of and interest on this bond as the same become due and payable.

This bond is issued pursuant to the authority of Sections 4-101 through 4-255 of the Housing and Community Development Article of the Annotated Code of Maryland, as amended, Sections 613 and 614 of the Charter of the Issuer, and Ordinance No. 25-02-01 of the Issuer passed/adopted on _____, 20__ the “Ordinance”. The full faith and credit of the Issuer are hereby irrevocably pledged to the payment of the principal of this bond and the interest to accrue hereon.

This bond is issued in connection with the Local Government Infrastructure Financing Program of the Community Development Administration, a governmental unit in the Division of Development Finance of the Department of Housing and Community Development, a principal department of the government of the State of Maryland (the “Administration”). This bond is subject to the terms and conditions of the Repayment Agreement dated as of _____, between the Issuer and the Administration (the “Repayment Agreement”).

This bond is not subject to prepayment by the Issuer prior to [June] 1, 20____. On or after _____, this bond is subject to prepayment by the Issuer at the prepayment prices, expressed as a percentage of the principal amount to be prepaid, plus accrued interest, if any, to the prepayment date, on the principal amount thereof, and during the periods (both dates inclusive) listed below:

Period	Price
_____ through _____	%
_____ through _____	
_____ and thereafter	

Notice of prepayment shall be given, the date of prepayment determined, and all prepayments of this bond shall be applied in accordance with the provisions of the Repayment Agreement.

The Issuer may treat the person in whose name this bond is registered as the absolute owner hereof, whether or not this bond shall be overdue, for the purpose of receiving payment thereof and for all other purposes whatsoever, and shall not be affected by any notice to the contrary, except as provided below.

This bond is assignable and upon such assignment the assignor shall promptly notify the Issuer by certified mail, and the assignee shall surrender this bond to the Issuer for transfer on the registration records and verification of the portion of the principal amount hereof and interest hereon paid or unpaid, and every such assignee shall take this bond subject to such condition. In connection with any transfer of this bond, the Issuer may make a charge sufficient to reimburse it for any tax, or other governmental charge required to be paid with respect to such transfer and any reasonable fees or expenses of the Issuer incurred in connection with such transfer.

Principal of this bond is paid in annual installments and this bond is subject to partial redemption without any notation of such payment being made on this bond or the surrender of this bond for cancellation and the issuance of a new bond or bonds in the amount of the unpaid principal hereof. Accordingly, the outstanding principal of this bond may be less than the stated face amount hereof and any purchaser or transferee of this bond should contact the Issuer and the prior owner of this bond to ascertain the outstanding face amount hereof.

As declared by Section 4-231(c) of the Housing and Community Development Article of the Annotated Code of Maryland, as amended, this bond shall have and possess all the attributes of negotiable instruments as provided in Section 19-224 of the Local Government Article of the Annotated Code of Maryland, as amended. This bond is issued with the intent that the laws of the State of Maryland shall govern its construction.

No recourse shall be had for the payment of the principal of, the interest on, or for any claim based hereon or on the Ordinance against any elected or appointed official or employee, past, present or future of the Issuer or any agency thereof; and any such recourse, claim or liability is expressly waived by acceptance by the owner of the delivery of this bond.

It is hereby certified and recited that each and every act, condition and thing required to exist, to be done, to have happened and to be performed precedent to and in the issuance of this bond does exist, has been done, has happened and has been performed in full and strict compliance with the Constitution and laws of the State of Maryland, the Charter of the Issuer and the proceedings of the Issuer.

IN WITNESS WHEREOF, the Burgess & Commissioners of Middletown has caused this bond to be signed in its name by the manual or facsimile signature of its Burgess, its corporate seal to be affixed hereto and attested by the manual signature of the Town Administrator, as of _____, 20__.

ATTEST:

[NAME OF ISSUER]

[Clerk/Other Officer]

By: _____
[Government Officer],

[SEAL]

BOND PAYMENT SCHEDULE

[Use the following paragraph (with necessary modifications) to clarify the amount to be paid under the schedule prepared by the Financial Advisor.]

[Repayment Schedule to be Inserted.]

Each installment of Principal and Interest or Interest alone shall be the aggregate of amounts set forth in this Exhibit A for the date of such payment as shown under the heading designated “[Total].”

RESOLUTION No. 2024 – 03 (amended 3/24/2025)

A RESOLUTION DECLARING THE OFFICIAL INTENT OF THE BURGESS & COMMISSIONERS OF MIDDLETOWN TO REIMBURSE EXPENDITURES TO BE INCURRED WITH RESPECT TO CERTAIN PROJECTS OR PROGRAMS OR FROM CERTAIN FUNDS WITH THE PROCEEDS OF DEBT

WHEREAS, to facilitate an efficient borrowing program, the Burgess & Commissioners of Middletown (the “Issuer”) intends to expend money on certain projects or programs or from certain funds prior to the issuance of debt by the Issuer for such purposes; and

WHEREAS, the Issuer intends to reimburse such expenditures from the proceeds of debt to be issued by the Issuer; and

WHEREAS, to comply with applicable provisions of the Internal Revenue Code of 1986, as amended, and Section 1.150-2 of the Income Tax Regulations, it is necessary, in order to reimburse such expenditures with the proceeds of tax-exempt debt, that the Issuer declare its official intent to make such a reimbursement of expenditures;

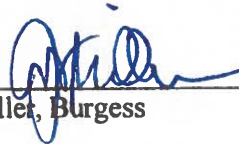
NOW, THEREFORE, BE IT RESOLVED by the Burgess & Commissioners of Middletown that, as evidenced by this Resolution, the Issuer intends to expend money on the cost of the acquisition, construction, and improvements of the capital projects described in Exhibit A attached hereto prior to the issuance of bonds or other debt obligations to reimburse such expenditures. With respect to such projects, the Issuer reasonably expects to issue debt obligations for these projects in the estimated maximum principal amount of Two Million, Five Hundred Thousand Dollars (\$2,500,000.00).

ATTEST

**BURGESS AND COMMISSIONERS
TOWN OF MIDDLETOWN**



Town Administrator



John Miller, Burgess

Date:

3/31/2025

DESCRIPTION OF PROJECTS

Ammended March 24, 2025

Wiles Branch Stream Restoration – Phase 1

The Wiles Branch Stream is connected to a large section of the Town's stormwater collection infrastructure and approximately 50 acres of impervious surfaces. The Stream receives approximately 30% of the Town's stormwater runoff. This Project will restore 1,000 linear feet of stream restoration and will generate 75 lbs./year Total Nitrogen, 68 lbs./year Total Phosphorus, and 45,000 lbs./year (22.5 tons) in annual nutrient and sediment removal/filtration.

In 2018, the Maryland Department of Environment (MDE) Water & Science Administration identified Middletown as the owner of a Municipal Separate Storm Sewer System (MS4), required to comply with, and obtain coverage for, the State's MS4 National Pollutant Discharge Elimination System (NPDES) General Permit, under the Federal Clean Water Act of 1972. The permit became effective in October 2018 and mandates improved stormwater management practices and infrastructure, oversight and regulation of stormwater discharges, and providing public education/involvement to residents. By 2025, Middletown must restore twenty percent of the total impervious area located in town limits (approx. 35 acres), created by the roads, buildings, and other manmade surfaces that produce runoff and the discharge of pollutants into local the waterways of our watershed: Catoctin Creek. The Wiles Branch Stream Restroation Project is estimated to cost \$550,000 to complete and will earn the Town an estimated 30 restored acre credits, toward our 2025 MDE NPDES Permit Restoration Mandate.

Linden Boulevard Reconstruction

Linden Boulevard was originally constructed in early 1950's and has received very little improvement over the years. The street serves 25 residents but is a main conneting street for the Woodmere Neighborhood.

There is currently no storm drain collection system or street lights. The 1,600 linear feet reconstruction project includes removal of the existing roadway and curbs. Reconstruction of a new storm drain collection system, sanitary sewer cleanouts, new curb and gutter, concrete driveway aprons and street lights. This work will complete the infrastructure project and previously completed water system placement and sewer repairs. The Linden Boulevard Project is estimate to cost \$1,9950,000.00 and will begin in June of 2025 and be completed in January of 2026.