



## AGENDA FOR THE TOWN WORKSHOP

August 7, 2025

Workshop 7:00PM

**Drought Status- Code Blue**

### PLEDGE TO THE FLAG

### CALL TO ORDER

### STAFF REPORTS

[Deputy Report](#)

Public Works & Utilities

[Planning & Zoning](#)

[Main Street Manager](#)

Financial Officer

### CONSENT AGENDA

- Town Meeting Minutes
  - [July 14, 2025 – Town Board Meeting Minutes](#)

### UNFINISHED BUSINESS

- Town Park Security & Surveillance Project Update
- [Speed Enforcement in Middletown](#)
- MML Sustainability Presentation- Commissioner Stottlemyer

### NEW BUSINESS

- [Linden Boulevard Project Award](#)
- [Ordinance Amendment 12.08.040 \(planting trees near utilities\)](#)
- [Foodbank Property Subdivide Discussion](#)
- [Personnel Policy Committee- Requested Updates](#)
- [Frederick County 250<sup>th</sup> Banner](#)

### ANNOUNCEMENTS

- Main Street Walking Tours- Starting at the Welcome Center at 9:30 AM on August 8<sup>th</sup>, August 22<sup>nd</sup>, and September 5<sup>th</sup>
- Vintage Vehicles- Saturday August 23<sup>rd</sup> starting at 11:30 AM

## **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: 21769# \_\_\_\_\_*

*# 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.*



# ***Middletown Community Deputies***

## ***Monthly Activity Report***

July 2025

Dfc. Chudoba #0409

Dfc. McCarrick #0485

### **Traffic Stats**

Citations Issued: 5 (44)

Warnings Issued: 55 (355)

Repair Orders Issued: 0 (3)

Accidents: 2 (32)

Selective Enforcement: 27 (187)

### **Proactive Enforcement**

Walking Patrol / Talks: 37 (276)

Bike Patrol: 8 (19)

Patrol Checks: 115 (924)

School Safety Checks: 24 (283)

### **Arrest Stats**

Criminal Arrests: 0 (2)

Traffic Arrests: 0 (5)

Juvenile Arrest: 1 (4)

Warrants / Summons: 0 (1)

### **Calls for Service**

Burglaries: 1 (2)

Destruction of Property: 2 (5)

Disturbances: 1 (16)

Juvenile complaints: 2 (10)

Noise complaints: 3 (11)

Suspicious Activity: 3 (25)

Theft: 4 (5)

## **Drug Incidents / Attempted Overdose**

## **Special Events/ Important Information**

Deputies attended Junior Deputy Academy.

Dfc. McCarrick attended movie night.

Traffic stop arrest on a juvenile.

### **Accidents**

200 Middletown Pkwy

IFO 707 Glenbrook Dr.

# MAIN STREET

## MIDDLETOWN

TO: The Burgess and Commissioners  
From: Becky Axilbund, Main Street Middletown, MD Inc.  
Date: August 4, 2025  
RE: Staff Report for the August Workshop

**VOTE US BEST SMALL TOWN – in the Frederick News Post Annual Contest – August 6-12**  
[https://www.fredericknewspost.com/special/best\\_of\\_the\\_best/](https://www.fredericknewspost.com/special/best_of_the_best/)

### Upcoming Dates:

*Friday, August 8 – Walking Tour*

*Wednesday 13– Friday 15 – Becky representing Main Street Middletown at MaCo with the Frederick County Office of Economic Development*

*August 19<sup>th</sup> – Main Street Business Mixer at Hello Gorgeous!*

*August 19 – Economic Development Committee Meeting & Promotions Committee Meeting*

*August 21<sup>st</sup> – Main Street Executive Committee Meeting*

*August 22 – Main Street Walking Tour*

*Saturday, August 23 – Vintage Vehicles in the Valley – Redo!*

*Thursday, August 28 – Main Street Board Meeting*

*Friday, September 5 – Walking Tour*

### Organization:

- On Tuesday, August 5 we had a social for our volunteers – since we have opened and got our volunteer program up and running, they have accumulated over 463 (January 1<sup>st</sup> to July 31, 2025) hours of volunteer service – valued at the whopping \$34.79 per hour = \$16, 107.77 worth of time and efforts these volunteers have invested into welcoming folks to Middletown. We have logged in visitors from as far away as California and Florida, as well as welcomed international visitors from Isreal and Poland. A huge thank you to our volunteers and volunteer coordinator, Linda Despeaux!!
- We have officer elections coming up at our August meeting. Jim Hoover has served as the Board President for more than the normal two-term limit. Jim started his Main Street Board membership being the head of the Economic Development Committee. Once COVID closed us down, Jim was asked to take over the leadership of the organization during this crisis. We made it through COVID, only to then have the rehabilitation of 19 West Main Street start in full swing. Jim oversaw the rehabilitation and was ready to step down – only to have the incoming President Elect have a family emergency. So, Jim Hoover has proved beyond a doubt his dedication to the Main Street organization and the Town. Jim is ready to relax and travel, but will remain involved as our go-to when we have building maintenance concerns. If you see Jim out and about, please give him a well deserved THANK YOU!

- We continue to work closely with Terri Bryant to keep our financials in order and are closing out the books for FY 2025. This coincides with finishing up grants, grant reporting, and completion of projects.
- We did ask (and received) an extension of the Legacy Grant with the Frederick County Tourism Office for one interpretive sign that we are working on that will be installed at the top of Jefferson Street and discuss the AME Church and Cemetery.

#### **Design Committee:**

- With new board members, we have renewed energy coming into the Committees! The Design Committee met at the end of July and discussed several topics as to how they pertain to the Main Street Improvement Grant for FY 2026.
  - Main Street Middletown has \$1000 to spend on outdoor décor to keep the Main Street building look fresh and vibrant. Most of these funds would go to the creation of small public art and installing year-round lights to outline the roof line.
  - Along with coming up with a calendar of when to change out our decorations (which is quarterly), we also have devised a Policy and Procedure to help us prioritize what community events and flyers we will prioritize to keep the outside from getting overly cluttered. The P&P will be reviewed at the August Board meeting.
  - An idea on how to handle the multiple requests we get to put up flyers in our window was to purchase an electronic picture frame so we could rotate flyers instead of worrying about putting up so many in the window. The Committee will be forwarding this idea to the full board later this August.

#### **Economic Development Committee:**

- The upcoming mixer in August is a little off track of our quarterly business mixer schedule. However, we felt an August get-together gives everyone enough time to think about the upcoming Heritage Festival in September and for us to encourage participation in the Scarecrows March Down Main, Business Appreciation Week, Small Business Saturday and get people thinking about Christmas in the Valley.

#### **Promotions:**

- ***PLEASE vote Daily in the Frederick News Post Best of the Best Contest – this is Round 1 of the Voting. Not only will you find many Main Street and Middletown businesses in multiple categories, but Middletown is up again for BEST SMALL TOWN. We have won this category since it started in 2019. Not only does this make me proud, but it also brings out this competitive edge – that we need to vote – we do not want to lose our title to other Frederick County communities – which are also nice – but we all know – Middletown is AWESOME!!!***

#### **Events**

- After a bad-weather day in June, we are finally getting geared up again for Vintage Vehicles in the Valley for Saturday, August 23, 2025. Volunteers have put a lot of time and thought into adding activities for kids. A special thank you to our Sponsors: Gladhill Furniture, Boggs Environmental, Middletown Valley Bank, LDS, Trout Liquors, and the Sugarloaf Mountain Region of the Antique Automobile Club of America.
- We are meeting monthly to keep our momentum on growing and exploring ways to add to the Middletown Health and Wellness Expo!
- We are also working on Scarecrows March Down Main. We met with the Middletown Branch Library last week and they are planning to do a special, Saturday morning storytime

(which they anticipate may be quite large due to many requests for Saturday morning storytime). Once the story is complete, the families will all “march” to the Welcome Center to start the judging of the Scarecrows.

- In 2026 we will be commemorating the anniversary of the signing of the Declaration of Independence. There are statewide, countywide, and regional events and celebrations associated with this commemorative anniversary year. Main Street Middletown, MD Inc. will be the first stop on the Frederick County Maryland House & Garden Pilgrimage Tour. Wearing both my work hat and my volunteer hat, I am thrilled that the Main Street Welcome Center will serve as the Tour’s headquarters and first stop of the day. This should insure that we will get a large number of visitors to our downtown.

**Town of Middletown Planning & Zoning Department**

To: Burgess & Commissioners and Middletown Planning Commission

From: JJ Hartner, Staff

Planner Date: 8/7/2025

RE: Monthly Planning Update – August

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**Major Subdivisions:**

**Foxfield - Section 6**

**Coblentz Road**

Revised Improvement and lighting plans reviewed by Staff Planner and returned to engineer for corrections.

**Site Plans, Plats and Minor Subdivisions:**

**Middletown Middle & Elementary School replacement**

**E. Green Street/Martha Mason Dr.**

The Improvement Plan was conditionally approved by the Planning Commission with the following conditions:

1. Execute Traffic MOU with Town and submit Improvement Plans to Planning Commission for approval for all public right-of-way changes.
2. Provide copy of recorded Landscape MOU to Town and maintain area as per agreement.
3. Provide corrected landscape drawings for Site Plan record set at Town.
4. Modify Landscape Signage 'General Note #2' to account for Zoning Administrator approval as well.
5. On the Cover Sheet, change 'has entered' into 'will enter' in the box related to the Traffic MOU.

Next steps – Engineer must submit a revised Improvement Plan that addresses the conditions outlined above. Once plans addressing conditions are approved, they will be signed by the Planning Commission Chair.

**Middletown Valley Food Bank**  
**101 W. Green Street**

The Improvement Plan was conditionally approved by the Planning Commission with the following conditions:

1. Add a note to the drawings to reference the setback variance granted by the Board of Appeals.
2. Update parking exhibit on drawings to identify all required parking spots.
3. Add sign at entrance to note overflow parking is at Church.
4. Add note on drawings to identify 'fee in lieu' to meet Forest Conservation requirements.
5. Address any outstanding comments from Town Engineer.
6. Address any outstanding comments from Town Staff.

Next steps – Engineer must submit a revised Improvement Plan that addresses the conditions outlined above. Once plans addressing conditions are approved, they will be signed by the Planning Commission Chair.

**Variance Proposals:**

**Sousa Property**  
**312 Main Street**

The Petitioner is requesting approval to increase the allowable back yard coverage from 10% to 12.59% and increase the maximum allowable back yard coverage cap from 1,000 square feet to 2,490 square feet. It should be noted that included in both coverage totals are historically significant structures, and preservation of unique or historic landmarks is one of the key goals of the Middletown Comprehensive Plan.

**Section 17.32.170.D.(13)**

Reduce the required cumulative square footage allowed for all accessory structures from 10% of rear yard not to exceed 1,000 square feet to 12.59% of rear yard not to exceed 2,490 square feet.

Board of Appeals approved this variance request on July 8, 2025.

**Zoning Certificates Issued:**

<b>July 2025 Zoning Certificates</b>	<b>Type</b>	<b>Address</b>	<b>Permit #</b>	<b>M-town Received</b>	<b>Zoning Admin. Approval</b>	<b>County Approval</b>
James Sheridan	Storage Containers & Dumpsters	<a href="#">3 Woodmere Circle</a>	Town	7/7/2025	7/8/2025	Yes
Edwin Mark Sauer	Additions	<a href="#">322 Ingalls Drive</a>		7/9/2025	7/10/2025	Yes
Christopher and Laurel Sousa	Accessory Structure	<a href="#">312 East Main Street</a>		7/9/2025	7/10/2025	Yes
Doug O'Rear	Fences	<a href="#">2 Ivy Hill Drive</a>	Town	7/8/2025	7/10/2025	Yes
Garland & Andrea Scott	Interior Improvements	<a href="#">203 N. Pointe Terrace</a>		7/25/2025	7/28/2025	Yes
Carroll Kehne	Solar Panels	<a href="#">5 Lauber Ct.</a>		7/28/2025	7/28/2025	Yes
Reina Juarez	Fences	<a href="#">501 East Main Street</a>	Town	7/28/2025	8/1/2025	Yes
Heather Shanton	Interior Improvements	<a href="#">509 East Main Street</a>		7/31/2025	8/1/2025	Yes
Charlotte Warrenfeltz	Storage Containers & Dumpsters	<a href="#">17 Locust Blvd</a>	Town	7/28/2025	8/1/2025	Yes

**Text Amendments:** Working on updating the Subdivision and Land Development Regulations and the Zoning Regulations. Currently working on new regulations required for Accessory Dwelling Units.

**Reports:** N/A

**Grants:** N/A

**Meetings:** Foxfield Section 6 Status meetings – every other Wednesday at 12:30pm  
Next Middletown Green Team Meeting – August 19, 2025, at 4pm

**Next Joint town board/planning commission workshop** – Monday, October 6, 2025 @ 6:30pm

# *BURGESS AND COMMISSIONERS OF MIDDLETOWN MARYLAND*

## TOWN MEETING MINUTES

July 14, 2025

The meeting of the Burgess and Commissioners of Middletown was called to order on July 14, 2025, by Burgess Miller at 7:00 p.m. Present were Commissioners Jennifer Falcinelli, Rick Dietrick, Larry Bussard, Kevin Stottlemeyer, and Chris Goodman.

**PUBLIC COMMENT:** None.

### **PRESENTATION:**

**D. Bruce Poole, Esquire – PFAS Settlement Information** – Mr. Poole reported that the PFAS litigation Middletown entered into was coming to conclusion. He commended the town's diligent and professional staff. Middletown's PFAS issues are nowhere near what other municipalities are facing. There are 4 defendants: 3M, Dupont, Tyco and BASF. The town has already received its first payment from 3M. The projected remaining compensation that Middletown is to receive from each company is 3M \$188,331, Dupont \$18,833, and Tyco & BASF (combined) \$14,124. Payments will be dispersed now through 2033 depending upon the company. The town is free to spend this money on whatever it wants. These payments won't be used against determinations for any future grants or remediation. He stated that there will be pressure on state and federal agencies for loans and grants in the future. He was asked if there has been any consideration for PFAS and wastewater. He stated it will come down to how much money is left over. Mr. Poole has found that the most responsive governments to this litigation have been the local municipalities. Burgess Miller thanked Mr. Poole for his assistance with this matter.

### **CONSENT AGENDA:**

- **Town Meeting Minutes**
  - *June 30, 2025 – Town Board Special Meeting Minutes*

**Motion:** Commissioner Falcinelli motioned to approve the consent agenda as presented. Seconded by Commissioner Bussard. Motion passed (6-0).

### **UNFINISHED BUSINESS**

#### **Zoning Map Amendment 101 & 103 Prospect Street –**

**Previously -** This is for the proposed rezoning of 101 & 103 Prospect Streets from R2 to OS. In 2009 the school building at 103 Prospect Street sat empty. To assist with the marketing of the property for sale FCPS requested a zoning change of the properties from OS to R2. The Town complied with the request. The property was eventually purchased by St Thomas More Academy, but the zoning of the property remained R2 instead of being rezoned back to OS. The Staff Planner noted this mistake in facts when researching information regarding the potential addition to the St Thomas More Academy. The building is currently an existing nonconforming structure in an R2. Schools are a matter of right in OS. Schools are special exceptions in R2. The planning commission recommends the rezoning from R2 to OS. There has been little opposition to this proposed rezoning from neighboring property owners. The zoning map is the proposed amendment.

**Tonight** – The Town Administrator (TA) reviewed the current zoning map which shows both properties as R2. He then reviewed what the new zoning map would look like if the properties were rezoned to OS. He reviewed his memo to the town board formally requesting the zoning amendment stating that the original change to R2 was a well-intended mistake of the town in order to fill a potential vacant property. It is noted that the Burgess and Commissioners may grant the amendment to change the zoning classification based on findings that there was a mistake in the existing zoning classification.

**Motion:** Commissioner Bussard motioned to approve the zoning map amendment changing 101 and 103 Prospect Street from R2 to OS. Seconded by Commissioner Goodman. Motion passed (6-0).

## **NEW BUSINESS**

**Utility Billing – Payment Options in the New System** – The TA reviewed the draft notification/education marketing of the upcoming switch to the new utility billing software. There are signs to be placed over the drop boxes, inserts to be placed in the next quarterly billing, and posters which can be placed on the doors. With the ease of payment through the new system he is requesting that the town eliminate the payments taken at the two local banks (Middletown Valley Bank and Truist Bank). The QR code on all the information will direct the residents to the landing page on the town website. This landing page will provide the different payment options available under the new system with the appropriate links for setting up. The town board asked what the new fees will be. It is proposed that the town absorbs the fees for utility billing payments, but residents and businesses would absorb the fees related to permits, planning and zoning fees, park rentals etc. After much discussion the town board would like staff to revisit if all fees can be passed on to the residents. The Finance Officer will review upon her return from vacation.

**Primary School – Flashing Crosswalk** – This is a possible tool to reduce crosswalk incursion by motorists during peak school traffic hours. Burgess Miller suggested installing a flashing crosswalk similar to the one currently installed across East Main Street at Cone Branch Drive. The intersection of Franklin Street and the primary school entrance is currently a flashing yellow traffic light but could be changed to a 3-way future stop lighted control intersection with pedestrian controls. The town could install the proposed flashing crosswalk like the one on Main Street at that intersection. The flashing crosswalk at Cone Branch Drive has conditioned drivers to stop at Cone Branch Drive. These flashing crosswalks are expensive. Solar powered ones are less expensive and would not require permits. The town board would like model options and costs provided to them via email to review. A banner could also be created and hung at the golf course reminding drivers of crosswalk safety for when school begins in the Fall.

## **REPORT OF COMMITTEES**

### **WATER & SEWER & Public Works –**

The Director of Public Works was present to review his monthly staff report which addresses both committee's monthly reports. To date 498 new meters have been installed as part of the transition to AMI. UCMR5 samples have been sent for testing. Well15/16 is now above the PFAS limits due to manganese build up in the fractures. Hydro fracking will open the fractures and reduce the PFAS levels. A new eye-wash station has been installed at the EWWTP. Scada has been installed at the Foxfield Pump Station. New shrubs have been staked and mulched. The CCTV is installed and still awaiting a power drop by Potomac Edison at Wiles Branch Park. Light poles have been painted on Woodmere.

For June, the springs were at 100 gpm or 144,000 gpd. This is due to the springline repair. This saves the town \$5,000 per year. Spring flow is 209,064 gallons, the EWWTP treated 228,000 gallons, the WWWTP treated 237,000 gallons and the town received 3.25 inches of rain in June. Costs for reed bed sludge

removal are every 4 years. The consumer confidence report has been posted to the town website and the link included in the most recent water bill. RKK will apply for the expanded permit (PER and for the golf course), a presentation to the town board will occur prior to submission to MDE. Town staff met with MDE 7/2/25 regarding Foxfield Section 6. The consultant has provided the monitoring plan to the MDE. It includes decreasing monitoring for 2 weeks in the beginning and 2 weeks at the end of the monitoring period. MDE suggested pumping the entire annual water allocation in 90 days and monitoring the results.

The town will replace 3 HVAC units at town hall. Linden Boulevard bids are due 7/25/25.

Co-located Schools – SHA has reviewed the traffic study. Previously the town met 2 of the 9 warrants based upon data collected. The most recent report states that no warrants are met. The consultant recommends revisiting once school is in session.

Martha Mason – The DPW recommends making Martha Mason one-way into the school. This would require installing a barrier at the end nearest to the school complex to block traffic coming from the school and Green Street heading toward Main Street. Property owners with driveways on Martha Mason would have to follow the one-way as well. Possible parking on one side of Martha Mason was discussed.

Green Street and Schoolhouse Drive – the town will have to decide if it wants a traffic light or crossing guard at the proposed 4-way stop at the intersection.

**SUSTAINABILITY** – Commissioner Stottlemyer reported:

Volunteers would like to add more plants to the Foxfield circle island and eyebrow. They are working on updating the tree ID signage at Wiles Branch Park. During the Annual Day of Action the volunteers would like to weed Wiles Branch Park. Volunteers are planning the Fall recycling event in October. The Staff Planner has submitted the Sustainable Maryland application. He has been researching the request by a resident to maintain the conservation area behind her property in Foxfield. He has yet to find the rules as to what can be done for the easement. Burgess Miller suggested that Commissioner Stottlemyer provide his presentation on sustainability that he did at the MML conference to the town board at the next meeting. It was very well received at the conference.

**PLANNING COMMISSION** – Commissioner Bussard reported:

The Planning Commission will be reviewing the Food Bank Improvement Plans and the Co-located School Improvement Plans including traffic at the July workshop and meeting.

**PARKS AND REC. COMMITTEE** – Commissioner Goodman reported:

The triple shootout has been installed at Wiles Branch Park and looks great. The contractor has been blowing the grass clippings on the pickleball courts. Town staff will speak with the contractor to not do that any longer. The pickleball committee has marked several spots for benches around the pickleball court. Possible shading options for the benches have been suggested. Discussion occurred regarding the development of an ordinance addressing violations of town park rules. Staff will review town code to see if it is necessary and provide suggestions if needed.

**PUBLIC INFORMATION** – Commissioner Falcinelli stated there were 3849 individual visits to the town's website. The top 5 pages reviewed were 1. Middletown Events, 2. Business Directory, 3. Community Calendar, 4. Agendas and Minutes and 5. Parks. 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 REPORT**

The TA reported that to date rental licenses have been issued for 266 rentals on 114 rental properties in town. This totals \$6,650 in fees collected. Five to six known apartment buildings have yet to register. Late fees are waived through July 2025 but will commence implementation August 1<sup>st</sup> for those rental properties not yet registered.

The meeting adjourned at 8:31pm.

Respectfully submitted,

Annette Alberghini,  
Office Manager

## Weekly Report: Statistics Summary

Location: Franklin Street  
 Address: 403 Franklin Street  
 Speed Limit: From schedule 25 mph

Report Period: 2025-07-28 to 2025-08-10  
 Total Vehicle Count: 8129

Hour	Total Vehicle	Average Vehicles	Total Violations	PercentViolations	MIN Speed	MAX Speed	Speed Average	85% Speed mph	Speed (mph)	
									Count	Count
									1-5	1
									6-10	2
00:00 - 01:00	22	11	21	95 %	23	54	37	41	11-15	1
01:00 - 02:00	6	3	6	H 100 %	27	52	19	36	16-20	25
02:00 - 03:00	9	5	7	78 %	21	43	22	41	21-25	585
03:00 - 04:00	8	4	8	H 100 %	H 30	44	21	43	26-30	2262
04:00 - 05:00	20	10	20	H 100 %	25	53	33	43	31-35	2651
05:00 - 06:00	42	21	39	93 %	23	47	36	42	36-40	1792
06:00 - 07:00	155	78	121	78 %	20	52	32	38	41-45	654
07:00 - 08:00	319	160	296	93 %	19	52	33	39	46-50	129
08:00 - 09:00	399	200	375	94 %	19	49	33	39	51-55	24
09:00 - 10:00	373	187	357	96 %	20	54	33	39	56-60	2
10:00 - 11:00	370	185	346	94 %	21	50	33	39	61-65	1
11:00 - 12:00	443	222	412	93 %	4	49	34	39	66-70	0
12:00 - 13:00	423	212	392	93 %	9	50	33	39	71-75	0
13:00 - 14:00	445	223	421	95 %	19	48	33	39	76-80	0
14:00 - 15:00	616	308	583	95 %	18	52	33	40	81-85	0
15:00 - 16:00	835	418	773	93 %	17	55	33	39	86-90	0
16:00 - 17:00	H 946	H 473	H 878	93 %	17	57	33	39	91-95	0
17:00 - 18:00	840	420	793	94 %	15	48	33	39	96-100	0
18:00 - 19:00	569	285	513	90 %	19	51	33	39	Total	8129
19:00 - 20:00	490	245	442	90 %	19	50	32	38		
20:00 - 21:00	436	218	387	89 %	19	H 62	31	37		
21:00 - 22:00	193	97	170	88 %	21	50	31	36		

22:00 - 23:00	121	61	112	93 %	18	54	33	39
23:00 - 24:00	49	25	43	88 %	20	51	33	39
<b>Summary</b>	8129	4071	7515	AVG: 92 %	4	62	AVG: 32	AVG: 39

H - highest value in the column, **H** is highest H value in report

\*\* "n/a" - means the sign did not collect any data at the time stipulated in the report. "n/a" values are NOT included in calculations.



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

## MEMORANDUM

**TO:** Burgess and Commissioners of Middletown

**FROM:** J. R. Hawkins, P.E., CIP Project Manager

**DATE:** July 28, 2025

**RE: Construction Project – Linden Boulevard Reconstruction**

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The Town of Middletown received bids for the Linden Boulevard Reconstruction Project on July 25, 2025. The invited contractors totaled three and the bid was publicly advertised on our website. Three bids ranging from \$1,613,000.00 to \$3,015,800.00 were received from contractors.

Kinsley Construction, Inc. of York, Pennsylvania was the lowest bidder with a bid of \$1,613,000.00 based on the quantities in the Bid Form given by Triad Engineering and the Town. They acknowledged all addendums and filled out the Bid Form correctly. All documents were in order. Their list of projects and references indicates that they can perform the work included in the project. They are the same contractor that performed the work on West Green Street and Broad Street. They were very easy to work with and completed West Green Street and Broad Street on time and on budget. The Town's experience with this contractor has been very positive.

When the Town of Middletown elects to proceed with the project, the staff recommends the award of the contract to Kinsley Construction, Inc. in the amount of \$1,613,000.00. The project is being funded by a loan with the remaining funds in the amount of \$1,850,000.00.

LINDEN BOULEVARD IMPROVEMENTS BID TAB											
07/28/25											
Item	Description	Unit	Estimated Quantity	ENGINEERS ESTIMATE		KINSLEY		WASTLER & SON		CJ MILLER	
				Bid Unit Price	Extended Price in Figures	Bid Unit Price	Extended Price in Figures	Bid Unit Price	Extended Price in Figures	Bid Unit Price	Extended Price in Figures
1	MOBE, DEMOBE, TRAILERS, BONDS, INSURANCE	LS	1	\$ 100,000.00	\$ 100,000.00	\$ 83,300.00	\$ 83,300.00	\$ 226,490.00	\$ 226,490.00	\$ 306,951.00	\$ 306,951.00
2	CLEARING AND GRUBBING	LS	1	\$ 5,000.00	\$ 5,000.00	\$ 6,000.00	\$ 6,000.00	\$ 15,515.00	\$ 15,515.00	\$ 23,910.00	\$ 23,910.00
3	CONSTRUCTION STAKEOUT	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 22,750.00	\$ 22,750.00	\$ 26,985.00	\$ 26,985.00	\$ 34,440.00	\$ 34,440.00
4	EROSION AND SEDIMENT CONTORL	LS	1	\$ 30,000.00	\$ 30,000.00	\$ 15,400.00	\$ 15,400.00	\$ 21,800.00	\$ 21,800.00	\$ 33,545.00	\$ 33,545.00
5	MAINTENANCE OF TRAFFIC	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 65,700.00	\$ 65,700.00	\$ 28,550.00	\$ 28,550.00	\$ 405,325.00	\$ 405,325.00
6	CLASS I EXCAVATION, REMOVAL OF PAVING, SIDEWALK, CURB AND GUTTER, BACKFILL, BORROW BACKFILL, GRADING, COMPACTION	LS	1	\$ 100,000.00	\$ 100,000.00	\$ 116,311.00	\$ 116,311.00	\$ 227,590.00	\$ 227,590.00	\$ 277,535.00	\$ 277,535.00
7	CONCRETE CURB & GUTTER(STANDARD OR DEPRESSED	LF	4150	\$ 25.00	\$ 103,750.00	\$ 25.30	\$ 104,995.00	\$ 26.00	\$ 107,900.00	\$ 33.00	\$ 136,950.00
8	REINFORCED CONCRETE DRIVEWAY APRONS STEPS & SIDEWALKS, 6-INCH DEPTH	SF	3000	\$ 12.00	\$ 36,000.00	\$ 13.10	\$ 39,300.00	\$ 14.00	\$ 42,000.00	\$ 12.00	\$ 36,000.00
9	4-INCH DEPTH, 5-FOOT-WIDE CONCRETE SIDEWALK AND RAMPS	SF	300	\$ 20.00	\$ 6,000.00	\$ 9.02	\$ 2,706.00	\$ 11.50	\$ 3,450.00	\$ 10.00	\$ 3,000.00
10	GRADED AGGREGATE BASE UNDER PAVEMENT (6-INCH DEPTH)	SY	8200	\$ 11.00	\$ 90,200.00	\$ 9.30	\$ 76,260.00	\$ 8.70	\$ 71,340.00	\$ 13.00	\$ 106,600.00
11	HOT MIX ASPHALT SUPERPAVE 9.5mm - 2 INCH SURFACE	SY	2000	\$ 22.00	\$ 44,000.00	\$ 13.55	\$ 27,100.00	\$ 15.00	\$ 30,000.00	\$ 12.60	\$ 25,200.00
12	HOT MIX ASPHALT SUPERPAVE 12.5mm - 2 INCH SURFACE	SY	8200	\$ 22.00	\$ 180,400.00	\$ 11.75	\$ 96,350.00	\$ 9.90	\$ 81,180.00	\$ 12.60	\$ 103,320.00
13	HOT MIX ASPHALT SUPERPAVE 19mm - 4 INCH BASE	SY	8200	\$ 28.00	\$ 229,600.00	\$ 19.00	\$ 155,800.00	\$ 19.20	\$ 157,440.00	\$ 19.50	\$ 159,900.00
14	2" MILLING OF SURFACE	SY	500	\$ 5.00	\$ 2,500.00	\$ 15.15	\$ 7,575.00	\$ 5.00	\$ 2,500.00	\$ 10.65	\$ 5,325.00
15	STORM DRAIN INLET, 5' COG/COS	EA	8	\$ 4,000.00	\$ 32,000.00	\$ 5,070.00	\$ 40,560.00	\$ 7,350.00	\$ 58,800.00	\$ 5,161.00	\$ 41,288.00
16	STORM DRAIN INLET, 10' COG/COS	EA	2	\$ 5,000.00	\$ 10,000.00	\$ 6,530.00	\$ 13,060.00	\$ 9,450.00	\$ 18,900.00	\$ 7,983.00	\$ 15,966.00



1C	GEOSYNTHETIC STABILIZED SUBBASE USING GRADED AGGREGATE BASE	CY	200	\$ 75.00	\$ 15,000.00	\$ 90.70	\$ 18,140.00	\$ 70.00	\$ 14,000.00	\$ 140.00	\$ 28,000.00
2C	MISCELLANEOUS SELECT BACKFILL, CONTINGENT	CY	50	\$ 40.00	\$ 2,000.00	\$ 95.80	\$ 4,790.00	\$ 55.00	\$ 2,750.00	\$ 120.00	\$ 6,000.00
3C	MISCELLANEOUS TEST PIT & UNCLASSIFIED EXCAVATION AND REFILL, CONTINGENT	CY	50	\$ 75.00	\$ 3,750.00	\$ 201.40	\$ 10,070.00	\$ 150.00	\$ 7,500.00	\$ 180.00	\$ 9,000.00
4C	MISCELLANEOUS CONCRETE, SHA MIX NO. 1, CONTINGENT	CY	10	\$ 300.00	\$ 3,000.00	\$ 375.00	\$ 3,750.00	\$ 275.00	\$ 2,750.00	\$ 950.00	\$ 9,500.00
5C	UNSUITABLE EXCAVATION AND GRAVEL REFILL BELOW SUBGRADE	CY	200	\$ 55.00	\$ 11,000.00	\$ 110.00	\$ 22,000.00	\$ 60.00	\$ 12,000.00	\$ 140.00	\$ 28,000.00
					\$ 34,750.00		\$ 58,750.00		\$ 39,000.00		\$ 80,500.00
	Total Bid Price			\$	1,594,170.00	\$	1,613,000.00	\$	1,899,829.00	\$	3,015,800.00

## Chapter 12.08 TREE PLANTING REGULATIONS

### Sections:

#### 12.08.010 Definitions.

As used in this chapter, the following terms are defined in this section:

"Tree" means a perennial woody plant having a single self-supporting trunk generally with a few or no branches on its lower part.

(Ord. 00-04-01 § 1, 2000)

#### 12.08.020 Approved plantings.

Low-growing shrubs or bushes may be planted within the plot between the curb and sidewalk if approved by the town and if they are of a species approved by the town for street-side planting.

(Ord. 00-04-01 § 3, 2000)

#### 12.08.030 Abatement—Generally.

The town shall have the right to order the owner of any property abutting a sidewalk, street or alley or other public right-of-way to trim or remove any tree, shrub or bush for reason of obstruction or hazard. If the owner fails to abate the condition within ten (10) days of the notice, or some other reasonable time as indicated in the notice, the condition may be abated by the town at the expense of the owner, such expense to be charged as a lien against the property.

(Ord. 00-04-01 § 5, 2000)

#### 12.08.040 Unlawful, prohibited acts designated—Penalty.

- A. It is unlawful for any person to plant or set a tree or trees within the plot between the sidewalk and the curb along any town public right-of-way, road or street when the sidewalk is less than six feet from the curb.
- B. It is unlawful for any person to suffer or permit the limbs or foliage of any tree on his or her property to extend over any sidewalk of the town at a height less than ten (10) feet from the ground or over any street or alley at a height of less than fifteen (15) feet.
- C. No person shall cut, destroy or injure any pre-existing tree or shrubbery on any of the streets, parks or other public places of the town or on private property without the consent of the owner thereof, except as noted in Section 12.08.030. Any person violating this section shall, on conviction thereof, be guilty of a misdemeanor and punishable in accordance with the provisions of the Middletown Code of Ordinances.
- D. **No person, builder, or developer shall plant or set trees within a five-foot radius of any existing Town Utility. This also applies to any proposed Town owned utilities designed on development/improvement plans. These utilities shall include but are not limited to sanitary sewer clean outs, water service curb stops/curb stop boxes, water service meter vaults, water service valve boxes, Town owned streetlights, Town owned electrical hand/pull boxes, street signs, etc."**



- Frederick County Boundary
- Surrounding Counties**
  - Maryland
  - <all other values>

100.2                      0                      50.08                      100.2    Feet

1:601



8/6/2025

NAD\_1983\_StatePlane\_Maryland\_FIPS\_1900\_Feet

While efforts have been made to ensure the accuracy of this map, Frederick County accepts no liability or responsibility for errors, omissions, or positional inaccuracies in the content of this map. Reliance on this map is at the risk of the user. This map is for illustration purposes only and should not be used for surveying, engineering, or site-specific analysis.

## V. Work Schedule

### Administrative Staff

Full-time employees are paid based on a 40 hour work week including ½ hour for lunch per work day. Regular work hours are established as 8:00AM – 4:00PM, Monday – Friday. Employees other than receptionists may vary their work hours with approval from their supervisor. Certain positions are considered Fair Labor Standards Act (FLSA) exempt. Those positions are listed as: Town Administrator, Director of Public Works, Finance Officer, and CIP Project Manager.

Some administrative staff ~~is~~ **are** required to attend evening meetings held by the Town Board and/or Commission(s) and/or Committee(s). Compensation for these additional hours of work is covered in the Compensation Section of this policy.

### Public Works Staff

Full-time employees are paid based on a 40 hour work week including ½ hour for lunch per workday. ~~Regular~~ **Generally**, work hours are established as 7:00AM – 3:00PM, Monday – Friday **for scheduling purposes only**. In the event of extreme heat during the summer, the Director of Public Works and/or the Town Administrator may authorize a change in starting time to avoid heat related health issues. Maintenance staff and the Water & Sewer Department are required to work weekends and holidays in order to maintain the treatment facilities of the Town. Compensation for these additional hours of work is covered in the Compensation Section of this policy.

When working Monday-Friday, followed by a weekend Saturday and Sunday shift, Water and Sewer Department employees may take the following Monday off and then work 10-hour days, Tuesday – Friday, the rest of the week. These employees must have prior approval from their supervisor. If that Monday is a town holiday, then the employee will work their regular 8-hour workday schedule the rest of the week.

### Alternative Work Schedule

Town employees may be considered for alternative work scheduling on a case-by-case basis by their direct supervisor. Upon approval of a flexible work schedule, a six-month trial period will apply to assess the impact and effectiveness of the arrangement. If successful, the work arrangement will be reviewed annually thereafter. The arrangement may be canceled for any reason by their supervisor. Flexible work arrangements are not appropriate for all employees or positions and are not a universal employee benefit. When a paid holiday falls on an employee's regularly scheduled workday, the employee will be paid eight hours of holiday pay. If the regularly scheduled workday is greater than eight hours, the employee will be required to use either vacation or compensatory time earned to make up for the time in excess of the eight hours that the employee was scheduled to work.

### **Weather Related Leave:**

Closing of Frederick County Offices and Town Offices Due to Weather: In the event of extreme weather conditions, a determination may be made to close non-essential Frederick County offices. If non-essential Frederick County Offices are closed due to weather, Town Hall will close, and all regularly scheduled non-essential Town employees will be granted paid leave, excluding any employee already scheduled off that day.

Frederick County and Town Liberal Leave: If marginal weather conditions exist, and if travel to or from work is deemed unsafe by a Supervisor due to the weather, a determination may be made by Frederick County and/or the Town

Administrator to allow the use of Liberal Leave for non-essential personnel. An employee may use any available accrued leave type, except for Sick Leave. If the employee has no leave available, Leave Without Pay will be used for time taken off due to Liberal Leave.

- The Town will grant Liberal Leave to non-essential employees who need to be late or absent from work due to marginal weather conditions and unsafe driving conditions.
- Employees must notify their Supervisor immediately if they intend to take Liberal Leave.
- Under these circumstances, the Town will grant Liberal Leave to non-essential employees whose children's specific school districts are delayed or closed on said day.
- Non-emergency essential employees arriving late under a Liberal Leave determination will not be penalized for tardiness but will be required to use their leave hours or Leave Without Pay, if they have no leave time available, for the period between the scheduled work starting time and their arrival.

## Emergency Work

In response to emergency situations such as: waterline breaks, sewer clogs, snowstorm events, etc., some employees, as identified by the Town Administrator, Director of Public Works and/or the Assistant Director of Public Works, will be required to work to resolve the emergency. Compensation for these additional hours of work is covered in the Compensation Section of this policy.

## VI. Compensation

There are five (5) FLSA exempt staff positions in the Town. They are the Town Administrator, the Director of Public Works, the Finance Officer, the Town Planner, and the CIP Project Manager. All other non-exempt positions in the Town are hourly.

### Overtime and Compensatory Time

Overtime will be paid at a rate of 1.5 times the employee's normal hourly rate. Overtime will be paid for all hours worked in excess of 40 hours worked per week with prior approval of their supervisor. ~~Regular hours worked, Vacation, sick leave, holiday leave, and comp time jury duty, voting, administrative leave or bereavement leave are not hours physically worked and cannot be~~ used to determine hours worked in excess of 40 hours per week. In addition, any hours ~~for approved callouts or details scheduled in advance (such as park duties, water testing and special events) worked outside the normal work week~~ will be paid at an overtime rate. Weekend work will be paid at overtime rates if in excess of the 40 hours ~~work week~~. (Overtime pay does not apply to FLSA exempt staff positions.)

Compensatory time off is time off with pay in lieu of overtime pay for irregular or occasional overtime work. Non-Exempt employees must be compensated for every hour worked. Non-exempt employees may elect to receive paid compensatory time off in lieu of monetary payment for overtime, with the prior approval of their supervisor. Every hour physically worked over 40 hours, in a work week, must be compensated at 1.5 multiplied by the totals hours over 40 hours worked. The maximum accumulation of compensation time is 120 hours.

### Pay Period

Wages are disbursed bi-weekly on Friday's. The pay period is from ~~Monday – Sunday Thursday – Wednesday~~. Employees are only offered the option of direct deposit. There are 26 pays per year. If a pay day falls on a holiday, paychecks will be made available the day before. If there are extenuating circumstances, pay might be made available early with the approval of the Town Administrator and the Burgess & Commissioners.

retroactively and may require an employee retention agreement.

The minimum recognition bonus that can be earned is \$500 and a maximum of \$1,500. To determine if a degree, certification, or license qualifies for a recognition bonus, and to determine the bonus amount, employees must submit a "Recognition Bonus Eligibility Request" form, endorsed by the employee's immediate supervisor, to the Town Administrator, for review and authorization by the Personnel Committee. Employees must submit an eligibility request, and receive an authorization, before beginning a degree or training program, to be eligible for a bonus.

Authorized recognition bonuses will be promptly awarded to the employee, after completion and presentation of formal degree, certification, or license.

### **Milestone Awards**

Employees receive Milestone Awards for every 5 years of service, starting with their 5-year anniversary. Employees can choose cash (taxed), 457b deposits (taxed/untaxed), or personal leave. The awards are as follows:

5 years of service	\$250	or	8 hours of Personal Leave
10 years of service	\$500	or	16 hours of Personal Leave
15 years of service	\$750	or	24 hours of Personal Leave
20 years of service	\$1,000	or	32 hours of Personal Leave
25 years of service	\$1,250	or	40 hours of Personal Leave
30 years of service	\$1,500	or	48 hours of Personal Leave

## **VII. Telecommuting**

Employees may be able to telecommute if it would benefit both the employee and the employer. Telecommuting is the practice of working at home or at a place closer to home instead of physically traveling to a central workplace. If an employee thinks that telecommuting would improve their ability to get their job done, an initial written request should be submitted to the Town Administrator. Once it has been determined by the Town Administrator that an employee is able to telecommute when necessary or as needed, that employee can send an e-mail request or request by phone instead of needing a written request.

The initial request should explain how telecommuting would be beneficial for the employee and the Town. The request should explain how the employee would be accountable and responsible, what equipment is necessary, and how communication barriers would be overcome.

In deciding if telecommuting will be permitted, the Town Administrator will look at factors such as position and job duties, performance history, related work skills, and the impact on the organization. In addition, compensation, benefits, work status, work responsibilities, and the amount of time expected to work each day or each pay period will stay the same as before starting telecommuting (unless changes are agreed upon in writing).

If telecommuting is to be done on a regular basis as opposed to an as needed basis, the employee and the Town Administrator must agree upon the schedule and document it in writing. An employee cannot change his/her schedule until the Town Administrator approves the change.

For a Monday through Thursday work schedule with Friday, Saturday, and Sunday as nonwork days, if the holiday falls on Friday or Saturday the employee will be compensated with 8 hours of compensatory time. If the holiday falls on Sunday, the following Monday will be the observed holiday.

For a Tuesday through Friday work schedule with Saturday, Sunday, and Monday as nonwork days, if the holiday falls on Saturday, the preceding Friday will be the observed holiday. If the holiday falls on Sunday or Monday, the employee will be compensated with 8 hours of compensatory time.

## Annual

Annual leave is accrued in accordance with the following time in service and based on **80** hours of straight-time pay and is accounted for on a calendar year:

<u>Years of Service</u>	<u>Hours Accrued Bi-Weekly</u>
<del>0 through completion of Year 3</del>	<del>3.08</del>
<del>4 through completion of Year 14</del>	<del>4.62</del>
<del>15 and Up</del>	<del>6.16</del>

<u>Yrs of Service</u>	<u>Hrs. per pay</u>	<u>Weeks earned per year</u>
0-3 years	3.08hrs	2 weeks
3-8 years	4.62hrs	3 weeks
8-12 years	5.38hrs	3.5 weeks
12-19 years	6.16hrs	4 weeks
19+ years	6.92hrs	4.5 weeks

For full-time employees, hours accrued per calendar year translate to 2 weeks for 3 years of service or less; 3 weeks for ~~more than 3 years of service~~ but less than ~~8~~ 15 years of service; ~~3.5 weeks for 8 years of service but less than 12 years of service~~; 4 weeks for ~~12~~ 15 years of service but less than 19 years of service; and 4.5 weeks for 19 years of service or more. Although accrual of annual leave begins when an employee enters on duty, annual leave may be used only after the employee is no longer on probationary status.

Part-time employees and intermittent and/or temporary employees do not earn annual leave.

Employees may carry over 80 hours of annual leave at the end of each year, i.e. December 31<sup>st</sup>. Employees are allowed to cash out an additional 40 hours beyond the 80 hours that is allowed for carry over each year. Example: If on December 31<sup>st</sup> the employee has 130 hours of annual leave accumulated, 80 hours would carry over to the next year, 40 hours would be paid out to the employee, and 10 hours would be lost.

Employees are required to notify their direct supervisor of request for use of annual leave.

## Family and Medical Leave Act (FMLA)

In addition to other types of leave mentioned in this chapter, eligible regular employees may qualify for FMLA leave.

### Basic Leave Entitlement

## **Celebration: Banner Placement Information Sheet**

**Overview:** Frederick County is excited to commemorate America's 250th Anniversary Year in 2026. As part of this celebration, we are offering custom streetscape banners at no cost to your municipal budget. These banners are designed to enhance community pride and showcase our collective celebration of this historic milestone.

**Request:** We are seeking your permission and cooperation to hang two banners in your city to ensure all of Frederick County is included in our celebration. All municipalities will receive the same banner.

### **What We Need from You:**

1. Authorization to place the banners.
2. Identification of two suitable poles or streetlamps for banner placement.
3. Confirmation that these poles are available for banner use.
4. City Seal logo

### **What Will Be Provided:**

- High-quality, double-sided vinyl banners.
- Custom graphic design services.
- Sponsorship outreach services to local businesses and approval of identified sponsor
- All necessary brackets and hardware.
- Full installation and maintenance services.
- Insurance coverage for repairs and replacements.

### **At the end of 2026:**

- If you choose not to continue beyond the 250th anniversary year, there is no cost for removal of all banners. Businesses will have the option to keep their banner as a keepsake, or they will be responsibly recycled.
- If you decide to continue with the program, the provider can proactively guide you through the process of refreshing the display. That includes working with you on brand-new designs, printing the new banners, and managing the full removal and reinstallation. All of this would be timed seamlessly, so there's no gap in display.

### **Benefits:**

- Enhance community pride and unity.
- Celebrate a significant historical milestone.
- No cost to your municipal budget.

Below is the proposed City Design for your banner project. Please note that the colors of the printed banners may vary from those shown in the proof due to the banner material.

