



AGENDA FOR THE TOWN MEETING

January 12th, 2026

Regular Meeting - 7:00PM

Drought Status- **Code Blue**

PLEDGE TO THE FLAG

CALL TO ORDER

PUBLIC COMMENT

CONSENT AGENDA

- Town Meeting Minutes
 - [December 4, 2025 – Town Workshop Meeting Minutes^V](#)
 - [December 8, 2025 – Town Board Meeting Minutes^V](#)
- [Drought Warning & Status Update](#)

UNFINISHED BUSINESS

- [250th Anniversary Elm Tree^{3V}](#)
- [Billing, Connection Fees and Rates Ordinance No. 26-01-01²](#)

NEW BUSINESS

REPORT OF COMMITTEES:

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

TOWN ADMINISTRATOR'S REPORT

ANNOUNCEMENTS

- [2026 Town Election Dates](#)

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

BURGESS AND COMMISSIONERS OF MIDDLETOWN MARYLAND

TOWN WORKSHOP MINUTES

December 4, 2025

The workshop of the Burgess and Commissioners of Middletown was called to order on December 4, 2025, by Burgess John Miller at 7:00 p.m. Present were Commissioners Jennifer Falcinelli, Rick Dietrick, Larry Bussard and Chris Goodman.

STAFF REPORTS:

Deputy Report – Deputy McCarrick reviewed his report.

Director of Public Works (DPW) Report – Bruce Carbaugh reviewed his report. The Town is currently in a moderate drought status. The current Town usage of water is 2,000 gallons less than this time last year. Water use is down overall. After reviewing the electrical study with Potomac Edison, the Town is supposed to receive a check from Potomac Edison for overpayment. The UCMR has been completed ahead of schedule. The WWTP was inspected, and the permit was received. There needs to be a discussion regarding the MOU with FCPS regarding the 12” waterline. Staff have received and are reviewing the PER for submittal to MDE for the PFAS Grant. The Town has received four comments from MDE regarding the EDU schedule and the expectations listed are unrealistic for the Town to comply with.

Staff Planner (SP) Report – JJ Hartner reviewed his report. There are no changes for Foxfield Section 6 and it is ready for signature approval. The Town is currently working out an issue with a sidewalk easement and the forest conservation easement for the MS/ES Replacement project. The legal review of the forest conservation easement, Landscape Easement, and MOU for road construction is currently being reviewed by the Town’s attorney. JJ Hartner stated that the verbiage in the easement document needs to be stricter, or it could cause issues with other projects in the future. JJ is helping the Food Bank with obtaining their Zoning Permit from Frederick County. JJ stated that he will reach out to the Town attorney regarding the master Plan for Burnt Bridge Crossing Park.

JJ listed the Joint Town Board/Planning Commission Workshops for 2026 for the Town Board to review.

Main Street Manager Report – Becky Axilbund was not present.

Finance Officer (FO) Report – The request to extend the audit report filing has been approved by the State. The report must be filed by January 31, 2026. We are on target to meet that deadline. The utility billing software has been successfully implemented and there is one training session left. Bea Stottlemeyer also presented the notification comparison from the June Quarterly billing to the new software billing system in September 2025. The FO also listed a summary of the types of payments received during September, October, and November, showing that cash and checks are still the most processed form of payment methods and Visa is used more than any other credit/debit card. The FO’s report also included \$8,759 accumulated in credit card fees, which is about 3% overall. Bank accounts have been reconciled through October 2025. The town has \$2,859K in the bank. \$1,908K in the General Fund. \$951K in water/sewer. ARPA has a balance of \$82,214 which will be used towards the I&I study and construction.

Staff reports are included at the end of these meeting minutes.

CONSENT AGENDA:

- **Town Meeting Minutes**
 - *November 10, 2025 – Meeting Minutes - will be reviewed and approved on Monday, December 8, 2025.*

UNFINISHED BUSINESS

Funding Timeline for the WWTP ENR Upgrade – The tentative ENR Project Schedule timeline has been accepted by MDE. The original costs for ENR upgrade are \$40,405,577.

Bay Restoration Fund	\$29,423,577	Confirmed funding
Comp. Flood Mgt. Program	\$2,782,000	Town share \$927,333 Confirmed funding
Governor’s Supplemental Budget	\$1,500,000	Pulled due to State budget constraints
Congressionally Directed Spending	\$6,700,000	Final amount known Dec 2025 likely \$500K-\$1.5 million
Confirmed funding	\$32,205,577	
Unconfirmed Funding	\$8,200,000	

The lobbyist is diligently working on this manner. It will soon be sent to State and Federal Legislature.

POS/Grants Update – Bruce Carbaugh, (DPW), stated that playground specialists will start replacing the Keefauver swing set starting on December 15, 2025. Bruce also stated that he will get the Harris acquisition done prior to the holidays. Robert Wilkes, (TA) stated that the Food Bank Grant and contract have been approved.

CCTV Update – Robert Wilkes, (TA), presented the views from the new cameras and the graphs and break down of the information that can be conducive in other ways as well. He also stated that Phil Heffner has done a great job getting everything done with this project and that it will be completed by December 31st, 2025.

NEW BUSINESS

FCPS Request for Earlier Start-time on Saturdays for ES/MS Construction – There was discussion regarding FCPS wanting to start at 7am and work Monday through Saturday during the duration of the project. There was discussion regarding 7 am being too early for noise and that this request should have been discussed during the Planning Commission meetings for this project. Burgess Miller stated that the Town has received three emails regarding this request and they will be addressed on Monday, December 8th, 2025, Town Board Meeting.

Requested Updates to the Town Personnel Policy – Robert Wilkes, (TA), reviewed the changes in red to the Personnel Policy. The Board questioned what other municipalities provide for 30hr employees and for the TA to check with MML.

TOWN ADMINISTRATOR REPORT

Joint Meeting Schedule and Town Meeting Cancellations – Robert Wilkes, (TA) presented the Joint Town Board/Planning Commission meeting schedule and the Town Board meetings for next year that should be cancelled due to conflict of holidays. Robert Wilkes also discussed the option of ending the Town’s yard waste bags for residents at the end of November each year.

Burgess Miller and Robert Wilkes discussed their meeting with the Frederick County Sheriff’s Office regarding the deputy program. Robert Wilkes, (TA) also stated that he will contact the Town attorney regarding the verbiage being changed in the Town Ordinance for the W/S billing notice process.

ANNOUNCEMENTS

- *Christmas in the Valley – December 6, 2025, 4:00-8:00 pm*

The meeting adjourned at 8:18 pm.

Respectfully submitted,

Jen Rhinaman,
Recording Secretary

BURGESS AND COMMISSIONERS OF MIDDLETOWN MARYLAND

TOWN MEETING MINUTES

December 8, 2025

The meeting of the Burgess and Commissioners of Middletown was called to order on December 8, 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: Becky Myers, 2 Woodmere Circle, stated that there will be no issue if FCPS complies with the Town's noise ordinance. Rich Gallagher, 23 Woodmere Circle, asked if there was any clarification from FCPS as to why they want to start earlier in the morning. Bob Smart, 7525 Coblenz Road, questioned why FCPS did not bring up the time exemptions during the many Planning Commission meetings.

CONSENT AGENDA:

- **Town Meeting Minutes**

- *November 10, 2025 – Town Board Meeting Minutes*

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

UNFINISHED BUSINESS

FCPS Request for Earlier Start-time on Saturdays for ES/MS Construction – Robert Wilkes, TA, stated that if FCPS keeps decibels at the noise ordinance levels, there should be no issues.

Requested Updates to the Town Personnel Policy – Robert Wilkes, (TA), reported that other local municipalities consider 30 hours and above as full time employees and pay the same healthcare as if he/she were a 40hr employee. Robert Wilkes, (TA) also stated that the leave will be pro-rated as to how many hours are worked. The updates to be approved are:

- Part-time employees are now afforded holiday, birthday, and personal leave in addition to sick leave effective January 1, 2026.
- Medical and dental coverage will be offered to any permanent employee who works 30 hours a week consistently.
- Employees who work 30-39 hours a week are entitled to all leave types but at a prorated rate.

- We now have a cell phone use policy and vehicle safety policy in effect. **All employees must sign the cell phone use policy by January 31, 2026.**
- Raise requests, above and beyond COLA and merit, will be discussed during budget talks with the proper endorsements. If an employee has significant changes in their job duties or responsibilities, their pay will be evaluated immediately.

Motion: Commissioner Stottlemeyer motioned to approve the updates to the personnel policy. Commissioner Falcinelli seconded the motion. All approved. Motion carried. (6-0)

REPORT OF COMMITTEES

WATER & SEWER – Commissioner Falcinelli reported: There have been approximately 590 MXU’s replaced so far. Spring flow is currently 37gpm/53,280 gpd. For November water use was – 294,062 gal., spring flow was – 51,989 gal., East WWTP treated 159,000 gals. and West WWTP treated 137,000 gals. The town received 1.4 inches of rain in November. The current drought monitor indicates Middletown in moderate drought status and meets Code Blue standards. Well pumping at Foxfield Section 6 is underway.

PUBLIC WORKS – Commissioner Dietrick reported:

The Town staff assisted with the scarecrow event, changed banners, decorated the Town very nicely for Christmas, closed the parks, completed some maintenance on the playing fields, completed Miss Utility requests, replace a meter pit on E Green St, repaired a door at the Food Bank and have added salt on the trucks for the winter season.

SUSTAINABILITY – Commissioner Stottlemeyer reported:

The library has agreed to host the Green Expo next year and the shred event will occur across the street at Lucy School. St. Thomas Moore Academy is working on some raised bed plantings, and they will be tagging trees at Cone Branch Park next Spring. He also stated 94 vehicles attended the recycling event this fall.

PLANNING COMMISSION – Commissioner Bussard reported:

The Food Bank has received their zoning permit. JJ Hartner, Staff Planner, is working on the Forest Conservation Easement with FCPS and some sidewalk and easement issues. JJ is also working on the sidewalk issue near the Dentist’s office as well.

PARKS AND REC. COMMITTEE – Commissioner Goodman reported:

The new swing set is being placed at Cone Branch Park in December. The Memorial Park roof has been completed.

PUBLIC INFORMATION – Commissioner Falcinelli stated there were 7,740 individual visits to the town’s website. The top 3 pages reviewed were 1. Community Calendar, 2. Agendas and Minutes and 3. Middletown Events. 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

Jimmy Johns is opening on December 9th, 2025. The Town has received a Workman's Comp check in the amount of \$16,887.00 due to no accidents and safety compliance at work by the Town Employees. Robert also reviewed the cancelled meetings for December 22nd of this year and the ones that need to be cancelled for 2026, He also reviewed the Joint Town Board/Planning Commission Meetings. The Town Board agreed to the meetings and cancellations.

ANNOUNCEMENTS

The meeting officially adjourned at 7:36 pm.

Respectfully submitted,

Jen Rhinaman,
Recording Secretary



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: January 7, 2026
TO: Middletown Burgess and Commissioners
FROM: Bruce Carbaugh, Director of Public Works
SUBJECT: Water Supply Status and Drought

December Water Supply and Drought Status

The current monthly water usage is 295,730 gpd or 205 gpm. Last yr anavg 319,436, this yr anavg 312,110
 The current monthly spring yield is 40,822 gpd. Today: 26 gpm or 37,440 gpd.

December Rainfall 1.9 inch, last year 3.2 inch. Annual rain fall: 2025 rainfall **34.3"** 2024 **40.0"**, 2023 **31.2"**

"Anchor" Well Depths as of December 5, 2025

		Burgess and Commisioners of Middletown, Maryland											
		Town Wells Annual Well Depth Monitoring Spreadsheet 2025											
		JANUARY		FEBRUARY		SEPTEMBER		OCTOBER		NOVEMBER		DECEMBER	
Well	Well ID #	Water Depth BTOC (Feet)	Well Running Yes/No	Water Depth BTOC (Feet)	Well Running Yes/No	Water Depth BTOC (Feet)	Well Running Yes/No	Water Depth BTOC (Feet)	Well Running Yes/No	Water Depth BTOC (Feet)	Well Running Yes/No	Water Depth BTOC (Feet)	Well Running Yes/No
# 6	FR-73-6397	19	No	49	Yes	51	Yes	51	Yes	49	Yes	47	Yes
# 7	FR-65-0491	35	Yes	37	Yes	37	Yes	113	Yes	39	Yes	19	No
# 8	FR-73-1944	57	Yes	63	Yes	58	Yes	86	Yes	85	Yes	58	Yes
# 9	FR-04-8794	46	No	46	No	56	Yes	47	Yes	64	Yes	57	No



**Burgess and Commissioners of
Middletown, Maryland**

Town Wells Annual Well Depth Monitoring Spreadsheet 2024

		JANUARY		FEBRUARY		SEPTEMBER		OCTOBER		NOVEMBER		DECEMBER	
Well	Well ID #	Water Depth BTOC (Feet)	Well Running Yes/No	Water Depth BTOC (Feet)	Well Running Yes/No	Water Depth BTOC (Feet)	Well Running Yes/No	Water Depth BTOC (Feet)	Well Running Yes/No	Water Depth BTOC (Feet)	Well Running Yes/No	Water Depth BTOC (Feet)	Well Running Yes/No
# 6	FR-73-6397	52	yes	52	yes	10	Yes	51	Yes	20	No	18	Yes
# 7	FR-65-0491	50	yes	50	yes	70	Yes	62	Yes	46	Yes	48	Yes
# 8	FR-73-1944	26	yes	26	yes	69	Yes	81	Yes	71	Yes	73	Yes
# 9	FR-04-8794	47	no	47	no	45	No	45	Yes	46	No	46	Yes

CODE YELLOW (yellow water drop):

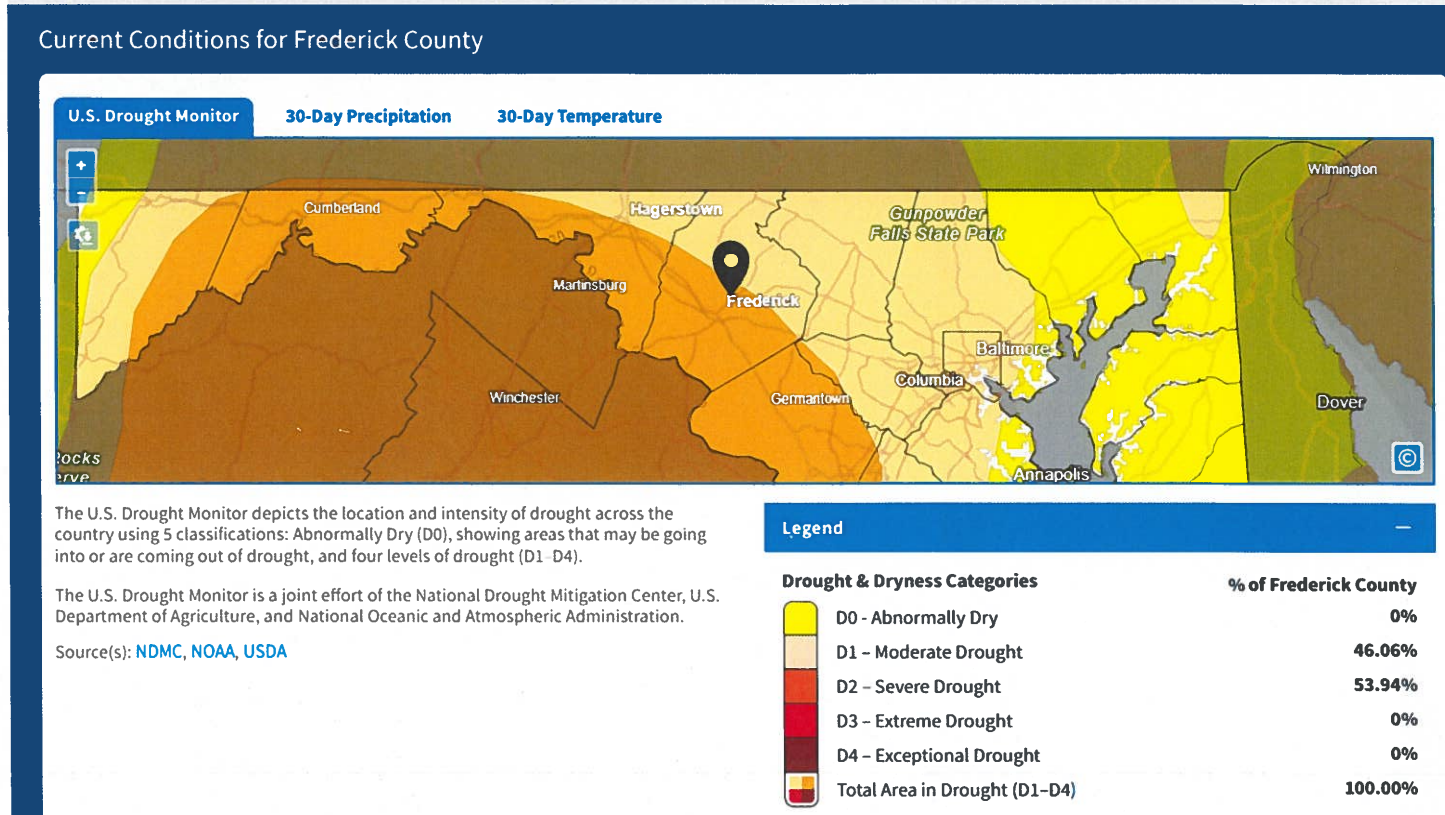
- Ground water conditions are decreasing at a rapid rate.
- Watering of lawns is prohibited.
- Additional voluntary water conservation is requested. Residents are requested to follow water conservation practices as outlined in “20 Tips to Prevent Water Waste” found on the town’s website.

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.

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.

Current Drought Map Tuesday December 30, 2025 D2 – Severe Drought



Staff Recommendation

Staff recommends continuing in Code Blue. If the current weather pattern is sustained we will likely recommend changes for the month of March.

- Action Item:** Purchase of an Elm Tree for the Country's 250th Anniversary
- Recommended Motion:** Look for a local company to provide a similar product at a lower cost.
- Background:** Liberty Tree Society offers a 35–45-foot American Liberty Elm tree with a bronze memorial plaque for the Country's 250th Anniversary.
- Budget Implications:** The cost of the tree with transportation from New Hampshire is approximately \$3,500.
- Staff Implications:** PW staff would assist and prep any area that is chosen for the tree planting.
- Enclosures:** Email from the Liberty Tree Society and Ads
-

Dear John,

Thank you for calling and for your interest in the 250th Anniversary Memorial. The Memorial includes a living, 35 - 45 ft. tall, 4 - 6 inch calp. American Liberty Elm with a 10" x 6" cast bronze memorial plaque commemorating the event, and a framed print. (see photo on attached form) Also included is a guide to how to hold your event.

We will make these Memorials available to interested communities as long as our supply of Liberty Elms lasts. This size disease-resistant American elm is a rare commodity and not available from commercial nurseries and are reserved for very special occasions. We will ship in October of 2025 and Spring of 2026. **The cost is \$1,585 (this price includes labor to dig, B & B and load on a truck).** You will be responsible for freight (shipped FOB Keene, NH), otherwise the tree can be picked up at our Keene, NH nursery. (See enclosed order form for details.) We may be able to pool your delivery with another, and freight will be half the cost.

If you order these items separately the costs are as follows:

4 inch caliper tree \$1,120 plus \$590 labor to dig, ball, burlap and load on truck
10" x 6" plaque \$325 plus shipping.

Framed print of Preamble of Declaration of Independence \$40

The root ball of these trees is approximately 72 inches. They weigh approximately 2,400 lbs.

We would be honored to have Middletown as one of the 250th Anniversary landmarks.

Other size trees are available. I am happy to provide a written estimate including freight charges. Please let me know if you have additional questions.

Please call for a quote or pricing on other size trees.

Thank you,

--

Yvonne Spalthoff

Liberty Tree Society sponsored by Elm Research Institute a 501(c)(3) organization

AMERICA'S 250TH BIRTHDAY LIBERTY ELM AND PLAQUE ORDER FORM

On July 4, 2026 America will be 250 years old. Before they stepped off the Mayflower, November 11, 1620, William Bradford required the male passengers to sign a Compact guaranteeing to each other that they would make, abide by, and enforce their own laws, thereby, creating America's 'First Constitution'. America 'the land of the free and the brave' was born that day.

We want your community to be an America's 250th Birthday Landmark town and to place a Liberty Elm and plaque in a highly visible location, near the Town Hall.

AMERICAN LIBERTY ELM

PLANTED IN
CELEBRATION OF
AMERICA'S
250TH BIRTHDAY

LIBERTY TREE SOCIETY, KEENE, NH

Preamble to the Declaration of Independence

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness."

ORDER FORM

AMERICA'S 250TH BIRTHDAY PLAQUE ONLY

(1) 10" x 6" x 1/4" America's 250th Birthday cast bronze plaque. Ready for mounting.

(1) 13" x 18" Preamble to the Declaration of Independence framed print for placement in the local Town Hall.

COST: \$325 + shipping charges.

AMERICA'S 250TH LIBERTY ELM TREE & PLAQUE

(1) 35 - 45 ft. tall, 4-6 inch calp., Liberty Elm, bagged and burlapped (B & B) loaded on truck.

(1) 10" x 6" x 1/4" America's 250th Birthday cast bronze plaque. Ready for mounting.

(1) 13" x 18" Preamble to the Declaration of Independence framed print for placement in local Town Hall.

COSTS:

_____ 35 +/- ft. \$1,850. FOB, Keene, NH

_____ 40 +/- ft. \$2,050. FOB, Keene, NH

_____ 45 +/- ft. \$2,200. FOB, Keene, NH

Our Purchase Order # _____

Ship to: Group _____

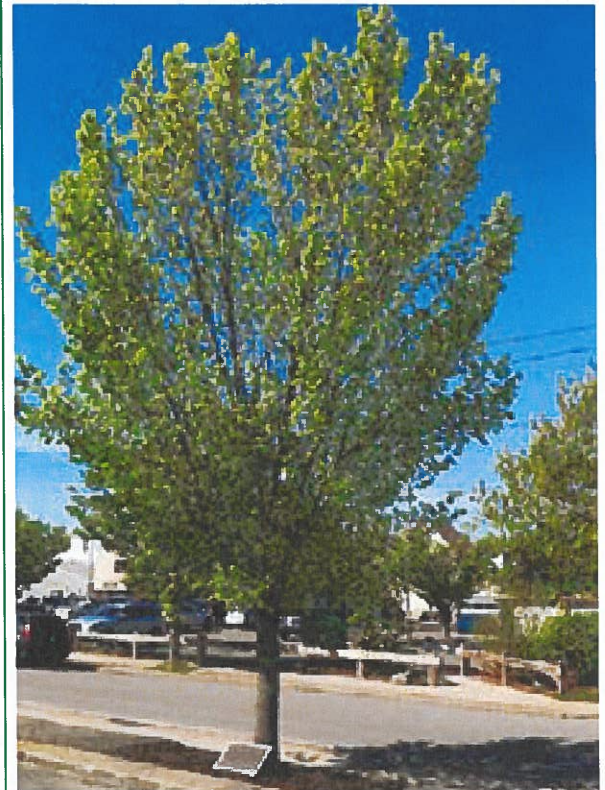
Address _____

City _____ St _____ Zip _____

Contact _____ Title _____

Phone _____ Date of dedication _____

We have chosen a permanent public site for our America's 250th Birthday Liberty Elm and plaque (Describe location and include map showing the location.)



Liberty Tree Memorial, Winthrop, MA

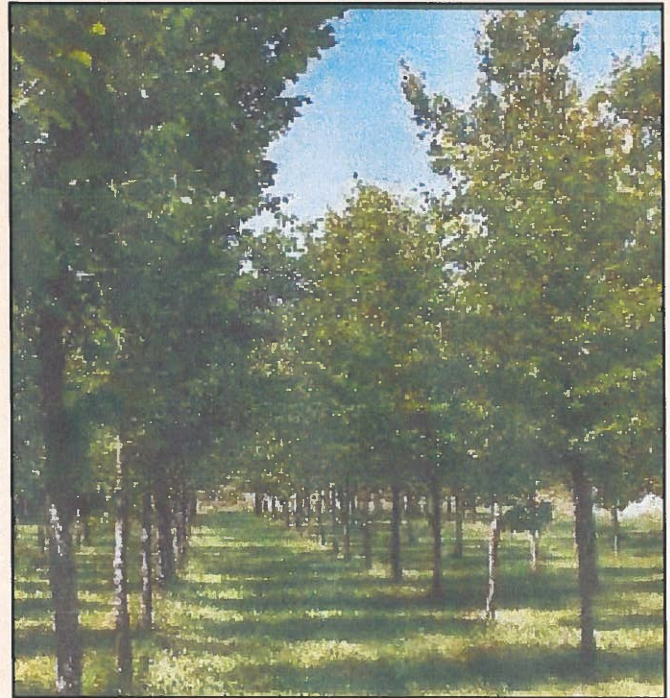
This is what your America's 250th Birthday Landmark could look like with plaque at the base of the Liberty Elm.

Liberty Tree Society • 11 Kit Street, Keene, NH 03431 (603)209-2434
<https://www.libertytreesociety.org/Store.html> • libertytreesociety@gmail.com

ORDER LIBERTY ELMS & MEMBERSHIP

In 1983 we introduced the American Liberty Elm, the first step toward a disease-resistant elm. It is the only American elm with a Lifetime Warranty against Dutch Elm Disease. Now we are working on a new cultivar cloned from the famous "Herbie", Yarmouth, Maine. America's oldest and most resistant elm, planted in 1770s.

We are currently offering Liberty Elms, 3 inch calp. and larger, for shipment in the Spring & Fall. Call for pricing (603)209-2434.



AMERICAN LIBERTY ELMS 3 - 8 INCH CALP, 35 - 45 FT. TALL. READY FOR SHIPMENT.

We invite you to be part of the next exciting chapter in elm restoration. When you become an ERI member you will be supporting an ongoing effort to restore the majestic American elm. To date we have distributed over 250,00 American Liberty Elms thanks to member support. Thousands have been donated for public planting. Please consider joining us today.

Annual Membership tax deductible

- _____ \$20 for 1 year
- _____ \$50 for 3 years

Donations from service clubs such as Rotary, Lions Club, Garden Club are always welcome.

As a thank you we will send (6) of our famous "Bi-centennial Elm" double-folded, ivory linen note cards with matching envelope. Boxes of (12) note cards and envelopes are \$18.



ORDER FORM

AMERICA'S 250TH BIRTHDAY PLAQUE ONLY

- (1) 10" x 6" x 1/4" America's 250th Birthday cast bronze plaque. Ready for mounting.
 - (1) 13" x 18" Preamble to the Declaration of Independence framed print for placement in the local Town Hall.
- COST: \$325 + shipping charges.**

AMERICA'S 250TH LIBERTY ELM TREE & PLAQUE

- (1) 35 - 45 ft. tall, 4-6 inch calp., Liberty Elm, bagged and burlapped (B & B) loaded on truck.
 - (1) 10" x 6" x 1/4" America's 250th Birthday cast bronze plaque. Ready for mounting.
 - (1) 13" x 18" Preamble to the Declaration of Independence framed print for placement in local Town Hall.
- COST:**

- _____ 35 +/- ft. \$1,850. FOB, Keene, NH
- _____ 40 +/- ft. \$2,050. FOB, Keene, NH
- _____ 45 +/- ft. \$2,200. FOB, Keene, NH

Our Purchase Order # _____

Ship to: Group _____

Address _____

City _____ St _____ Zip _____

Contact _____ Title _____

Phone _____ Date of dedication _____

ORDINANCE NO. 26-01-01

AN ORDINANCE TO AMEND TITLE 13 OF THE MIDDLETOWN MUNICIPAL CODE REGARDING BILLING POLICIES AND PROCEDURES AND CONNECTION FEES.

SECTION I. BE IT ORDAINED AND ENACTED by the Burgess and Commissioners of Middletown that Title 13, Chapter 12.040 of the Middletown Municipal Code be, and hereby is amended as shown below. Language being deleted is designated by being ~~in brackets and stricken through~~. New language is designated by being in **BOLD CAPITAL LETTERS**.

Title 13.12 – Water and Sewer Fees and Charges

13.12.040 -- Billing policies and procedures.

A. The provisions in this section are policy procedures only and constitute guidelines which do not create any requirements or standards which, upon non-compliance, will give rise to any claim, cause of action, or basis for non-payment for services rendered. The failure of the town to comply strictly with any of these policy procedures and guidelines is not a waiver or relinquishment of any of the rights of the town to seek payment for water and sewer services rendered nor does such failure create any defense to the obligation of the user to pay for water and sewer services rendered. **ADDITIONALLY, ALL WATER/SEWER ACCOUNTS REQUIRE AN EMAIL ADDRESS AND A CELL PHONE NUMBER FOR THE PROPERTY OWNER.**

B. Water/sewer bills are issued **QUARTERLY**~~annually~~ and mailed/emailed ~~in January, April, July and October of each year~~ for the water and sewer usage during the preceding three months.

1. **BILLS WILL INCLUDE THE SUM OF THE WATER AND SEWER USAGE CHARGES, AND STATE-MANDATED CHARGES AND FEES. CHARGES SUCH AS LATE FEES, SPECIAL ASSESSMENTS, AND OTHER FEES DETERMINED TO BE APPROPRIATE BY THE TOWN, MAY ALSO BE INCLUDED IN THE RECURRING WATER AND SEWER SERVICE CHARGE BILLING.** All water/sewer accounts will be established in the name of the property owner where service is rendered. Bills are mailed/**EMAILED** in the name of the property owner. ~~[to the property address]~~ The town will, however, upon written request by the property owner, mail bills to the property owner to such other address as designated by the property owner and will also mail bills in the name of the property owner but in the care of a designated property management company at that company's address. No accounts will be established, and no bills will be mailed/**EMAILED** in the name of tenants. Late notices, disconnection notices and any other notices will be mailed/**EMAILED** ~~in the name of~~ **TO** the property owner ~~[to the property address]~~ or to such other address or to such property management company as has been designated by the property owner for the mailing of bills.

2. **FOR THOSE PROPERTIES THAT ARE OR HAVE BEEN INCORRECTLY BILLED, THE TOWN RESERVES THE RIGHT TO ISSUE CORRECTIVE BILLS FOR UP TO THREE (3) FISCAL YEARS AFTER THE DATE OF**

THE FIRST INCORRECT BILL. THIS WOULD INCLUDE THE CURRENT FISCAL YEAR, AS WELL AS THE TWO PREVIOUS FISCAL YEARS. THIS POLICY IS IN ACCORDANCE WITH THE STATE OF MARYLAND'S STANDARD STATUTE OF LIMITATIONS (MD CODE, COURTS AND JUDICIAL PROCEEDINGS ARTICLE, §5-101), WHICH IS THREE (3) YEARS

C. Payments of water and sewer bills are due in full **WITHIN** ~~[on or before]~~ thirty (30) days from the date of the bill. ~~[Partial payment of bills will not be accepted.]~~. All bills may be paid at any of the following locations or in the following manner:

1. Middletown Municipal Center, 31 W. Main Street, Middletown, Maryland from 8:00 a.m. to 4:00 p.m. Monday through Friday; **VIA CASH, CHECK OR CREDIT CARD;**
2. ~~— [Middletown Valley Bank main and branch offices];~~
3. ~~[BB&T Bank, Middletown branch office];~~
- 4.2. By mailing payment to the Middletown Municipal Center, 31 W. Main Street, Middletown, MD 21769;
5. ~~[By on-line banking, if such payment procedure is available through the customer's bank or other financial institution and is compatible with the procedures and billing systems of the town.]~~

3. THE TOWN'S ONLINE PAYMENT PORTAL.

D. ~~[-Interest]~~ **LATE FEES on Unpaid Bills. THE LATE FEE FOR UNPAID BILLS (\$10) IS BASED ON THE TOWN'S FEE SCHEDULE ESTABLISHED PURSUANT TO § 13.12.060 OF THE CODE OF ORDINANCES. SAID LATE FEE SHALL BE PUBLISHED ON THE TOWN'S OFFICIAL WEBSITE AND/OR AVAILABLE UPON REQUEST AT TOWN HALL AND MAY BE UPDATED FROM TIME TO TIME BY RESOLUTION OF THE BURGESS AND COMMISSIONERS.** ~~[Interest at the rate of one and one half percent per month shall be charged on and added to the amount of any bill which remains unpaid more than thirty (30) days after the date of the issuance of the bill. Additional interest of one and one half percent of the amount of the unpaid portion of the bill shall continue to be charged for each month that the bill remains unpaid].~~

~~[E.— Late Notices. A notice of late payment will be issued for any bill which remains unpaid for more than thirty (30) days after the date of the issuance of the bill. A second notice of late payment and a notice of disconnection of service will be issued for any bill which remains unpaid for more than sixty (60) days after the date of the issuance of the bill. The notice of disconnection of service will state the date by which payment of the water and sewer bill must be made in full in order to avoid the disconnection of service. No further notices will be provided prior to disconnection of service. Notices will be mailed to the property owner, or if applicable, the designated property management company, at the address to which bills are mailed pursuant to subsection B. The notice of disconnection of service will be mailed by certified mail, return receipt requested. AN [twenty dollar (\$20.00)] administrative fee IN AN shall be added to any bill for which a notice of disconnection of service is mailed. An additional administrative fee of twenty dollars (\$20.00) shall be assessed against such bill for each subsequent quarter during which the bill remains unpaid and the water service remains disconnected. These administrative fees may be waived by the town administrator or his/her designee.]~~

THE TOWN OF MIDDLETOWN ESTABLISHES THE FOLLOWING POLICY FOR WATER/SEWER BILLING AND LATE FEES:

1. ALL WATER/SEWER BILLS ARE DUE WITHIN 30 DAYS FROM THE DATE OF ISSUANCE.

2. A LATE NOTICE WILL BE ISSUED ON THE 31ST DAY, FOLLOWING THE INITIAL BILL, IF PAYMENT HAS NOT BEEN RECEIVED. THE LATE NOTICE AMOUNT IS DUE WITHIN 20 DAYS. (\$10)

3. A DISCONNECT NOTICE WILL BE ISSUED ON THE 21ST DAY, FOLLOWING THE LATE NOTICE, IF PAYMENT HAS NOT BEEN RECEIVED AND THE PROPERTY WILL BE POSTED WITH A DISCONNECT NOTICE. THE CUSTOMER WILL HAVE 10 DAYS FROM THE DATE OF THE DISCONNECT NOTICE/PROPERTY POSTING TO PAY THE ORIGINAL BILL AMOUNT PLUS ALL APPLICABLE FEES TO AVOID DISCONNECTION OF WATER SERVICE. (\$20)

4. ALL FEES RELATED TO LATE PAYMENTS, NOTICES, AND DISCONNECTIONS ARE SET FORTH IN THE TOWN'S FEE SCHEDULE.

F. Disconnection and Reconnection Policy.

1. Payment in full of the water and sewer bill must be made NO LATER THAN ONE DAY prior to the disconnection date stated in the notice of disconnection of service. [If payment is presented on the disconnection date stated in the notice of disconnection of service], PaymentS must be MADE [paid]-in cash, money order, **ONLINE ON THE WATER/SEWER PAYMENT PORTAL or by credit card in person at the Middletown Municipal Center. [by 9:30 a.m. of that date, and if such payment is not received by that time, the disconnection of water service will begin at 10:00 a.m. No service will be disconnected if the balance due on the bill is less than fifty dollars (\$50.00).]**

2. For service to be reconnected after disconnection, a reconnection fee must be paid in ACCORDANCE WITH THE TOWN'S FEE SCHEDULE. [the following amounts: For a first occurrence—Fifty dollars (\$50.00); for a second occurrence within any twelve (12) consecutive month period—One hundred dollars (\$100.00); for a third or more occurrence within any twelve (12) consecutive month period—One hundred fifty dollars (\$150.00).]In order to have service reconnected, the unpaid balance of the bill and the reconnection fee must be paid, in full, by cash, money order, **ONLINE ON THE WATER/SEWER PAYMENT PORTAL or by credit card in person at the Middletown Municipal Center. **RECONNECTIONS WILL BE MADE DURING NORMAL BUSINESS HOURS. (\$100 DURING BUSINESS HOURS AND \$200 AFTER HOURS)****

3. DISCONNECTION OF SERVICE MAY OCCUR FOR ANY OF THE FOLLOWING REASONS: -

A. UNPAID WATER/SEWER BILLS

B. FAILURE TO ADHERE TO THE TOWN'S WATER CONSERVATION PLAN

C. FAILURE TO RESPOND TO A METER CHANGE-OUT NOTICE/BROKEN METER NOTICE

D. VIOLATIONS OF ANY TOWN ORDINANCE RELATING TO WATER OR SEWER SERVICES

G. Returned Checks. A charge **BASED ON THE TOWN'S FEE SCHEDULE (\$34)** will be added to the water and sewer bill for any check which is returned as non-payable for any reason, including but not limited to, non-sufficient funds. The amount of the added charge will be that amount which is charged to the town by the returning bank or financial institution. If a non-payable check submitted in payment of a bill is returned to and received by the town after the date on which the service was to be disconnected as stated in a notice of disconnection of service, then water service will be disconnected immediately without any further notice, including the notices provided for in subsection E.

H. *{Unchanged}*

I. ~~[Meter Reading. When a meter cannot be easily and clearly read due to obstructions such as weeds, structures, excavations, animals or other impediments, an estimate of water usage will be made based upon prior usage at that location. In that event, the town will enclose a letter with the following bill requesting that the owner correct the problem prior to the next meter reading. If an obstruction problem remains present at the time of the next reading, an estimate of water usage will again be made based upon prior usage at that location. In that event, the town will mail a letter by certified mail, return receipt requested with the following bill stating that the property owner has fifteen (15) business days in which to correct the problem or the water service will be disconnected. An administrative fee of twenty dollars (\$20.00) will be added to the bill for the cost of the certified/return receipt letter and related administrative costs.]~~ **ESTIMATED READING / BILLING: IF THE TOWN CANNOT OBTAIN A READING FROM A WATER METER FOR ANY REASON FOR THE CURRENT BILLING PERIOD OR MULTIPLE BILLING PERIODS, THE TOWN WILL USE THE AVERAGE CONSUMPTION OF THE PREVIOUS FOUR (4) BILLING PERIODS TO GENERATE THE ESTIMATED BILL.**

J. Broken Meters. ~~[If at the time of reading the meter a meter is not operating and recording no usage, then an estimate of water usage will be made based upon prior usage at that location.]~~ In that ~~THE~~ **EVENT OF A BROKEN METER**, the town will mail a **NOTICE REGARDING THE BROKEN METER TO THE PROPERTY OWNER** ~~[by certified mail, return receipt requested with the following bill]~~ **AND POST THE PROPERTY ADVISING THE PROPERTY OWNER TO CONTACT THE TOWN SO THAT REPLACEMENT OF THE BROKEN METER CAN BE SCHEDULED. FAILURE TO CONTACT THE TOWN BY THE DEADLINE STATED IN SAID NOTICE/POSTING MAY RESULT IN THE DISCONNECTION OF SERVICE.** ~~[stating that the property owner has fifteen (15) working days to schedule an appointment for meter repair or the water service will be disconnected].~~ **IF THE PROPERTY IS POSTED FOR DISCONNECTION AND/OR DISCONNECTED, A FEE WILL BE ASSESSED BASED ON THE TOWN'S FEE SCHEDULE.** ~~[An administrative fee of twenty dollars (\$20.00) will be added to the bill for the cost of the certified/return receipt letter and related administrative costs.]~~

K. Replacement Meters. If a customer contends that his or her water meter is defective and informs the town of this contention, the town's water and sewer personnel will examine and test

the meter. If the meter is greater than (15[0]) years old, it will be replaced at no cost to the customer. If the meter is ten (10) years old or less and determined by town personnel to be working properly, the meter will be replaced upon request of the customer, however the customer must pay [~~one hundred dollars (\$100.00)~~] for the cost and installation of the new meter **AT THE RATE ESTABLISHED BY THE TOWN'S FEE SCHEDULE**. If the manufacturer of the meter confirms that the meter was working properly. If the manufacturer determines that the meter was defective, there will be no cost to the customer.

L. Unusually Excessive Water Use. In the event that a meter reading reflects an unusually high water usage, [~~which must be forty (40) percent higher than the average of the previous four quarters or ten thousand (10,000) gallons; whichever is lower,~~] due to a broken pipe or leak in the plumbing on the property, then the town will allow, for [~~a first such~~] **AN** occurrence during a five-year period, a reduction in the amount of the water and sewer bill. In order to be granted the reduction, the property owner must submit a written request to the town for the reduction **AND PROVIDE REPAIR RECEIPTS RELATING TO** [~~and state the nature of~~] the cause of the high water usage [~~and the action taken to correct and resolve the problem~~]. The revised bill will be established by charging **AN AVERAGE USE METHOD PLUS A THIRTY-PERCENT (30%) SERVICE FEE BASED UPON THE PREVIOUS FOUR QUARTERS OF USE**. [~~the non-tiered rates for the gallons used.~~]

[~~In the event that there is a second occurrence within five years of an unusually high meter reading for a same property, then the property owner shall be responsible for the entire water and sewer bill; provided, however, that if it can be demonstrated to the satisfaction of the town that the leaking water did not empty into the town's sanitary sewer system, and therefore did not require treatment at the wastewater treatment facility, then the town may, but is not required to, waive all or some of the sewer portion of the bill. If the second occurrence is within five years at the same property, but with a different property owner, the town may grant another reduction in the water and sewer bill. The same process for granting the reduction will apply.~~]

M. The town will allow payment plans for financial hardship cases. The terms of the payment plan will be outlined [~~on~~]-**IN** the Middletown payment plan form. [~~The minimum requirements of the plan are that the outstanding balance~~] **PAYMENT PLANS** must be paid off within **90 DAYS** [~~one year~~]. [~~There is a minimum requirement of at least a monthly payment.~~] A service location is only allowed to have one payment plan in place at a time.

N. PROPERTY OWNERS WHO FEEL THE ABOVE PROVISIONS DO NOT ADDRESS A HARDSHIP SITUATION MAY BRING THEIR CASE TO THE TOWN BOARD VIA WRITTEN NOTICE TO THE TOWN ADMINISTRATOR.

O. THE TOWN MAY USE ELECTRONIC COMMUNICATIONS (EMAILS AND/OR TEXT MESSAGES) FOR BILLING NOTICES, WATER METER REPLACEMENTS NOTICES, DISCONNECT NOTICES, AND ANY OTHER WATER/SEWER ACCOUNT ISSUES IN ADDITION TO OR IN LIEU OF THE US POSTAL SERVICE.

SECTION II. BE IT ORDAINED AND ENACTED by the Burgess and Commissioners of Middletown that Title 13, Chapter 12.050 of the Middletown Municipal Code be, and hereby is

amended as shown below. Language being deleted is designated by being ~~in brackets and stricken through~~. New language is designated by being in **BOLD CAPITAL LETTERS**.

Title 13.12– Water and Sewer Fees and Charges

13.12.050 – Connection Fees.

- A. Any landowner, developer, or applicant applying for a connection to the Town's water and sewer system shall pay to the Town **ALL WATER AND SEWER CONNECTION FEES AND ANY IMPROVEMENT FEES SHALL BE SET FORTH ON THE TOWN'S FEE SCHEDULE POSTED ON THE TOWN'S WEBSITE OR AVAILABLE UPON REQUEST AT THE TOWN HALL AND MAY BE UPDATED FROM TIME TO TIME BY RESOLUTION OF THE BURGESS AND COMMISSIONERS.** ~~[the following fees at the time of the application and before any connection may be made]:~~
~~[delete chart posted in the code]~~
- B. ~~[The rates established in subsection A of this section shall apply only to an application for a connection submitted to the Town after the effective date of the ordinance codified in this section. Any application for a connection submitted prior to the effective date of the ordinance codified in this section shall be governed by the rates in effect on the date of the submission of the application to the Town.]~~
- C. *{Unchanged}*

(Res. 22-05, § I, 10-10-22; Ord. No. 20-01-02, § III, 2-24-2020; Res. No. 17-02, § I, 3-13-2017; Ord. 07-03-02 § 1, 2007; Res. 02-09, 2002; Res. 01-03, 2001)

SECTION III. BE IT ORDAINED AND ENACTED by the Burgess and Commissioners of Middletown that Title 13, Chapter 12.060 of the Middletown Municipal Code be, and hereby is amended as shown below. Language being deleted is designated by being ~~in brackets and stricken through~~. New language is designated by being in **BOLD CAPITAL LETTERS**.

Title 13.12 – Water and Sewer Fees and Charges

13.12.060 – Rate and fee schedules—Residential and nonresidential users.

- A. Residential users of water and sewer services and their accounts will be billed on a tiered system based upon the amount of quarter-annual usage of water and sewer service at the location at which service is provided. Water and sewer rates for such residential accounts shall be ~~[as follows]~~: **SET FORTH ON THE TOWN'S FEE SCHEDULE POSTED ON THE TOWN'S WEBSITE OR AVAILABLE UPON REQUEST AT THE TOWN HALL AND MAY BE UPDATED FROM TIME**

TO TIME BY RESOLUTION OF THE BURGESS AND COMMISSIONERS.
[delete table]

- B.** Nonresidential users of water and sewer services and their accounts will be billed based upon the size of the meter for the location at which service is provided. Water and sewer rates for such nonresidential accounts shall be ~~[as follows:]~~ **SET FORTH ON THE TOWN'S FEE SCHEDULE POSTED ON THE TOWN'S WEBSITE OR AVAILABLE UPON REQUEST AT THE TOWN HALL AND MAY BE UPDATED FROM TIME TO TIME BY RESOLUTION OF THE BURGESS AND COMMISSIONERS.**
[delete table]

C. {Unchanged}

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

INTRODUCED ON THE _____ DAY OF _____, 2026
PASSED ON THE _____ DAY OF _____, 2026
EFFECTIVE DATE: _____, 2026

ATTEST:

**BURGESS AND COMMISSIONERS
OF MIDDLETOWN**

Robert Wilkes, Town Administrator

By: John Miller, Burgess



DATES FOR 2026 ELECTION

Monday, January 26, 2026	Post registration of eligible voters residing in town per Frederick County Election Board following Universal Registration Procedures at Middletown Municipal Center. (60 days prior to election)
Friday, February 6, 2026	Announce Nominating Convention (40 days or earlier) prior to Election; Convention to be held no later than 30 days prior to election)
Wednesday, February 18, 2026	Advertisement of Nominating Convention (4 days prior to convention)
Wednesday, February 25, 2026	Nominating Convention (30 days before election)
Friday, March 13, 2026	Deadline for Petition of Office Signed by 40 Qualified Voters (20 days prior to election, excluding Sundays)
Monday, March 9, 2026	Appointment of Election Officers (14 days prior to election)
Friday, March 13, 2026	Deadline for Registration to Vote in April 2026 Election (15 days prior to election)
Thursday, March 26, 2026	Advertisement for Election (10 days' notice of time & place)
Friday, March 20, 2026	Deadline for Absentee Ballots Requests (10 business days prior to election)
Monday, April 6, 2026	Election Day 7:00 AM - 8:00 PM