



## AGENDA FOR THE TOWN WORKSHOP

July 7, 2022

7:00PM p.m.

**PLEDGE TO THE FLAG**

**CALL TO ORDER**

**PUBLIC COMMENTS:**

**PERSONAL REQUESTS FOR AGENDA**

**STAFF REPORTS:**

Staff Planner

Zoning Administrator

**CONSENT AGENDA**

- Town Meeting Minutes
  - June 27, 2022 – Town Meeting<sup>1</sup>

**UNFINISHED BUSINESS:**

- Community Parks & Playground Grant Applications<sup>2</sup>

**NEW BUSINESS:**

- Request for Stop Sign – Ingalls Drive & Dean Lane<sup>1</sup>
- Parking of Restricted Vehicles in the Glenbrook Subdivision<sup>1</sup>

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# 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

## **PUBLIC COMMENTS:**

## **ANNOUNCEMENTS:**

## **ADJOURNMENT**

### **Lifesize Meeting Invite Information**

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

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

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# 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

**Town of Middletown Planning Department**

To: Burgess & Commissioners and Middletown Planning Commission

From: Cindy Unangst, Staff Planner

Date: 7/6/2022

RE: Monthly Planning Update – July

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**Major Subdivisions:**

**Foxfield Section 6 (Coblentz Road)** – Board of Appeals approved special exception use – **August 31, 2020**  
Forest Stand Delineation conditionally approved – December 21, 2020 (expires 12/21/2025)  
Preliminary Forest Conservation Plan approved – January 19, 2021  
Preliminary plat approved by PC – January 19, 2021 (expires January 19, 2024)  
**Next steps – submittal of Improvement plans for PC review**

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

**Caroline’s View/Horman Apartments (East Green Street)**- Site Plan approved – April 21, 2008  
Improvement Plans conditionally approved – May 17, 2010  
Revised Improvement Plan mylars signed – July 21, 2017  
(sunset provisions put in place on May 2, 2021 – plans expire May 2, 2024)  
**Next steps – submittal of LOCS/PWAs for approval and apply for building & grading permits**

**Church Street Business Center parking lot** – Site plan submitted July 5, 2022 for fence height approval

**Cross Stone Commons (Middletown Parkway)** – Revised Site Plan conditionally approved – 10/20/2014  
Improvement Plan mylars signed – November 6, 2015  
**Next step – submittal of architectural renderings for building #2 for review/approval**

**Hollow Creek Professional Center (Alt. 40A)**  
Board of Appeals approved self-storage use – April 27, 2021 (**Expired April 27, 2022**)  
FRO plantings completed – March 23, 2021  
Redline Site Plan conditionally approved by PC – June 21, 2021 (Plans expire June 21, 2024)  
Revised architectural renderings approved by PC – July 19, 2021  
**Next steps – submittal of improvement plans for PC review**

**Franklin Commons (Franklin Street)** -  
Improvement plans conditionally re-approved – March 18, 2019  
Redline drawings conditionally approved by PC – November 16, 2020 (Plans expire Nov. 16, 2023)

**Jiffas (Summers Drive)** – Forest Conservation Plan approved & Improvement Plan conditionally approved for commercial use – October 20, 2008 (sunset provisions put in place on May 2, 2021 – plans expire May 2, 2024)

Architectural plans approved by PC for duplex – March 16, 2015  
BOA approval for variance requests for duplex – March 29, 2016 (**Expired March 29, 2017**)  
**Next step – apply for variance requests for siting of duplex building**

**Memorial Hall Redevelopment Plan (E. Main St)**– conditionally approved by PC – December 21, 2020  
(expires December 21, 2023)  
Lighting plan approved by PC – January 18, 2022  
**Submittal of revised site plan showing utilities/grading for PC review/approval – June 6, 2022**

**Middletown County Park (Coblentz Road)** – FSD and FCP approved – Feb. 17, 2020 (expires 2/17/25)

**Middletown Library (E. Green Street)** –  
Site Plan and Architectural Renderings approved by PC – March 15, 2021(expires March 15, 2024)  
Lighting Plan approved by PC – April 19, 2021  
Improvement plans approved – November 15, 2021 (expires November 15, 2024)  
Subdivision plat approved – December 20, 2021  
Public works agreement signed – May 25, 2022  
**Next step – apply for building & grading permits**

**Middletown Water Storage Tank (Ashky Ct.)** – FRO plantings completed – May 18, 2021  
1-year inspection done May 2022 and additional plantings completed June 13, 2022

**Miller Property (East Main Street)** –  
Phase III Redline Site & Improvement Plans conditionally approved – Sept. 16, 2019  
**Next step – submittal of Phase IV site plan for review and approval**

**St. Thomas More Academy Site Plan revision (Prospect St)** –  
Revised site plan approved – September 21, 2020 (Expires September 21, 2023)  
Revised site plan to be revisited in five years – September 2025

**Annexations:**

**Admar Property** – PC approval of consistency with zoning/comp plan – February 20, 2017  
Town Board passed annexation resolution – April 9, 2018 - **Five-year wait for lot recordation**

**Text Amendments:** Revised sign regulations – ongoing review by PC

**Reports:** Bee City USA annual report submitted February 23, 2022  
Sustainable Maryland Certified re-certification application submitted June 29, 2022

**Grants:** Keep Maryland Beautiful grant partially awarded for EarthPlanter trees

**Meetings:** Next Middletown Green Team Meeting – July 19, 2022

**Next Joint town board/planning commission workshop** – Monday, November 7, 2022

**Sustainability Committee upcoming dates:**



Town of Middleton  
Zoning Administrator Monthly Staff Report

*To:* Burgess and Commissioners

*From:* Robert Wilkes, Zoning Administrator

*Date:* July 6, 2022

*RE:* Monthly Zoning Administrator Staff Report for June 2022

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*BOA Hearings:* MT-B-22-2 Pool at 301 Ingalls Drive, Passed 3-0.

*Storage Container & Dumpster Permit:* None

*Home Occupation Permit:* None

*Zoning Violations and Complaints:*

- 3/15/2022 – 306 W. Main Street – Deck construction without a permit. The Town requires a zoning certificate under 17.08.030 - Zoning certificate required. “It is unlawful to commence the excavation for or the construction of any building, including accessory building, signs and fences, or to commence the moving, alteration, or change of use of any land or buildings, including accessory buildings, until the zoning administrator has issued a zoning certificate for such work.” A visit to the property confirmed two newly constructed small decks on the rear of the house. A business card was left with a contractor at the property. Additionally, a letter was sent to the owner of the property informing them of the Town ordinance and the need for a Frederick County Building Permit. The Frederick County Permits and Inspection office was notified of the violation. Update- An incomplete zoning certificate was received on 5/13/22 and currently the property owner is working with his property manager to update the zoning certificate and provide requested documentation. **The property manager submitted all necessary documents on June 5, 2022, and the zoning certificate was approved.**
- 6/3/2022 – Commercial Vehicle, Stone Spring Lane Glenbrook – Glenbrook HOA contacted the town of about work trucks parked around Stone Springs Lane. On

6/4/2022 a Big Country Professional Concrete truck was observed in the above area and found to meet the Restricted Vehicle definition. The town restricts certain vehicles from parking on residential streets under 17.32.065 (A), "Except as otherwise provided in subsection (B) of this section, a person may not park a restricted vehicle on any street in or adjacent to any residential district in Middletown". A violation letter was sent to Big Country Professional Concrete on 6/9/2022.

- 6/29/2022 – Construction waste dumped in the yard of 1 N. Pointe Circle. A neighbor contacted the town to relay that a Penske truck was dumping construction waste into the yard of 1 N. Pointe Circle. On 6/29/2022 the complaint was confirmed and several piles of construction waste were observed in the yard. In addition to the construction waste complaint, the permanent and temporary fence around the current pool construction were not fully in place. The Penske truck used to dump the construction waste was still parked on N. Pointe Circle. Frederick County Inspection Services visited the location on 6/29/2022 and the homeowner was informed to clean up the construction waste and to fix the fence immediately. Currently, the debris has been removed and the fencing has been fixed. The Town Attorney and Zoning Administrator will be addressing the restricted vehicle violation and a possible home occupation violation.

**Miscellaneous:**

- Nothing to Report

**Permits:**

June 2022 Zoning Certificates	Address	Permit #	M-town Received	R.Wilkes Approved	County Approval
Bass - Hot Tub	5 Hoffman Drive	414627	5/26/2022	6/1/2022	Yes
Landsman - Pool	108 Ali Drive	408843	5/25/2022	6/1/2022	Yes
Jones - Fence	3 Wiles Creek Circle	Town	6/2/2022	6/2/2022	No
Bishop - Fence	35 E. Main Street	Town	6/2/2022	6/2/2022	No
Hayden - Deck	28 Wash House Circle	411747	5/16/2022	6/2/2022	Yes
Lake Eaton Properties - Deck	306 W. Main St.	411622	5/13/2022	6/6/2022	Yes
Kriety - Posts/footers	12 Ivy Hill Drive		6/1/2022	6/6/2022	Yes
Lattener - Pellet Stove	104 Ali Drive	411641	6/7/2022	6/7/2022	Yes
Carter - Fence	16 Caroline Drive	Town	6/13/2022	6/13/2022	No
McCracken - Bathroom Remodel	110 Ali Drive	412050	6/13/2022	6/13/2022	Yes
Tollefson - Deck	7 Derr Lane	413450	6/14/2022	6/15/2022	Yes
O'Conner - Floors supports	101 S. Jefferson St		6/14/2022	6/15/2022	Yes
Baisden - Fence	7 Dean Lane	Town	6/17/2022	6/21/2022	No
Blucher - Solar Panels	6 Walnut Pond Court	411710	6/20/2022	6/21/2022	Yes
LaFrance - Porch	612 Glenbrook Drive	414797	6/21/2022	6/24/2022	Yes

Carter - Shed	16 Caroline Drive	414794	6/24/2022	6/24/2022	Yes
Wichtendahl - Shed	115 Ivy Hill Drive	Town	6/27/2022	6/28/2022	No
Franklin -Pool BoA MT B 22 2	301 Ingalls Drive	416133	5/11/2022	6/28/2022	Yes

**BURGESS AND COMMISSIONERS  
OF MIDDLETOWN MARYLAND**

**TOWN WORKSHOP MEETING MINUTES**

**TOWN MEETING**

**June 27, 2022**

The meeting of the Burgess and Commissioners of Middletown was called to order on June 27, 2022, by Burgess Miller at 7:00 p.m. Present were Commissioners Jennifer Falcinelli, Kevin Stottlemyer, Christopher Goodman, Rick Dietrick, and Jean LaPadula.

**Public Hearing**

**General Fund FY 2023 – Operating Budget** - The proposed total operating budget revenue for FY 2023 is approximately \$3.7 million. Expenses are projected to be approximately \$3.2 million. This leaves a surplus of \$525,187.00. \$128,000 was moved to the General Fund CIP, which increased the surplus from the previous draft budget. Salary increases are not shown in the budget because they have not been approved by the Town Board yet. The Salary in Highways & Streets is decreased from last year because it does not include the empty position. If an additional position is added in addition to the empty position it will have to include a future budget amendment to pay for it. The proposed staff salary increases were reviewed and finalized. The additional monies for the salary increase will be paid using the General Fund surplus. Any remaining surplus will be applied to the General Fund CIP Budget.

**Water & Sewer Enterprise Fund FY 2023 – Operating Budget** - The proposed total water sewer operating budget revenue for FY23 is \$1.36 million. Expenses are projected to be 1.19million. This leaves a surplus of \$166,356.00. The additional monies for the water & sewer staff salary increase will be paid using the surplus. The remaining surplus will be applied to the Water & Sewer CIP Budget.

There was no public comment.

**Motion:** Commissioner Falcinelli motioned to approve the General Fund FY23 Operating budget with the addition of \$163,555.00 for the market salary increase to be paid utilizing the surplus in the General Fund. Seconded by Commissioner Goodman. Motion approved (6-0).

**Motion:** Commissioner Falcinelli motioned to approve the Water and Sewer FY23 Enterprise Fund Operating budget with the addition of \$116,137.00 for the market salary increase to be paid utilizing the surplus in the Water and Sewer Enterprise Fund. Seconded by Commissioner Goodman. Motion approved (6-0).

**FY2023 General Fund Capital Improvements Program (CIP)** – Several changes were made from the prior draft budget: 1. To increase the improvement fee from \$7000 to \$12000 a public hearing must be held in July 2022, 2. The Linden Blvd project will be pushed to FY25, 3. ARPA funds will be used to fund the Washington Street project, 4. The Maintenance Building project will be pushed to FY27, 5. The Remsberg Field lights are being removed from the budget, and 6.



The Prospect Street project will be funded over two fiscal years. Discussion occurred concerning transferring \$100,000 to the reserve account while there is a large surplus forecasted from FY23 through FY25. The Board would have to determine whether to make this transfer an annual motion or designate the increase for FY23-FY25 in one motion.

**Motion:** Commissioner Dietrick motioned to approve the General Fund FY23 CIP as presented and include the transfer to the reserve account of \$100,000 for the next three years (FY23, FY24 & FY25). Seconded by Commissioner Stottlemyer. Motion approved (6-0).

**FY2023 Water & Sewer Enterprise Fund CIP** - The proposed budget was reviewed. It was noted that the repayment of the downtown revitalization reimbursement to the water/sewer account will be done in one lump sum using ARPA monies. Repayment will not be spread over several years.

**Motion:** Commissioner Falcinelli motioned to approve the Water & Sewer Enterprise Fund CIP as presented. Seconded by Commissioner Goodman. Motion approved (6-0).

The public hearing concluded at 7:37PM.

**PERSONAL REQUESTS FOR AGENDA:** None.

**CONSENT AGENDA:**

- **Town Meeting Minutes**
  - *June 2, 2022 – Town Meeting*

**Motion:** Commissioner Goodman motioned to approve the consent agenda as presented. Seconded by Commissioner Dietrick. Motion approved (6-0).

**UNFINISHED BUSINESS:**

**Employee Compensations Review – Salary Study** – Salaries as adjusted to market value were reviewed. Over the next year two committees will be formed. One will address salary scale to include compensation, stipends, and incentives. The second will review employee benefits as compared to the market. The committees will work independently of each other and be comprised of Town Board members, management staff, and employees. The results from these committees will be implemented in FY24.

**Location for Planters on Main Street – Information Only** – The planters to be located in the downtown area of Main Street were approved prior to the onset of COVID. Tonight, the Town Board reviewed a map of the identified locations for each planter. The planters and promix have already been pre-positioned. Trees will be planted on June 28, 2022.

**Appointment to Boards and Commissions:**

**Board of Appeals Alternate** – Rodney O’Neal’s resume was reviewed. He is an attorney and a resident of Foxfield. He is willing to serve on the Board of Appeals as the alternate.

**Motion:** Commissioner LaPadula motioned to appoint Rodney O’Neal as the alternate to the Board of Appeals. Seconded by Commissioner Goodman. Motion approved (6-0).

**Planning Commission Temporary Alternate** – There are no applicants at the moment to appoint.

**REPORT OF COMMITTEES:**

**WATER & SEWER** – Commissioner Falcinelli reported:

For May water use was – 317,000 gal., spring flow was – 126,000 gal., East WWTP treated 300,000 gals. and the West WWTP treated 293,000 gals. The Town received 7.6 inches of rain in April. The Memar well short testing is complete and awaiting results. The I&I study is underway. The easements for Walnut Street have been obtained and action begin at the end of July. The Town has not received the permit for the EWWTP. Recent notification from MDE is that it could take 9 months to get it. A meeting including site visits for the new WWTTP occurred earlier this month.

**PUBLIC WORKS** – Commissioner Dietrick reported:

In addition to what was reviewed in the Water and Sewer Committee report, town crews repaired a leak on East Green Street and 2 leaks in the spring line. They hung the veterans banners, aerated the playing fields and completed hydrant testing. There are valves that need to be repaired prior to mill and overlay commencing in Broodridge South.

**SUSTAINABILITY** – Commissioner Stottlemyer reported:

The pollinator garden looks good. There has been no plant loss. Dr. Paul Leisnham provided the committee a presentation regarding backyard mosquito problems. The committee would like to extend the community compost bin through March 2023. It provides the opportunity to track year-round utilization. It was noted that the compost bin had been stolen. A replacement bin is now chained in place.

**PLANNING COMMISSION** – Commissioner LaPadula reported:

The Planning Commission continues to update to the sign ordinance. The Memorial Hall Site Plan review was pulled as an agenda item due to unresolved issues between the developer and the church next door. The Planning Commission has concerns with approving a site plan with improvements that have not been agreed upon.

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

The cost of memorial benches has increased. The Town has been paying for those cost differences (increased bench price, increase in plaque pricing and costs for concrete etc.). The committee recommends that the person buying the memorial bench should pay for the total cost, even if the cost for materials increase. It was noted that there has been multiple placements of benches along Cone Branch trail and the Remsberg Park trail. Not may benches have been placed along the Wiles Branch Park trail. The ADA swing at Memorial Park has been moved/turned to face east.

**PUBLIC INFORMATION** – Commissioner Falcinelli reported:

Residents are reminded to sign up for the Town email distribution service and Alert Frederick if they have not done so already. The banner reminding residents to “stay connected” to what is happening in Middletown is being hung when there are no other banners scheduled for display. In May, the top five town website pages visited were 1. Middletown Events, 2. Community Calendar, 3. Parks, 4. Business Directory and 5. Town Government.

## **NEW BUSINESS:**

**Annual Planning Report** –The yearly required summary report of all planning and zoning activities for 2021 has been completed by the Planning Commission. The Town Board reviewed the draft provided.

**No Parking Sign on Broad Street** – Up to 30 years prior to the Broad Street reconstruction residents along the older section of Broad Street (from the alley north to Main Street) parked along the right side of the street as you face Main Street. It was allowed due to no “No Parking” signs being posted on that street, and “no parking” not being enforced. With the Broad Street reconstruction being completed, “No Parking” signs were installed along both sides of the street in accordance with Town standards, as the street is not wide enough to allow parking on either side. The residents are requesting that street-side parking along the right side of the street in the older section of Broad Street be allowed to continue as before. Parking on the street will force traffic to slow down. Discussion occurred regarding allowing the parking to continue as before versus meeting the Town standards.

**Motion:** Commissioner LaPadula motioned to remove the “No Parking” signs on the right side of Broad Street from the alley up to Main Street because signs were not there previous to the reconstruction and so parking should be grandfathered in as Broad Street did not meet the guidelines previously but will include safety distances regarding line of sight at the corner with Main Street. Seconded by Commissioner Stottlemeyer. Motion approved (4-2). Commissioners Dietrick and Falcinelli voted against.

**Wiles Branch Park Dog Park – Gate Access** – The dog park gates are currently not working due to a lighting strike a couple of months ago. The parts to repair the gates are no longer manufactured. The Town will have to upgrade the system. Cost is yet unknown. Discussion ensued as to whether the dog park should become a free amenity that people and their pets would use at their own risks. The cost of repairs and updates to the system, including staff time, is more expensive than the revenue that is generated with the annual \$10 fee for use. Other free dog parks have signs posted with guidelines and use at your own risk/hold harmless statements. More information is needed before a determination can be made.

**COVID Policy Updates** – This is an ever-evolving policy as guidance from the County and CDC change. The CDC currently references OSHA. Current updates are highlighted in yellow. Self-screening was removed. There is a Quarantine/Isolation Calculator link that staff will now have to use. Because of the ever-changing recommendations from the CDC throughout the pandemic several staff members had to use sick leave when they had COVID while other staff members were paid for their time out with COVID. In fairness it is recommended that all employees get a one-time benefit of up to 40 hours paid leave when they have covid. If a staff

member contracts COVID again in the future, they will have to use sick time. It is recommended that those staff members that had to use their sick time be reimbursed those sick hours used.

**Motion:** Commissioner LaPadula motioned to the updated COVID policy as presented and to reimburse those staff members who used their sick time when they had COVID those sick hours used. Seconded by Commissioner Falcinelli. Motion approved (6-0).

**Purchase of Fountain for Heritage Park** – The Town Board reviewed the costs to replace the water fountain at Heritage Park. The fountain suggested is easier for staff and should not break. The cost is \$1369.00. Its design should also prohibit water splashing out.

**Motion:** Commissioner LaPadula motioned to approve the purchase of the water fountain for Heritage Park as presented. Seconded by Commissioner Falcinelli. Motion approved (6-0).

**Community Parks & Playgrounds Grant Applications** – DNR is now accepting grant applications for the Community Parks and Playgrounds (CP&P) Program to be considered for inclusion in DNR’s FY24 capital budget request. Commissioner Goodman will provide an update later.

**PUBLIC COMMENTS:** None.

**ANNOUNCEMENTS:**

- *Independence Day Fireworks – July 2, 2022 at Middletown Park*

Meeting adjourned at 8:50 PM.

Respectfully submitted,

Annette Alberghini,  
Office Manager



Larry Hogan, Governor  
Boyd Rutherford, Lt. Governor  
Jeannie Haddaway-Riccio, Secretary  
Allan Fisher, Deputy Secretary

June 2022

Dear Maryland municipal corporations and Baltimore City,

The Maryland Department of Natural Resources is now accepting grant proposals for the Community Parks and Playgrounds (CP&P) Program. These proposals will be reviewed and considered for inclusion in the Department's FY 2024 capital budget request.

Maryland's CP&P Program is designed to restore existing and create new park and green space systems in Maryland's cities and towns. The Community Parks and Playgrounds Program provides flexible grants to municipalities to respond to the unmet need for assistance to rehabilitate, expand or improve existing parks, create new parks, develop environmentally oriented parks and recreation projects, or purchase and install playground equipment in older neighborhoods and intensely developed areas throughout the state.

The CP&P Program FY 2024 Grant Proposal Guide and all application materials are available at <http://dnr.maryland.gov/land/Pages/ProgramOpenSpace/CP&P-Grant-Process.aspx>. If you would like to apply for CP&P project assistance, please provide the following items: Grant Proposal List, Community Parks and Playgrounds Application and Project Agreement, Project Details, and Supporting Documents. Please e-mail all required forms and attachments by 3:00 p.m. on August 24, 2022 to the program administrator for your County.

After reviewing the online information, if you have any questions concerning the CP&P Program or would like a printed copy of the materials, please contact your Program Administrator on the list below. We look forward to working with you to enhance the quality of life in your communities through environmentally sustainable park and recreation facilities.

Sincerely,

Margaret Lashar  
Local Grants Supervisor  
Land Acquisition and Planning

**Community Parks and Playgrounds Program Administrators:**

**Tiffany DePaoli** | [tiffanyr.depaoli@maryland.gov](mailto:tiffanyr.depaoli@maryland.gov) | 667-270-0786  
Allegany, Baltimore, Carroll, Frederick, Garrett, Harford, and Washington Counties

**Margaret Lashar** | [margaret.lashar@maryland.gov](mailto:margaret.lashar@maryland.gov) | 410-260-8427  
Anne Arundel, Calvert, Charles, Howard, and St. Mary's Counties, and Baltimore City

**Michael McQuarrie** | [michael.mcquarrie@maryland.gov](mailto:michael.mcquarrie@maryland.gov) | 410-279-8147  
Caroline, Cecil, Dorchester, Kent, Montgomery, Prince George's, Queen Anne's, Somerset, Talbot, Wicomico, and Worcester Counties



**No  
Commercial  
Vehicles or  
Vehicles with  
Signage  
of any kind  
Violators  
will be towed**



No  
Commercial  
Vehicle or  
Vehicle with  
Signage

**2021 AUTHORIZED  
PARKING ONLY**  
**VIOLATORS TOWED AT OWNER'S EXPENSE TO  
ALLY CAT TOWING & RECOVERY, LLC**  
**5850 Urbana Pike, Frederick, MD**  
**(301) 639-9716**  
**Office Hours: Monday - Friday, 8AM - 5PM**  
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**CARS & TRUCKS UNDER 10,000 LBS. GVW \$250.00**  
**TRUCKS UP TO 26,000 LBS GVW \$400.00**  
**TRUCKS OVER 26,000 LBS GVW \$750.00**  
**VEHICLES AVAILABLE FOR PICK-UP 24 HOURS A DAY**  
**AFTER HOUR RELEASE FEE:**