

# Town of Upper Marlboro

14211 School Lane • Upper Marlboro, Maryland 20772

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## Board of Town Commissioners

### WORK SESSION

August 24, 2021 – 7:00 p.m.

### AGENDA

This meeting will be conducted via Zoom Video Teleconference. As the Town Hall remains closed to the general public at this time, interested citizens may participate by video:

<https://uppermarlboromd-gov.zoom.us/j/89116943163?pwd=cENibjFjUWRlWINOR3ptaFlFbXFudz09>

Video Meeting ID: 891 1694 3163, Passcode: 934143 or,

Audio Dial-in only: 301 715 8592 *Participants must sign-in with the Clerk*

Work Sessions are open to public observation, however,  
public participation is at the discretion of the Board

#### Roll Call

#### Pledge of Allegiance

#### President's Statement from the August 10, 2021 Closed Session

#### Business

1. Annexation Resolution 01-2021 (Board discussion)
2. Election Ordinance (Board discussion)
3. Election Judges / Election Calendar (Board discussion)
4. Town Administrator / Chief Appointment (Board discussion)
5. Vision Plan Outreach (Board discussion)
6. Red Light Speed Camera RFP Submission (Board discussion)
7. General Commissioner & Administrative Staff items:

#### Adjournment

*All meetings are subject to closure in accordance with the State Open Meetings Act—House Bill 217  
See back of Agenda for Public Comment Procedures*

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**Janice Duckett**  
Commissioner

**Sarah Franklin**  
Commissioner/Treasurer

**Linda Pennoyer**  
Commissioner/President

CLOSED SESSION SUMMARY SHEET TO BE READ INTO RECORD

Date: August 10, 2021

Time: 9:15 PM

Location: Town of Upper Marlboro Town Hall / Virtual Meeting

Closed Under Annotated Code:

3-305 (b) (1) "To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals".

Those Who Voted To Go Into Closed Session:

Commissioner Pennoyer; Commissioner Franklin & Commissioner Duckett

Unanimous Of Elected Officials In Attendance:

Commisioner Pennoyer; Commissioner Franklin & Commissioner Duckett

Those In Attendance;

Commisioner Pennoyer; Commissioner Franklin & Commissioner Duckett

Actions Taken: No Votes Were Taken, Please See Relevant Notes:

3 Recorded Votes

Topics Discussed:

Personnel

Relevant Notes: None

THE TOWN OF UPPER MARLBORO, MARYLAND

**Annexation Resolution No. 01-2021**

**RESOLUTION PROPOSING THE ANNEXATION OF CERTAIN LANDS  
(TAX MAP \_\_, PARCELS \_\_\_\_, [NORTH OF \_\_\_\_] &  
TAX MAP \_\_, PARCELS \_\_\_\_ INTO THE TOWN OF UPPER  
MARLBORO (THE SECOND ANNEXATION))**

A RESOLUTION TO APPROVE THE ANNEXATION OF APPROXIMATELY X PARCELS/LOTS OF LAND CONSISTING OF AN ANNEXATION AREA OF 189.08 ACRES OF LAND, MORE OR LESS, LOCATED IN THE 3<sup>RD</sup> ASSESSMENT DISTRICT OF PRINCE GEORGE’S COUNTY, AND LOCATED GENERALLY North AND EAST OF THE PRESENT CORPORATE LIMITS OF THE TOWN OF UPPER MARLBORO, INCLUDING LANDS SITUATED North/SOUTH OF \_\_\_\_ BOUNDED BY OR STRADDLING \_\_\_\_, INTO THE CORPORATE TERRITORY OF THE TOWN OF UPPER MARLBORO AS MORE FULLY DESCRIBED IN THIS RESOLUTION; PROVIDING FOR THE TERMS AND CONDITIONS OF THE ANNEXATION TO THE TOWN OF UPPER MARLBORO; AMENDING THE CHARTER OF THE TOWN OF UPPER MARLBORO FOR THE PURPOSES OF INCLUDING THE ANNEXED PROPERTY WITHIN THE LEGAL DESCRIPTIONS AND PLATS DEPICTING THE CORPORATE LIMITS OF THE TOWN; AND GENERALLY ALL MATTERS RELATED TO SAID ANNEXATION.

WHEREAS, the Board of Commissioners finds it to be in the best interest of the Town of Upper Marlboro (the “Town”) to initiate this Resolution proposing the annexation of certain lands (Tax Map 102, Parcel \_\_, [North and South of \_\_ Avenue (MD \_\_)] & Tax Map \_\_, Parcel \_\_; & Tax Map \_\_, Parcel \_\_; & ... into the Town (the “Second Annexation) including the lands commonly known as the \_\_ and \_\_\_\_ Properties, a portion of the \_\_ Avenue (MD \_\_) public right-of-way, a portion of the \_\_ Street (MD \_\_) public right-of-way, the \_\_\_\_ property at \_\_\_\_ Road, ... as more fully described herein below and particularly as described in the metes and bounds description of Section 2 provided below and the map of the first annexation of the Town of Upper Marlboro, prepared by Charles P. Johnson and Associates, Inc. (July 2021) attached hereto; and

WHEREAS, The Town is authorized by the Town Charter and provisions of Title 4, Subtitle 4 of the Local Government Article, of the Annotated Code of Maryland (the “Maryland Code”) to expand its municipal boundaries by annexing lands which are adjoining and contiguous; and

WHEREAS, this Resolution is initiated by the Town Board of Commissioners pursuant to §4-403 of the LG Art., of Maryland Code; and

WHEREAS, the property to be annexed will consist of adjoining public ways and X parcels of land (Tax Map 102, Parcel \_\_, ...totaling X acres of land, more or less, contiguous and adjoining to the existing southern and eastern corporate boundaries of the Town, and more

particularly described herein below (the “Annexation Property”) owned by \_\_\_, ... and the State of Maryland; and

WHEREAS, parts of the Annexation Property are currently zoned according to the following categories or classifications: ... pursuant to the County Zoning Ordinance as depicted on the County Zoning Map; and

WHEREAS, the Local Government Article (“LG”), §4-403 of the Maryland Code states that “[b]efore an annexation resolution is introduced, the legislative body shall obtain consent from: (1) at least 25% of the registered voters who are residents in the area to be annexed; and (2) the owners of at least of 25% of the assessed valuation of real property in the area to be annexed...”; and

WHEREAS, the Annexation Property is described in the metes and bounds legal description of a parcel or parcels of land referenced herein below as the Second Annexation, and the Annexation Property is more further described or depicted on a map exhibit entitled “Map of the Second Annexation of the Town of Upper Marlboro, Prince George’s County, Maryland, 1” = 300’, July 2021” prepared by Charles P. Johnson and Associates, Inc., which is attached hereto as Exhibit A, and the Annexation Property is further shown on the Prince George’s County TAX MAP (Tax Map \_\_\_, Parcel \_\_\_ (Account No. \_\_\_), & Tax Map \_\_\_, Parcel \_\_\_ (Account No. \_\_\_); & Tax Map \_\_\_, Parcel \_\_\_ (Account No. \_\_\_); & Tax Map \_\_\_, Parcel \_\_\_ (Account No. \_\_\_); and

WHEREAS, a proposed Annexation Plan consistent with the requirements of Section 4-415 of the Local Government Article, of the Annotated Code of Maryland has been prepared and submitted to the Town and made available for public review and discussion; a copy of the Annexation Plan has been provided to the Prince George’s County Council and the County Executive, the Maryland-National Capital Park and Planning Commission, and the Maryland Department of State Planning at least thirty (30) days prior to the date of the public hearing to be conducted on this Resolution by the Board of Commissioners of the Town of Upper Marlboro; and

WHEREAS, all requirements of the Laws of the State of Maryland, Prince George’s County and the Charter and laws of The Town of Upper Marlboro regarding initiation of this annexation by the Town’s legislative body have been satisfied, and the Town Board of Commissioners has determined that it is desirable to initiate by resolution the annexation process for the benefit of the Town.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO** the following:

Section 1. Modification of Town Boundaries. The municipal boundaries of The Town of Upper Marlboro, Maryland shall be and are hereby amended to incorporate into The Town of Forest Heights the Annexation Property, as described in the metes and bounds legal description of parcels of land referenced herein below as the Second Annexation, and the Annexation Property is more further described or depicted on a map exhibit entitled “Map of the First Annexation of the Town of Upper Marlboro, Prince George’s County, Maryland, 1” = 300’,

July 2021” prepared by Charles P. Johnson and Associates, Inc., and certified by Steven William Jones, Professional Land Surveyor, which is attached hereto as Exhibit A, and the Annexation Property is further shown on Prince George’s County Tax Map \_\_, Parcel \_ (Account No. \_\_), & Tax Map \_\_, Parcel \_\_ (Account No. \_\_); & Tax Map \_\_, Parcel \_\_ (Account No. \_\_); & Tax Map \_\_, Parcel \_\_ (Account No. \_\_). The annexation plat or map shall be subject to technical review and correction by the Town, or its designee, prior to the public hearing to be held on this Resolution.

Section 2. Amendment of Town Charter. Pursuant to the authority of Article XI-E of the Constitution of Maryland and the Local Government Article (Division II) of the Maryland Code, the Charter of the Town of Upper Marlboro (as published in the *Public Local Laws of Maryland – Compilation of Municipal Charters*) be and the same is hereby amended in Section 82-2 of said Charter by amending said Section to read as follows (changes underlined and/or in italics but not bold font) by adding the following subsection containing the metes and bounds description of the Annexation Property:

...

## **Corporate Limits**

### **Section 82–2. The corporate limits of the Town shall be as follows:**

(a) Original Boundaries. Commencing at the mouth of the Federal Spring Branch at its confluence with the Western Branch and running down with the meanders of the Western Branch on the south side thereof, and exclusive of said branch, to the stream beyond James B. Belt’s meadow; then up and with said stream to the small bridge culvert on the road from Upper Marlboro to Rosaryville, back of the former residence of A. S. Brooke; then in an air or direct line across the land of Frederick Sasscer to the Federal Spring Branch at a point which will throw into the corporation all the land formerly purchased by Thomas E. Williams and C. C. Magruder, Jr., of the trustees of D. Benedict J. Gardiner; then down and with the meanders of said Federal Spring Branch on the south side thereof, and exclusive of said branch to its mouth, the beginning point aforesaid.

(b) First Annexation. The boundaries of Upper Marlboro are hereby extended to include the following parcel or area of land:

\*\*\*

(c) Second Annexation. The boundaries of Upper Marlboro are hereby extended to include the following parcel or area of land:

\*\*\*[TBD]

Section 3. Application of Town Charter and Ordinances. Upon the effective date of this Resolution, the provisions of the Charter, and ordinances of The Town of Upper Marlboro, and any local public laws enacted or to be enacted affecting The Town of Upper Marlboro, shall

be effective within the Annexation Property except to the extent that federal or state law, this Resolution, an Annexation Agreement or the Annexation Plan provides otherwise.

Section 4. Zoning Classification. The Annexation Property is governed under the land use jurisdiction of the District Council of Prince George's County and the Maryland-National Capital Park and Planning Commission ("M-NCPPC"). The Annexation Property is currently zoned ... on certain portions of the subject parcels pursuant to the County Zoning Ordinance.

Section 5. Annexation Plan. The Town has prepared an Annexation Plan with regard to the Annexation Property. The Annexation Plan is attached hereto as Exhibit B, but is not part hereof and the Town reserves the right to amend the Annexation Plan prior to final adoption of this Resolution in a manner consistent with Local Government ("LG") Article, Section 4-415 of the Maryland Code. The Annexation Plan may not be construed in any way as an amendment to this Resolution. A copy of the Annexation Plan has been provided to the Prince George's County Council and the County Executive, M-NCPPC, and also to the Maryland Department of State Planning ("MDP") at least thirty (30) days prior to the date of the public hearing conducted by the Board of Commissioners on this Resolution.

Section 6. Public Hearing and Public Notice. A public hearing, as required by the provisions of LG Article, Section 4-406 of the Maryland Code, shall be held by the Town at a time to be determined by the Board of Commissioners, and duly advertised according to the provisions of that statute. Public notice of the proposed public hearing shall be given at least four (4) times, at no less than weekly intervals, in a newspaper of general circulation in Upper Marlboro, Maryland, the last day of which public notice shall precede the public hearing by at least fifteen (15) days, all in accordance with the provisions of Section 4-406, LG Article of the Maryland Code. Upon the first publication of the public notice a copy thereof, including exhibits, shall be provided to:

- (a) the Prince George's County Council, and the County Executive,
- (b) the Maryland-National Capital Park and Planning Commission (c/o the Prince George's County Planning Department), and
- (c) The Prince George's County Planning Board.

Section 7. Registration of Boundaries. Within ten (10) days of the effective date of this Resolution, in accordance with the provisions of the Local Government Article, Sections 4-414 and 4-308 of the Maryland Code, the President/Mayor, or her designee, shall promptly forward a copy of this Resolution with the new municipal boundaries to the Town Clerk, the Clerk of the Circuit Court for Prince George's County, Maryland, the M-NCPPC, and to the Maryland Department of Legislative Services. Each such official or agency shall hold this Resolution with the new municipal boundaries on record and available for public inspection.

Section 8. Effective Date. This Resolution shall be deemed "finally enacted" on the date on which the Commissioners indicate their approval of the Resolution by affixing their signatures hereto. This Resolution shall become effective forty-five (45) days after final enactment, unless it is subject to a petition for referendum by at least 20% of the qualified voters

of the municipality, whereas should said petition come to pass and be verified to be in compliance with law, the President/Mayor shall suspend this Resolution by proclamation pending the results of the referendum.

AND BE IT FURTHER RESOLVED, by the Board of Commissioners of the Town of Upper Marlboro, that the corporate boundaries of the Town of Upper Marlboro be, and they hereby are, enlarged and extended by including therein the Annexation Area referred to and described in this Resolution and in Exhibit A attached hereto and incorporated herein by reference.

**PASSED** by the Board of Commissioners of the Town of Upper Marlboro, Maryland at a regular/special meeting on the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST:

BOARD OF COMMISSIONERS OF THE  
TOWN OF UPPER MARLBORO,  
MARYLAND

\_\_\_\_\_  
John Hoatson  
Clerk

\_\_\_\_\_  
Linda Pennoyer, President

\_\_\_\_\_  
Sarah Franklin, Commissioner

Enactment Date: \_\_\_\_\_

\_\_\_\_\_  
Janice Duckett, Commissioner

Reviewed and Approved for Legal Sufficiency

\_\_\_\_\_  
Kevin J. Best, Esq.

Date: \_\_\_\_\_

**CERTIFICATION**

**I, HEREBY CERTIFY THAT THE FOREGOING RESOLUTION OF THE TOWN OF UPPER MARLBORO DESIGNATED ANNEXATION RESOLUTION NO. 01 - 2021, WAS DULY INTRODUCED AND READ, AND THEREAFTER ADVERTISED FOR FOUR SUCCESSIVE WEEKS, AND CONSIDERED AT A PUBLIC HEARING ON AUGUST \_\_, 2021 AND WAS ADOPTED BY THE BOARD OF COMMISSIONERS AT A DULY ANNOUNCED PUBLIC MEETING, IN ACCORDANCE WITH THE APPLICABLE PROVISIONS OF THE ANNOTATED CODE OF MARYLAND AND CHARTER OF THE TOWN OF UPPER MARLBORO.**

ATTEST:

\_\_\_\_\_  
John Hoatson, Clerk

EXHIBIT A - "Map of the First Annexation of the Town of Upper Marlboro, Prince George's County, Maryland, 1" = 300', July 2021" prepared by Charles P. Johnson and Associates, Inc.

**ANNEXATION RESOLUTION SCHEDULE**

RESOLUTION INTRODUCTION DATE: \_\_\_\_\_

ANNEXATION PLAN TO COUNTY, MDP, M-NCPPC & PGCPB (AT LEAST 30 DAYS BEFORE HEARING): \_\_\_\_\_

HEARING NOTICE PUBLICATION DATES: 1 \_\_\_\_\_  
(4 NOTICES FOR 4 WEEKS PRIOR TO HEARING) 2. \_\_\_\_\_  
3. \_\_\_\_\_  
4. \_\_\_\_\_

MAIL PUBLIC NOTICE TO CO. COUNCIL, MDP & M-NCPPC: \_\_\_\_\_

PUBLIC HEARING DATE (NOT LESS THAN 15 DAYS AFTER THE FINAL PUBLICATION OF THE NOTICES): \_\_\_\_\_

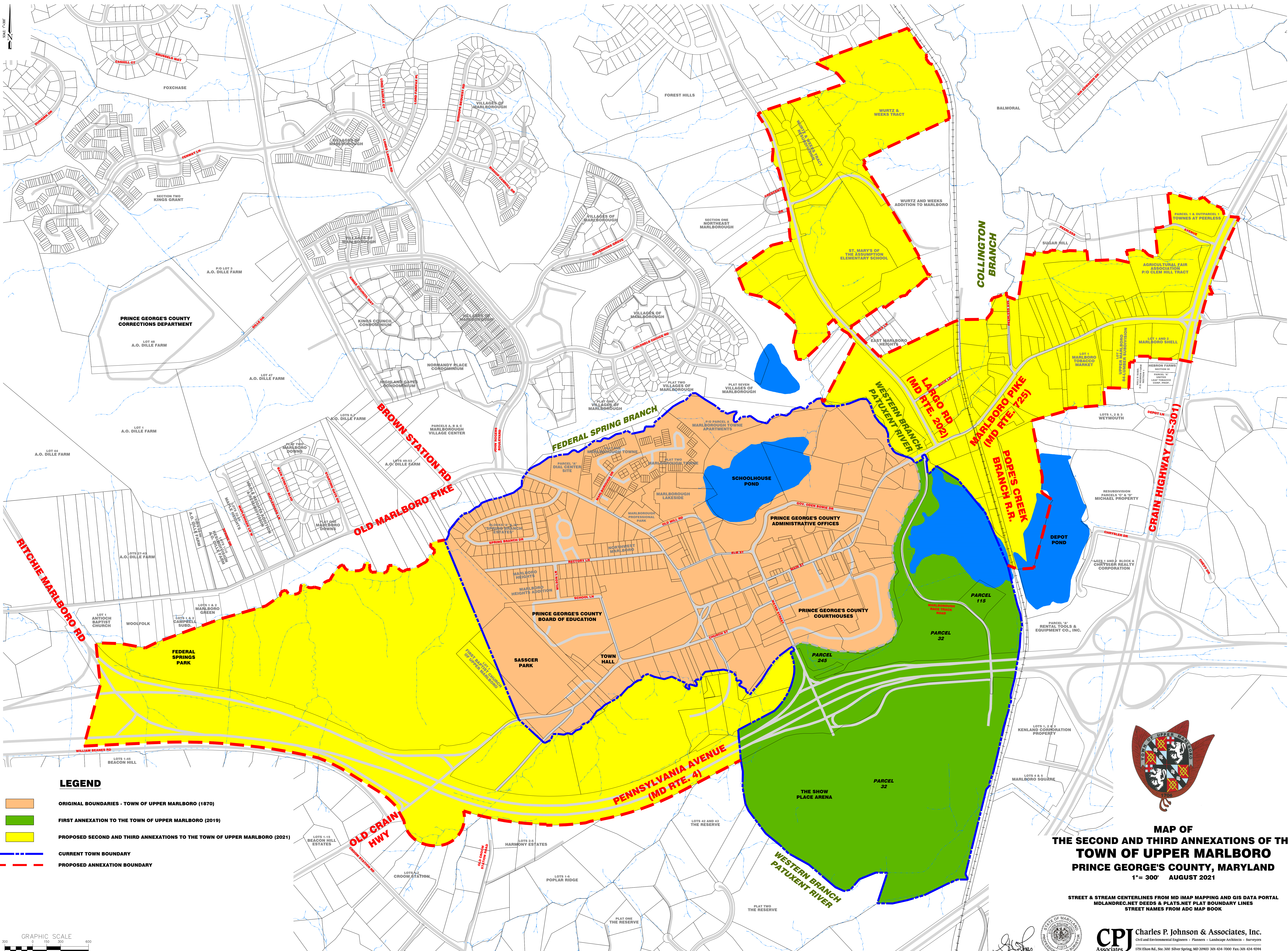
ENACTMENT DATE (ON OR AFTER HEARING DATE): \_\_\_\_\_

EFFECTIVE DATE (45 DAYS AFTER ENACTMENT): \_\_\_\_\_

FILE ENACTED RESOLUTION (WITH CLERK OF CIR. COURT, MD. DEPT. LEGISLATIVE SERVICES, COUNTY TAX ASSESSOR & M-NCPPC W/I 10 DAYS): \_\_\_\_\_

*Note: All items to be delivered or mailed to the County or the County Council shall include a separate delivery or publication to the County Executive.*





**MAP OF  
THE SECOND AND THIRD ANNEXATIONS OF THE  
TOWN OF UPPER MARLBORO  
PRINCE GEORGE'S COUNTY, MARYLAND**  
1"= 300' AUGUST 2021

STREET & STREAM CENTERLINES FROM MD IMAP MAPPING AND GIS DATA PORTAL  
MDLANDREC.NET DEEDS & PLATS.NET PLAT BOUNDARY LINES  
STREET NAMES FROM ADC MAP BOOK



**CPI** Charles P. Johnson & Associates, Inc.  
Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors  
1791 Elton Rd., Ste. 300 Silver Spring, MD 20903 301-434-7000 Fax: 301-434-9394  
www.cpi.com • Silver Spring, MD • Gaithersburg, MD • Annapolis, MD • Greenbelt, MD • Frederick, MD • Fairfax, VA



BOARD OF COMMISSIONERS  
FOR THE  
TOWN OF UPPER MARLBORO

ORDINANCE: 2001-2  
SESSION: Regular  
DATE: September 11, 2001

An ordinance to regulate and provide for the conduct of voter registration, maintenance of registration records, conduct of elections, certification of election results and penalties related thereto.

**SECTION I.**

BE IT ENACTED AND ORDAINED by the Board of Town Commissioners for the Town of Upper Marlboro, that a new ordinance, Ordinance No. 2001-2 be and is hereby enacted to read as follows:

**SECTION II.**

**"A. ARTICLE 1 - GENERAL**

**1. VOTER REGISTRATION:**

Registration of eligible voters wishing to vote in Town elections shall be made in accordance with provisions of section 62-24 of the Town Charter.

**2. MAINTENANCE OF RECORDS:**

The Town Clerk shall maintain the Town supplemental voter registration records of voters not registered with Prince George's County.

The Town Board of Elections shall, before each election, obtain from the County Board of Elections a list of registered voters of Prince George's County who reside in the Town and will check the accuracy of that list with respect to Town residents. The Town Board of Elections shall recommend any corrections required to the County Board of Elections.

**3. CONDUCTING ELECTIONEERING ACTIVITIES NEAR POLLING PLACES PROHIBITED:**

No person may canvass, electioneer or post any campaign literature or material in a polling place or within a three hundred-foot radius from the entrance and exit of the building closest to that part of the building in which voting occurs: nor shall anyone linger, be or remain within said distance of three-hundred feet of the polls except election officials and peace officers, unless it be in approaching the polls to vote, or in passing along the streets in the usual and orderly manner of travel.

**4. POLL WATCHERS - SELECTION:**

Each candidate for elective office may select one (1) person, who shall be a qualified voter of the Town, to serve as poll watcher and each candidate shall submit to the Supervisor of Elections the name of the poll watcher at least three (3:) days prior to the election. The poll watcher shall not be an employee of the Town and shall serve without compensation.

**5. DUTIES OF POLL WATCHERS:**

Each poll watcher shall have the right to observe every aspect of the conduct of an election. Each poll watcher shall be assigned a position at the polling place near the Election Judges, inside the polling area so as to enable them to see each person as he/she offers to vote. The poll watchers shall have the right to enter the polling place one-half hour before the opening of the polls. It shall be unlawful for any poll watcher to inquire or attempt to ascertain for which candidate any voter intends to vote, or has voted, or to converse in the polling place with any voter, or to assist any voter in the preparation of a ballot or in the operation of the voting machine, or follow or impede in anyway a voter in the process of voting. Any poll watcher who violates the restrictions set forth herein may be lawfully ejected by the Election Judges and is subject to penalties provided in this Article

**6. POSTING OF SAMPLE BALLOT:**

At least four (4) days before any election, the Supervisors of Elections shall conspicuously and securely post an accurate sample copy of the ballot to be used in the approaching election on the bulletin board at Town Hall and on the exterior of the building where the voting takes place. Said ballot shall be clearly marked "sample."

**7. POSTING OF SAMPLE BALLOT - MISTAKES AND CHALLENGES:**

A correct list of the names of the candidates as they are to appear on the ballot shall be furnished on demand by the Supervisors of Elections to the candidates or their authorized agents. If any mistakes be discovered, it shall be the duty of the Supervisors to correct the same without delay, and if said Supervisors of Elections shall decline or refuse to make the correction, then upon the sworn petition of any qualified voter who would have the right to vote for such candidate at the approaching election, the Circuit Court for Prince George's County may, by order, require said Supervisors of Elections to correct such error or to show

cause why such error should not be corrected.

#### **8. TIE VOTES:**

In case of a tie vote, the Board of Commissioners shall order and provide for a run-off election between the tied candidates within twenty-one (21) days thereafter.

Notices for run-off elections need to be published within one week of the election date.

#### **9. VOTE COUNT OBSERVATION AND DECORUM:**

After the last voter has voted and the polls have closed, and before the counting begins, candidates and members of the public may be permitted to enter the polling room. Once the counting begins, the door to the polling room will be closed and no one will be allowed to enter until the votes have been tallied. Once inside the room, anyone wishing to leave will not be readmitted until the counting has concluded. The use of cell phones, pagers and beepers will not be permitted in the polling room during the counting of the votes. Anyone who violates the restrictions set forth herein may be, at the discretion of the election judges, ejected from the proceedings.

#### **10. ABSENTEE VOTING:**

Any qualified and registered voter who cannot be present at an upcoming Town election, by reason of religious beliefs, physical condition, or absence from the Town on the day of the election, may vote by absentee ballot. The individual shall apply for an absentee ballot on an application form provided by the Town Board of Supervisors of Elections not earlier than thirty (30) days preceding such election. The individual shall state in the application, the reason he or she cannot vote in person at the election, shall sign the application and deliver the application by mail or other means, so that it reaches the Town Clerk not later than ten (10) days immediately preceding the election.

The Board of Supervisors of Elections shall accept applications for absentee ballots after the tenth (10) day immediately preceding the election only in the event that, after the tenth (10) day immediately preceding the election, one of the following emergencies occurred:

(1) The applicant has been notified that, as a condition of employment, he or she will be unable to be present to vote on Election Day.

(2) The applicant is unable to be present at the polls because of a serious illness or accident.

(3) The applicant is unable to be present at the polls because of a death or serious illness in his/her immediate family.

Use of an Agent in Absentee Ballot Process:

A qualified applicant may designate a duly authorized agent to pick up and deliver an absentee ballot who meets the following qualifications:

- (1) Must be at least 18 years;
- (2) May not be a candidate on that ballot;
- (3) Shall execute an affidavit under penalty of perjury that the ballot

was:

Delivered to the voter who submitted the application, marked and placed in an envelope by the voter, or with assistance in the agent's presence; and returned to the local board by the agent.

All such ballots returned shall reach the Supervisors of Election not later than the closing of the polls on Election Day.

The sealed envelope containing the returned ballot shall be so marked as to identify the sender, and his name shall be checked against the list of written applications for absentee ballots. If no written application has been filed, the ballot shall not be counted, but shall be destroyed.

On election day, prior to the closing of the polls, the Town Clerk shall deliver the absentee ballots to the place designated by the Board of Elections and shall make an accounting for the purpose of counting absentee ballots as to the number of absentee ballots issued and the number returned. The Town Clerk shall keep such record of the absentee ballots in a secure place as is kept with other voting records.

Upon receipt of the absentee ballots, the judges of elections, for the purpose of counting absentee ballots shall open the outer signed and sealed envelope and remove the unmarked inner envelope and deposit it in the regular ballot box forthwith. Upon the closing of the polls, but not before, the judges of the election shall open the unmarked envelopes and shall determine that no more than one (1) ballot is contained in each envelope prior to conducting the count. If an envelope should contain more than one (1) ballot, neither ballot shall be included in the count.

Upon the issuance of an absentee ballot, the Town Clerk shall cross that person's name off the voter registration list and mark absentee ballot next to it.

An attempt will be made to supply the voter with an absentee ballot for any runoff election as soon as official copies are available, and the above regulations shall apply to such runoff election.

No voter who has been issued an absentee ballot for an election shall be authorized to cast his ballot in any manner other than by casting the absentee ballot. Should an absentee ballot be lost or destroyed, without being returned to the Town Clerk, a second ballot may be issued, if there is sufficient time. Prior to delivering the ballots to the judges of election, the Town Clerk shall verify that one (1) ballot is being submitted for each absentee voter

applicant. Should an absentee ballot be challenged by the Town Clerk or judge of election as to the ballot being cast by the person to whom it was issued, or as to the ballot being obtained and returned in accordance with the provisions of this section, the Board of Elections shall determine the validity of any challenged absentee ballot.

When the Board of Elections determines from proof or investigation that any person who has marked and transmitted an absentee ballot has died before election day, such ballot of the deceased voter shall not be counted. However, if prior to the time of such counting, the Board of Elections shall not have determined that the absentee resident who marked a ballot had died before election day, such ballot shall be counted, and the fact that said absentee resident may later be shown to have been actually dead on election day shall not invalidate said ballot or said election.

#### **11. ASSISTANCE TO VOTERS:**

Any registered voter who requires assistance to vote by reason of blindness, disability, or inability to read the English language or write may be given assistance by a person of the voter's choice, not to include the voter's union or employer. Any person rendering assistance pursuant to this subsection shall execute a certification to be included in the instructions.

#### **12. VOTING SECRECY:**

The Board of Elections shall provide an enclosure to vote that ensures secrecy in the marking of the ballots and shall count the ballots only after the close of the polls as scheduled.

#### **13. CERTIFICATION OF ELECTION RESULTS:**

As soon as possible after the count is completed, the election judges shall certify in writing the number of votes cast in the election, the number of votes cast for each candidate, the number of votes cast in favor or opposed to each referendum question placed on the ballot, and the number of invalid ballots, and shall certify as to the names of those candidates elected and those candidates who must participate in a runoff election, if any, and the approval or disapproval of each referendum question.

#### **14. SURPLUS BALLOTS:**

All surplus ballots shall be destroyed within ten (10) days after the election unless notified prior to that time of a pending contest to the election.

#### **15. SPOILED, NOT VOTED AND REJECTED BALLOTS:**

Spoiled, "not voted" and rejected ballots shall be immediately cancelled by endorsing upon the back thereof, including the judge's initials, the word "Spoiled," or "Not Voted," or "Rejected" as appropriate. The "spoiled" and "not voted" ballots shall be enclosed in

an envelope to themselves, endorsed, "spoiled and not voted," and sealed. The rejected ballots shall be enclosed in an envelope to themselves, endorsed "rejected," and sealed. Both envelopes shall be put in a secure place normally maintained with other voting records, and kept for the space of six months unless previously notified of a pending contest to the election.

#### 16. PENALTIES:

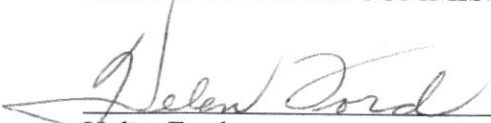
Any person who shall violate any of the provisions of this Article shall, upon conviction, be sentenced to pay a fine of not more than one thousand dollars (\$1,000) or be sentenced to imprisonment for not more than six (6) months, or both, in the discretion of the court."

#### SECTION III.

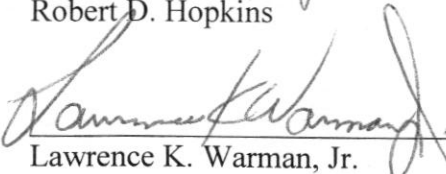
BE IT FURTHER ENACTED that this ordinance shall take effect twenty (20) days after its adoption by the Town of Upper Marlboro.

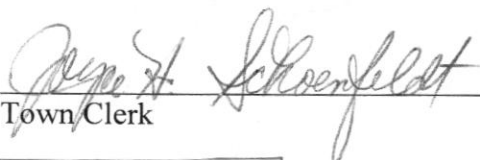
Adopted this 9<sup>th</sup> day of October, 2001

#### BOARD OF TOWN COMMISSIONERS

  
Helen Ford  
President

  
Robert D. Hopkins

  
Lawrence K. Warman, Jr.

  
Town Clerk

#### OFFICIAL NOTICE

The Board of Commissioners for the Town of Upper Marlboro has recently adopted the following ordinance:

Ordinance 2001-2 regulates and provides for the conduct of voter registration, maintenance of registration records, conduct of elections, certification of elections results and penalties related thereto.

Effective: October 29, 2001.

10251

(10-25)

**BOARD OF COMMISSIONERS  
FOR THE  
TOWN OF UPPER MARLBORO**

ORDINANCE: 2021-XX  
SESSION: Regular Town Meeting  
INTRODUCED:  
DATE ENACTED: \_\_\_\_\_

**AN ORDINANCE TO REGULATE AND PROVIDE FOR THE CONDUCT OF VOTER REGISTRATION, MAINTANCE OF RECORDS, CONDUCT OF ELECTIONS, CERTIFICATION OF ELECTION RESULTS, AND PENALTIES RELATED THERETO**

**WHEREAS**, Section 82–59 of the Town Charter (authority to employ personnel) states that the Town shall have the power to employ such officers and employees as it deems necessary to execute the powers and duties provided by this Charter or state law and to operate the Town government; and

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO, STATE OF MARYLAND, DOES ORDAIN AND ENACT AS FOLLOWS:

**Section 1. Purpose and Authority:** The purpose of this Ordinance is to set forth the rules and procedures for electing or selecting the five (5) Town Commissioners for the Board of Town Commissioners, as well as to define the roles and responsibilities of the Board of Supervisors of Elections, the Town Clerk and other employees charged with managing the municipal election process. The authority to hold municipal elections is contained in Article XI-E of the Constitution and the Local Government Article of the State of Maryland Annotated Code, as amended from time to time, and Sections of the Charter of the Town of Upper Marlboro. All Town election procedures shall be subject to the provisions contained in the Annotated Code of Maryland.

**Section 2. Applicability:**

This Ordinance applies to the process of electing and selecting the members of the Board of Town Commissioners for the Town of Upper Marlboro.

**Section 3. Definitions:**

- A. Absentee Voting: Voting in a location other than an official polling station.
- B. Ballot: The means by which a resident records their vote. It may be an Electronic Ballot (generated by a voting machine) or a Paper Ballot (designed by the Town Clerk or designated employee)
- C. Ballot Question: Questions the sitting Board of Town Commissioners may chose to incorporate into the ballot to receive advice or input from the Town’s voters on different topics.



- D. Board of Supervisors of Elections: Is composed of at least three (3) members, with a maximum of five (5) members; who shall be appointed by the Board of Town by the second Tuesday in September in odd years and serve for a term of two years.
- E. Domicile: the place where a person has his or her permanent principal home to which he or she returns or intends to return.
- F. Duly Authorized Agent: a person at least 18 years of age, who is not a candidate on the ballot, and is designated in writing by a qualified voter as his or her agent in picking up and delivering an absentee ballot.
- G. Election Day: The 1st Tuesday in November of every odd-numbered year.
- H. Election Judges: May be appointed as needed by the Board of Supervisors of Elections to assist with conducting the election.
- I. Election Procedures Manual: a reference manual for Town Commissioner elections containing detailed instructions on preparing and conducting an election as well as standard templates and relevant legal references.
- J. Prince George's County Board of Elections: the authority for conducting elections in Prince George's County.
- K. Provisional Voter: A resident not listed in the Voter Registration List, whose eligibility to vote must be established after casting a ballot
- L. Public outreach: a systematic attempt to provide information or services to a targeted group of people, such as posting to the Town website or in a newspaper of general circulation.
- M. Registration: See Universal Registration
- N. Special Election: an election held on a date other than a regularly scheduled election for the purpose of filling a Town Commissioner vacancy. A special election shall be held not less than thirty (30) days and not more than forty-five (45) days after the vacancy is created
- O. Spoiled ballot: a ballot that has been declared invalid by the Board of Supervisors of Elections and is excluded from the vote count in accordance with criteria detailed in the election procedures manual of the Town of Upper Marlboro.
- P. Supplemental Voter Registration List: a list of voters registered to vote solely in Town elections.
- Q. Town Clerk: a municipal employee charged with a set of clerical responsibilities, including management of the municipal elections process. Election preparation and management may be carried out by another designated municipal employee.
- R. Universal registration: a system of qualifying voters based on residency in the State of Maryland and its political subdivisions to vote in Federal, State, County and Municipal elections by registering only once,
- S. Voter Authorization Card (VAC): a card provided by the Prince George's County Board of Elections in conjunction with the voter registration list that must be signed before a voter may proceed to cast a vote.
- T. Voter Registration List: official voter registration list for the Town of Upper Marlboro obtained from the Prince George's County Board of Elections and maintained by the State of Maryland Board of Elections.
- U. Voting age: at least 18 years of age, per Section 82-19 of the Town Charter.

- V. Voting machine: a mechanical or electronic piece of equipment, including software, used to define ballots; to cast and count votes; to display and report election results; and to maintain an audit trail.
- W. Voting machine vendor: a business that sells or leases voting machines and provides the technical support to operate them.
- X. Write-in Vote: the action of a voter to write-in the name of a person who is not a declared candidate for Town Council on the ballot.

#### **Section 4. Voter Registration**

Every person who (a) is a citizen of the United States, (b) is at least eighteen (18) years of age, (c) has resided within the corporate limits of the Town for ten (10) days next preceding any Town election and (d) is registered in accordance with the provisions of this Charter shall be a qualified voter entitled to vote at any or all Town elections.

#### **Section 5. Appointment and Duties of Board of Supervisors of Elections**

The Board of Supervisors of Elections exercises general supervision of the Town elections in accordance with Section 80-20 of the Town Charter. An invitation to serve on the Board is in suitable means of public outreach no less than three months leading up to election day. A proposed Board is approved, and a Elections Chair appointed, by the Town Council at the first worksession in February and the Board and Elections Chair are sworn-in by the Mayor at the February Town meeting.

It shall be the duty of the Board to: become familiar with State laws, Town ordinances and the Election Procedures Manual that guide the electoral process by attending relevant training at the State, County or municipal level; review supplemental voter registration lists and absentee voter lists; prepare the polling station and supervise the election; and tally the votes and report the election results to the sitting Board of Town Commissioners.

The Board of Supervisors of Elections may also appoint election judges to assist with carrying out an election. All elections judges shall be registered voters of the Town, and the Board of Supervisors of Elections shall submit the names of all appointed elections judges to the Town Clerk prior to the election.

The Board of Supervisors of Elections, Chairman, and election judges shall be compensated by the Town per election in the below amounts:

- Board of Supervisors of Elections Chair \$500 per election
- Board of Supervisors of Elections Member(s) \$350 per election
- Election Judge(s) \$250 per election

The Clerk shall ensure compensation is issued within seven (7) days after the election date.

#### **Section 6. Preparing for Town Council Elections**

Town Elections elections take place on the second Tuesday in November of every odd-numbered year.

A. Election Schedule: In September prior to the Town election, the Town Clerk shall update the election schedule for publication in the January Bulletin or other suitable means of public outreach. The schedule shall contain important dates and deadlines related to the election.

B. Registration: No less than six (6) months prior to a Town Council election, the Town Clerk shall contact the Prince George's County Board of Elections and request the development of a plan and schedule to implement universal registration, including a voter registration list and the supporting materials for the Town election, pursuant to §3-403 of the Maryland Election Law Article, as may be amended. The Town's supplemental voter registration list shall be finalized by the Town Clerk thirty (30) days prior to the election date.

C. Board of Supervisors of Elections: The Town Clerk shall begin recruitment of members of the Board of Supervisors of Elections in July and August prior to the election by publicizing the position in suitable means of public outreach, as needed; assemble a Board of Supervisors of Elections Supervisors for the Town Commissioner's review and swearing in, and ensure that all members of the Board of Supervisors of Elections receive a course of training in their duties. The training shall take place after the candidate filing and candidate withdrawal deadlines.

D. Town Council Candidacy: The Town Clerk shall notice the filing deadline of an election in suitable means of public outreach no less than sixty 60 days for a regular election, and no less than twenty days for a special election, as needed; provide Petition of Candidacy and Financial Disclosure forms (if applicable) to residents wishing to file for Town Council candidacy; and receive and review the filed forms. The Town Clerk shall also advise candidates on all relevant election matters, including the election schedule, Candidates' Night, campaigning and other questions that may arise.

E. Campaign Material: The Town Clerk shall inform Town Commissioner candidates of the Town's campaign rules. Starting three weeks prior to the election, campaign literature may be distributed, and campaign signs and posters may be displayed on private property, including the Town right-of-way, with the property owner's permission. Campaign signs shall:

1. Not be displayed until three (3) weeks prior to the election.
2. Not create a public safety hazard.
3. Be removed within two (2) days after the election.
4. Not be attached to utility poles.
5. Not be displayed on Town property, with the exception of Election Day only.

F. Write-in Candidates: The Town Clerk shall accept Petition of Candidacy and Financial Disclosure forms that have been filed after the first Tuesday in March deadline as write-in candidacies. Write-in candidates that have submitted all completed forms and are determined to be qualified are entitled to 1) having their names published in the Town Bulletin if their forms were filed and determined to be acceptable by April 15 of an election year; 2) participate in Candidates' Night if their forms were filed and determined to be acceptable at least one (1) week prior to Candidates' Night; and 3) have their names posted inside and outside the polling station, if their forms were filed at least one (1) week prior to election day.

G. Candidates' Night: The Town Clerk shall arrange for a Candidates' Night to be held in October prior to a Town election. All qualified candidates confirmed at that time may participate in this moderated public forum to introduce themselves and answer questions from residents. A 3<sup>rd</sup> party group or organization may also assist with this event.

H. Notice of Election: The Town Clerk shall give at least two (2) weeks' notice of every election in the Town Bulletin, a paper of general circulation, or other suitable form of public outreach, and physically post the Election Notice in three (3) public places in the Town.

I. Election Supplies: The Town Clerk shall ensure that all necessary election supplies are at hand on Election Day, either for voting by paper ballot or by voting machine.

## **Section 7 Absentee Ballots**

An eligible voter may vote by absentee ballot in a Town election for any reason, pursuant to §4-108 of the Maryland Local Government Article, as may be amended. The Town Clerk shall prepare absentee ballots and an absentee voter list to keep an accurate record of voters who request an absentee ballot.

A. Application: A registered voter may request an absentee ballot as early as thirty (30) days prior to the election. The request can be made electronically or by absentee ballots and accompanying envelopes are made available to any eligible voter upon request until the election, including ballots requested in writing by a duly authorized agent. Requests can be made up until the closing of the polls, however all ballots must be submitted prior to the polls being declared closed in order to be counted.

B. Qualified Agent: Any registered voter voting by absentee may designate an agent to pick up and deliver an absentee ballot granted that they; are at least 18 years of age, are not a candidate on the ballot, sign an affidavit that the ballot was delivered to the voter who submitted the application, marked and placed in an envelope by the voter, or with assistance in the agent's presence; and returned to the Town by the agent.

C. Late Absentee Ballots: Any absentee ballots received after polling has closed will be handled as a spoiled ballot.

D. Storage of Absentee Ballots: Every absentee voter shall be listed on the absentee voter list that includes name, address, date of issuance of ballot and date of receipt of voted ballot. Voted ballots shall be kept sealed in their envelopes and stored in a secure location to be opened and tallied on Election Day.

## **Section 8 Election Day**

The preparation for and the conduct of an Election Day are described in detail in the Election Procedures Manual. The polls are open between 7:00 a.m. and 7:00 p.m.

A. Preparing the Polling Station: The Town Clerk shall meet the members of the Board of Supervisors of Elections before polls open at 7:00 a.m. on Election Day to prepare the polling station. Preparation of the polling station includes:

1. Posting sample ballots and instructions outside and inside the polling station for public view. The sample ballot shall show names of declared candidates and questions, if any. The names of write-in candidates may be posted inside and outside the polling station, but not within the voting booth.
2. Demarcating a one hundred (100') foot perimeter around the polling station structure as a "no electioneering" zone. No campaigning by candidates or their supporters will be allowed within this area. Candidates for election may cross this line only to cast their own vote.
3. Setting up a voter "check-in" station, including readying of the voter registration list and Voter Authorization Cards.
4. Completing set up of voting booths. If voting machines are used, the Elections Chair, with assistance from the voting machine vendor, shall verify that they are ready for use and counters set to zero. If paper ballots are used, members of the Board of Supervisors of Elections shall ensure that each booth has a pen for marking the ballot.
5. Setting up ballot boxes if paper ballots are used. Ballot boxes must be empty and unlocked for use. The Town Clerk shall keep the ballot box key in secure storage until the polls close.

B. Polling Station Open: The Elections Chair supervises the polling station and may assign members of the Board of Supervisors of Elections to their particular stations. Upon opening of the polls, all members of the Board of Supervisors of Elections shall take their assigned stations. At least two members of the Board of Supervisors of Elections shall staff the voter check-in/registration tables. One member of the Board of Supervisors of Elections shall staff the voting booths and one shall staff the ballot boxes, if paper ballots are used. Physically disabled voters shall be assisted as prescribed in the Maryland Election Law Article, as may be amended.

The Elections Chair shall be responsible for provisional voting and ensure that residents, who are not on the voter registration list, are able to cast a provisional ballot. Provisional ballots are set aside for separate tallying. Votes remain provisional until the eligibility of the voter has been established by the Prince George's County Board of Elections.

The Town Clerk shall announce the closing of polls five minutes before 7:00 p.m. on Election Day. Any resident wishing to observe the tallying may remain inside the polling station when the doors are locked. No one shall be permitted to enter or re-enter the polling station while tallying is in progress.

C. Vote Count Observation and Decorum: After the last voter has voted and the polls have closed, and before the counting begins, candidates and members of the public may be permitted to enter the room where the votes will be counted. Once the counting begins, the door to the counting room will be closed and no one will be allowed to enter until the votes have been tallied. Once inside the room, anyone wishing to leave will not be readmitted until the counting has concluded. The use of electronic devices, other than those being used by the Board of Supervisors of Elections for counting, will not be permitted in the polling room during the

counting of the votes. Anyone who violates the restrictions set forth herein may be, at the discretion of the election judges, ejected from the proceedings.

If paper ballots are used:

1. The ballot box key shall be returned to the Elections Chair by the Town Clerk to open the ballot boxes.
2. The Elections Chair shall remove ballots from the ballot box and organize them for tallying assisted by other members of the Board of Supervisors of Elections.
3. The Elections Chair shall read out aloud how each ballot was voted, including write-in votes and ballot questions (if any).
4. Two members of the Board of Supervisors of Elections will independently tally the votes cast for each candidate and results of each ballot question.
5. In the case of an irregular ballot, the Elections Chair shall consult with two other members of the Board of Supervisors of Elections to determine if the ballot is valid or spoiled in accordance with criteria detailed in the election procedures manual of the Town of Upper Marlboro. If spoiled, the ballot shall be marked "void" and set aside. A voided ballot shall be shown to any challenger but shall not leave the hand of the member of the Board of Supervisors of Elections.
6. When all regular ballots are tallied, the Elections Chair shall open the sealed envelopes with absentee ballots and count them. The absentee ballots shall be added to the tally of regular ballots. The result is compared with the tallied check marks on the County voter registration list and the Town supplemental voter list to ensure that the total number of voters agrees with the total number of ballots cast.
7. Provisional votes shall be tallied separately and set aside until the qualification of each provisional voter can be verified
8. Voted ballots shall be placed in envelopes, sealed and signed across the seal by three members of the Board of Supervisors of Elections. Said envelopes, marked voter registration list and Voter Authorization Cards shall be kept in a secure place until they are delivered to the Prince George's County Board of Elections for certification.
9. Tally sheets shall be verified, signed and dated by the Elections Chair and members of the Board of Supervisors of Elections. Tally sheets, together with spoiled ballots, those not distributed and not used shall be placed in envelopes, sealed, signed across the seal by at least three members of the Board of Supervisors of Elections and returned to the Town Clerk.

If voting machines are used:

1. The Elections Chair, with two other members of the Board of Supervisors of Elections, shall open the voting machines and unroll the tally sheets.
2. The machine count shall be verified by at least two members of the Board of Supervisors of Elections. Under the supervision of the Elections Chair, members of the Board of Supervisors of Elections shall tally record sheets from each voting machine. Once the machine votes have been tallied, the Elections Chair shall open the sealed envelopes with absentee ballots and count them. The absentee ballots shall be added to the tally of regular ballots. The result is compared with the tallied check marks on the County voter

registration list and the Town supplemental voter registration list to ensure that the total number of voters agrees with the total number of ballots cast.

3. Provisional votes, cast by paper ballot, must be tallied separately, and returned separately to the Prince George's County Board of Elections to be certified.
4. Tally sheets shall be verified against the total count of the signed voter authorization cards, a count of check marks on the County voter registration list, and a count of checks on the Town supplemental registration list.
5. Voting machine tally sheets and absentee ballots shall be placed in envelopes, sealed, and signed across the seal by at least three members of the Board of Supervisors of Elections.
6. Voting machines shall be locked and sealed and keys placed in a sealed envelope for safekeeping until the voting machines are picked up by the vendor.

D. Tie Votes: In the case of a tie vote, the Board of Commissioners shall order and provide a run-off election between the tied candidate within twenty-one (21) days of the initial election.

E. Announcement of Election Results: The Elections Chair shall announce the five candidates receiving the highest number of votes as Commissioners-elect. The Elections Chair shall also announce the results of any Ballot Questions.

F. Statement of Election Results: The Elections Chair shall, within forty-eight (48) hours, present a Statement of Election Results to the sitting Mayor for their signature. The statement of election results shall be dated and signed by at least three members of the Board of Supervisors of Elections, placed in an envelope, sealed and signed across the seal by three members of the Board of Supervisors of Elections.

G. Reporting Election Results and Certification: The Town Clerk shall deliver the Statement of Election Results, the marked voter registration list, Voter Authorization Cards, absentee and provisional ballots to the Prince George's County Board of Elections within four days after the election. The County Board of Elections will independently tally the votes, including confirmed provisional votes, and certify the election.

After tallying the votes, the Prince George's County Board of Elections will return the voter registration lists, Voter Authorization Cards, and voted ballots, which shall be retained by the Town for a period of at least six (6) months.

## **Section 9 Ballot Questions**

The sitting Board of Town Commissioners may, by Resolution, add non-binding questions to an election ballot to receive advice or input from the Town's voters on different topics. Said Resolution should list each question and provide a detailed background statement as to why this topic is important. The Resolution should be approved no more than thirty (30) days prior to the election date. Ballot questions shall be included in the sample ballot and

## **Section 10 Additional Items**

A. Assistance To Voters: Any registered voter who requires assistance to vote by reason of blindness, disability, or inability to read the English language or write may be given assistance by a person of the voter's choice, not to include the voter's union or employer. Any person rendering assistance pursuant to this subsection shall execute a certification to be included in the instructions.

B. Voting Secrecy: The Board of Elections shall provide an enclosure to vote that ensures secrecy in the marking of the ballots and shall count the ballots only after the close of the polls as scheduled.

C. Penalties: Any person who shall violate any of the provisions of this Article shall, upon conviction, be sentenced to pay a fine of not more than one thousand dollars (\$1,000) or be sentenced to imprisonment for not more than six (6) months, or both, in the discretion of the court."

## **Section 10 Severability**

If any section, subsection, paragraph, sentence, clause, or word contained in this Ordinance shall be declared invalid for any reason, such decision shall not affect the remaining portion of this Ordinance, which shall remain in full force and effect, and to this end the provisions of the Ordinance are hereby declared to be severable.





# Town of Upper Marlboro

Town Hall, 14211 School Lane  
Upper Marlboro, MD 20772

Tel: (301) 627-6905  
Fax: (301) 627-2080

[info@uppermarlboromd.gov](mailto:info@uppermarlboromd.gov)  
[www.uppermarlboromd.gov](http://www.uppermarlboromd.gov)

Mailing address: P.O. Box 280 • Upper Marlboro, MD 20773-0280

## MEMORANDUM

To: Board of Town Commissioners  
From: John Hoatson, Town Clerk  
Date: Friday, August 20, 2021  
Re: Supervisors of Election

Commissioners,

The Town has sent invitations to the following individuals to serve a Supervisors of Election for the upcoming Town Election on Tuesday, November 2, 2021.

**Joe Hourcle'**  
**Evelyn Stephens**  
**Yvonne Tucker**

As of Friday, August 20, 2021, Evelyn Stephens has graciously accepted the appointment to serve as a Supervisor of Election. We are still waiting on the other two individuals for a response. We hope to appoint the Supervisors of Election at the September Regular Town Meeting. An update will be forthcoming to the Board of Commissioners.

**Janice Duckett**  
Commissioner

**Sarah Franklin**  
Commissioner/Treasurer

**Linda Pennoyer**  
Commissioner/President



# The Town of Upper Marlboro

## 2021 Town Election Schedule



Monday, September 6, 2021	Labor Day (Observed) Town Offices Closed
Tuesday, September 14, 2021	(Virtual) Regular Town Meeting 7:00 PM: BOE Supervisors Sworn-In
Tuesday, September 28, 2021	(Virtual) Town Board Work Session 7:00 PM
Wednesday, September 29, 2021	New Charter Resolutions Takes Effect
Friday, October 1, 2021	Absentee Ballot Request Begins
Friday, October 8, 2021	Prince George's County Voter Registration Deadline
Monday, October 11, 2021	Indigenous Peoples' Day (Observed) Town Offices Closed
Tuesday, October 12, 2021	(Virtual) Town Meeting 7:00 PM   Candidate Packets Due   Newsletter Submissions Due
Wednesday, October 13, 2021	(Virtual) Candidate Certification Confirmation and Order of Ballot Determination. 7:00 PM
Friday, October 15, 2021	Mailer To Residents: Town of Upper Marlboro
Friday, October 22, 2021	Town of Upper Marlboro Voter Registration Deadline
Tuesday, October 26	(Virtual) Town Board Work Session 7:00 PM
Wednesday, October 27, 2021	(Virtual) Candidate Forum 7:00 PM
<b>Tuesday, November 2, 2021</b>	<b>Election Day At Town Hall: Polls Open 7:00 AM until 8:00 PM</b>
Wednesday, November 3, 2021	Post-Election Results Posted
Thursday, November 4, 2021	Final Certification Of Election Results
Tuesday, November 9, 2021	(Virtual) Regular Town Meeting 7:00 PM
Thursday, November 11, 2021	Veteran's Day (Observed) Town Offices Closed
Tuesday, November 23, 2021	(Virtual) Town Board Work Session 7:00 PM
Thurs & Fri, November 25 & 26, 2021	Thanksgiving Day (Observed) Town Offices Closed Thursday & Friday
Monday, December 13, 2021	(Virtual) Regular Town Meeting / Swearing-In Of New Commissioners 7:00 PM
Tuesday, December 28, 2021	(Virtual) Town Board Work Session 7:00 PM

## TOWN ELECTION: TUESDAY NOVEMBER 2, 2021

### VOTING INFORMATION:

All Town residents are encouraged to come out for the Town Election and vote for five (5) Town Commissioners.

### The Polls Will Be Open

7:00 a.m. until 8:00 p.m., Tuesday, November 2, 2021

Polling Place: Town Hall 14211 School Lane | Upper Marlboro, MD 20772

★ If you are already registered to vote with the County, then you are automatically registered to vote in the Town of Upper Marlboro.

If you are not, or care not to be registered  
with the County Board of Elections,  
You can still register with the Town ONLY.

### **Voter Registration Deadline For Election:**

County: Friday, October 8 2021

Town: Friday, October 22, 2021

★ For additional information visit the Town Website

[www.UpperMarlboroMD.gov](http://www.UpperMarlboroMD.gov)

Or contact the Town Clerk at 301-627-6905 ex. 1102

Social distancing **measurers** will **be** in place at the  
polling location **and** masks required.

★ **14211 School Lane | Upper Marlboro, MD**



## Candidate Information:

The Town is seeking candidates to run for vacant Town Commissioner Seat. In order to register as a candidate, you must meet the following conditions as set forth in the Town Charter.

- ★ Shall have resided in the Town for at least two years immediately preceding the election.
- ★ Shall be a qualified voter of the Town.
- ★ Shall be at least 25 years of age.

If you are interested in running, complete a Candidate Packet including a Nomination Form and submit to the Town Clerk by the deadline below. Forms can be obtained from the Town website, or by pick-up from Town Hall by appointment only.

**Candidate Filing deadline is:**  
**Tuesday, October 12, 2021**  
**(by close of business)**

For additional information visit: [www.UpperMarlboroMD.gov](http://www.UpperMarlboroMD.gov)  
Or contact the Town Clerk at 301-627-6905 Ext 1102

FIRST CLASS MAIL  
U.S. POSTAGE  
**PAID**  
WALFORD, MD  
PERMIT NO 47





# Town of Upper Marlboro **Town Election**

**Tuesday, November 2, 2021**

**Polls Open: 7:00 AM until 8:00 PM**

**Polling Location: Town Hall | 14211 School Lane | Upper Marlboro, MD 20772**



**For More Information Visit The Town Website:**

**[www.UpperMarlboroMD.gov](http://www.UpperMarlboroMD.gov)**

**Or Contact The Town Clerk At 301-627-6905**

**County Voter Registration Deadline:**

**Friday, October 8, 2021**

**Town Voter Registration Deadline:**

**Friday, October 22, 2021**

**Due To COVID-19 Voting By Mail Is Encouraged Request Your Absentee Ballot Starting October 1, 2021**

**Social Distancing Measures Will Be In Place At The Polling Location & Masks Required**



# Town of Upper Marlboro

**You Must Meet The Following  
Criteria To Apply For  
Candidacy**

★ **Shall Be A Qualified  
Voter Of The Town.**

★ **Shall Be At Least 25  
Years Of Age.**

★ **Shall Have Resided  
In The Town For At Least  
Two Years Immediately  
Preceding The Election.**



# **We Want You!**

## **Candidates Wanted For Board Of Commissioners**

**If you are interested in running, complete a Candidate Packet along with a Nomination Form and submit to the Town Clerk by the deadline. Forms can be obtained from the Town website, or by pick-up from Town Hall by appointment only.**



**Candidate Filing Deadline: October 12, 2021 (Close of Business)**

**For Additional Information visit: [www.UpperMarlboroMD.gov](http://www.UpperMarlboroMD.gov) or contact the Town Clerk at 301-627-6905**



## Town of Upper Marlboro Election Buttons



Given out after each person votes in the Town Election.



# Town of Upper Marlboro

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Upper Marlboro, MD 20772

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Mailing address: P.O. Box 280 • Upper Marlboro, MD 20773-0280

## MEMORANDUM

To: Board of Town Commissioners

From: Kyle Snyder, Town Administrator

Date: Thursday August 19<sup>th</sup>, 2021

Re: Formal Appointment Resolutions- Town Administrator & Chief of Police

Commissioners,

As you are aware, the Board passed Charter Amendment 01-2021 back in March 2021. This Charter Amendment, in addition to some other items, formally created the offices of the Town Administrator and the Chief of Police. Now that the Charter Amendment is fully in effect, the Board needs to pass two Resolutions, one for each position.

At this time, staff is recommending the Board consider passing fairly simple Resolutions to formally appoint each position. The Chief of Police's exact powers and duties can be set in a future Police Ordinance, and the Town Administrator's duties may change or be formally set in a future structure of government Charter Amendment that the Board has discussed.

Next steps would be for the Town Attorney to draft the two Resolutions for potential passage at the September Town meeting. Below is the verbiage from CAR 01-2021 regarding each position:

### SECTION 82-59A. (TOWN ADMINISTRATOR).

THE PRESIDENT, WITH THE APPROVAL OF THE BOARD, MAY APPOINT AN OFFICER OF THE TOWN BY ORDINANCE OR RESOLUTION WHO SHALL HOLD THE TITLE OF TOWN ADMINISTRATOR AND SHALL HAVE THE POWERS AND PERFORM THE DUTIES AS MAY BE PROVIDED BY ANY APPLICABLE ORDINANCES OR RESOLUTIONS OF THE TOWN. UNDER THE SUPERVISION OF THE PRESIDENT, THE TOWN ADMINISTRATOR SHALL COORDINATE AND GUIDE THE ADMINISTRATION OF ALL DEPARTMENTS, OFFICES AND AGENCIES OF THE TOWN, EXCEPT AS OTHERWISE PROVIDED BY THIS CHARTER OR BY LAW. NEITHER THE PRESIDENT NOR ANY TOWN COMMISSIONER SHALL RECEIVE SUCH APPOINTMENT DURING THE TERM FOR WHICH HE OR SHE SHALL HAVE BEEN ELECTED, NOR WITHIN ONE YEAR AFTER EXPIRATION OF SAID TERM. NOTWITHSTANDING ANYTHING ELSEWHERE IN THIS CHARTER TO THE CONTRARY, THE TOWN ADMINISTRATOR SHALL BE CONSIDERED SUBORDINATE TO THE BOARD, AND AN AT-WILL EMPLOYEE SERVING AT THE PLEASURE OF THE BOARD.

### SECTION 82-59B. (CHIEF OF POLICE).

THE PRESIDENT, WITH THE APPROVAL OF THE BOARD, MAY APPOINT AN OFFICER OF THE TOWN BY ORDINANCE OR RESOLUTION WHO SHALL HOLD THE OFFICE OF CHIEF OF POLICE. THE CHIEF OF POLICE SHALL ASSIST THE PRESIDENT IN THE ESTABLISHMENT AND MAINTENANCE OF A POLICE DEPARTMENT. THE POWER TO MANAGE AND OPERATE THE TOWN'S POLICE DEPARTMENT SHALL BE VESTED IN THE CHIEF OF POLICE, SUBJECT TO APPROVAL AND OVERSIGHT BY THE PRESIDENT AND BOARD OF TOWN COMMISSIONERS. IT SHALL BE THE FUNCTION OF THE UPPER MARLBORO POLICE DEPARTMENT TO ENFORCE THE LAWS OF THE TOWN AND, WHEN APPROPRIATE AND LAWFUL, THE LAWS OF PRINCE GEORGE'S COUNTY AND THE STATE OF MARYLAND. THE CHIEF OF POLICE SHALL ENSURE THAT THE POLICE DEPARTMENT ADEQUATELY AND COMPETENTLY FULFILLS ITS FUNCTION.



# DRAFT - 8-2021

## A Place to CONNECT

*Residents in Upper Marlboro know their neighbors. They meet them at events, community gathering spaces, parks and trails, and in thriving commercial centers. The Town is a place where you can live and work or come home to relax from a job in the city. It is a place where you bump into your child's teacher or bus driver at the library or a local event.*

### Connections Between Places

- Roads
- Sidewalks
- Bike lanes
- Trails
- Safe crossings
- Parking
- water access
- bike racks
- bus stops
- boat moorings (paddle)
- wayfinding

### Connections Between People

- Events
- playgrounds
- Community Center
- Library
- Art installations
- Gathering places
- Parks
- fields
- trails
- accessible natural areas
- community policing
- government services

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## A Place that's SAFE

*Upper Marlboro is a community where children walk to their bustops and are safe from speeding cars. Kids can walk and bike to meet up with their friends after school and on the weekends. Adult residents can walk to commercial centers and parks for exercise or convenience. Town police officers are people that residents know by name and can go to with their concerns. When an emergency happens residents know they will have a compassionate, safe, and timely response from their neighbors, police, fire, and EMS services.*

### Safe to live

- Community policing
- Fire
- EMS
- CERT
- flooding/stormwater management
- Lighting
- eyes on the street, etc

### Safe to move around

- Reduced travel speeds
- bike lanes
- sidewalks
- bus stops
- pedestrian connections
- Structural methods
- Street trees
- bike lanes
- one way streets
- traffic circles
- pedestrian bridges

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# DRAFT - 8-2021

## A Place that THRIVES

*Main Street in Upper Marlboro is hopping during the day with local workers. There is adequate parking and other nearby commercial centers are connected through walking paths. At night, Main Street restaurants are open, residents and visitors visit local coffee shops, art galleries, or grab a scoop of ice cream with friends. Residents who live along main street are part of the eyes on the street that make the Town feel alive and safe.*

### Where businesses thrive

- Main Street infill
- Parking
- Business recruitment program
- Parking
- Housing infill/mixed use
- Economic development
- Business incubator
- Tourism

### Where beauty thrives

- Street trees, planter boxes, benches, bike racks
- Trash & Recycling Bins
- Facade improvements
- Road design
- Art installations

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## A Place to CONNECT

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### Connections Between Places

- Roads
  - New connections
  - Look at converting some residential streets to “one way”
  - Roundabout at Highway monument
  - Traffic light at Route 4 & Old Crain Highway (visibility issue)
  - Designated bike lanes
  - Complete sidewalk network
  - Structural changes to reduce speeds
    - Street trees, bike lanes, planted medians, bump outs, etc.
  - Automated traffic monitoring
    - (red light & speed cameras) rather than officer based ticket writing
  - Buffer points for school bus stops separating children from traffic.
- Sidewalks
  - Complete sidewalk network
    - Old Crain to School Lane & existing network on Old Marlboro Pike
    - School Lane
    - Rectory Lane
    - Spring Branch? (width?)
    - Old Mill Road
- Safe crossings
  - Old Crain to School Lane
  - At Highway Monument
  - Elm Street
  - Old Mill Road
  - Rte 202
  - Along Rte 725 to 301
  - Consider pedestrian bridge(s) at high traffic locations.
- Bike lanes
  - Trail Connections (see “Trails”)
  - Main Street
  - Old Marlboro Pike
  - Old Crain Highway
  - Route 202
  - Route 725 ro 301
- Trails
  - Connections to regional trails
  - Chesapeake Beach Railway Trail
  - Western Branch Trail

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- Anacostia Heritage Area Trails
- WB&A trail
- New Hiking trails in Town and connections to regional hiking destinations
- Connection to schoolhouse pond from Marlboro Towne, other areas?
- Parking
  - Garage downtown
  - Redevelop Church Street Lot
  - Bike Racks
    - Town Hall
    - Downtown
    - Schoolhouse Pond
    - Tail intersections with commercial areas
  - Electric Vehicle charging stations
    - Town Hall
    - Main Street
    - Amish Market
    - Equestrian Center (already there)
- Water access
  - Kayak/Canoe launch at Route 202 bridge
  - Access on Water Street (maybe from Church Street Lot)
  - Tide tables and flood warning/closures
- Wayfinding
  - Signage and maps around Town letting new residents and tourist know of other destinations and connections.
  - Community Announcement boards
    - Neighborhoods
    - commercial
    - Other gathering places

## Connections Between People

- Events
  - Plan monthly or every other month event opportunities
  - Government/neighborhood gatherings once a quarter in different areas of Town
    - Meet your government (police, commissioners, town staff to rotate attendance)
- Playgrounds
  - Town Hall
  - Schoolhouse Pond
  - Golf course behind Marlboro Towne
  - Marlboro Towne? (can this become open to all residents?)
  - Downtown? Swings or something small in pocket park?
- Community Center
  - Downtown
  - Town Hall
  - Senior Center
  - Teen Center
  - Community Clubs and meeting rooms
- Library

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- Central walkable location for all residents
- Adequate Parking for events (maybe shared lot with commercial use?)
- Community gathering space (outside and inside)
- Move to a larger, new building. Lot across from John Rodgers state of the art stormwater retention/green building?
- Art installations
  - Downtown
  - Along trails maybe specific themes
  - Partnership with coffee shop/art gallery?
  - Public Collaborative Art
  - Local School involvement
  - Local artist housing (subsidized?)
- Gathering places
  - At nodes where people will naturally bump into one another
  - Benches
  - Tables
  - Art
  - Community notice boards
- Parks
  - Schoolhouse Pond
  - Old Golf Course
  - Sasscer fields/town hall
  - Potential hiking area
    - Old Crain Highway
    - Old Golf Course
  - Downtown pocket park
- Community policing
  - Community Days
  - Officers at events
  - Officers in plainclothes at community centers
  - Touch-a-truck
  - Officers on foot and bike
- Government services
  -

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## A Place that's SAFE

*Upper Marlboro is a community where children walk to their bustops and are safe from speeding cars. Kids can walk and bike to meet up with their friends after school and on the weekends. Adult residents can walk to commercial centers and parks for exercise or convenience. Town police officers are people that residents know by name and can go to with their concerns. When an emergency happens residents know they will have a compassionate, safe, and timely response from their neighbors, police, fire, and EMS services.*

### Safe to live

- Community policing
- Fire
- EMS
- CERT
- Flooding/stormwater management
  - Water Street bridge
  - Stormwater management upgrade on Route 725
  - Work with dam release areas for notification and monitoring
- Sinkholes
  - Aquifer Study
  - Monitor and report
  - Get state and county involved with WSSC concerns
- Lighting
  - Downtown
  - Along trails (especially where they connect to residential areas)
  - Along sidewalks in commercial areas
  - Well-lit open areas/corners in residential developments
- eyes on the street, etc
  - Infill development in commercial areas should be mixed use creating less opportunity to be unobserved.
  - Windows facing all areas of buildings
  - Eliminate alleys and dark corners/niches
  - Call boxes located at hubs
  - Community policing throughout town and trails

### Safe to move around

#### *Addressed in previous section*

- Reduced travel speeds
- bike lanes
- sidewalks
- bus stops
- pedestrian connections
- Structural methods

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## A Place that THRIVES

*Main Street in Upper Marlboro is hopping during the day with local workers. There is adequate parking and other nearby commercial centers are connected through walking paths. At night, Main Street restaurants are open, residents and visitors visit local coffee shops, art galleries, or grab a scoop of ice cream with friends. Residents who live along main street are part of the eyes on the street that make the Town feel alive and safe.*

### Where businesses thrive

- Main Street infill
  - Mixed use, housing above retail below
  - Height considerations (2 stories or 3? Can three be done without losing feel of main street?)
  - Map
  - Corner of Main and Water
  - Parking lot next to China taste
  - Front of other parking lots
  - Parking Garage essential to this infill
- Parking
- Business recruitment program
  - Expand hours of operation
  - Grocery store
  - Gym
- Parking
  - Consider meters being off evenings/weekends
- Economic development
- Business incubator
  - In CAB?
  - Subsidize space in business park?
- Tourism
  - Water tourism
  - Visitor Center
  - Historic Tourism
  - Proximity to DC brings folks in. How do we keep them here?

### Where beauty thrives

- Street trees, planter boxes, benches, bike racks
- Trash & Recycling Bins
- Facade improvements
- Road design
- Art installations

DRAFT





# Town of Upper Marlboro

Town Hall, 14211 School Lane  
Upper Marlboro, MD 20772

Tel: (301) 627-6905  
Fax: (301) 627-2080

info@uppermarlboromd.gov  
[www.uppermarlboromd.gov](http://www.uppermarlboromd.gov)

Mailing address: P.O. Box 280 • Upper Marlboro, MD 20773-0280

## MEMORANDUM

To: Board of Town Commissioners

From: Kyle Snyder, Town Administrator & David Burse, Chief of Police

Date: Thursday August 19<sup>th</sup>, 2021

Re: RFP 2021-01 Red Light & Speed Camera RFP Submissions

Commissioners,

The Town has received a total of 5 proposals from Red Light & Speed Camera firms:

- NovaGlobal
- Altumint
- Sensys Gatso Group
- Conduent Transportation
- RedSpeed USA

*\*The order of this list is random and does not reflect the ranking in the below chart*

Chief Burse and I met to review the proposals and ensure they met the basic qualifications set out in the Town's Request for Proposals. After review, Chief and I both agree that two firms (Firm 4 & 5) can be eliminated as they did not meet the basic qualifications or follow the directions in the RFP. The below graph breaks down but does not list the names of the firms to allow Commissioners to remain impartial. The ranking list can be provided to the Board at any time if they wish, and also be made public.

Firm #	Question 1	Question 2	Question 3	Question 4	Question 5	Question 6	Question 7	Anti-Lobbying	MD Clients
1	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	12
2	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	11
3	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	11
4	Yes	Yes	Yes	Yes	Yes	Yes	No	No	2
5	Yes	Yes	Yes	Yes	Yes	No	Yes	No	0

If the Commissioners wish, staff can set up a quick presentation during an extra Board Worksession so that the top 2 or 3 firms can present to the Commissioners, and staff can send notices to the bottom two firms thanking them for their submission but that their RFPs are not moving forward.

A tentative timeline is for the Board to approve a firm and issue a contract at the October Town Meeting.



# Town of Upper Marlboro

14211 School Lane • Upper Marlboro, Maryland 20772

## APPLICATION FOR ROLL-OFF DUMPSTER PERMIT

Please complete all below fields and submit to Town Hall or by email: [Info@UpperMarlboroMD.gov](mailto:Info@UpperMarlboroMD.gov)

### Resident/Contractor Contact Information:

Property Owner/Resident Name: <i>Edwin Brown / Mary Palmer</i>	Property Owner/Resident Address: <i>14500 ELM ST.</i>
Property Owner/Resident Phone: <i>703-776-0227</i>	Property Owner/Resident Email Address: <i>brounep99@gmail.com</i>
*Contractor/ Project Contact Name:	*Contractor/ Project Contact Phone:
*Contractor/ Project Contact Email Address:	

### Roll Off Container Information:

Date Container Placed: <i>7/14/21</i>	Anticipated Date to be Removed: <i>11/15/21</i>
Container Size (cubic yards): <i>33.2 (8x16x7)</i>	Container Placement Location (Driveway, yard, ect.): <i>DRIVEWAY (ASPHALT)</i>

### Narrative:

In this area please briefly describe the: 1) Project description 2) Materials to be placed in container 3) Any other pertinent information:

*WE OBTAINED A PORTABLE STORAGE UNIT BECAUSE WE NEEDED MORE SPACE TO STORE OUR HOUSEHOLD GOODS WHILE WE ARE RENOVATING THE HOUSE. NO WASTE MATERIALS ARE STORED IN THE CONTAINER.*

\*If Applicable/Optional

Please read information on second page and sign →

**Per Town Ordinance 2017-01 Building & Permitting:**

*For a full version of this Ordinance visit the Town website [UpperMarlboroMD.gov](http://UpperMarlboroMD.gov) or contact Town Hall 301-627-6905*

**Section 6. ROLL OFF CONTAINER PERMITS**

- A. A Town of Upper Marlboro roll-off container permit shall not be required whenever a roll-off container (dumpster, portable storage unit, or other container) is placed on private commercial, industrial or residential property for less than fifteen (15) calendar days.
- B. Any roll-off container unit placed on Town property or Town right-of-way or any Town street shall require a permit prior to being placed. The permittee accepts all responsibility for any damage caused by placement of the container.
- C. If any roll-off container, or containers, are found to remain on the property for over fifteen (15) days, the owner must submit a Roll-Off Container permit application in a timely manner to the Town for review by the Board of Town Commissioners. If the permit is denied by the Board of Town Commissioners, the roll-off container, or containers, shall be removed immediately after fifteen (15) calendar days of being placed on the property.
- D. The property owner shall make the best attempt to have the unit sited on asphalt, concrete, gravel, or hard paved surface. The roll-off container cannot encroach on neighboring property or on Town property or on Town right-of-way, sidewalk or street without the prior approval of the Board of Town Commissioners and/or the neighboring property owner.
- E. The roll-off container unit may not be used as a transfer station to which building or construction debris, other materials or waste is brought from another site and deposited into the roll-off container unit sited on a property situated in the Town of Upper Marlboro.
- F. All roll-off units shall be in good condition, free of rust, peeling paint or other visible forms of deterioration.
- G. When a Town permit is issued after fifteen (15) days of the container being placed on the property, said permit shall be conspicuously visible from the street. Failure to obtain a permit after fifteen days shall result in a daily fine until the container is removed or a permit is obtained.

**Section 11. FINES**

- A. Failure to obtain a Town Roll-Off container permit after fifteen (15) calendar days: \$25.00 per day the property remains in violation until container removal or permitted.

**NEXT STEPS:**

After this application is properly filled out and submitted to the Town Hall, the application will be reviewed by the Board of Town Commissioners. If the Board approves the application, the Town Code Enforcement Official will provide a Town Roll-Off Container Permit with an expiration date set/approved by the Board. Please note there is no fee for this application/permit.

*By signing below, I certify that all provided information is correct and I understand the above guidelines for Roll-Off Container Permits according to Town Ordinance 2017-01.*

Property Owner Signature: \_\_\_\_\_

Date: 8/16/21

APPROVAL OF BOARD OF TOWN COMMISSIONERS:		
	Approved: YES / NO	Date:
Approved Date of Removal:		



August 13, 2021

Byron L. Huffman, Esq.  
Byron L. Huffman, P.C.  
PO Box 369  
Columbia, Maryland 21045

Re: Appraisal of real estate located at Parcel 89, Main Street, Upper Marlboro, Maryland.

Dear Mr. Huffman,

In response to our recent communication, my firm is submitting a proposal for the appraisal of the subject property referenced above. This letter is to confirm our understanding of the terms and objectives of our engagement with you and to clarify the nature and limitations of the service we will provide.

I propose to complete an appraisal report in general purpose for the subject property. I understand the scope of my services include offering an opinion of the market value of the fee simple interest. The appraisal report will be prepared for you, Byron Huffman, Esquire, (our client) and is intended for use by you and your associates in the potential acquisition of the subject property by the Town of Upper Marlboro, Maryland. Use of this report by any other party for any other purpose is not intended by our firm.

The purpose of the appraisal assignment is to provide an opinion of the market value of the subject property. The type and definition of value required is Market Value. The source of this definition is found in the 15th edition of *Appraisal of Real Estate*, published by Appraisal Institute, and is consistent with the federal definition of Market Value. The scope of the appraisal assignment includes an analysis of the highest and best use of the property and the property rights appraised. Unless instructed otherwise, the date of the appraisal report will be the date I inspect the property.

The appraisal assignment will be conducted, and corresponding report prepared in accordance with the Uniform Standards of Professional Appraisal Practice (USPAP) which includes our Statement of Limiting Conditions and Appraiser's Certification.

The estimated completion date for the appraisal report is 30 days from authorization to begin the assignment. The delivery goal can only be met if I receive in a timely manner, any additional relevant information needed for the completion of the report.

Upon completion of the assignment, you will receive an electronic (PDF) copy of the appraisal report. My fee for appraising the property is \$2,400. If you agree with the terms of this letter, please return 50% payment of \$1,200 along with a signed copy of this letter to my office.

We will do our best to provide quality service to you. We do not anticipate any difficulties in meeting the expectations recited on this letter. However, in the unlikely event that there are any disagreements regarding our services, any claims against Treffer Appraisal Group as a result of this engagement must be brought within one year from the date our work is completed. We mutually agree that the laws of the State of Maryland will govern any disputes regarding this engagement.

Our relationship with you is limited to the relationship described in this letter. As such, you understand and agree that we are acting solely as appraisers of the subject real estate. We are not acting in any way as a fiduciary or assuming any fiduciary responsibilities for you.

Our maximum liability relating to services rendered under this letter (regardless of form of action, whether in contract, negligence, or otherwise) shall be limited to the charges paid to us for the portion of our services or work product giving rise to the liability. In no event shall we be liable for consequential, special, incidental, or punitive loss, damage or expense (including without limitation, lost profits, opportunity costs, etc.) even if we have been advised of their possible existence.

This letter constitutes the entire agreement regarding the real estate appraisal service we will provide and supersedes all prior agreements, understandings, negotiations, and discussions between us, whether written or oral. This agreement may be supplemented only by other written agreements.

We very much appreciate the opportunity to serve you. Please do not hesitate to call me at 410-544-7744 with any questions or concerns that you may have.

Very truly yours,



Thomas A. Weigand  
Managing Member  
Treffer Appraisal Group

The services described in the foregoing letter are in accordance with our requirements and we understand the terms, conditions and limitations recited above.

By\_\_\_\_\_

Title\_\_\_\_\_

Date\_\_\_\_\_