

Town of Upper Marlboro

14211 School Lane • Upper Marlboro, Maryland 20772

Board of Town Commissioners

WORK SESSION

July 27, 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/83768436558> Video Meeting ID: 837 6843 6558, 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

Business

1. Marlborough Towne HOA- MOU Update (Board discussion)
 2. Draft Annexation Resolution Phase II & III (Board discussion)
 3. Draft Charter Amendment Resolution 02-2021 - Elections (Board discussion)
 4. Attorney RFP (Board discussion)
 5. Public Works Truck Lease Agreement (Board discussion)
 6. Residential Recycling Bin Purchase (Board discussion)
 7. Town Committee Bylaws (Board discussion)
 8. General Commissioner & Administrative Staff items:
- Added agenda item (Board discussion)

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*

Janice Duckett
Commissioner

Sarah Franklin
Commissioner/Treasurer

Linda Pennoyer
Commissioner/President



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

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

MEMORANDUM

To: Board of Town Commissioners
From: Kyle Snyder, Town Administrator
Date: Tuesday July 19th, 2021
Re: Marlborough Towne HOA MOU/Agreement Update

Commissioners,

As you are aware, the current MOU with the Marlborough Towne is the initial MOU approved back in 1986 shortly after the development was built. The current MOU is very limited to only cover refuse collection, streetlight maintenance, and snow removal. Preliminary discussions with the Town attorney is that an updated MOU should be styled as an agreement as opposed to an MOU since the HOA is a private entity. Below are some discussion topics that a new agreement could include:

- Code Enforcement (What does the HOA handle, when do violations escalate to Town)
- Having the Town maintain streetlights
- The Town can only legally maintain roads owned by the Town, is the HOA interested in turning the “travel” portions of the other roadways over to the Town for paving? HOA would maintain parking spaces.
- Parking enforcement
- Perhaps the Town can manage the driving/road areas, but the parking spaces remain under the HOA. We can then work together to apply for grants to install permeable pavers for the parking space areas managed by the HOA.
- Recreation areas/opportunities (Town funded/maintained, open to public?)

If streetlights are turned over to the Town, the Town can apply to have them upgraded to LED through the State’s MEA program.

For the roadways/parking areas the Town and the HOA could jointly apply for a grant with Chesapeake Bay Trust and/or County Clean Water partnership to replace the asphalt parking spaces with pavers, and keep the travel lanes asphalt. Example →



Memo Attachment:

- Initial MOU with Marlborough Towne (1986)
- Email from Town Attorney Best on how to best move forward

MEMORANDUM OF UNDERSTANDING

The Town of Upper Marlboro has agreed to provide certain services to the residents of Marlborough Towne. These services include:

1. Trash Collection.
2. Snow removal--along main thoroughfares and ingress and egress to parking areas.
3. Supplying electricity for street lights but not maintaining street lights.

The Board of Town Commissioners asked that a copy of this Memorandum of Understanding be attached to the Minutes of the meeting of December 9, 1986.

Re: HOA Agreement/MOU

Kevin J. Best, Esq <kevin@kevinbestlaw.com>

Tue 5/28/2019 3:59 PM

To: Kyle Snyder <ksnyder@uppermarlboromd.gov>

Kyle-

Not many municipalities have ordinances pertaining specially to HOA's or Condo Associations. Some counties have common ownership community ordinances with dispute resolution bodies, etc. I doubt the Town would be interested in getting involved in this facet or regulation.

An agreement would be permitted by municipal law. It would be best styled as an agreement as opposed to an MOU since the HOA is a private entity. Subtitle 3 of Title 5 of the Local Government Article authorizes agreements concerning residential street services such as snow removal but I see from the highway index map that Marlborough Drive is a municipal street until the end segment then it is other public. There are 4 branch streets that are private such as Marlborough Place, Marlborough Grove, Marlborough Lane, and Marlborough Terrace. Marlborough Circle is not fully indicated on the state index map but I suspect it is all private.

The Town Charter and Code of Ordinances applies to HOA properties the same as other properties or developments that are not located in common interest communities.

The Town can regulate parking on public streets or on private streets if the public is allowed an unfettered right to use the private drive.

If the Town pays for electricity usage for street lights but not streetlight maintenance itself, I'd like to see the land use approval or other agreement that provides for this arrangement. Perhaps the deal was that the HOA could get fancier town street lights if they paid for them.

The municipal (public) street is the responsibility of the Town regarding snow, lighting, garbage collection and maintenance unless the HOA and the Town enter into a Residential Street Service Agreement per Md. Ann. Code, LG Art., Sec. 5-301 et seq. I am not sure who currently provides garbage collection.

Some of the documents you may need to collect are as follows: Declaration, Final Plat, Articles of Incorporation, Bylaws and Architectural Control Criteria. Are there any prior or existing agreements with the Town or the County. Are there any zoning or other relevant land use approvals for the community?

Let me know if you wish to discuss this further. If you wish to adopt an ordinance of general applicability pertaining to all common interest communities, let me know what you have in mind.

S/

Kevin J. Best
Town Attorney
Town of Upper Marlboro

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 3RD 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.

**THE TOWN OF UPPER MARLBORO, MARYLAND
CHARTER AMENDMENT RESOLUTION NO. 02-2021**

A CHARTER AMENDMENT RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO, MARYLAND AMENDING THE CHARTER OF THE TOWN OF UPPER MARLBORO BY INCREASING THE MEMBERSHIP OF THE BOARD OF COMMISSIONERS FROM THREE TO FIVE; BY CHANGING THE GENERAL ELECTION FROM THE FIRST MONDAY IN JANUARY IN EVEN NUMBERED YEARS TO THE FIRST TUESDAY IN NOVEMBER IN ODD NUMBERED YEARS; BY AUTHORIZING UP TO FIVE SUPERVISORS OF ELECTIONS TO BE APPOINTED IN SEPTEMBER PRIOR TO A GENERAL ELECTION; BY REMOVING LANGUAGE MANDATING THE PURGING OF VOTERS WHO HAVE FAILED TO VOTE IN THREE SUCCESSIVE GENERAL ELECTIONS FROM THE LIST OF QUALIFIED VOTERS; BY CLARIFYING THE REQUIREMENT TO FILE BOTH A STATEMENT OF CANDIDACY AND A NOMINATING PETITION TO RUN FOR MUNICIPAL OFFICE; BY STRIKING AS ANTIQUATED OR SURPLUSAGE A PROVISION REGARDING WOMEN’S SUFFRAGE; AND MAKING CERTAIN STYLISTIC, GRAMMATICAL AND NON-SUBSTANTIVE CHANGES THERETO

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO, MARYLAND adopted pursuant to the authority of Article XI-E, § 4 of the Constitution of the State of Maryland and Title 4, Subtitle 3 of the Local Government Article of the Annotated Code of Maryland, to amend the Charter of the Town of Upper Marlboro, to amend Sections 82-3 (Number, Selection, Term), 82-6 (Meetings of the Board), 82-20 (Board of Supervisors of Elections), 82-24 (Registration), 82-26 (Candidates), 82-27 (Election of Board of Commissioners), 82-28 (Conduct of Elections), 82-30 (Vote Count), 82-33 (Women), and to make other stylistic, grammatical and non-substantive changes thereto.

WHEREAS, the General Assembly of Maryland passed HB 615 during the 2018 session effective July 1, 2018 (now codified as § 4-304(a)(2) of the LG Art. of Md. Ann. Code) requiring the legislative body of a municipality to hold a public hearing and give at least 21-days’ notice

by posting the notice in a public place before adopting a resolution initiated by the legislative body that proposes an amendment to the municipal charter.

Section 1. NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO on this ____ day of _____ 2021, that the Charter of the Town of Upper Marlboro, Maryland shall be and is hereby amended to read as follows:

* * *

The Board of Commissioners

Section 82-3. (Number, Selection, Term).

All legislative powers of the Town shall be vested in a Board of Commissioners consisting of ~~[three]~~ FIVE Commissioners who shall be elected as hereinafter provided and who shall hold office for a term of two years and until the succeeding Board takes office. The regular term of the Commissioners shall expire on the ~~[first Monday]~~ SECOND MONDAY OF DECEMBER following the election of their successors. ~~[The Commissioners holding office at the time this charter becomes effective shall continue to hold office for the term for which they were elected and until the succeeding Board takes office under the provisions of this charter.]~~ NOTWITHSTANDING ANYTHING HEREIN TO THE CONTRARY, THE INCUMBENT COMMISSIONERS SERVING THEIR TERMS OF OFFICE AS PREVIOUSLY SET TO EXPIRE IN JANUARY OF 2022 SHALL INSTEAD END THEIR TERMS EARLIER ON THE SECOND MONDAY OF DECEMBER OF 2021 OR SHALL SERVE UNTIL THEIR SUCCESSORS QUALIFY.

* * *

Section 82-6. (Meetings of the Board).

The newly elected Board shall meet at 8:00 p.m. on the ~~[first]~~ SECOND Monday Of DECEMBER following its election for the purpose of organization AND CONDUCTING OTHER TOWN BUSINESS, after which the Board shall meet regularly at such times as may be prescribed by its rules but not less frequently than once each month. Special meetings may be called upon the request of the President or a majority of the members of the Board. All meetings of the Board shall be open to the public, except that the Board may, by majority vote, meet in closed session for any purpose then authorized by State law; and, the residents of the Town shall have a reasonable opportunity to be heard at any regular meeting in regard to any municipal question.

* * *

Registration, Candidates and Elections

* * *

Section 82–20. (Board of Supervisors of Elections).

There shall be a Board of Supervisors of Elections, consisting of ~~[three]~~ THREE TO FIVE members, AS THE BOARD IN ITS SOLE DISCRETION SHALL DETERMINE AS NECESSARY AND PROPER, who shall be appointed by the President with the approval of the Board of Commissioners on or before the ~~[first Monday in November]~~ SECOND TUESDAY IN SEPTEMBER in every ~~[odd]~~ EVEN numbered year. The terms of members of the Board of Supervisors of Elections shall begin on the ~~[first Monday]~~ SECOND TUESDAY in ~~[November]~~ SEPTEMBER in the year in which they are appointed and shall run for two years. Members of the Board of Supervisors of Elections shall be qualified voters of the Town and shall not hold or be candidates for any elective office during their terms of office. The Board of Supervisors of Elections shall appoint one of its members as chairman, WHO SHALL VOTE ONLY IN CASE OF TIE WHEN THE NUMBER OF APPOINTED AND SEATED SUPERVISORS IS FOUR MEMBERS. Vacancies on the said Board of Supervisors shall be filled by the President with the approval of the Board of Commissioners for the remainder of the unexpired term. The compensation of the members of the said Board of Supervisors shall be determined by the Board of Commissioners. NOTWITHSTANDING ANYTHING HEREIN TO THE CONTRARY, THE INCUMBENT SUPERVISORS SERVING THEIR TERMS OF OFFICE AS PREVIOUSLY SET TO EXPIRE IN NOVEMBER OF 2021 SHALL INSTEAD END THEIR TERMS LATER ON THE FIRST MONDAY OF SEPTEMBER OF 2022 OR SHALL SERVE UNTIL THEIR SUCCESSORS QUALIFY.

* * *

Section 82–24. (Registration).

Registration with the Prince George's County Board of Elections by a voter who resides in the corporate limits of the Town and whose address is reflected on the rolls as a Town resident shall be deemed registration registered for the Town elections. A person continues to have the choice to register only with the Town for its elections and not to register with the Prince George's County Board of Elections. Persons desiring to register only with the Town may register at Town Hall during normal working hours daily; or upon request, may receive an application by mail. Registration shall be permanent, and no person shall be entitled to vote in Town elections unless he is registered to vote at least thirty (30) days prior to the election. It shall be the duty of the Board of Supervisors of Elections to keep the registration lists up to date by striking from the lists persons known to have died, to have moved out of the Town, ~~[who have failed to vote in three successive general elections held in said Town,]~~ or who have become

otherwise disqualified BY THE BOARD OF SUPERVISORS OR THE COUNTY BOARD OF ELECTIONS. The Board of Commissioners is hereby authorized and directed, by ordinance, to adopt and enforce any provisions necessary to establish and maintain a system of permanent registration and to provide for a re-registration, when necessary.

* * *

Section 82-26. (Candidates).

Any person qualified to hold the office of Commissioner and desiring to be a candidate for such office shall file with one of the Supervisors of Elections a written statement to that effect on or before the second Monday in ~~[December]~~ OCTOBER next preceding the election at which he desires to be a candidate or his name shall not be printed on the ballot.

The name of any qualified person may be certified for candidacy and shall be printed on the ballot upon a petition of 10 or more qualified voters of said Town filed with one of the Supervisors of Elections on or before the second Monday in ~~[December]~~ OCTOBER next preceding the election or his/her name shall not be printed on the ballot. THE WRITTEN STATEMENT OF CANDIDACY AND THE NOMINATING PETITION MAY BE FILED SEPARATELY OR TOGETHER PROVIDED THEY ARE BOTH RECEIVED NO LATER THAN THE SECOND MONDAY IN OCTOBER.

Section 82-27. (Election of the Board of Commissioners).

On the first ~~[Monday]~~ TUESDAY ~~[which is not a legal holiday]~~ in ~~[January]~~ NOVEMBER in every ~~[even]~~ ODD numbered year, the qualified voters of the Town shall elect ~~[three]~~ FIVE persons as Commissioners to serve for A term of two years or until their successors qualify.

Section 82-28. (Conduct of Elections).

It shall be the duty of the Board of Supervisors of Elections to provide for each special and general election a suitable place or places for voting and suitable ballot boxes and ballots or voting machines. In each general election, the ballots or voting machines shall show the name of each candidate, arranged in alphabetical order with no party designation of any kind and shall indicate in such terms as may by said Board be deemed appropriate, that ~~[three]~~ FIVE Commissioners are to be elected. The ballots and/or voting machines shall also provide a space or spaces to permit the voter to write in name or names of additional persons. The Board of Supervisors of Elections shall keep the polls open for a minimum of four (4) hours, such time to be selected and announced by the said Board of Supervisors of Elections, provided that these hours fall between 7:00 a.m. and 9:00 p.m.

* * *

Section 82–30. (Vote Count).

After the closing of the polls, the Board of Supervisors of Elections shall determine the vote cast for each candidate or question and shall, no later than 12:00 Noon on the Thursday immediately following the election, certify the results of the election to the clerk of the Town who shall record the results in the minutes of the Board of Commissioners. The ~~[three]~~ FIVE candidates for Commissioners receiving the highest number of votes in a general election shall be declared elected.

* * *

Section 82–32. (Vacancies).

In case of a vacancy on the Board of Commissioners for any reason, the Board of ~~[supervisors]~~ SUPERVISORS of Elections shall, pursuant to the provisions of Section 82–29, conduct a special election to elect some qualified person to fill such vacancy for the unexpired term, provided, however, any vacancy which occurs within 61 days of the next general election as provided for in Section 82–27 shall remain vacant until said general election. In case of a vacancy in the office of President for any reason, the Board shall elect one of its members to fill the vacancy for the remainder of the unexpired term. Any vacancy in the office of the President shall be filled by the favorable votes of a majority of the members of the Board. The results of any such votes shall be recorded in the minutes of the Board.

Section 82–33. (~~[Women]~~ RESERVED).

~~[Women shall have equal privileges with men in registering, voting, and holding Town offices. Whenever the masculine gender has been used as to any registering, voting, or holding Town office, it shall be construed to include the feminine gender.]~~

* * *

Section 2. BE IT FURTHER RESOLVED that this Charter Amendment Resolution is adopted this ____ day of _____, 2021, and that upon adoption by the Board of Commissioners of the Town of Upper Marlboro, Maryland a complete and exact copy of this Charter Amendment Resolution shall be posted in the Town Office for a period of at least forty (40) days following the date of its adoption. Additionally, a fair summary of the proposed Amendment shall be published in a newspaper of general circulation in the Town of Upper

Marlboro not less than four (4) times at weekly intervals within the forty (40) days following the adoption this Charter Amendment Resolution.

Section 3. **BE IT FURTHER RESOLVED** that the Amendment initiated in this Charter Amendment Resolution shall take effect and shall become and be considered the Charter of the Town of Upper Marlboro, upon the fiftieth day after being so ordained or passed unless on or before the fortieth day after being so adopted and passed a referendum petition meeting the requirements of State law shall be presented to the Board of Commissioners of the Town of Upper Marlboro, Maryland or mailed to it by certified mail, return receipt requested, bearing a postmark from the United States Postal Service.

Section 4. **BE IT FURTHER RESOLVED** that when the Charter Amendment hereby initiated becomes effective, as provided herein, or following a referendum election, the Town Clerk shall send separately, by certified mail, return receipt requested, to the Department of Legislative Services within 10 days after the charter resolution becomes effective, the following information concerning the Charter Amendment: (i) the complete text of this Charter Amendment Resolution; (ii) the date of the referendum election, if any held with respect thereto; (iii) the number of votes cast for and against this Charter Amendment Resolution by the Board of Commissioners of the Town of Upper Marlboro, Maryland or a referendum election; and (iv) the effective date of the Charter Amendment.

Section 5. **BE IT FURTHER RESOLVED** that the Town Clerk of the Town of Upper Marlboro is specifically instructed to carry out the provisions of Sections 2, 3, 4, and 5 hereof, as evidence of compliance herewith, the Town Clerk shall cause to be affixed to this Charter Amendment Resolution and to the Minutes of the Board of Commissioners Meeting in which it

is adopted (i) an appropriate certificate of publication of the newspaper in which the summary of the Charter Amendment Resolution shall have been published and (ii) return receipts of the mailing referred to in Section 4, and shall further complete and execute the Certificate of Effect attached hereto.

INTRODUCED by the Board of Commissioners of the Town of Upper Marlboro, Maryland at a regular meeting on the _____ day of _____, 2021.

PASSED by the Board of Commissioners of the Town of Upper Marlboro, Maryland at a regular 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

Effective Date: _____

Janice Duckett, Commissioner

Reviewed and Approved for Legal Sufficiency

Kevin J. Best, Esq.

Date: _____

CAPITALS : Indicate matter added to existing law
[Brackets] : Indicate matter deleted from existing law
Asterisks * * * : Indicate that text is retained from existing law but omitted herein.

CHARTER RESOLUTION CERTIFICATE

I, JOHN HOATSON, the duly appointed, and qualified Clerk to the Board of Commissioners of the Town of Upper Marlboro, a municipal corporation of the State of Maryland, do hereby certify that (i) the attached copy of Charter Amendment Resolution 01-2021 is true, correct and complete; (ii) Charter Amendment Resolution 01-2021 was duly adopted by the Board of Commissioners of the Town of Upper Marlboro at a regular meeting held on the ____ day of _____, 2021; (iii) said meeting was duly convened and a quorum was present and acting throughout; (iv) Charter Amendment Resolution 01-2021, after having been introduced and fully discussed, was duly adopted, all or a majority of Commissioners present voting in the affirmative; and (v) Charter Amendment Resolution 01-2020 has not been amended, modified or repealed and remains in full force and effect as of the date hereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of Town of Upper Marlboro this ____ day of _____, 2021.

(SEAL)

John Hoatson, Town Clerk
The Town of Upper Marlboro

CHARTER AMENDMENT TIMELINE

DATE HEARING NOTICE POSTED: _____

DATE OF HEARING: _____

DATE OF INTRODUCTION: _____ (May be same as hearing)

DATE PASSED/POSTED: _____ (May be same as introduction)

40-DAY POSTING END DATE: _____

FAIR SUMMARY NEWSPAPER (x 4)

WEEKLY PUBLICATION DATES: _____

EFFECTIVE (50TH DAY) DATE: _____



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

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

Request for Proposals

Town of Upper Marlboro Town Attorney

RFP # UM 2021-02

Project Overview: The Town of Upper Marlboro invites the submittal of responses to this Request for Proposals (RFP) from qualified Firm(s) interested in providing legal services as the Town Attorney. The Town intends to consider Firms and/or individuals who possess the professional and administrative capabilities to provide the scope of services detailed below. This RFP is being released as part of the Town's routine reevaluation of all professional service contracts to ensure the responsible use of tax dollars.

Scope of Project: This RFP is for a 24-month contract with the Town, with the option for renewal beginning September 1st, 2023. Town Elected Officials will participate in the process of selecting the appropriate firm. The areas of legal work to be provided by the Town Attorney may include the items listed below. While this list is representative of the areas of work required, it is not exhaustive, and, by submitting a proposal, respondents acknowledge and agree that if selected, they will perform work in other areas as may be requested by the Town and acknowledge and agree that some of such work may be assigned to other attorneys.

1. General Legal Guidance: Advise the President and Board of Town Commissioners and Town Administrator on legal questions arising in the conduct of Town business.
2. Prepare Legislation: Prepare and/or revise resolutions and ordinances when requested by the President and Board of Town Commissioners or Town Administrator.
3. Give Opinions: Give opinions on any municipal legal matter or question submitted to them by the President and Board of Town Commissioners or Town Administrator.
4. Attend Council Meetings: As requested, attend President and Board of Town Commissioners meetings or other related meetings. President and Board of Town Commissioners Legislative Meetings are held on the second (2nd) Thursday of each month. Meetings begin at 7:00 p.m. Work Session Meetings are held on the fourth (4th) Thursday of each month. Meetings begin at 7:00 p.m.
5. Application Review: When applicable, provide a review, oversight, and legal advice concerning permit and other applications to the Town.
6. Prepare Legal Instruments: Prepare for execution or review of contracts, deeds, and other instruments to which the Town is a party when so requested by the President and Board of Town Commissioners or Town Administrator.
7. Prosecute Claims and Defend the Town and its Officials and Employees: Under the direction of the President and Board of Town Commissioners, prosecute legal claims on behalf of the Town and defend the Town and its officials and employees in any action or claim against them in their official capacity. In those claims where the Town's insurance company has appointed legal counsel, the Town attorney shall provide only those services requested by the President and Board of Town Commissioners.

8. **Make Reports:** Immediately report to the Town Administrator (or designee) and President and Board of Town Commissioners the filing of any litigation against the Town, update the President, Board of Town Commissioners, and Town Administrator on pending litigation on a regular basis, and inform the President, Board of Town Commissioners and Town Administrator of the final outcome of any such claims. Provide the President, Board of Town Commissioners, and Town Administrator with a monthly report of all work performed on their behalf.
9. **Real Estate:** Prepare or review deeds, easements, and contracts pertaining to real estate and/or property being acquired or sold by the Town.
10. **Keep Records:** Keep records as required for attorneys general and in compliance with rules for retention of local government records.
11. **Public Information Act:** Handle or provide advice regarding Public Information Act requests.
12. **Personnel Matters:** Advise the President, Board of Town Commissioners, Town Administrator, and Department Heads on personnel issues.
13. **Annexation:** Provide Guidance to the Board of Town Commissioners and Town Administrator on annexation and prepare necessary legal documentation.
14. **Municipal Elections:** Provide Guidance to the Town Administrator, Town Clerk, and Board of Supervisors of Elections on the proper conduct of the Town's elections.

Qualifications and Experience of Legal Counsel: Each applicant should have at least five (5) or more years of experience as a Municipal attorney, preferably experience with small cities and towns in Maryland. The proposal must include the names of all attorneys within the firm who will be providing legal services to the Town. The proposal should demonstrate the qualifications, competence, and capacity of the attorneys to represent the Town in each of the municipal legal services areas listed above.

Deadline: Responses to this RFP are to be submitted by **Friday, September 17th, 2021**, at 5 p.m. By Mail: Town of Upper Marlboro P.O. Box 280 Upper Marlboro MD 20773. By Email: Info@UpperMarlboroMD.gov. In-Person: Upper Marlboro Town Hall, 14211 School Lane, Upper Marlboro MD 20772.

Confidentiality Vendors must treat any designated documents and information provided by the Town as confidential. The Town will treat all proposals received and the information contained therein as confidential until a negotiated contract is executed or all proposals are rejected.

Public Statement No vendor shall make any public statement in relation to this RFP without prior written consent from the Town.

General Conditions The following general conditions apply:

- The Town may not necessarily accept the lowest cost proposal but will strive to select the best and most responsive proposal.
- The Town may cancel this RFP or amend its contents at any time prior to acceptance of a proposal.
- If no proposal is acceptable, then the Town may either re-issue the request for proposal or negotiate with one or more vendors for a satisfactory offer.
- The award of a proposal shall not be deemed final unless and until a contract is successfully negotiated and approved by Town.

Compensation: Each applicant must include hourly rates for legal services. Please include the rate for each attorney that would be working with the Town. Each applicant must state the compensation that will be required for the services of the applicant and must specify the minimum time increments for billing. Itemized bills, including the subject matter, date, time, description of service, and individual requesting the service, will be required to be submitted before each payment will be made by the Town of Upper Marlboro. Such bills shall be submitted monthly. Billing for services shall be explained in detail, including all support services and costs such as paralegal, clerical, supplies, mileage, electronic research, and other expenses. Applicants also shall list any services that will be provided free of charge, such as attendance at annual, special Town meetings and/or any non-charges, in-house expenses. Each applicant shall provide an explanation of how the Town will be billed for consultations between two-attorney who are both members of your legal team (if applicable). The Town also requests information about how applicants bill for informational correspondence (i.e., courtesy copies and emails, other billing practices, etc.) The applicant shall state whether the mileage associated with traveling on Town business will be billed to the client.

Insurance: The bidder must obtain at its own cost and expense and keep in force and effect during the term of the contract, including all extensions and renewals, the insurance specified below, with an insurance company licensed or qualified to do business in the state of Maryland. A certificate of insurance must be submitted to the Town prior to the commencement of any work under the contract and prior to any contract modification extending the term of the contract as evidence of compliance with this provision. The Town of Upper Marlboro must be named as an additional insured on all liability policies. A minimum of thirty (30) days written notice to the Town of cancellation or material change in any of the policies is required. In no event may the insurance coverage be less than that shown below, unless the requirements of this section are waived, in whole or in part, in writing by the Town Administrator.

Coverage Amount or Limits Workers Compensation, Bodily injury by Accident (each) \$100,000 Disease (policy limits) \$500,000 Disease (each employee) \$100,000 Commercial General Liability \$500,000 (Minimum combined single limit for bodily injury and property damage per occurrence, including contractual liability, premises and operations, and independent contractors.) Minimum Automobile Liability (Including owned, hired, and non-owned automobiles.) Bodily injury, each person \$250,000 Bodily injury, each occurrence \$500,000 Property damage, each occurrence \$300,000 Professional Liability \$1,000,000 for errors, omissions, and negligent acts, per claim and Aggregate, Professional Liability (for professional services contracts) \$1,000,000.00 (For errors, omission, and negligent acts, per claim and Aggregate, with one-year discovery period and a maximum deductible of \$25,000)

Client References: Each applicant must provide clients and references with email addresses and phone numbers that may be contacted by the Town in connection with the proposal.

Rejection of Submissions: The Town reserves the right to do the following: reject any or all submissions, waive informalities and irregularities in the submissions received, and accept any portion of any submission if deemed in the best interest of the Town.

Incurring Cost: The Town will not be liable for any cost incurred by entities or proposers prior to executing a contract or purchase order.

Anti-Lobbying Provision: Vendors must indicate through written promise within the proposal cover letter that Proposer's officers, employees, agents, consultants, or lobbyists will not attempt to lobby or influence a vote or recommendation related to the Vendor's proposal submitted in response to this RFP; directly or indirectly, through any contact with Town Commissioner or other Town officials between the date that the request is sent out and the date the contract resulting here from is awarded by the Board of Town Commissioners. Such behavior may be an immediate cause for rejection of the Vendor's proposal.

Point of Contact: Kyle Snyder, Town Administrator, can be reached at 301-627-6905 or ksnyder@UpperMarlboroMD.gov with any questions.

Thank you for your interest in this Request for Proposals from the Town of Upper Marlboro.



5701 Crain Highway
Upper Marlboro, MD 20772

STOCK NO.

PURCHASER'S FULL NAME **Town of Upper Marlboro**

Buckmaster

07/08/21

CO-PURCHASER'S FULL NAME

SALESPERSON

DATE

EMAIL

dbond@uppermarlboromd.gov

ADDRESS

14211 School Lane

RES. PHONE

ADDRESS

Upper Marlboro, MD 20772

BUS. PHONE

CELL PHONE **(301) 509-4756**

PLEASE ENTER MY ORDER FOR THE FOLLOWING VEHICLE:

YEAR	2022	MAKE	Ford	MODEL	F-650	COLOR	White	NEW	<input checked="" type="checkbox"/>	USED	<input type="checkbox"/>	DEMO	<input type="checkbox"/>	PREVIOUS RENTAL	<input type="checkbox"/>
MVI OR SERIAL NO. 1FDNW6DC4NDF00489								MILEAGE 350		TO BE DELIVERED ON OR ABOUT					
PRICE OF VEHICLE								PRICE OF VEHICLE							
SUB TOTAL								DEALER PROCESSING CHARGE (NOT REQUIRED BY LAW) \$499.00							
								APPLICABLE TAXES							
TITLE FEE								CVR FEE							
TAG FEE								LICENSE FEE							
TIRE TAX								TOTAL FEES \$20.00							
								TOTAL VEHICLE PRICE \$95,019.00							
DEPOSIT SUBMITTED WITH ORDER								THIS BUYER'S ORDER IS NOT A CASH RECEIPT							
ALLOWANCE FOR USED CAR TRADE IN															
LESS BALANCE OWING TO -															
DESCRIPTION OF TRADE-IN								NET EQUITY TRADE							
MAKE		MODEL		TYPE		YEAR		LICENSE NO.		REGATES		- \$6,000.00			
SERIAL NO.				DRIVERS LICENSE NO.				D.O.B.				GUARANTEED ASSET PROTECTION			
TRADE MILES				TITLE NO.				DRIVERS' LICENSE NO.				D.O.B.			
												EXTENDED SERVICE PLAN			
INSURANCE COMPANY												SERVICE MAINTENANCE CONTRACT			
POLICY NO.												BALANCE DUE ON DELIVERY \$89,019.00			

As to used vehicles, information on the window forms part of this agreement and the information on the window form makes any contrary provisions in this agreement void. La informacion que aparece en la ventanilla de este vehiculo forma parte de este contrario. La informacion contenida en el formulario de la ventanilla anula cualquier prevision que establezca lo contrario y que aparezca en el contrato de venta.

NOTICE TO PURCHASERS

1. The Maryland Automotive Warranty Enforcement Act gives you certain additional rights against the manufacturer or factory branch in the event your new car does not conform to all applicable manufacturer's warranties during the first 24 months of ownership or 18,000 miles of the car's operation, whichever comes first. To preserve your rights under this law, you must report the non-conformity, defect, or condition by giving written notice to manufacturer or factory branch by certified mail, return receipt requested.
2. Purchasers warrant that the balance owed on trade vehicle is accurate and agree to pay the dealer any difference between the amount shown above and the actual amount due, and agree that the total cash due may be increased by the amount of the difference.
3. The other terms on the back of this Agreement constitute a part hereof.
4. Any modification of this Agreement must be in writing and signed by an authorized manager/representative of the dealer.
5. Purchasers certify that they are over 18 years of age.
6. New Car Purchasers certify that they have been given the opportunity to read the owners manual including the manufacturer's express warranty and rustproofing information.

Purchasers' Signature: We have read the matter printed on the back hereof and agree to it as a part of this order the same as if it was printed above our signatures. We authorize the dealer to make whatever credit inquiries it deems necessary in connection with this contract. Purchasers understand that the annual percentage rate (APR) for any installment sale of the vehicle may be negotiated with Dealer and that Dealer may receive some portion of the finance charge or receive other compensation for providing financing, service contracts and other products. We specifically acknowledge that Paragraph 23 on the reverse side hereof requiring arbitration of any disputes has been reviewed with us and we understand those terms and conditions.

SALESPERSON'S SIGNATURE

SALESPERSON

BY

[Signature]
AUTHORIZED MANAGER

**THIS ORDER IS NOT VALID
UNLESS SIGNED
AND ACCEPTED BY DEALER
OR HIS AUTHORIZED
REPRESENTATIVE**

Purchaser

Date

Co-Purchaser

Date



203 E. PARK AVENUE, LIBERTYVILLE, ILLINOIS 60048



847-247-0771



847-247-0772



www.taxexemptleasing.com

July 21, 2021

VIA E-MAIL: wmorgan@uppermarlboromd.gov

William Morgan, Finance Consultant
Town of Upper Marlboro
14211 School Lane
Upper Marlboro, MD 20772

Dear Will,

I am pleased to provide the following quote for the Town of Upper Marlboro for the financing of a Dump Truck and Equipment. This quote is valid for 14 days and is subject to credit review and proper documentation.

Equipment Cost (Approximate):	\$90,000.00
Down Payment:	\$0.00
Financed Amount:	\$90,000.00
Payment Frequency:	Semi-Annual, in arrears (first payment due six months from lease date)
Term:	<u>3-years</u>
Rate*:	3.61%
Number of Payments:	Three (3)
Payment*:	\$15,961.75
Factor^:	.17735

* Rate and payment assume that the Customer is a tax-exempt entity and the purchase of the equipment falls within the type of equipment allowed as tax-exempt under the I.R.S. Code. In the event this purchase is not exempt, the rate and payments will be adjusted accordingly. Further, it is assumed that the transaction will be "bank-qualified" and that the customer will not issue more than \$10 million in tax-exempt leases or bonds in the current calendar year. ^ Factor is based on quoted rates. If the equipment cost changes or a down payment is made, the new payment amount can be calculated by multiplying the new financed amount by the rate factor.

Note: If the equipment will require a "build-out period", the financed amount will be placed into an escrow account at lease signing and funds disbursed as instructed by the customer.

Attached is an application that must be completed in order to proceed with the credit process. In addition, we will need copies of the Town's last 2-years of audited financial statements and a copy of the current interim financial statement. Also, we need dealer and equipment information. Once these items are gathered, please fax the information to 847-247-0772 or e-mail to lynnet@taxexemptleasing.com.

I appreciate this opportunity and look forward to working with you. Please let me know if I can answer any questions. I can be reached at 847-247-0771, ext. 3.

Kind Regards,

Lynne Towle
Account Executive



TWPMOTORSPORTS.COM 301-870-0290

CUSTOMER INFORMATION

Town Of Upper Marlboro
14211 School Lane
VIP#
Upper Marlboro MD 20772 DBOND@UPPERMARLBOROM
Home: Work: Cell: (301) 627-6905

AUTOMOBILE DESCRIPTION

Make: Model:
Year: Color:
VIN#:
Odometer:
Registration:

THANK YOU

QUOTE

Created On: 4/20/2021

1
S

INVOICE	TYPE	DATE	TIME	PAGE#
7159	ESTIMATE	7/21/2021	2:59 PM	1

DEALER INFORMATION

ID#
Ext:
STK: PO: RO:

APPOINTMENT INFORMATION

Sales1: RITCHIE Day: Tuesday Bay#: 0
Sales2: Date: 04/20/2021
Start Time: 02:35 PM Stop Time: 02:35 PM
Special:
Dept/Class:

JOB DESCRIPTION

QUOTE IS VALID FOR 30 DAYS DUE TO EXTREME MARKET SWINGS
PRICE ON 16' 14K DUMP AS OF NOW IS \$12,395.00

QTY.	MODEL	MAKE	DESCRIPTION	SERIAL NO.	LIST	PRICE	SUBTOTAL
1	#MISCITEM	MISCITEM	SURE TRAC 7X14 SCISSOR DUMP 14K	#MISCITEM		\$11395.00	\$11395.00
1	#MISCITEM	MISCITEM	TARP SYSTEM	#MISCITEM		\$0.00	\$0.00
1	#MISCITEM	MISCITEM	ON BOARD BATTERY CHARGER	#MISCITEM		\$0.00	\$0.00
1	#MISCITEM	MISCITEM	UNDER BED RAMPS SET	#MISCITEM		\$0.00	\$0.00
1	#MISCITEM	MISCITEM	DUAL PURPOSE REAR DOOR/GATE	#MISCITEM		\$0.00	\$0.00
1	#MISCITEM	MISCITEM	5 WELDED IN D RINGS	#MISCITEM		\$0.00	\$0.00
1	MVAPROCESS	MVA	DEALER FEE (NOT REQUIRED BY LAW)	MVAPROCESS		\$100.00	\$100.00
1	MARYLANDDEA	SUBLET	MARYLAND DEALER FEE TAX	MARYLANDDEALERTAX		\$6.00	\$6.00
1	MVATEMPFEE	SUBLET	MVA TEMP TAG (60 DAY)	MVATEMPFEE		\$20.00	\$20.00

TECHNICIAN

LABOR/SUBLET DESCRIPTION

SUBLET:

TERMS & CONDITIONS

TECHNICIAN START STOP

TOTAL LABOR HOURS

Materials: \$11495.00
Labor: \$0.00
Sublet: \$26.00
Other: \$0.00
Misc: \$0.00
Subtotal: \$11521.00
Sales Tax: \$0.00
Invoice \$11521.00

HOW PAID

Paid Cash :
Paid Charge :
Card Info :
Auth. Code :
Paid Check : Chk#
Paid House :
A/R Open : Due:
Deposit : Type:



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

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

MEMORANDUM

To: Board of Town Commissioners
From: Kyle Snyder, Town Administrator
Date: Tuesday July 19th, 2021
Re: Residential Recycling Bin Purchase

Commissioners,

In the FY22 Town operating budget the Board approved \$25,000 for the purchase of new recycling bins for all residential properties within the Town limits. To my understanding, the Town has never purchased new recycling bins, just purchased the ones issued out by the County when the Town took over the recycling program. The current bins are roughly 10-15 years old, with the recommended lifespan of bins being 10 years.

After speaking with our Trash & Recycling contractor Burch, they strongly recommended purchasing Toter bins due to their durability. I reached out and received a quote for 500 blue plastic 64-gallon recycling bins (200 as backups/issued to new properties) for a total of \$21,911.52. These bins have a 10-year warranty and will have a serial number and Town's name/design (design pending) stamped and printed in white.

In addition to the purchase of this bins, the budgeted funds will also cover outreach materials such as postcards alerting residents they will get new bins, and flyers/magnets on what items can be recycled (delivered with the bins to residents).

If the Board wishes to move forward with the purchase, we can place a Resolution on the agenda for August or September.

Once the order is placed, General Government and Public Works staff can work to begin planning the outreach to residents, and the distribution plan of the new bins and recording the serial number issued to each property.

The Town has ordered two "demo" bins in two different colors, blue and bluestone, for the Board to make a selection. Once they are delivered we will let you know.



Memo Attachment:

Toter Quote Number: WQ-10177451

Sell To:

Contact Name	Kyle Snyder	Ship To Name	Town of Upper Marlboro
Bill To Name	Town of Upper Marlboro	Ship To	14211 School Ln
Bill To	14211 School Ln Upper Marlboro, MD 20772 USA		Upper Marlboro, MD 20772 USA
Email	deputyclerk@uppermarlboromd.gov		
Phone	(301) 627-6905		

Quote Information

Salesperson	Shane Gore	Created Date	12/22/2020
Salesperson Email	sgore@wastequip.com	Expiration Date	1/5/2021
		Quote Number	WQ-10177451
			Please Reference Quote Number on all Purchase Orders

Product	Product Description	Selected Option	Quantity	Sales Price	Total Price
**Plastics - 79264	Model 79264 - Toter 64 Gallon EVR II Universal/Nestable Cart	---Body Color - (705) Blue ---Lid Color - (705) Blue ---Body Hot Stamp on Both Sides (New) in White ---Wheels - 10in Sunburst ---Toter Serial Number Hot Stamped on Front of Cart Body in White ---2/3 Assembled with Lid (down), Stop Bar and Axle Factory Installed ---Warranty – 12 Yrs Cart Body, All other components 10 Yrs	500.00	\$40.13	\$20,065.00

Payment Terms	Net 30 Days if credit has been established	Subtotal	\$20,065.00
Shipping Terms	FOB Origin	Shipping	\$1,846.52
		Tax	\$0.00
		Grand Total	\$21,911.52

Additional Information

Additional Terms Our Quote is a good faith estimate, based on our understanding of your needs. Subject to our acceptance, your Order is an offer to purchase our Products and services in accordance with the Wastequip Terms & Conditions of Sale ("WQ T&C") located at: <https://www.wastequip.com/terms-conditions-of-sale>, as of the date set forth in Section 1(b) of the WQ T&C, which are made a part of this Quote. These WQ T&Cs may be updated from time to time and are available by hard copy upon request.

Additional Information Pricing is based on your anticipated Order prior to the expiration of this Quote, including product specifications, quantities and timing, accepted delivery within 45 days of Order acceptance by Toter. Any differences to your Order may result in different pricing, freight or other costs. Due to volatility in petrochemical, steel and related Product material markets, actual prices and freight, are subject to change. We reserve the right, by providing notice to you at any time before beginning Product manufacturing, to increase the price of the Product(s) to reflect any increase in the cost to us which is due to any factor beyond our control (such as, without limitation, any increase in the costs of labor, materials, or other costs of manufacture or supply). Unless otherwise stated, materials and container sizes indicated on sales literature, invoices, price lists, quotations and delivery tickets are nominal sizes and representations – actual volume, Products and materials are subject to manufacturing and commercial variation and Wastequip's practices, and may vary from nominal sizes and materials. All prices are in US dollars; this Quote may not include all applicable taxes, brokerage fees or duties. If customer is not tax exempt, final tax calculations are subject to change.



841 Meacham Rd, Statesville, NC, 28677
PHONE: 800-424-0422 FAX: 833-930-1124
WQ-10177451

Special Contract
Information

Please Note: Pricing and Product offerings is based on the OMNIA Partners, Public Sector (subsidiaries National IPA and U.S. Communities) agreement through Toter's Contract No. 171717 as awarded by the City of Tucson on 02-01-2018. Per the terms of this contract, pricing and products are evaluated every three (3) months for price adjustments based on current market conditions, at any time without prior notice, and after City of Tucson approval. The current pricing is effective 11-1-2020 through 1-31-2021. Toter, LLC Product Warranties, Disclaimers, Limitation of Liability and Remedies, and Limited Warranty Provisions apply to all purchases thereunder.

Signatures

Accepted By: _____

Company Name: _____

Date: _____

Purchase Order: _____

Please Reference Quote Number on all Purchase Orders



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

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

MEMORANDUM

To: Board of Town Commissioners
From: John Hoatson, Town Clerk & Kyle Snyder, Town Administrator
Date: July 20th, 2021
Re: Town Committee Bylaws Discussion

Commissioners,

Over the past few weeks there has been discussion regarding the status of the committee's bylaws and events budget. Below is a timeline of the creation of Town committees:

Committee Timeline:

- September 11th, 2012: Ordinance 2012-02 was passed establishing the Town's first Committee, the **Historical Committee**.
- February 12th, 2013: The Historical Committee bylaws were approved by the Board.
- May 14th, 2019: Town Ordinance 2019-02 was passed which authorized the Town to establish official committees by Resolution and provided basic oversight and structure for these committees.
- May 14, 2019: Resolution 2018-07 to establish, approve and maintain an Upper Marlboro **Events Committee** was passed and signed.
- May 14, 2019: Resolution 2018-08 Resolution to establish, approve and maintain the Upper Marlboro **Community Emergency Response Team (CERT)** was passed and signed.
- February 11th, 2021: Resolution 2020-02 to establish, approve and maintain an Upper Marlboro **Arts Council** was passed and signed.
- February 11th, 2021: Resolution 2020-02 to establish, approve and maintain an Upper Marlboro **Green Team** was passed and signed.

According to the agenda on the May 14th, 2019, Town meeting, the Events Committee & CERT Bylaws were set to be approved. Unfortunately, the bylaw authorization resolution was not signed by the Board, and the minutes are not clear as to why their formal approval was postponed. This means that the Town needs to finalize & approve the bylaws for the Events Committee & CERT and begin the process of working with the Green Team and Arts Council to draft and approve their bylaws.

Expenses - Committee	
Events Committee	\$5,000.00
CERT Team	\$750.00
Historical Committee	\$750.00
Arts Council	\$750.00
Green Team	\$750.00
Misc. Town Gov Events	\$2,000.00
Trunk or Treat	\$2,000.00
Marlboro Day	\$5,750.00
Committee & Event Total	\$17,750.00

Memo Attachments:

- DRAFT of Bylaws of the Upper Marlboro Events Committee
- DRAFT of Bylaws of the Upper Marlboro CERT Committee
- APPROVED Bylaws of the Upper Marlboro Historical Committee

Bylaws of the Upper Marlboro Events Committee

ARTICLE I— NAME, LOCATION

This Committee shall be known as the Town of Upper Marlboro Events Committee (TUMEC). The TUMEC is a committee formed by the Town of Upper Marlboro's Board of Commissioners pursuant to Town Charter Section 82-17 and Ordinance 2012-02. These by-laws, and any amendments thereto, become effective when approved by the Town's Board of Commissioners.

ARTICLE II— MISSION

The purpose of the TUMEC is to bring together those people interested in planning and executing events for the Town and its people. The major function is to develop events that will promote the Town of Upper Marlboro and offer community engagement.

The activities of this committee include developing an events calendar for the Town of Upper Marlboro. The TUMEC will be primarily responsible for the Town events with volunteers participating with additional responsibilities and day of facilitation of events. The TUMEC will then plan, coordinate and execute these events. The purpose of these events will be to encourage community engagement, further relationships with Town businesses and promote the Town of Upper Marlboro as a destination for events, town businesses and community.

ARTICLE III— TUMEC CORE MEMBERS

Section 1: Core Committee Members: The TUMEC will have a three-person governing executive board with one member serving as the committee Chairperson and will serve from July - June. One committee member shall serve as Treasurer for the TUMEC. Any of the three core members may represent the TUMEC at town meetings and events; however, the committee Chairperson will be the primary point of contact between the TUMEC and the town. The Core Committee members serve at the discretion of the Town of Upper Marlboro's Board of Commissioners and by vote of the committee. Additional roles and responsibilities will be assigned by a majority vote of the committee.

Section 2: Resignation and Vacancy: A Core Member may resign the office while not necessarily resigning membership of the TUMEC by submitting a letter to the TUMEC which shall be read into the official minutes. Vacancies shall be filled for the remainder of the term by electing a substitute at the regular committee meeting following the resignation.

ARTICLE IV— ASSOCIATE MEMBERS AND VOLUNTEERS

Associate Members and Volunteers are individuals who express an interest in and who participate and contribute to the mission of the TUMEC.

ARTICLE V— MEETINGS

Section 1: Meetings will be held at the Town Hall unless the Chairperson announces in advance, another location.

Section 2: Monthly Meetings: General, monthly meetings will be held the first (1st) Thursday of each month. As needed, additional meetings for special events will be held after the monthly meeting.

Section 3: The Core Committee shall discuss and prepare the agenda online before each meeting. A proposed agenda will be provided to the Committee, in advance.

Section 4: Additional Meetings: Additional meetings may be called by order of the Chairperson. Members shall be notified in advance.

Section 5: Quorum: A quorum for the meetings shall be 4 of the TUMEC members. TUMEC members absent for personal or family crisis may elect to vote by proxy ballot. The TUMEC chairperson shall be the final rule on the presence of a quorum.

Section 6: All meetings shall be open to the public, with notice to the public given in advance.

ARTICLE VI— ASSIGNED DUTIES

Section 1: Chairperson -- The Chairperson shall have primary supervision over the activities of the TUMEC, along with the other Core Committee members, within the scope provided by these by-laws. The Chairperson shall preside at all meetings, submit a monthly report of the activities of the TUMEC to the Town's Board of Commissioner's at monthly town meetings, and submit a budget request each March to the Town's Board of Commissioners. If the Chairperson is unavailable, any Core Committee member may submit the monthly report.

Section 2: Core Committee Member -- The second Core Committee member shall perform such duties as the TUMEC or the Chairperson may direct and shall assume the duties of the Chairperson in the event of absence, incapacity, or resignation of the Chairperson. The second Core Committee member shall serve as Treasurer of the TUMEC.

Section 3: Core Committee Member -- The third Core Committee member shall perform such duties as the TUMEC or the Chairperson may direct and shall assume the duties of the Chairperson in the event of absence, incapacity, or resignation of the Chairperson. The third Core Committee member shall serve as the primary point of contact for all TUMEC volunteers.

ARTICLE VII - PARLIAMENTARY PROCEDURE

Except as otherwise specified in these by-laws, all meetings shall be conducted according to Robert's Rules of Order, relaxed. The order of business at any regular meeting of the membership shall be:

- Attendance will be taken by signing an attendance roster
- Reading or disposal of the minutes of the previous meeting
- Reports by officers and committees
- Unfinished business
- New business
- Adjournment

ARTICLE VIII: TUMEC BUDGET AND EXPENSES

BUDGET - The Core Committee Members shall be responsible for developing an annual budget to support the planned events throughout the Town's fiscal year. Upon approval of the final budget by the Town's Board of Commissioners, the Committee shall begin implementing the fiscal year events.

EXPENSES - TUMEC expenditures will be processed by the Treasurer through the Town's Board of Commissioners or the President, as required, by the Procurement Ordinance of the Town of Upper Marlboro.

REPORTING - The Treasurer shall be responsible for submitting a budget report at each regular monthly TUMEC meeting. The report shall include a running list of expenses by event and remaining TUMEC budget funds.

ARTICLE IX: AMENDMENTS

These by-laws may be amended or revised by proposal of the TUMEC members and approved by a majority vote at a TUMEC regular meeting. The proposed amendment shall then be adopted, modified or rejected at the succeeding regular meeting of the membership. By-law revisions must be approved by the Town's Board of Commissioners before becoming effective.

ARTICLE X - DISSOLUTION

In the event of the dissolution of the TUMEC, the Committee's collections, assets, properties, and records shall be turned over to the Town' Board of Commissioners.

ARTICLE XI - EFFECTIVE DATE

These by-laws shall become effective on _____.

APPROVED by the Town of Upper Marlboro's Board of Commissioners, Maryland at their regular, monthly Town Meeting, on this _____ day of _____, by:

Attest:

Bylaws of the Upper Marlboro Community Emergency Response Team

ARTICLE I. Name and Location

Section 1. The name of this organization shall be the Upper Marlboro Community Emergency Response Team, hereinafter referred to as "CERT," a nonprofit organization in the State of Maryland.

Section 2. The Upper Marlboro CERT shall be based and shall meet at the Town of Upper Marlboro Town Hall or as where the elected officers shall determine. All meetings of shall be in compliance with the Open Meetings Act of the State of Maryland.

ARTICLE II. Purpose

Section 1 The Upper Marlboro CERT is organized exclusively for educational purposes and public service to the citizens and communities of Upper Marlboro, MD and more specifically to:

- Educate citizens of the community on the subject of disaster/emergency preparedness, response, recovery, and mitigation;
- Provide assistance to the residents during disasters and emergencies;
- Provide trained assistance to professional responders in case of community-wide emergencies; and to
- Provide trained assistance during planned events.

ARTICLE III. Membership

Section 1. Qualification: Membership in the Upper Marlboro CERT shall be individuals who will or have completed the required training and certification.

Section 2. Types of Membership: There will be two types of memberships in the Upper Marlboro CERT; Active and Inactive. Active members will be authorized to vote and participate in all Upper Marlboro CERT activities.

Inactive members will be any person who has missed more than five consecutive meetings in a calendar year. Inactive members will not be allowed to vote, however, they may attend meetings, take training and participate in events. Attendance of three consecutive meetings shall reinstate active member status. This also include any member of the Leadership Team (President, Vice-President, Secretary and Treasurer unless they have been excused by the President)

Section 3. Duration of Membership. An individual may remain a member so long as they maintain the requisite skills.

Section 4. Resignation. Any Upper Marlboro CERT member may resign at any time by giving written notice to the Leadership Team. Resignation shall be effective upon receipt unless otherwise noted therein. Acceptance shall not be required to make it effective. Upon resignation the member shall return all team issued items and equipment. Examples include, but are not

limited to: credentials/identification, clothing and equipment issued by the Prince George's County Office of Emergency Management (OEM).

Section 5. Removal. Any Upper Marlboro CERT member may be removed for cause (including being determined inactive) by the CERT Leadership Team or OEM for conduct determined by the Leadership Team and/or OEM to be contrary to the best interest of the CERT, OEM or the jurisdictions they serve and represent.

Section 6. Reinstatement. Any Upper Marlboro CERT member may request reinstatement to membership by the Leadership Team. A decision to reinstate will be at the sole discretion of the Leadership Team with the decision being final.

Section 5. Fees. A one-time fee of Twenty-five dollars (\$25.00) may be required upon joining the Upper Marlboro CERT.

ARTICLE IV. The Board of Directors

Section 1. The Board of Directors shall consist of the elected officers and the standing committee chairperson(s). See Article XIII for Committees.

Section 2. The Board of Directors shall handle the regular business of the Upper Marlboro CERT.

Section 3. Regular meetings of the Board of Directors shall be held as required and established by the Board of Directors.

Section 4. A quorum for conducting the business of the Board of Directors shall be a majority of all Board Members. A member of the Board not present may vote by absentee ballot.

Section 5. The Board of Directors is authorized to make expenditures of up to Three Hundred U.S. dollars (\$300.00) without the approval of the membership.

Section 6. The Board of Directors shall submit a Budget Request to the Town of Upper Marlboro every March, listing previous year's accomplishments, and anticipated projects/events for the year ahead (Town fiscal year runs July 1–June 30.)

ARTICLE V. Officers (Board of Directors) and Committee Chairpersons

Section 1. There shall be the following elected officers: A.) President; B.) Vice- President; C.) Secretary; and, D.) Treasurer (future) removed Community Outreach Coordinator

Section 2. An officer who does not comply with assigned responsibilities may be relieved of office by President or a majority vote by the membership after notification to the individual involved. Appointment of a replacement shall be made by the President of the Upper Marlboro CERT with the approval of the Board of Directors pending the annual election.

Section 3. Committee members shall be appointed by the President of the CERT; subject to approval by the Board of Directors.

Section 4. A committee chairperson may be removed for a good cause by the President, if in the President's judgment; the chairperson is not properly performing or will not properly perform the duties of the position; subject to approval by a majority of the Board of Directors.

THE BOARD OF DIRECTORS RECIEVES NO COMPENSATION.

ARTICLE VI. Elections

Section 1. a) Nominations: Any Active Member may place into nomination an Active Member for elected office. The Nominating Committee will compile a list of all Nominations, present the list in the form of a ballot for the election of officers under Article V Section 1. b) Nominating committee: The Nominating committee shall verify eligibility of voting members. They may organize the election at their discretion with procedures that guarantee fairness and legality. c) Report of the Nominating Committee shall be made at the last meeting of the year; and d) Nominations from the floor will be in order at the last meeting of the year and prior to elections and installation of the new officers at the first meeting of the New Year; with the consent of the nominee.

Section 2. The Nominating Committee will consist of no less than the Chairperson plus two Active Members.

Section 3. Election shall be by secret ballot.

Section 4. Each eligible Active Member shall cast one vote.

Section 5. Term of office: Officers shall be elected for a term of two years. Officers may be elected for a consecutive term in the same office.

Section 6. Immediately following installation, the outgoing officers shall turn over to the newly installed officers all files, monies and historical materials and equipment.

ARTICLE VII. Duties of Officers

Section 1. The President shall: a) Preside at all meetings of the Board of Directors and general meetings of the CERT, and at any special meetings; b) Sign checks with the Treasurer or another authorized signer; c) Sign all contracts, letters, etc. as required; and, d) Serve as an ex-officio member of all committees except that of the nominating committee; and, e) Call special meetings when necessary.

Section 2. The Vice-President shall perform the duties of an absent President and perform such duties as are assigned by the President.

Section 3. The Secretary shall record the minutes of all proceedings of the Board of Directors and membership meetings. The Secretary shall handle the correspondence of the Upper Marlboro CERT. Should the President or Vice-President not be available for a general meeting, the Secretary will preside over the meeting.

Section 4. The Treasurer shall a) Have charge of all the funds of the Upper Marlboro CERT; b) Make financial reports to the membership at meetings; c) Sign all checks with the President or another authorized signer; d) Keep dues collected in advance for the next administration; and, e) Keep funds in a bank account to be audited annually and kept orderly.

ARTICLE VIII. Meetings

Section 1. Regular meetings shall be scheduled on the second Saturday of each month from 9:00–10:30 a.m., unless there is a scheduling conflict with the Town Hall.

Section 2. General membership. A quorum shall be a minimum of seven (7) active members at a regular or special meeting of the membership.

Section 3. Special meetings may be called by the President, the Board of Directors or a majority of the Active Members. Notice of a special meeting shall be given as early as time allows. This notice shall be written, oral or electronic mail.

Section 4. Public notification of all meetings of the Board of Directors shall be posted according to Maryland Open Meetings Act requirements through the Town of Upper Marlboro website, social media outlets and official publications in which calendars are employed.

ARTICLE IX. Amendments

a) The Bylaws may be amended or revised by an affirmative vote of a majority of Active Members.

b) This vote will be by written ballot. Amendments to the Bylaws shall be given to Active Members in writing by the next regularly scheduled meeting and voted upon on the next following meeting.

ARTICLE X. Dissolution

Section 1. Dissolution shall be in accordance with the Upper Marlboro CERT's Articles of Incorporation.

ARTICLE XI. Rules of Order

"Roberts Rules of Order, Newly Revised" shall be the basis of conducting meetings.

ARTICLE XII. Standing Rules

Regular meetings will be called to order at 9:00 a.m.

ARTICLE XIII Standing Committees

1. Training
2. Community Relations

ARTICLE 1X - EFFECTIVE DATE

These Bylaws shall become effective on _____.

APPROVED by the Board of Commissioners of the Town of Upper Marlboro, Maryland at their regular monthly Town Meeting, on this _____ day of _____, . by:

Attest:

By-laws of the Town of Upper Marlboro Historical Committee

ARTICLE I— NAME, LOCATION

This Committee shall be known as the Town of Upper Marlboro Historical Committee (TUMHC). The TUMHC is a committee formed by the Town of Upper Marlboro's Board of Commissioners pursuant to Town Charter Section 82-17 and Ordinance 2012-02. These by-laws, and any amendments thereto, become effective when approved by the Town Board.

ARTICLE II— MISSION

The purpose of the Town of Upper Marlboro Historical Committee is to bring together those people interested in the history of the town and its people. The major function is to discover, collect, advance, help preserve and disseminate knowledge of the Town of Upper Marlboro.

The activities of this committee include researching, compiling and promoting the history of the town and town government, locating and making recommendations for marking historical sites and structures, informing the community of historical activities, the preservation of the historical heritage of the Town of Upper Marlboro, the involvement of the community in historical preservation, and the interaction with other related agencies, groups and civic organizations involved in preserving historical heritage.

ARTICLE III— TUMHC MEMBERS

Section 1: In October of each even-numbered year the Board of Commissioners appoints seven TUMHC members, of which the majority must be town residents, for two year terms, effective November 1 of that year. The Board also appoints the Chairperson and Vice-Chairperson. Additional roles and responsibilities will be assigned by a majority vote of the committee.

Section 2: Resignation and Vacancy: An officer may resign the office while not necessarily resigning membership of the TUMHC by submitting a letter to the TUMHC which shall be read into the official minutes. Vacancies occurring in any office other than Chairperson shall be filled for the remainder of the term by electing a substitute at the regular meeting following the resignation.

ARTICLE IV— ASSOCIATE MEMBERS

Associate Members are individuals who express an interest in and who participate and contribute to the mission of the TUMHC.

ARTICLE V— MEETINGS

Section 1: Meetings will be held at the Town Hall unless the Chairperson announces in advance, another location.

Section 2: Quarterly Meetings: General, quarterly meetings will be held the third (3rd) Saturday of February, May, August and November. Special meetings may be called by order of the Chairperson. Members shall be notified in advance.

Section 3: The Committee shall meet thirty (30) minutes before the general quarterly meetings to discuss the agenda. A proposed agenda will be provided to the Committee, in advance.

Section 4: Additional Meetings: Additional meetings may be called by order of the Chairperson. Members shall be notified in advance.

Section 5: Quorum: A quorum for the meetings shall be 4 of the TUMHC members. TUMHC members absent for personal or family crisis may elect to vote by proxy ballot. The TUMHC chairperson shall be the final rule on the presence of a quorum.

Section 6: All meetings shall be open to the public, with notice to the public given in advance.

ARTICLE VI— ASSIGNED DUTIES

Section 1: Chairperson -- The Chairperson shall have executive supervision over the activities of the TUMHC within the scope provided by these bylaws. The Chairperson shall preside at all meetings, submit a quarterly report of the activities of the TUMHC to the Board of Town Commissioners, and submit a budget request each March to the Board of Town Commissioners. Committee expenditures will be processed through the Board of Commissioners or the President, as required by the Procurement Ordinance of the Town of Upper Marlboro. The fiscal year shall be July 1 through June 30.

Section 2: Vice-Chairperson -- The Vice-Chairperson shall perform such duties as the committee or the Chairperson may direct and shall assume the duties of the Chairperson in the event of absence, incapacity, or resignation of the Chairperson.

ARTICLE VII— COLLECTION POLICY

Section 1: The TUMHC shall, at their discretion, collect all documents, photographs, and related items, donations of historical records, documents, and photos relevant to the Town's history.

Section 2: Due to the lack of space, the focus of the collection shall be on records, documents, photographs, and other types of small items. However, if space allows and the significance of the item warrants inclusion, large items may be accepted upon the approval by the Board of Town Commissioners, if necessary, prior to acceptance.

Section 3: A completed donation/loan form to clarify legal ownership or loan conditions of the item(s) must accompany all donations or loans.

ARTICLE VIII - PARLIAMENTARY PROCEDURE

Except as otherwise specified in these by-laws, all meetings shall be conducted according to Robert's Rules of Order, relaxed. The order of business at any regular meeting of the membership shall be:

- Attendance will be taken by signing an attendance roster
- Reading or disposal of the minutes of the previous meeting
- Reports by officers and committees
- Unfinished business
- New business
- Adjournment

ARTICLE IX: AMENDMENTS

These by-laws may be amended or revised by proposal of the Committee members and approved by a majority vote at a regular meeting. The amendment shall then be adopted, modified or rejected at the succeeding regular meeting of the membership. By-law revisions must be approved by the Town board before becoming effective.

ARTICLE X - DISSOLUTION

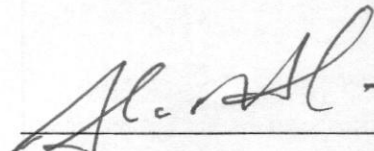
In the event of the dissolution of the Committee, the Committee's collections, assets, properties, and records shall be turned over to the Board of Town Commissioners.

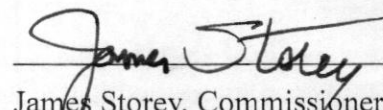
ARTICLE XI - EFFECTIVE DATE

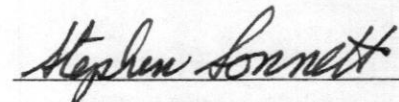
These by-laws shall become effective on February 12, 2013.

APPROVED by the Board of Commissioners of the Town of Upper Marlboro, Maryland at their regular, monthly Town Meeting, on this 12th day of February, 2013, by:





Joseph Hourclé, Commissioner


James Storey, Commissioner


Stephen Sonnett, President

Attest:


M. David Williams
Town Clerk

REVISED: