

Town of Upper Marlboro

14211 School Lane • Upper Marlboro, Maryland 20772

REGULAR TOWN MEETING

November 9, 2021 – 7:00 p.m.

AGENDA

This meeting will be conducted via Zoom Video Teleconference. As the Town Hall remains closed to the public at this time, citizens may participate by video or phone (*please sign-in with the Clerk*):

<https://uppermarlboromd.gov.zoom.us/j/82162165260?pwd=dUhNVTKzUWE1Y3JRvVhGMFNsYXBRdz09>
Meeting ID: 821 6216 5260; Passcode 670592; Dial-in only: 301-715-8592

NOTICE OF CLOSED SESSION, BOARD OF COMMISSIONERS CLOSED SESSION

**Tuesday, November 9, 2021, Virtual Meeting,
Preceding The November Regular Town Meeting
6:00 PM**

Under General Provisions Article 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.

The Board of Commissioners propose to go into Closed Session on Tuesday, November 9, 2021, preceding the November Regular Town Meeting to discuss personnel.

7:00 PM: Call to Order

- Roll Call
- Pledge of Allegiance
- President's Statement from the October 12, 2021 & October 26, 2021 Closed Sessions
- Consent to the Agenda

Approval of Meeting Minutes & Financial Reports

- Approval of the October 12, 2021, Regular Town Meeting minutes
- Approval of the October 26, 2021, Board Work Session minutes
- Finance Report & Approval of the Treasurer's Report, as of October 31, 2021.

Reports

- Department Reports — Public Safety, Public Works, Finance and Clerk's Office
- Committee Reports — Greenwill Consulting, Historical, Events, Sustainable Communities, Arts Council, Green Team and the CERT
- Commissioner Reports

Business *Public comment will be taken prior to Business line items (2 minutes per item)*

- 1) Code Appeal: 14311 Rectory Lane (Board Discussion)
- 2) Town FY 21 Audit Overview Presentation (Presentation)
- 3) Municipal Government Works Month proclamation (Board vote)
- 4) Phase 2 & 3 Annexation Tax Waiver (Board Vote)
- 5) Selection of Town Attorney RFP # UM 2021-02 (Board Vote)
- 6) Resolution 2021-25: To Authorize Automated Traffic Enforcement Vendor Contract
- 7) Resolution 2021-26: To Authorize DOE 2021-03 (Board vote)
- 8) Certify Election Results (Board Vote)

Administrative Updates

- 1) Legislation, Projects and Initiatives
- 2) General Commissioner & Staff items

Public Comment

For items not necessarily on the immediate agenda (3 minutes per item)

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

PUBLIC COMMENT PROCEDURES

Your Town government appreciates citizen input. So, in an effort to maximize effective resolutions on resident's issues, we encourage Town residents and businesses to contact us at Town Hall first, weekdays: 9 a.m.–5 p.m., or by written correspondence (or email to info@uppermarlboromd.gov). You are always welcome to schedule an appointment with the President or a Commissioner to discuss municipal problems and quality-of-life issues one-on-one and work together towards a satisfactory solution.

Agendas for meetings are posted on our website and notices of legislative items are also posted on the Town's social media accounts (Facebook & Twitter).

Our meetings are open to the public, and we ask that residents who want to comment to please follow the rules that have been established by "Resolution 2019-02: Adoption of Rules of Order and Regulations for Public Meetings" . . .

III. Citizen Input

A. At regular and special meetings, residents of the Town may have the opportunity to address the Board on any item on the agenda provided a resident is recognized and allowed to speak by the President. Recognized public comment and/or questions that are germane to the immediate agenda item shall be limited to (1) minute. Furthermore, each regular meeting shall also have an agenda item for citizen input regarding any municipal question, during which time any resident of the Town may address the Board for up to three (3) minutes on matters or items not necessarily placed on the agenda. Individuals not residing in the Town may speak at regular or special meetings under conditions specified by the Board. The President or the Board may uniformly change or adjust the time limitations for all speakers depending on the circumstances or provide additional time for experts or other officials.

B. Except in instances where the presiding officer expressly invites or allocates time for public testimony, questions, comments, or other forms of participation, or when public participation is otherwise authorized by law, no member of the public attending an open meeting session may actively participate in the session. Public comment by members of the public is not typically designed or intended for interactive dialogue between the Commission and the public unless the presiding officer specifically allows it or the Commission elects to suspend its rules to allow such colloquy.

C. Speakers shall state their name for the record, and their address (**street name only**). Ordinarily, for each agenda item, including citizen input, speakers shall have one opportunity to speak and may not poll or ask questions of individual commissioners, staff, or public officials. Otherwise, the Board shall determine the conduct of the public discussions on any issue and may set reasonable time limits for such.

D. Ordinarily, work sessions are open to public observation only and public participation is at the discretion of the Board. At work sessions, residents and non-residents may be allowed to speak on any municipal issue, but only under conditions specified by the Board.

Each individual speaker must stand, state their name and home of record (street name only) and approach the Board to a designated position in order to be recognized by the Chair of the Board, and to be heard by the recording Clerk, as well as others in attendance.

When the meeting is held on a virtual platform, please sign-in with your first and last name.

CLOSED SESSION SUMMARY SHEET TO BE READ INTO RECORD

Date: October 12, 2021

Time: 6:00 PM

Location: Virtual Meeting / Town Hall 14211 School Lane, Upper Marlboro, Maryland 20772

Closed Under Annotated Code: According to the Annotated Code of Maryland, the Board of Commissioners of the Town of Upper Marlboro, Maryland have the statutory authority to close a session under general provisions article 3-305b for the reasons of subsection: (7) "To consult with counsel to obtain legal advice"; (14) "Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process."

Those Who Voted To Go Into Closed Session: Linda Pennoyer, President and Sarah Franklin, Commissioner

Unanimous Of Elected Officials In Attendance: Linda Pennoyer, President; Sarah Franklin, Commissioner and Janice Duckett, Commissioner.

Those In Attendance: Linda Pennoyer, President; Sarah Franklin, Commissioner and Janice Duckett, Commissioner.

Actions Taken: No Votes Were Taken

Topics Discussed: Old Marlboro Elementary School & Town Attorney RFP for Legal Council

Relevant Notes: None

CLOSED SESSION SUMMARY SHEET TO BE READ INTO RECORD

Date: October 26, 2021

Time: 8:52 PM

Location: Virtual Meeting / Town Hall 14211 School Lane, Upper Marlboro, Maryland 20772

Closed Under Annotated Code: According to the Annotated Code of Maryland, the Board of Commissioners of the Town of Upper Marlboro, Maryland have the statutory authority to close a session under general provisions article 3-305b for the reasons of subsection: (8) "To consult with staff, consultants, or other individuals about pending or potential litigation"

Those Who Voted To Go Into Closed Session: Linda Pennoyer, President and Sarah Franklin, Commissioner

Unanimous Of Elected Officials In Attendance: Linda Pennoyer, President; Sarah Franklin, Commissioner and Janice Duckett, Commissioner

Those In Attendance: Linda Pennoyer, President; Sarah Franklin, Commissioner and Janice Duckett, Commissioner.

Actions Taken: No Votes Were Taken

Topics Discussed: Old Marlboro Elementary School & Code Enforcement

Relevant Notes: None

Town of Upper Marlboro

REGULAR TOWN MEETING

October 12, 2021 • 7:00 p.m.

Unapproved Minutes

This meeting was conducted via Zoom Video Conference:

Call to Order

The meeting was called to order at 7:02 p.m.

Roll Call: Commissioner/Treasurer Sarah Franklin; Commissioner Janice Duckett and Linda Pennoyer/President of the Board of Town Commissioners.

Staff present: Kyle Snyder/Administrator; UMPD Chief Burse; William Morgan/Director of Finance; Superintendent Darnell Bond/Public Works; John Hoatson/ Town Clerk, Vickie Stewart

Also present: Patti Callicott; Joseph Hourclé /Board of Supervisors of Elections; Marlborough Towne HOA Chair Monica Williams; Ray Feldmann/Feldmann Communications Strategies LLC; Jacob Moore / Greenwill; Darrelynne Strother.

Pledge of Allegiance

Consent to the Agenda

The President received unanimous consent to the Agenda.

Approval of Meeting Minutes & Financial Reports

Commissioner Franklin motioned to approve the Regular Town Meeting minutes from September 14, 2021, Special Board Work Session minutes from September 21, 2021 & Regular Board Work Session minutes from September 28, 2021, and the Treasurer's Report as of September 30, 2021. President Pennoyer seconded. All Board minutes from September Town Meeting, Special Board Work Session & Regular Work Session, plus, the September Treasurer's Report were unanimously accepted and approved as presented.

Reports

Departments/Committees:

Public Safety:

- Chief Burse participated in conference call with the Prince George's Chiefs Association.
- Chief Burse participated in several conference calls with Prince George's County Office of Emergency Management and the Maryland State Police related to COVID-19.

- Chief Burse and Sgt. Irby conducted high visibility patrols throughout the Town.
- Code Officer Stewart completed a National Traffic Incident Management Responder Course.
- Chief Burse participated in the CERT monthly meeting.
- Chief Burse participated in a demonstration by Axon around the latest technology in Body Cameras and in-car cameras.
- Chief Burse participated in the Visitation Service for Chief O'Donnell.
- Chief Burse attended the Annual Maryland Municipal League Chief's Conference.
- Chief Burse participated in the Public Safety Day hosted by Cheverly Police Department.
- Chief Burse, Sgt. Irby and Code Officer Stewart participated in the Summer Outdoor Movie Night.
- Chief Burse participated in the Public Safety Day hosted by Mt. Rainier Police Department.
- Chief Burse and the Board of Commissioners participated in the Swearing-in of Police Officer Joseph Brooks.

Incidents Reported in Town:

Traffic Complaint 2	Commercial Alarm 2	Fraud Report 1
Domestic Call 1	Check on Welfare 1	Hit & Run Call 1
Unknown Trouble 1	Fight Call 1	Armed Person 1
Vehicle Accident 4	Stalking Report 1	Disorderly Call 5
Subject Stop 1	Miscellaneous Report 1	Property Damage 1
Suspicious Auto 1	Found Property 1	Suspicious Person 1
Lock Out 1	Attempt Suicide 1	

Public Works:

Public Works Related:

- Crewmembers Gibson, Sheckels, and Superintendent Bond attended the National Traffic Incident Management Responder Training (SHRP2) in Hanover, Md.
- New PWC M. Sheckels continued training in PW operations and equipment and received required pin numbers from the County.
- Crewmembers tested, set-up, maintained, and packed up all items from this year's first movie

night.

- Crewmember Washington and Superintendent Bond worked traffic control for an accident on the Rt 4. onramp handled by Sgt Irby.
- PWD acquired remaining pallets for the Green Team's community garden and assisted with fence set up.

Maintenance and Beautification:

- Crews prepped Town-owned properties for remnants of Ira.
- Increased wetness has increased maintenance and deck cleanings of landscape equipment.
- Pet waste station supplies received and distributed.

Street and Sidewalk:

- Cleaned storm drain inlets around Town in preparation for remnants of Ira.
- PWD and Commissioner Franklin reported numerous boardwalk issues to P.G Parks.
- PWD reviewed Town roadway engineering RFP and submitted feedback to TA Snyder.
- Installed a reboundable Pedestrian Crossing sign at the courthouse crosswalk.

Refuse Accumulations:

- Bulk day accumulations for solid wastes (Landfill) are 4.69 tons. Bulk day accumulations for yard waste collections are 5.69 tons. We had no dump body rentals for the month.
- New Town Recycle Bins delivered to Public Works for assembly.

Finance Department:

BUDGET CODE	DESCRIPTION	ACTUAL	APPROVED BUDGET
	Fines, Licenses & Permits		
6154	Franchise Fee	\$ 3,081.94	\$ 13,000.00
6280	Trader's License Fees	\$ -	\$ 500.00
6350	Town Permits	\$ -	\$ 1,700.00
6351	Food Trucks	\$ -	\$ 1,000.00
6352	Business License	\$ 13,538.03	\$ 10,000.00
6354	Room Rental	\$ -	\$ 669.00
6355	Parking Meters	\$ 39,888.32	\$ 174,000.00
6381	Parking Fines/Penalties	\$ 6,796.32	\$ 35,000.00
6383	Red Light Camera	\$ -	\$ -
6550	Pub/Edu/Govt Broadcasting	\$ 1,087.01	\$ 5,000.00
	TOTAL	\$ 64,391.62	\$ 240,869.00

Intergovernmental

6240	Financial Corporation Tax	\$ 9,144.52	\$ 9,145.00
6260	Highway User Fee	\$ 13,482.59	\$ 27,725.00
6310	Disposal Fee Rebate	\$ -	\$ 1,750.00
	TOTAL	\$ 22,627.11	\$ 38,620.00

Miscellaneous Revenue

6390	Interest Earnings	\$ -	\$ 2,500.00
6392	Sale of Property	\$ -	\$ 1,000.00
6394	Town Hall Services	\$ -	\$ 250.00
6396	Special Events/Donations	\$ -	\$ 2,500.00
6396	Other	\$ 647.54	\$ 1,000.00
	TOTAL	\$ 647.54	\$ 7,250.00

Taxes

6101	Commercial	\$ 51,972.07	\$ 189,541.00
6102	Non-Commercial	\$ 43,021.28	\$ 171,698.00
6103	Delinquent - RE	\$ -	\$ 5,000.00
6104	BPPT - FY2022	\$ 19,585.26	\$ 35,555.00
6105	Public Utilities	\$ 3,000.00	\$ 700,999.00
6106	Income Taxes	\$ 4,644.99	\$ 315,000.00
	TOTAL	\$ 122,223.60	\$ 1,417,793.00

	Total Revenue	\$ 209,889.87	\$ 1,704,532.00
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EXPENDITURES

GENERAL GOVERNMENT

	Administrative Salary & Wages	\$ 59,052.36	\$ 257,279.00
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	Payroll Deductions & Benefits		
8124	Employer Tax	\$ 11,634.91	\$ 59,000.00
8125	Pension Benefits	\$ 5,064.01	\$ 60,000.00
8126	Medical Employee Benefits	\$ 26,141.97	\$ 110,000.00
8128	Life Insurance	\$ -	\$ 6,800.00
	TOTAL	\$ 42,840.89	\$ 235,800.00

Professional Services

8073	Accounting Services	\$ 3,000.00	\$ 18,000.00
8074	Auditing Services	\$ 20,000.00	\$ 20,000.00
8075	Payroll Processing (TPA)	\$ 922.90	\$ 5,000.00
8110	Town Attorney & Legal	\$ 6,912.00	\$ 55,000.00
8115	IT Support & Equipment	\$ 2,710.51	\$ 10,000.00
8205	Media Relations	\$ 10,500.00	\$ 18,000.00
8206	Government Relations	\$ 9,000.00	\$ 36,000.00
8207	Human Resource Services	\$ 2,985.00	\$ 12,000.00
8208	Planning Firm	\$ 18,865.00	\$ -
	TOTAL	\$ 74,895.41	\$ 174,000.00

Insurance & Benefits

8120	General Liability	\$ 14,065.00	\$ 15,000.00
8121	Bonds	\$ -	\$ 500.00
8122	Workers Compensation	\$ 15,574.00	\$ 15,500.00
8123	Insurance Claims	\$ -	\$ 5,000.00
	TOTAL	\$ 29,639.00	\$ 36,000.00

Operating

8077	Public Notices	\$	200.00	\$	1,500.00
8080	Bank Charges	\$	8,084.43	\$	20,000.00
8086	Trainings & Memberships	\$	2,569.01	\$	5,000.00
8090	Postage	\$	241.84	\$	3,000.00
8092	Printing	\$	3,206.66	\$	7,500.00
8130	General Supplies	\$	3,726.04	\$	10,000.00
8131	Ofc Equipment R&M	\$	674.78	\$	1,000.00
8160	Town Hall Office Phones	\$	1,782.73	\$	5,000.00
8161	Mobile Phones	\$	152.40	\$	4,000.00
8162	Town Elections	\$	210.00	\$	1,200.00
8165	Town Hall Utilities	\$	3,773.95	\$	11,000.00
8175	Town Hall Repair & Maintenance	\$	3,516.50	\$	10,000.00
8200	Other	\$	804.48	\$	2,000.00
	Total	\$	28,942.82	\$	81,200.00

PUBLIC SAFETY

	Public Safety Salary & Wages	\$	48,124.06	\$	401,620.00
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Public Safety Operating

8273	Uniforms	\$	-	\$	2,000.00
8274	Weapons & Duty Equipment	\$	725.33	\$	5,000.00
8275	Training & Memberships	\$	623.74	\$	1,500.00
8277	Substance Testing/Pre-Employment	\$	1,750.00	\$	1,000.00
8280	Supplies	\$	224.19	\$	3,000.00
8281	Mobile Phone	\$	555.13	\$	5,000.00
8282	Association Dues	\$	-	\$	750.00
8300	Vehicle Repairs	\$	-	\$	2,500.00
8301	Vehicle Maintenance	\$	-	\$	4,000.00

8302	Vehicle Fuel	\$	-	\$	5,000.00
8320	Other	\$	-	\$	1,500.00
	TOTAL	\$	3,878.39	\$	31,250.00

6530.2022.03	GOCCP State Aid	\$	1,042.06	\$	16,400.00
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8330	Debt Service	\$	-	\$	32,525.00
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	Public Safety Total	\$	53,044.51	\$	481,795.00
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PUBLIC WORKS

	Salary & Wages	\$ 35,718.26	\$ 225,500.00
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Public Works Operating

8375	Uniforms	\$ -	\$ 750.00
8377	Training & Memberships	\$ 75.00	\$ 500.00
8380	Other	\$ 74.03	\$ 1,500.00
8390	Streets Maintenance	\$ 948.31	\$ 4,000.00
8391	Weather Related Expenses	\$ -	\$ 2,500.00
8400	Streetlight Electricity	\$ 4,353.89	\$ 21,500.00
8405	Vehicle Repairs	\$ -	\$ 3,000.00
8410	Vehicle Maintenance	\$ -	\$ 3,500.00
8415	Vehicle Fuel	\$ -	\$ 4,000.00
8488	PWF Utilities	\$ 360.44	\$ 3,500.00
8490	Mobile Phones	\$ 95.53	\$ 2,500.00
8176	Maintenance & Repairs	\$ 2,794.04	\$ 6,200.00
8491	Beautification	\$ -	\$ 2,500.00
8492	Small Tools & Equipment	\$ 1,449.23	\$ 2,500.00
8493	Septic Tank	\$ 300.00	\$ 1,200.00
8545	Mosquito Control	\$ -	\$ 1,400.00
	TOTAL	\$ 10,450.47	\$ 61,050.00

6530.2022.06	State Street Scape	\$ -	\$ 20,000.00
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Refuse Collection

8546	Residential Waste Collection	\$ 11,407.19	\$ 41,124.00
8547	Residential Recycle Collection	\$ 2,458.50	\$ 9,834.00

8548	Bulk & Yard Waste	\$ 670.40	\$ 3,600.00
	TOTAL	\$ 14,536.09	\$ 54,558.00

	Public Works Total	\$ 60,704.82	\$ 361,108.00
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	Total Expenses	\$ 348,077.75	\$ 1,627,182.00
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	Net Operating Income	\$ -138,187.88	\$ 0.00
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OTHER FUND BALANCES

	REVENUE/TRANSFER	EXPENSES	APPROVED BUDGET
Police State Aid	\$ 935.75	\$ 1,042.06	\$ 16,400.00
Community Open Space	\$ -	\$ 4,500.00	\$ 130,000.00
Other Grants	\$ 21,389.35	\$ -	\$ 70,000.00
ARP - American Recovery Fund	\$ 331,539.82	\$ 29,073.28	\$ 281,246.00
Committee Expenses	\$ -	\$ -	\$ 17,750.00
Replenish Reserve Transfer	\$ -	\$ -	\$ -
Capital Improvement Projects	\$ -	\$ 36,471.00	\$ 66,000.00
TOTALS	\$ 353,862.92	\$ 71,086.34	\$ 581,396.00

COMMITTEE BREAKDOWN

	TRANSFER TO...	EXPENSES	APPROVED BUDGET
Events	\$ 1,965.49	\$ 1,965.49	\$ 7,000.00
CERT Team	\$ -	\$ -	\$ 750.00
Historical Committee	\$ 39.99	\$ 39.99	\$ 750.00
Arts Council	\$ -	\$ -	\$ 750.00
Green Team	\$ -	\$ -	\$ 750.00
TOUM Events	\$ -	\$ -	\$ 7,750.00
TOTALS	\$ 2,005.48	\$ 2,005.48	\$ 17,750.00

Key Monthly Items

1. Audit Updates
2. ARPA
3. Debt Service Updates

BALANCE SHEET

Bank Accounts	
Operating Checking	45,481.23
Petty Cash	300.00
Payroll Account	2,131.95
M&T Checking	54,323.29
ARP Fund	331,539.82
Disbursement Acct	0.00
MLGIP	215,489.57
Total Bank Accounts	\$ 649,265.86

Greenwill Consulting:

Couple months away from session. In December there will be a special session to address the congressional districts based on Census data. There will be a potential change for Upper Marlboro. Currently Upper Marlboro is in the 23rd congressional district. Current Senator is Ron Watson. Upper Marlboro would then be placed in Mike Jackson's District. Greenwill is keeping an eye on this currently.

Greenwill is working with Commissioners to have a legislative priority meeting with Senator Ron Watson.

Historical Committee:

Patti Callicott provided a report for the Historical Committee. Memories and Morsels was held on September 12, 2021. Voice enhancer was purchased and given to the Town Clerk.

No Archive Session was held on September 18, 2021. Next Archive Session will be held on Saturday, October 16, 2021.

Events Committee:

Commissioner Franklin provided a report for the Events Committee. They are working on decorations and candy donations for Trunk or Treat.

Discussed Christmas event and ideas for that. Possible holiday event will take place on December 4, 2021.

Free tickets available for Trunk or Treat on EventBrite.

Sustainable Communities:

Evelyn Stephens currently traveling. No report provided.

Arts Council:

Town Administrator Kyle Snyder provided the report. Happy Leaf Arts Festival taking place on Sunday, October 17, 2021 (Rain Date) on Main Street. Live music and poetry.

Mural survey results will be made available soon. Checks have been cut for artists who submitted proposals.

Green Team:

Darrellynne Strother stated the Green Team is working on the community garden. Seedlings have been planted in pots that will need to be transplanted.

CERT:

CERT Team participated in the Town movie night. For the month of September they had 111 volunteer and service worker hours. Pond clean up will October 23, 2021 8:30am until 11:30am. Pond Clean Up is open to the public.

Commissioner Reports

Commissioner Franklin: Vision Plan article has been submitted for the “Landings” Newsletter. Will be working with Town Administrator to create a portal along with a survey.

Commissioner Duckett: No report provided

President Pennoyer: literally just returned from the MML Fall Conference.

Business:

1) Code Appeal: 14311 Rectory Lane (Board Discussion)

Discussion was held regarding code violations at the property located at 14311 Rectory Lane. Property belongs to Bryan Bontrager. Mr. Bontrager and Town Commission held a discussion regarding the ordinance and violations given. Homeowner wants the violations dismissed. Mr. Bontrager states there is no ordinance that controls the cosmetic conditions of his home. Ordinance was written in 2016 and did not include much Town input.

Action: Board of Town Commissioners will make a decision regarding the code violations at the November, 2021 Regular Town Meeting. Ordinance needs to be revisited and revised with Town input.

2) POD Permit Extension: 14133 Spring Branch Road (Board Approval)

Tanya Barnes located at 14133 Spring Branch Road has a POD for storage. She completed an application for a 2nd extension. POD has been located at the property for over a year. Tanya Barnes requested for the POD to be picked up at the end of October, 2021.

Action: Letter will be sent to Tanya Barnes confirming that POD must be removed by Sunday, October 31, 2021.

3) Town Roadway & Survey RFP (Board Approval)

Action: Consensus from the Town Commissioners was made to release the Town Roadway & Survey RFP. **Consensus:** Commissioner Franklin – Yes, Commissioner Duckett – Yes, President Pennoyer – Yes.

4) Resolution 2021-24: Police Vehicle Lease Agreement (Board Vote)

\$25,000 budgeted for police vehicle purchases in this fiscal year.

Action: Commissioner Franklin made a motion to approve Resolution 2021-24. **Seconded by Commissioner Duckett. Vote:** Commissioner Franklin – Yes, Commissioner Duckett – Yes and President Pennoyer – Yes.

5) Annexation Phase 2 & 3 Plan (Board Discussion & Vote)

120 properties have asked to become part of the Town limits. Public hearing will take place on Tuesday, November 30, 2021. Annexation will take effect on January 14, 2022 45 days after Enactment. Town Clerk Hoatson read the Annexation Plan Introduction.

Action: Commissioner Duckett made a motion to approve Annexation Plan. **Seconded by Commissioner Franklin. Vote:** Commissioner Franklin – Yes, Commissioner Duckett – Yes and President Pennoyer – Yes.

Annexation Resolution will be approved at a later date.

Administrative Updates

Legislation, Projects and Initiatives

Town Administrator Kyle Snyder gave an update on legislation, projects and initiatives moving forward.

General Commissioner & Staff items:

Patti Callicott asked about the pallets in the pond and dirt bikes on Route 4. Wanted to know if State will provide more assistance to enforce the law.

Public Comment

None

Motion to adjourn made by Commissioner Franklin and seconded by Commissioner Duckett.

Adjournment at 9:21PM

Respectfully submitted,

John Hoatson, Town Clerk

Town of Upper Marlboro

14211 School Lane • Upper Marlboro, Maryland 20772 • 301-627-6905

Work Session Minutes

October 26, 2021 - 7:00 p.m.

This meeting was conducted via Zoom Video Conference

Call to Order

- Meeting was brought to order at 7:03 p.m.
- **Roll Call:** – President Linda Pennoyer; Commissioner Janice Duckett; Commissioner/Treasurer Sarah Franklin
- **Staff present:** Kyle Snyder/Town Administrator; UMPD Chief Burse; William Morgan/Director of Finance; Superintendent Darnell Bond/Public Works; John Hoatson / Town Clerk
- **Attending:** Jodi Wildey, Prince George's County NAACP
- Pledge of Allegiance

Business:

Business

1. Discussion with Prince George's County NAACP (Board Discussion)

Jodi Wildy with Prince George's County NAACP made a presentation to the Board of Town Commissioners & Staff to discuss diversity and race. Jodi shared a video with Theodore Zeldin which addressed listening.

Jodi agreed to come back and do some training with the new Board of Town Commissioners.

Commissioner Franklin would like staff & commissioners to attend GARE.

2. Financial Policies (Board Discussion)

Director of Finance William Morgan presented the Financial Policies document that has been created for internal operations. There were some changes and edits that needed to be made.

President Pennoyer stated that this is a draft and does require more work. It will be re-drafted and provided at a later date.

Town Administrator Kyle Snyder stated that the Charter will need to be amended regarding spending limits. This is a good 1st step. Accounting firm has also looked at this documents with regards to operations.

Coin collection is also included in the Financial Policies document.

Commissioner Franklin asked that the financial sections of the Town Charter be sent out to all commissioners. Town Administrator Kyle Snyder will send it out.

3. Annexation Resolution 01-2021 (Board Discussion)

Town Administrator Kyle Snyder talked about the annexation timeline.

Public Hearing is scheduled for Tuesday, November 30, 2021. This will be both in person and (virtual hybrid).

4. Town Job Descriptions (Board Discussions)

Chief of Police and Town Administrator job descriptions were added to the others job descriptions provided to the Board of Town Commissioners previously.

Commissioner Franklin asked about adding, "Spanish Preferred" to the job descriptions.

Town Administrator Kyle Snyder asked Darnell Bond, Public Works Superintendent about the chain on command in Public Works. Darnell Bond stated that Crew Members report to Crew Leads and Crew Leads report to one Foreman and Foreman reports to Superintendent.

5. Town of Upper Marlboro Election Update

Election will take place on Tuesday, November 2, 2021

Candidates are: Bryan Bontrager, Janice Duckett, Sarah Franklin, Thomas Hanchett, Karen Lott and Linda Pennoyer

Commissioner Franklin raised the issue of Election Judges. Town Clerk John Hoatson stated that the Board of Supervisors of Elections is making decisions regarding Election Judges. They make the call with regards to having Election Judges.

Administrative & Staff Items:

Marlborough Towne HOA Agreement

Extension of Declaration of Emergency

Playground / Groundbreaking Ceremony – Saturday, October 30, 2021

Board of Commission Work Session Adjourned at 8:45 PM

Respectfully submitted,

John Hoatson
Town Clerk



Town of Upper Marlboro Police Department

14211 School Lane, Upper Marlboro, MD 20772 Tel: (301) 627-6905

Monthly Town Police Department Report For the Month of October 2021

Incidents Reported in Town:

Traffic Complaint 1	Commercial Alarm 5	Threat Complaint 1
Domestic Call 1	Check on Welfare 7	Hit & Run Call 1
911 Disconnect Call 2	Assist Fire/EMS 1	Armed Person 1
Vehicle Accident 1	Noise Complaint 1	Disorderly Call 6
Residential Alarm 4	Lost Property 1	Exparte 1
Suspicious Auto 1		

Chief Burse participated in conference call with the Prince George's Chiefs Association.

Chief Burse and Sgt. Irby conducted high visibility patrols throughout the Town.

Chief Burse participated in the Swearing-in ceremony for Chief Jarrod Towers of the City of Hyattsville Police.

Chief Burse participated in a Community Our Streets Our Future Event with State's Attorney Braveboy in the Town of Bladensburg.

Chief Burse and Staff hosted the National Faith and Blue Shredding Event with three local Town churches.

Chief Burse attended the Annual Maryland Chief's of Police Conference.

Chief Burse attended the Funeral Mass Service for PFC Jimmy Sullivan of the City of Bowie Police Department.

Chief Burse, Sgt. Irby and Code Officer Stewart participated in the Summer Outdoor Movie Night.

Chief Burse participated in the District 2 Coffee Club Meeting.

Chief Burse participated in the Town playground Groundbreaking Ceremony.

Chief Burse, Cpl. Brooks, Code Officer Stewart, and Town staff participated in the Town of Upper Marlboro's Trunk or Treat Event.



Town of Upper Marlboro

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www.uppermarlboromd.gov

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

Date: Thursday, November 4, 2021

Subject: Public Works' Status Report

RE: October 2021 – Monthly Status Report

Public Works Related

- Dump trailer received from TWP Motorsports and outfitted with siderunner boards and tarp tie-downs. Tarp end pole was modified to work with implemented secure latch boards.
- DOE permits for refuse vehicles received.
- PW transported Leafgro to spread at the community garden.
- PWD attended the MML PWA quarterly meeting in Takoma Park where we had a presentation from Compost Crew.
- TA Snyder and I met with Mr. S. Weaver of Washington Gas and Justin Deckert of Pepco to discuss potential initiatives aimed at municipalities from each company.
- Crew lead Washington and I assisted with the playground groundbreaking ceremony set-up.
- PW assisted with set-up and traffic control for the Town's last movie night of the year, the Happy Leaf Festival, and Trunk or Treat events.
- PWD assisted with the faith in Blue Shred Event.

Maintenance and Beautification

- PW began tree trimming at TH, Old Mill Rd, Elm St, The Church St lot, and Monument.
- PWD received quotes from Greentree for tree removal services for TH and Spring Branch Properties.
- Performed routine site cuts.
- Serviced shop compressor in house.
- Fixed landscape trailer wiring issues in house.
- Began preening and tidying up of flower beds.

Street and Sidewalk

- Cleaned storm drain inlets around Town in preparation for Mid Atlantic floods.
- TA Snyder, Commissioner Franklin, and I walked potential trail routes with Robert Patten of P.G. Parks.
- Relocated speed sign to Old Crain Hwy and back to MD 725 to collect data.

Weather Related Activities

- PWC closed Water St Bridge due to Mid Atlantic flooding remnants.

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Commissioner/Treasurer

Linda Pennoyer
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Refuse Accumulations

- Bulk day accumulations for solid wastes (Landfill) are 3.87 tons. Bulk day accumulations for yard waste collections are 9.24 tons. We had no dump body rentals for the month.
- 162 new Town recycle bins assembled to date with the first delivery to a new resident on Old Crain Hwy.

Sincerely,

Darnell F. Bond III, *Public Works Director*

Janice Duckett
Commissioner

Sarah Franklin
Commissioner/Treasurer

Linda Pennoyer
Commissioner/President



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Town of Upper Marlboro October 2021 Treasurer Report July 2021 – June 2022

REVENUE

BUDGET CODE	DESCRIPTION	ACTUAL	APPROVED BUDGET
	Fines, Licenses & Permits		
6154	Franchise Fee	\$ 11,500.96	\$ 13,000.00
6280	Trader's License Fees	\$ -	\$ 500.00
6350	Town Permits	\$ -	\$ 1,700.00
6351	Food Trucks	\$ -	\$ 1,000.00
6352	Business License	\$ 14,138.03	\$ 10,000.00
6354	Room Rental	\$ -	\$ 669.00
6355	Parking Meters	\$ 54,622.90	\$ 174,000.00
6381	Parking Fines/Penalties	\$ 13,013.12	\$ 35,000.00
6383	Red Light Camera	\$ -	\$ -
6550	Pub/Edu/Govt Broadcasting	\$ 2,266.31	\$ 5,000.00
	TOTAL	\$ 95,538.32	\$ 240,869.00

Intergovernmental

6240	Financial Corporation Tax	\$ 9,144.52	\$ 9,145.00
6260	Highway User Fee	\$ 17,799.97	\$ 27,725.00
6310	Disposal Fee Rebate	\$ 519.00	\$ 1,750.00
	TOTAL	\$ 27,463.49	\$ 38,620.00

Miscellaneous Revenue

6390	Interest Earnings	\$ -	\$ 2,500.00
6392	Sale of Property	\$ -	\$ 1,000.00
6394	Town Hall Services	\$ -	\$ 250.00
6396	Special Events/Donations	\$ -	\$ 2,500.00
6396	Other	\$ 1,453.85	\$ 1,000.00
	TOTAL	\$ 1,453.85	\$ 7,250.00

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Taxes

6101	Commercial	\$	111,911.96	\$	189,541.00
6102	Non-Commercial	\$	88,492.81	\$	171,698.00
6103	Delinquent - RE	\$	-	\$	5,000.00
6104	BPPT - FY2022	\$	58,731.10	\$	35,555.00
6105	Public Utilities	\$	3,000.00	\$	700,999.00
6106	Income Taxes	\$	66,285.39	\$	315,000.00
	TOTAL	\$	328,421.26	\$	1,417,793.00

	Total Revenue	\$	452,876.92	\$	1,704,532.00
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EXPENDITURES

GENERAL GOVERNMENT

	Administrative Salary & Wages	\$	82,684.56	\$	257,279.00
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	Payroll Deductions & Benefits				
8124	Employer Tax	\$	16,731.54	\$	59,000.00
8125	Pension Benefits	\$	5,064.01	\$	60,000.00
8126	Medical Employee Benefits	\$	26,141.97	\$	110,000.00
8128	Life Insurance	\$	-	\$	6,800.00
	TOTAL	\$	47,937.52	\$	235,800.00

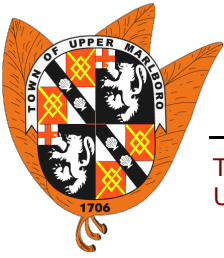
Professional Services

8073	Accounting Services	\$	4,500.00	\$	18,000.00
8074	Auditing Services	\$	20,000.00	\$	20,000.00
8075	Payroll Processing (TPA)	\$	1,748.66	\$	5,000.00
8110	Town Attorney & Legal	\$	10,746.00	\$	55,000.00
8115	IT Support & Equipment	\$	3,620.89	\$	10,000.00
8205	Media Relations	\$	12,000.00	\$	18,000.00
8206	Government Relations	\$	12,000.00	\$	36,000.00
8207	Human Resource Services	\$	3,980.00	\$	12,000.00
8208	Planning Firm	\$	18,865.00	\$	-
	TOTAL	\$	87,460.55	\$	174,000.00

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Insurance & Benefits

8120	General Liability	\$	14,065.00	\$	15,000.00
8121	Bonds	\$	-	\$	500.00
8122	Workers Compensation	\$	15,574.00	\$	15,500.00
8123	Insurance Claims	\$	-	\$	5,000.00
	TOTAL	\$	29,639.00	\$	36,000.00

Operating

8077	Public Notices	\$	1,240.00	\$	1,500.00
8080	Bank Charges	\$	13,759.90	\$	20,000.00
8086	Trainings & Memberships	\$	2,569.01	\$	5,000.00
8090	Postage	\$	748.73	\$	3,000.00
8092	Printing	\$	3,206.66	\$	7,500.00
8130	General Supplies	\$	20,496.38	\$	10,000.00
8131	Ofc Equipment R&M	\$	674.78	\$	1,000.00
8160	Town Hall Office Phones	\$	2,100.74	\$	5,000.00
8161	Mobile Phones	\$	823.96	\$	4,000.00
8162	Town Elections	\$	436.00	\$	1,200.00
8165	Town Hall Utilities	\$	6,085.38	\$	11,000.00
8175	Town Hall Repair & Maintenance	\$	4,059.50	\$	10,000.00
8200	Other	\$	1,539.50	\$	2,000.00
	Total	\$	57,740.54	\$	81,200.00

	General Government Total	\$	305,462.17	\$	784,279.00
PUBLIC SAFETY					
	Public Safety Salary & Wages	\$	72,107.41	\$	401,620.00

Public Safety Operating

8273	Uniforms	\$	147.74	\$	2,000.00
8274	Weapons & Duty Equipment	\$	1,560.33	\$	5,000.00
8275	Training & Memberships	\$	623.74	\$	1,500.00
8277	Substance Testing/Pre-Employment	\$	1,750.00	\$	1,000.00
8280	Supplies	\$	231.19	\$	3,000.00
8281	Mobile Devices	\$	1,128.65	\$	5,000.00
8282	Association Dues	\$	-	\$	750.00
8300	Vehicle Repairs	\$	-	\$	2,500.00
8301	Vehicle Maintenance	\$	-	\$	4,000.00

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8302	Vehicle Fuel	\$	-	\$	5,000.00
8320	Other	\$	235.44	\$	1,500.00
	TOTAL	\$	5,677.09	\$	31,250.00

6530.2022.03	GOCCP State Aid	\$	1,042.06	\$	16,400.00
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8330	Debt Service	\$	-	\$	32,525.00
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	Public Safety Total	\$	77,784.50	\$	481,795.00
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PUBLIC WORKS

	Salary & Wages	\$	53,599.65	\$	225,500.00
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Public Works Operating

8375	Uniforms	\$	-	\$	750.00
8377	Training & Memberships	\$	75.00	\$	500.00
8380	Other	\$	74.03	\$	1,500.00
8390	Streets Maintenance	\$	948.31	\$	4,000.00
8391	Weather Related Expenses	\$	-	\$	2,500.00
8400	Streetlight Electricity	\$	5,978.62	\$	21,500.00
8405	Vehicle Repairs	\$	-	\$	3,000.00
8410	Vehicle Maintenance	\$	-	\$	3,500.00
8415	Vehicle Fuel	\$	-	\$	4,000.00
8488	PWF Utilities	\$	552.32	\$	3,500.00
8490	Mobile Phones	\$	186.87	\$	2,500.00
8176	Maintenance & Repairs	\$	1,012.79	\$	6,200.00
8491	Beautification	\$	-	\$	2,500.00
8492	Small Tools & Equipment	\$	3,230.84	\$	2,500.00
8493	Septic Tank	\$	300.00	\$	1,200.00
8545	Mosquito Control	\$	-	\$	1,400.00
	TOTAL	\$	12,358.78	\$	61,050.00

6530.2022.06	State Street Scape	\$	-	\$	20,000.00
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Refuse Collection

8546	Residential Waste Collection	\$	14,857.19	\$	41,124.00
8547	Residential Recycle Collection	\$	3,283.50	\$	9,834.00

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8548	Bulk & Yard Waste	\$	1,089.36	\$	3,600.00
	TOTAL	\$	19,230.05	\$	54,558.00

	Public Works Total	\$	85,188.48	\$	361,108.00
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	Total Expenses	\$	468,435.15	\$	1,627,182.00
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	Net Operating Income	\$	-15,558.15	\$	0.00
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OTHER FUND BALANCES

	REVENUE/TRANSFER	EXPENSES	APPROVED BUDGET
Police State Aid	\$ 5,035.75	\$ 1,042.06	\$ 16,400.00
Community Open Space	\$ -	\$ 6,894.77	\$ 130,000.00
Other Grants	\$ 21,389.35	\$ -	\$ 70,000.00
ARP - American Recovery Fund	\$ 331,539.82	\$ 29,073.28	\$ 281,246.00
Committee Expenses	\$ -	\$ -	\$ 17,750.00
Replenish Reserve Transfer	\$ -	\$ -	\$ -
Capital Improvement Projects	\$ -	\$ 36,471.00	\$ 66,000.00

TOTALS	\$ 357,964.92	\$ 73,481.11	\$ 581,396.00
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COMMITTEE BREAKDOWN

	TRANSFER TO...	EXPENSES	APPROVED BUDGET
Events	\$ 2,048.82	\$ 2,048.82	\$ 7,000.00
CERT Team	\$ -	\$ -	\$ 750.00
Historical Committee	\$ 39.99	\$ 39.99	\$ 750.00
Arts Council	\$ 2,738.89	\$ 2,738.89	\$ 750.00
Green Team	\$ -	\$ -	\$ 750.00
TOUM Events	\$ -	\$ -	\$ 7,750.00
TOTALS	\$ 4,827.70	\$ 4,827.70	\$ 17,750.00

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Key Monthly Items

1. ARPA
2. Debt Service Updates
3. Website Finance Improvements

BALANCE SHEET

Bank Accounts	
Operating Checking	108,380.76
Petty Cash	300.00
Payroll Account	2,796.66
M&T Checking	70,986.40
ARP Fund	331,539.82
Disbursement Acct	0.00
MLGIP	215,489.57
Total Bank Accounts	\$ 729,493.21

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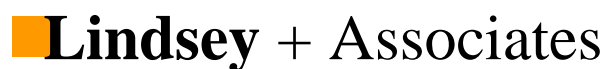
TOWN OF UPPER MARLBORO, MARYLAND
FINANCIAL STATEMENTS
JUNE 30, 2021

TOWN OF UPPER MARLBORO

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JUNE 30, 2021

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Independent Auditor's Report

Board of Town Commissioners
Town of Upper Marlboro, Maryland

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, each major fund and the aggregate remaining fund information of the Town of Upper Marlboro, Maryland, as of and for the year ended June 30, 2021, and the related notes to the financial statements, which collectively comprise the Town's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, each major fund and the aggregate remaining fund information of the Town of Upper Marlboro, Maryland, as of June 30, 2021, and the respective changes in financial position for the year then ended in conformity with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, the pension-related supplementary information, and the budgetary comparison information on pages 4 through 10, 39, and 40, respectively, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Town of Upper Marlboro, Maryland's financial statements as a whole. The schedule of revenues – budget and actual general fund and the schedule of expenditures – budget and actual general fund on pages 41 through 44 are presented for purposes of additional analysis and are not a required part of the basic financial statements. The schedule of revenues – budget and actual general fund and the schedule of expenditures – budget and actual general fund are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated in all material respects in relation to the financial statements as a whole.

Kindley & Associates, LLC

September 25, 2021

**TOWN OF UPPER MARLBORO, MARYLAND
MANAGEMENT'S DISCUSSION AND ANALYSIS
JUNE 30, 2021**

The following information includes our discussion and analysis of the financial performance of the Town of Upper Marlboro and provides an overview of the Town's financial activities for the year ended June 30, 2021. Please read it in conjunction with the transmittal letter and the Town's financial statements.

Financial Highlights

- The Town has two classifications for real property taxes. The residential tax rate remained at \$0.24 per \$100 of assessed value, while the commercial tax rate stayed constant at \$0.52 per \$100 of assessed value. The Town's personal property tax rate remained at \$0.45 per \$100 of assessed value. For utility services that operated within the Town's limits, there is a public utility tax for those services. The public utility tax rate remained the same at \$0.75 per assessed value certified by SDAT.
- The Town used budgeted funds to purchase a new code/parking enforcement vehicle totaling \$25,831.56 (includes vehicle and outfitting). This purchase was matched with a \$10,000.00 Maryland Energy Assistance Grant (MEAP).
- The Town received COVID-19 Relief Funding (CRF) reimbursement to expenses allotted to responding to the health pandemic in the amount of \$35,341.00.
- The Town installed solar panels on the municipal building. This expense totaled \$19,742.00 and an accrued partial reimbursement will come via Maryland Energy Assistance Grant (MEAP).
- The Town saw drastic decreases in parking revenue due to the COVID-19 pandemic.

TOWN OF UPPER MARLBORO, MARYLAND
MANAGEMENT'S DISCUSSION AND ANALYSIS
JUNE 30, 2021

Using This Annual Report

This annual report consists of a series of financial statements. The Statement of Net Position and the Statement of Activities are government-wide statements that provide information about the activities of the Town as a whole and present a longer-term view of the Town's finances. Fund financial statements report the Town's operation in more detail than the government-wide statements by providing information about the Town's most significant funds and individual parts.

Reporting the Town as a Whole

The Statement of the Net Position and the Statement of Activities

One of the most important questions asked about the Town's finances is, "Is the Town as a whole, better off or worse off as a result of the year's activities?" The statement of Net Position and the Statement of Activities reports information about the Town as a whole and about its activities in a way that helps to answer this question. These statements include all assets plus deferred outflows and liabilities plus deferred inflows using the accrual basis of accounting, which is similar to the accounting used by most private-sector companies. All of the current year's revenues and expenses are taken into account regardless of when cash is received or paid.

These two statements report changes in the Town's net position. You can think of the Town's net position (the difference between assets plus deferred outflows and liabilities plus deferred inflows) as one way to measure the Town's financial health or position. Over time, increases or decreases in the Town's net position are one indicator of whether its financial health is improving or deteriorating. You will need to consider other non-financial factors, such as changes in the Town's property tax base and the condition of the Town's roads to assess the overall health of the Town.

In the Statement of Net Position and the Statement of Activities, we divide the Town into two kinds of activity:

- Governmental Activity – All of the Town's basic services are reported here, including the police, general government, public works, economic development, and recreation. Taxes, franchise fees, fines, and state and federal grants finance most of these activities.
- Business-type Activity – The Town currently has no business-type activities.

**TOWN OF UPPER MARLBORO, MARYLAND
MANAGEMENT'S DISCUSSION AND ANALYSIS
JUNE 30, 2021**

Reporting the Town's Most Significant Funds

Fund Financial Statements

The fund financial statements provide detailed information about the most significant funds - not the Town as a whole. A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The town has two types of funds: governmental and fiduciary funds.

- Governmental funds - Most of the Town's basic services are reported in governmental funds, which focus on how money flows into and out of those funds and the balances left at year-end that are available for spending. These funds are reported using an accounting method called modified accrual accounting, which measures cash and all other financial assets that can be converted to cash. The governmental fund statements provide a detailed short-term view of the Town's general government operations and the basic service it provides. Governmental fund information helps you determine whether there are more or fewer financial resources that can be spent in the near future to finance the Town's programs. We describe the relationship (or differences) between governmental activities (reported in the Statement of Net Position and the Statement of Activities) and governmental funds in reconciliation at the right of the fund financial statements.
- Fiduciary funds – Fiduciary funds are used to account for assets held for the benefit of employees by private organizations. Fiduciary funds are not reflected in the government-wide financial statements because the resources of those funds are not available to support the Town's programs.

**TOWN OF UPPER MARLBORO, MARYLAND
MANAGEMENT'S DISCUSSION AND ANALYSIS
JUNE 30, 2021**

The Town as a Whole

Governmental Activities

To aid in the understanding of the Statement of Activities some additional explanation is given. Of particular interest is the format that is significantly different than a typical Statement of Revenues, Expenses and Changes in Fund Balance. You will notice that expenses are listed in the first column with revenues from that particular program reported to the right. The result is a Net (Expense)/Revenue. The reason for this kind of format is to highlight the relative financial burden of each of the functions on the Town's taxpayers. It also identifies how much each function draws from the general revenues or if it is self-financing through fees and grants. Some of the individual line item revenues reported for each function are:

General Government	Rental, Licenses and Fees, and Parking Meters.
Public Safety	State Grants, Homeland Security Grant, and Vehicle Release Fees
Public Works	Highway User Revenues and Landfill Rebate Charges

All other governmental revenues are reported as general. It is important to note that all taxes are classified as general revenue even if restricted to a specific purpose.

**TOWN OF UPPER MARLBORO, MARYLAND
MANAGEMENT'S DISCUSSION AND ANALYSIS
JUNE 30, 2021**

Government-Wide Financial Information

The following is selected information as of June 30, 2021, and June 30, 2020.

	2020	2021
Current assets	\$ 583,143	\$ 1,058,528
Capital assets	2,672,067	2,588,890
Total assets	3,255,210	3,647,418
Deferred outflows	86,300	110,879
Total assets and deferred outflows	3,341,510	3,758,297
Current liabilities	179,980	280,716
Long-term liabilities	524,806	683,859
Total liabilities	704,786	964,575
Deferred inflows	42,476	43,281
Net position		
Net investment in capital assets	2,672,067	2,527,334
Restricted	-	-
Unrestricted	(77,819)	223,107
Total net position	2,594,248	2,750,441
Total liabilities, deferred inflows and net position	3,341,510	3,758,297
Program revenues		
Charges for services	-	-
Operating grants and contributions	-	
Capital grants and contributions	204,751	291,916
General revenues		
Income taxes	260,173	592,232
Property taxes	300,916	332,920
Other income	-	
Total general revenues	1,150,921	1,461,986
Transfers	-	-
Total revenues and transfers	1,355,672	1,753,902
Expenses		
General government	909,746	863,699
Public safety	347,732	414,080
Public works	325,241	316,193
Total expenses and transfers	1,586,379	1,597,709
Change in net position	(230,707)	156,193
Net position, beginning of year	2,824,955	2,594,248
Net position, end of year	2,594,248	2,750,441

**TOWN OF UPPER MARLBORO, MARYLAND
MANAGEMENT'S DISCUSSION AND ANALYSIS
JUNE 30, 2021**

Business-type Activities

The Town currently has no business-type activities.

The Town' Funds

The following schedule presents a summary of revenues and expenditures for the fiscal year ending June 30, 2021.

	FY2021 Amount	Percent of Total	Increase (Decrease) From FY20
Revenues			
Taxes	\$ 1,065,826	68%	\$ 595,918
Intergovernmental	291,916	19%	231,223
Fines, licenses and permits	148,825	10%	(25,183)
Miscellaneous	50,852	3%	12,491
Total Revenues	<u>\$ 1,557,419</u>	<u>100%</u>	<u>\$ 814,449</u>
Expenditures			
General government	\$ 737,979	53%	\$ 316,252
Public safety	299,967	22%	49,826
Public works	244,866	18%	16,687
Capital outlays	62,610	5%	(1,573,113)
Debt service	32,525	2%	32,525
Total Expenditures	<u>\$ 1,377,947</u>	<u>100%</u>	<u>\$ (1,157,823)</u>

The Town began the fiscal year projecting to do well with parking meter enforcement. Due to the COVID-19 pandemic, it tremendously reduced the amount of revenue brought in. Much of the parking meter and code enforcement revenue would supplement the capital outlay budget which had high expenditures from parking meter infrastructure and new code/parking enforcement vehicle expenses.

**TOWN OF UPPER MARLBORO, MARYLAND
MANAGEMENT'S DISCUSSION AND ANALYSIS
JUNE 30, 2021**

Budgetary Highlights

The initial budget approval included approximately \$311,666 of anticipated revenue from parking meters, including violations. Due to the COVID-19 pandemic, the Town received about half of the original budget amount.

Capital Asset and Debt Administration

Capital Assets

The major capital projects and purchases this year include projects in the Town's Strategic Plan:

- Upgrade police vehicle fleet
- Office software and technology upgrades

Debt

The Town is debt-free, with the exception of compensated absences, the net pension liability and three police vehicles.

Economic Factors and Next Year's Budget and Rates

There is consideration for residential and utility tax increases within the next fiscal year. Additionally, the Town is looking to expand its limits and annex more taxable property. This will require the Town to hire additional employees to serve its constituents.

The Town anticipates to modify its annual business license fee to incorporate the license for 2 years and remain at the rate of \$300.

Contacting the Town's Financial Management

This financial report is designed to provide our citizens, taxpayers, customers, and creditors with a general overview of the Town's finances and to show the Town's accountability for the money it receives. If you have questions about this report or need additional financial information, contact the Town's Finance Director at (301) 627-6905 or mail your questions to 14211 School Lane, Upper Marlboro, MD 20772.

TOWN OF UPPER MARLBORO, MARYLAND
STATEMENT OF NET POSITION
JUNE 30, 2021

	Governmental Activities	Total
ASSETS		
Current Assets		
Cash and cash equivalents - unrestricted	\$ 401,569	\$ 401,569
Investments	215,490	215,490
Taxes receivable	441,469	441,469
Total Current Assets	<u>1,058,528</u>	<u>1,058,528</u>
Noncurrent Assets		
Net capital assets	<u>2,588,890</u>	<u>2,588,890</u>
Total Noncurrent Assets	<u>2,588,890</u>	<u>2,588,890</u>
TOTAL ASSETS	<u>3,647,418</u>	<u>3,647,418</u>
DEFERRED OUTFLOWS OF RESOURCES	<u>110,879</u>	<u>110,879</u>
TOTAL ASSETS AND DEFERRED OUTFLOWS OF RESOURCES	<u><u>\$ 3,758,297</u></u>	<u><u>\$ 3,758,297</u></u>
LIABILITIES		
Current Liabilities		
Accounts payable and accrued expenses	\$ 250,621	\$ 250,621
Current portion of long-term debt	30,095	30,095
Total Current Liabilities	<u>280,716</u>	<u>280,716</u>
Noncurrent Liabilities		
Compensated absences	82,973	82,973
Net pension liability	569,425	569,425
Noncurrent portion of long-term debt	31,461	31,461
Total Noncurrent Liabilities	<u>683,859</u>	<u>683,859</u>
TOTAL LIABILITIES	<u>964,575</u>	<u>964,575</u>
DEFERRED INFLOWS OF RESOURCES	<u>43,281</u>	<u>43,281</u>
NET POSITION		
Net investment in capital assets	2,527,334	2,527,334
Unrestricted	223,107	223,107
TOTAL NET POSITION	<u>2,750,441</u>	<u>2,750,441</u>
TOTAL LIABILITIES, DEFERRED INFLOWS OF RESOURCES AND NET POSITION	<u><u>\$ 3,758,297</u></u>	<u><u>\$ 3,758,297</u></u>

The accompanying notes to these financial statements are an integral part of this statement.

TOWN OF UPPER MARLBORO, MARYLAND
STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED JUNE 30, 2021

Functions/Programs	Expenses	Indirect Expense Allocation	Charges for Services	Program Revenues		Net (Expense) Revenue and Changes in Net Position	
				Operating Grants and Contributions	Capital Grants and Contributions	Primary Government Governmental Activities	Total
Primary Government							
Governmental Activities:							
General government	\$ 863,699	\$ -		\$ 255,876	\$ -	\$ (607,823)	\$ (607,823)
Public safety	414,080	3,737	-	-	-	(417,817)	(417,817)
Public works	316,193	-	-	36,040	-	(280,153)	(280,153)
Interest expense	3,737	(3,737)	-	-	-	-	-
Total Governmental Activities	<u>1,597,709</u>	<u>-</u>	<u>-</u>	<u>291,916</u>	<u>-</u>	<u>(1,305,793)</u>	<u>(1,305,793)</u>
Total Primary Government	<u>\$ 1,597,709</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 291,916</u>	<u>\$ -</u>	<u>\$ (1,305,793)</u>	<u>\$ (1,305,793)</u>
General revenues:							
Taxes							
Income taxes						592,232	592,232
Property taxes						332,920	332,920
Public Utilities						337,157	337,157
Licenses and permits						148,825	148,825
Interest and investment earnings						3,032	3,032
Miscellaneous						47,820	47,820
Total General Revenues						<u>1,461,986</u>	<u>1,461,986</u>
Change in Net Position						156,193	156,193
Net Position, beginning of year						<u>2,594,248</u>	<u>2,594,248</u>
Net Position, end of year						<u>\$ 2,750,441</u>	<u>\$ 2,750,441</u>

The accompanying notes to these financial statements are an integral part of this statement.

**TOWN OF UPPER MARLBORO, MARYLAND
BALANCE SHEET - GOVERNMENTAL FUNDS
JUNE 30, 2021**

	General Fund	Total Governmental Funds
ASSETS		
Cash and cash equivalents - unrestricted	\$ 401,569	\$ 401,569
Investments	215,490	215,490
Taxes receivable	244,986	244,986
TOTAL ASSETS	<u>862,045</u>	<u>862,045</u>
DEFERRED OUTFLOWS OF RESOURCES	<u>-</u>	<u>-</u>
TOTAL ASSETS AND DEFERRED OUTFLOWS OF RESOURCES	<u><u>\$ 862,045</u></u>	<u><u>\$ 862,045</u></u>
LIABILITIES		
Accounts payable and accrued expenses	\$ 54,138	\$ 54,138
TOTAL LIABILITIES	<u>54,138</u>	<u>54,138</u>
DEFERRED INFLOWS OF RESOURCES	<u>196,483</u>	<u>196,483</u>
FUND BALANCES		
Non-spendable	-	-
Unassigned	611,424	611,424
TOTAL FUND BALANCES	<u>611,424</u>	<u>611,424</u>
TOTAL LIABILITIES, DEFERRED INFLOWS OF RESOURCES AND FUND BALANCES	<u><u>\$ 862,045</u></u>	<u><u>\$ 862,045</u></u>

**RECONCILIATION OF TOTAL GOVERNMENTAL
FUND BALANCE TO NET POSITION OF
GOVERNMENTAL ACTIVITIES
JUNE 30, 2021**

<i>Total Governmental Fund Balances</i>	\$ 611,424
Capital assets used in governmental activities are not financial resources and therefore are not reported in the funds.	2,588,890
Long-term liabilities, including bonds payable and compensated absences, are not due and payable in the current period and therefore are not reported in the funds.	(713,954)
Deferred inflows of resources pertaining to net pension liability are not reported in the funds.	(43,281)
Deferred outflows of resources pertaining to net pension liability are not reported in the funds.	110,879
Receivables pertaining to revenue that is not available in accordance with modified accrual accounting are reported as deferred inflows of resources in the funds.	<u>196,483</u>
<i>Net Position of Governmental Activities</i>	<u><u>\$ 2,750,441</u></u>

The accompanying notes to these financial statements are an integral part of this statement.

TOWN OF UPPER MARLBORO, MARYLAND
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
GOVERNMENTAL FUNDS
FOR THE YEAR ENDED JUNE 30, 2021

	General Fund	Total Governmental Funds
REVENUES		
Taxes	\$ 1,065,826	\$ 1,065,826
Fines, licenses, permits	148,825	148,825
Intergovernmental	291,916	291,916
Miscellaneous	50,852	50,852
Total Revenues	<u>1,557,419</u>	<u>1,557,419</u>
EXPENDITURES		
Current Operations		
General government	737,979	737,979
Public safety	299,967	299,967
Public works	244,866	244,866
Capital outlay	62,610	62,610
Debt Service		
Principal	28,788	28,788
Interest	3,737	3,737
Total Expenditures	<u>1,377,947</u>	<u>1,377,947</u>
Excess of revenues over (under)		
 expenditures and other financing uses	<u>179,472</u>	<u>179,472</u>
Other financing sources (uses)		
Proceeds from long-term debt	-	-
Total other financing sources (uses)	<u>-</u>	<u>-</u>
Excess of revenue and other financing		
 sources over (under) expenditures		
 and other financing uses	179,472	179,472
Fund balance, beginning of year	<u>431,952</u>	<u>431,952</u>
Fund balance, end of year	<u>\$ 611,424</u>	<u>\$ 611,424</u>

RECONCILIATION OF THE STATEMENT OF REVENUES,
EXPENDITURES AND CHANGES IN FUND BALANCES OF
GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED JUNE 30, 2021

<i>Net Change in Fund Balances - Total Governmental Funds</i>	\$ 179,472
Governmental funds report capital outlays as expenditures. However, in the statement of activities, the cost of those assets is allocated over their estimated useful lives as depreciation expense. This is the amount by which capital outlays exceed depreciation in the current period.	(83,179)
Changes in deferred inflows of resources pertaining to state income taxes do not provide current financial resources and are not reported as revenue in the funds.	196,483
Differences between accrual and modified accrual in accounting for compensated absences.	(10,870)
Pension expense pertaining to the net pension liability is not reported in the funds.	(154,501)
Repayment of debt principal is reported in governmental funds, however, in the statement of activities, it is recorded as a reduction in long-term debt. This is the amount of principal debt repayment.	<u>28,788</u>
<i>Change in Net Position of Governmental Activities</i>	<u>\$ 156,193</u>

The accompanying notes to these financial statements are an integral part of this statement.

TOWN OF UPPER MARLBORO, MARYLAND
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2021

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Financial Reporting Entity

The Town of Upper Marlboro, Maryland was established in 1706 and incorporated in 1870. The Town is a municipal corporation governed by an elected mayor and an elected town council and provides the following services as authorized by its charter: public safety, sanitation, highways and streets, and general administration services. Its major sources of revenues are derived from real estate taxes, income taxes, personal property taxes, highway user revenues, and user fees.

The accounting policies of the Town of Upper Marlboro conform to generally accepted accounting principles as applicable to governments. The following is a summary of the more significant policies.

In evaluating how to define the Town of Upper Marlboro, for financial reporting purposes, management has considered all potential component units. The decision whether to include a potential component unit in the reporting entity was made by applying the criteria set by the Governmental Accounting Standards Board. Component units are legally separate organizations for which the elected officials of the Town are financially accountable and a financial benefit or burden relationship exists. In addition, component units can be other organizations for which the nature and significance of their relationship with the Town are such that exclusion would cause the Town's financial statements to be misleading. Based upon the application of criteria set by the Governmental Accounting Standards Board, there are no separate component units of the Town.

Basis of Presentation – Fund Accounting

The accounting system is organized and operated on a fund basis. A fund is defined as a fiscal and accounting entity with a self-balancing set of accounts, which are segregated for the purpose of carrying on specific activities or attaining certain objectives in accordance with special regulations, restrictions, or limitations.

TOWN OF UPPER MARLBORO, MARYLAND
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2021

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continued

The Town's funds are grouped into two broad fund categories.

Governmental funds include the General Fund. The General Fund is the general operating fund of the Town. It is used to account for all financial resources except those required to be accounted for in another fund.

The Town currently has no Fiduciary Funds.

Basis of Accounting

Government-Wide Financial Statements

The statement of net position and the statement of activities display information about the Town, the primary government, as a whole. These statements distinguish between activities that are governmental and those that are considered business-type activities. The Town has no business-type activities.

The government-wide statements are prepared using the economic resources measurement focus and the accrual basis of accounting including the reclassification or elimination of internal activity (between or within funds). This is the same approach used in the preparation of the proprietary fund financial statements but differs from the manner in which governmental fund financial statements are prepared. Therefore, governmental fund financial statements include a reconciliation with brief explanations to better identify the relationship between the government-wide statements and the statements for governmental funds.

TOWN OF UPPER MARLBORO, MARYLAND
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2021

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continued

The government-wide statement of activities presents a comparison between expenses, and program revenues for each segment of the business-type activities of the Town, if any, and for each governmental program. Direct expenses are those that are specifically associated with a service, program or department and are therefore clearly identifiable to a particular function. Indirect costs are allocated to programs. When both restricted and unrestricted resources are available for use, it is the Town's policy to use restricted resources first, then unrestricted resources as needed. Program revenues include charges paid by the recipients of the goods or services offered by the programs and grants and contributions that are restricted to meeting the operational or capital requirements of a particular program. Revenues which are not classified as program revenues are presented as general revenues. The comparison of program revenues and expenses identifies the extent to which each program or business segment is self-financing or draws from the general revenues of the Town. Net position should be reported as restricted when constraints placed on net position use are either externally imposed by creditors (such as through debt covenants), grantors, contributors, or laws or regulations of other governments or imposed by law through constitutional provisions or enabling legislation. Fiduciary funds are excluded from the government-wide financial statements.

Separate financial statements are provided for governmental funds, proprietary funds, if any, and fiduciary funds, even though the latter are excluded from the government-wide financial statements. Major individual governmental funds and major individual enterprise funds, if any, are reported as separate columns in the fund financial statements.

Fund Financial Statements

Fund financial statements report detailed information about the Town. The focus of governmental and enterprise financial statements is on major funds rather than reporting funds by type. Each major fund is presented in a separate column. Non-major funds, if any, are aggregated and presented in a single column.

TOWN OF UPPER MARLBORO, MARYLAND
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2021

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continued

Governmental Funds

Town activities pertaining to general government, public safety, and public works are reported in the governmental funds. All governmental funds are accounted for using modified accrual basis of accounting and the current financial resources measurement focus. Under this basis revenues are recognized in the accounting period in which they become measurable and available. Expenditures are recognized in the accounting period in which the fund liability is incurred, if measurable.

The major governmental fund is:

- General Fund – This is the Town’s primary operating fund. It is used to account for all financial resources except for those required to be accounted for in another fund.

The Town has no non-major funds.

Revenue Recognition

In applying the susceptible to accrual concept under the modified accrual basis, the following revenue sources are deemed both measurable and available (i.e. collectible within the current year or within two months of year-end and available to pay obligations of the current period). These include property taxes, franchise taxes, investment earnings, charges for services and intergovernmental revenues.

Some revenues, though measurable, are not available soon enough in the subsequent year to finance current period obligations. Therefore, some revenues are recorded as receivables and deferred inflows of resources.

TOWN OF UPPER MARLBORO, MARYLAND
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2021

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continued

Other revenues, including licenses and permits, certain charges for services, and miscellaneous revenues, are recorded as revenue when received in cash because they are generally not measurable until actually received.

Expenditure Recognition

The measurement focus of governmental fund accounting is on decreases in net financial resources (expenditures) rather than expenses. Most expenditures are measurable and are recorded when the related fund liability is incurred. However, principal and interest on long-term debt, which has not matured, are recognized when paid.

Allocations of costs, such as depreciation and amortization, are not recognized in the governmental funds.

Cash and Cash Equivalents

The Town's cash and cash equivalents are considered to be cash on hand, demand deposits and short-term investments with original maturities of three months or less from the date of acquisition, excluding investments in the State of Maryland Local Government Investment Pool.

Investments

Investments held at June 30, 2021, with original maturities greater than one year are stated at fair value. Fair value is estimated based on quoted market prices at year-end. All investments not required to be reported at fair value are stated at cost or amortized cost.

Receivables

Receivables at June 30, 2021, consist of income tax, property tax, code liens and related interest, pedestrian bridge reimbursement, and admission and amusement tax revenue. Receivables are deemed collectible in full, and the allowance for doubtful accounts at June 30, 2021, is \$0.

Inventory of Supplies

Inventories are stated at cost, on the first-in, first-out basis. The costs of inventory items are recorded as expenditures in the governmental type funds and expenses in the proprietary type funds, if any, when used.

TOWN OF UPPER MARLBORO, MARYLAND
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2021

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continued

Deferred Outflows and Inflows of Resources

A deferred outflow of resources represents a consumption of net position that applies to a future period and so will not be recognized as an outflow of resources (expense/expenditure) until then. Likewise, a deferred inflow of resources represents an acquisition of net position that applies to a future period and so will not be recognized as an inflow of resources (revenue) until that time.

As of June 30, 2021, the balance of deferred inflows of resources in the fund financial statements consisted of income taxes of \$196,483, and the balance of deferred inflows and deferred outflows of resources in the government-wide financial statements consisted of \$110,879 and \$43,281 respectively, pertaining to pension payments.

Local Tax Reserve Fund

At June 30, 2021, the Town was advised by the State of Maryland that \$196,483 of the Local Tax Reserve Fund was allocable to the Town. The Town recorded receivable and deferred inflows of resources in the amount of \$196,483 in the fund financial statements. The change in this amount has been reflected as income tax revenue in the government-wide financial statements in accordance with full accrual accounting.

Capital Assets and Depreciation

The accounting and reporting treatment applied to the capital assets associated with a fund are determined by its measurement focus. General capital assets are long-lived assets of the Town as a whole. When purchased, such assets are recorded as expenditures in the governmental funds and capitalized in the government-wide statements. Infrastructure such as bridges, roads, curbs and gutters, streets, sidewalks, drainage systems and lighting systems are capitalized. The valuation bases for general capital assets are historical cost, or where historical cost is not available, estimated historical cost based on replacement cost. Donated capital assets are capitalized at estimated fair market value on the date donated. Intangible assets are recognized if they are identifiable, and are amortized over their useful lives if they do not have indefinite lives.

Depreciation of capital assets is computed and recorded by the straight-line method. Estimated useful lives of the various classes of depreciable capital assets are as follows: buildings, 15 to 50 years; improvements/infrastructure, 5 to 50 years; equipment, 2 to 20 years.

Restricted Reserves

The Town uses restricted resources first when an expense is incurred for purposes for which both restricted and unrestricted net position is available.

TOWN OF UPPER MARLBORO, MARYLAND
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2021

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continued

Interest Expense

Interest is expensed as incurred except when interest is incurred during the construction period and is capitalized as part of the cost of the asset.

Compensated Absences

Vested or accumulated vacation is accrued when earned by employees and a liability is recorded in the government-wide financial statements. No liability is recorded for nonvesting accumulated rights to receive sick pay benefits, as the Town does not pay these amounts when employees separate from service.

The Town pays all outstanding vacation leave at separation. A liability for vacation pay is recorded in the governmental fund financial statements only if it has matured (i.e., unused reimbursable leave still outstanding following an employee's resignation or retirement). The total amount of accumulated vacation leave at June 30, 2021, is \$82,973.

Estimates

Management uses estimates and assumptions in preparing financial statements in accordance with accounting principles generally accepted in the United States of America. Those estimates and assumptions affect the reported amounts of assets and liabilities, the disclosure of contingent assets and liabilities and the reported revenues, expenditures, and expenses. Actual results could vary from the estimates that were used.

TOWN OF UPPER MARLBORO, MARYLAND
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2021

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continued

Equity Classifications

Equity is classified as net position and is displayed in three components:

Net investment in capital assets – Consists of capital assets, net of accumulated depreciation and reduced by the outstanding balances of any bonds, notes, or other borrowings, and reduced or increased by deferred inflows and outflows attributable to the acquisition, construction or improvement of those assets.

Restricted net position – Consists of net position with constraints placed on its use either by 1) external groups, such as creditors, grantors, contributors, or laws or regulations of other governments; or 2) law through constitutional provisions or enabling legislation and are reduced by liabilities and deferred inflows of resources related to those constraints.

Unrestricted net position – all other net position that does not meet the definition of “restricted” or “net investment in capital assets.”

When both restricted and unrestricted resources are available for use, it is the Town’s policy to use restricted resources first and then unrestricted resources as needed.

Governmental Fund Balances

In the governmental fund financial statements, fund balances are classified as follows:

1. Non-Spendable Fund Balance – amounts that cannot be spent either because they are in a non-spendable form or because they are legally or contractually required to be maintained intact.
2. Restricted Fund Balance – amounts that can be spent only for specific purposes because of restrictions imposed externally by creditors (such as through debt covenants), grantors, contributors or laws or regulations of other governments or imposed by the Town Charter, Town Code or enabling legislation.
3. Committed Fund Balance – amounts that can be used only for specific purposes determined by a formal action by Town Board of Commissioners, the Town’s highest level of decision-making authority, ordinance or resolution.
4. Assigned Fund Balance – amounts that are constrained by the Town’s intent that they will be used for specific purposes but are neither restricted nor committed. Pursuant to the Town Charter, the Director of Finance and the Town Board of Commissioners are authorized to assign amounts for specific purposes.
5. Unassigned Fund Balance – all amounts not included in other spendable classifications.

TOWN OF UPPER MARLBORO, MARYLAND
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2021

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – continued

The Town considers restricted fund balances to be spent for governmental expenditures first when both restricted and unrestricted resources are available. The Town also considers committed fund balances to spend first when other unrestricted fund balance classifications are available for use.

NOTE 2 – COMPLIANCE AND ACCOUNTABILITY

Budget Requirements, Accounting, and Reporting

The Town follows these procedures in establishing the budgetary data reflected in the financial statements:

1. Prior to July 1, the budget is legally enacted through passage of an ordinance.
2. The budget ordinance becomes effective July 1 and provides spending authority for the operations of the Town government.
3. Transfers of funds between departments must be made by ordinance and transfers within a department must be approved by the Board of Commissioners before becoming effective without the necessity of passing an ordinance.
4. The budget for the General Fund is adopted on a basis consistent with budget estimates.
5. The budget information presented in the accompanying financial statements includes all budget ordinances approved by the Board of Commissioners for the fiscal year ending June 30, 2021.

TOWN OF UPPER MARLBORO, MARYLAND
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2021

NOTE 3 – CASH AND INVESTMENTS

Deposit Policies

Statutes authorize the Town to invest in certificates of deposit, repurchase agreements, passbooks, banker's acceptance, and other available bank investments provided that approved securities are pledged to secure those funds deposited in an amount equal to the amount of those funds. In addition, the Town can invest in direct debt securities of the United States unless such an investment is expressly prohibited by law and can invest in the State of Maryland Local Government Investment Pool.

The Town's deposits are insured or collateralized with securities held by the Town, its agent, or by the pledging financial institution's trust department or agent in the name of the Town.

Deposits

Custodial credit risk for deposits is the risk that in the event of a bank failure, the Town's deposits may not be returned or the Town will not be able to recover collateral securities in the possession of an outside party. The Town's policy requires deposits to be insured by FDIC.

At year-end, the carrying amounts of the Town's deposits were \$401,569 and the bank balances totaled \$438,309. Of the bank balances, the entire amount was either insured by Federal Depository Insurance Corporation (FDIC), or balances exceeding FDIC limits are secured by a surety bond or collateral valued 102 percent of principal and accrued interest. Collateral is to be held by the Town, its agent, or by the pledging institution's trust department or agent in the name of the Town. At year end, the Town's bank balances were not exposed to any custodial credit risk because all deposits were fully collateralized.

Investment Policies

Credit Risk is the risk that an issuer or other counterparty to an investment will not fulfill its obligations. The Town has no policy regarding credit risk.

Interest Rate Risk is the risk that changes in interest rates will adversely affect the fair value of an investment. Investments held for longer periods are subject to increased risk of adverse interest rate changes. The Town's policy provides that to the extent practicable, investments are matched with anticipated cash flows.

TOWN OF UPPER MARLBORO, MARYLAND
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2021

NOTE 3 – CASH AND INVESTMENTS – continued

Concentration of Credit Risk is the risk of loss attributed to the magnitude of the Town's investment in a single issuer. The Town's policy is to not concentrate investments in a single issuer.

For investments, **custodial credit risk** is the risk that, in the event of the failure of the counterparty, the Town will not be able to recover the value of its investments or collateral securities in the possession of an outside party. Town policy provides that investment collateral is held by a third-party custodian with whom the Town has a current custodial agreement in the Town's name.

Generally, the Town's investing activities are managed by the Director of Finance. Investing is performed in accordance with investment policies adopted by the Town Council complying with State Statutes and the Town Charter. Town funds may be invested in: 1) U.S. Treasury obligations; 2) U.S. Government Agency and U.S. Government-sponsored instrumentalities; 3) Repurchase agreements (master repurchase agreement required); 4) Collateralized certificates of deposit (only Maryland commercial banks); and 5) Maryland Local Government Investment Pool.

Investments

As of June 30, 2021, the Town had the following investments:

Types of Investments	Fair Value/ Carrying Amount	Cost	Average Credit Quality/ Ratings
MLGIP	\$ 215,490	\$ 215,490	AAAm
Total	\$ 215,490	\$ 215,490	

Note: Ratings are provided where applicable to indicate associated Credit Risk.
N/A indicates not applicable.

TOWN OF UPPER MARLBORO, MARYLAND
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2021

NOTE 4 – PROPERTY TAX

The Board of Commissioners holds an annual public hearing no later than May 31 for the residents to voice their opinion on the proposed tax rate and annual budget. The Board of Commissioners sets the tax rate by ordinance by June 30. Prince George's County (the County) tax offices are informed of the approved rate and the County tax bills have these amounts included in them.

Property taxes are levied as of July 1 on property values as of the same date. Town residents pay all taxes directly to the county. The County then forwards all payments made to the Town office. Tax billings are considered past due after September 30. The real and personal property tax rates for the year ended June 30, 2021 were \$0.24 per \$100 and \$0.45 per \$100 of assessed value, respectively.

Real estate taxes are levied on July 1 and are payable by September 30 of the same year. If the property is a residential owner-occupied property, and the owner pays at least half of the tax bill by September 30, and the remaining balance by December 31, there is no penalty or interest. This is by state law. If the property owner does not pay at least half of the tax bill by September 30, then they will pay penalty and interest starting October 1. If the tax bill is not paid in full by December 31, the property owner is subject to penalty and interest starting January 1.

If the property is a residential non-owner-occupied property, then the real property tax bill must be paid in full on or before September 30. The same holds true for commercial and industrial properties.

If the taxes remain unpaid the property is placed with Prince George's County for tax sale the following May.

Personal property taxes are levied throughout the year when the assessment is received from the State of Maryland. The taxes are payable within 30 days after levy. Penalties and interest are charged on any unpaid taxes after the thirty days has expired.

TOWN OF UPPER MARLBORO, MARYLAND
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2021

NOTE 5 – CAPITAL ASSETS AND DEPRECIATION

Capital asset activity for the year ended June 30, 2021, was as follows:

	Beginning Balance	Increases	Decreases	Ending Balance
Governmental Activities:				
Not being depreciated:				
Land	\$ 447,868	\$ -	\$ -	\$ 447,868
Construction in progress	112,500			112,500
Subtotal	560,368	-	-	560,368
Depreciable capital assets:				
Infrastructure	216,729	4,262	-	220,991
Buildings and improvements	1,950,109		-	1,950,109
Machinery and equipment	216,854	32,517	129,713	119,658
Vehicles	432,891	25,832	-	458,723
Subtotal	2,816,583	62,611	129,713	2,749,481
Total capital assets	3,376,951	62,611	129,713	3,309,849
Accumulated depreciation:				
Infrastructure	40,156	10,197	-	50,353
Buildings and improvements	267,424	57,913	129,713	195,624
Machinery and equipment	156,127	16,066	-	172,193
Vehicles	241,176	61,613	-	302,789
Subtotal, accumulated depreciation	704,883	145,789	129,713	720,959
Net capital assets	\$ 2,672,068	\$ (83,178)	\$ -	\$ 2,588,890

Depreciation was charged to functions as follows:

Government activities:	
General government	\$ 62,578
Public safety	46,112
Public works	37,099
Total government activities depreciation expense	<u>\$ 145,789</u>

The Town has no material construction commitments as of June 30, 2021.

TOWN OF UPPER MARLBORO, MARYLAND
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2021

NOTE 6 – RETIREMENT PLAN

The Town participates in the Maryland State Pension System (the “System”) described below and qualifies as a Participating Governmental Unit (“PGU”). The State Retirement Agency (the “Agency”) is the Plan administrator and fiduciary. GASB No. 68 requires that a PGU recognize its proportionate share of the System’s net pension liability (i.e., unfunded pension liability) and pension expense. The Town’s proportionate share of the net pension liability is based on total System contributions and approximates \$569,425 as of the measurement date of June 30, 2020.

The Town has also adopted GASB No. 71 – Pension Transition for Contributions Made Subsequent to the Measurement Date – An Amendment of GASB No. 68. GASB No. 71 requires that contributions to the pension plan subsequent to the measurement date be recognized as a deferred outflow of resources. The Town’s fiscal 2021 contribution of \$58,071 is therefore recognized as a pension-related deferred outflow of resources.

A. Description of Plan

Under the terms of the Contributory Pension System, a member may retire after 30 years of service regardless of age; at age 65 with two years of service; at age 64 with three years of service; at age 63 with four years of service; or at age 62 with at least 5 years of service. An employee may also take an early retirement with reduced benefits at age 55 with 15 years of service. A member terminating employment before attaining retirement age, but after completing five years of eligible service, becomes eligible for a vested pension allowance upon reaching age 62 except those employees hired after July 1, 2011 require ten years of eligible service to vest.

On retirement from service, a member of the plan shall receive an annual service retirement allowance based on the member’s average final compensation and years of creditable service multiplied by a factor. The factor varies from 1.2% to 2.6% per eligible service year, depending on employee/employer contributions and other plan-specific provisions. Early retirement, where available, is subject to provisions that reduce the benefits received.

Benefits under the plan are established under the State Personnel and Pensions Article of the Annotated Code of Maryland.

TOWN OF UPPER MARLBORO, MARYLAND
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2021

NOTE 6 – RETIREMENT PLAN – continued

The Maryland State Retirement Agency issues a comprehensive annual financial report that includes disclosures regarding: plan assets, deferred outflows of resources, liabilities, deferred inflows of resources, and fiduciary net position. The pension plans' fiduciary net position has been determined on the same basis used by the pension plans. The pension plans' financial statements are prepared on the accrual basis of accounting and are prepared in accordance with principles generally accepted in the United States of America that apply to governmental accounting for fiduciary funds. Benefits and refunds are recognized when due and payable in accordance with the terms of the plan. Investments are reported at fair value. Actual employer contributions billed to participating governmental units for the year ending June 30, 2020 are used as the basis for determining each employer's proportionate share of the collective pension amounts reported in the Schedule of Employer Allocations. The contributions were not adjusted account for differences between actuarially determined contributions and actual contributions by the State of Maryland. This report can be obtained from the agency's office as follows:

State Retirement and Pension Systems of Maryland
120 E. Baltimore Street, Suite 1601
Baltimore Maryland, 21202-1600

Funding Policy

Obligations to contribute to the plans are under the Annotated Code of Maryland. Members of the pension plan contribute 7% of annual compensation during employment. The required contribution rate is determined on an actuarially determined basis. During the year ended June 30, 2021, the Town contributed \$58,071. The Town contributed 100% of its required contribution for the year ended June 30, 2021. For members of the pension plan, full service pension allowances equal 2% of average final compensation (AFC) up to a maximum benefit of 60% of AFC (30 years of credit).

TOWN OF UPPER MARLBORO, MARYLAND
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2021

NOTE 6 – RETIREMENT PLAN – continued

Required contributions not funded by employee contributions are funded by the Town. The contributions by the Town to the State Plan for the current fiscal year takes place before December 31 and are based on the annualized gross base hourly rate in effect on June 30 of the preceding fiscal year. The Town contribution for the year ending June 30, 2021, was based on the annualized gross hourly rate in effect on June 30, 2020. Required employee contribution under the plan was 5% of the employee's gross base salary, excluding holiday, overtime and shift differential pay for fiscal year 2011 and is 7 percent for each fiscal year thereafter. The contribution requirements of plan members of the reporting entity are established and may be amended by the Maryland State Pension System Board of Trustees. The required and actual Town contributions for the fiscal years ended June 30 were as follows:

	Fiscal Year Ending June 30		
	2021	2020	2019
Retirement plan contributions	<u>\$ 58,071</u>	<u>\$ 47,894</u>	<u>\$ 32,659</u>

The Town contributed \$58,071 to the System for fiscal year 2021 which was actuarially determined based on statutory provisions. The Town has also recognized in Pension Expense its proportionate share of the System's deferred inflows of resources (an increase in Pension Expense) attributable to the net difference between projected and actual investment earnings on pension plan assets and its proportionate share of the System's deferred outflows of resources (a decrease in Pension Expense) attributable to changes in assumptions.

TOWN OF UPPER MARLBORO, MARYLAND
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2021

NOTE 6 – RETIREMENT PLAN – continued

Required disclosures aggregate for the plan:

	<u>Maryland State Pension System</u>
Total pension liability	\$ 77,187,397,000
Total fiduciary net position	54,586,037,000
Town's proportionate share of total pension liabilities	569,425
Town's proportionate share of net pension liabilities	0.00252%
Total pension assets	\$ 54,586,037,000
Measurement date of collective net pension liability	June 30, 2020
Date of actuarial valuation	June 30, 2020
Deferred outflows related to pensions	110,879
Deferred inflows related to pensions	43,281
Pension expense/expenditures for the period	154,501

Actuarial assumptions

The annual required contribution for the current year was determined as part of the actuarial valuation on July 1, 2019 rolled forward to June 30, 2020. The key assumptions used to perform the June 30, 2020 pension liability calculation for the System are as follows:

Actuarial Method	Entry Age Normal
Amortization Method	Level Percentage of Payroll, Closed
Asset valuation method	5-year smoothed market; 20% collar
Inflation (b)	2.60% general, 3.10% wage
Salary Increases	3.10%
Discount Rate (a)	7.40%
Investment Rate of Return (b)	7.40%
Retirement age	Experience-based table of rates that are specific to the type of eligibility condition. Last updated for the 2018 valuation pursuant to an experience study of the period July 1, 2014 to July 30, 2018.
Mortality	Public Sector 2010 Mortality Tables calibrated to MSRPS experience with generational projections using MP-2018 (2-dimensional) mortality improvement scale.

TOWN OF UPPER MARLBORO, MARYLAND
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2021

NOTE 6 – RETIREMENT PLAN – continued

- (a) Discount rate at prior measurement date was 7.40%.
- (b) There were no benefit changes during the year. Adjustments to the roll-forward liabilities were made to reflect the following assumption changes in the 2020 valuation:
 - a. Investment return assumption remained the same at 7.40%.
 - b. Inflation assumption decreased from 2.65% to 2.60%.

The components of the net pension liability for the System as of June 30, 2020, calculated in accordance with GASB Statement No. 67, are shown in the following table:

Total pension liability	\$ 77,187,397,000
Plan Fiduciary Net Position	54,586,037,000
Net Pension Liability	<u>\$ 22,601,360,000</u>
Plan Fiduciary Net Position as a Percentage of the Total Pension Liability	<u>70.72%</u>

Investments

The long-term expected rate of return on pension plan investments was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. Best estimates of geometric real rates of return were adopted by the Pension System's Board after considering input from the investment consultant(s) and actuary(s). For each major asset class that is included in the Pension System's target asset allocation, these best estimates are summarized in the following table:

Asset Class	Target Allocations	Long-term Expected Real Rate of Return
Public equity	37%	5.2%
Private equity	13%	6.5%
Rate sensitive	19%	-0.3%
Credit opportunity	9%	2.8%
Real assets	14%	4.3%
Absolute return	8%	1.8%
Total	100%	

TOWN OF UPPER MARLBORO, MARYLAND
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2021

NOTE 6 – RETIREMENT PLAN – continued

Discount Rate

A single discount rate of 7.40% was used to measure the total pension liability. The single discount rate was based on the expected rate of return on pension plan investments of 7.40%. The projection of cash flows used to determine this single discount rate assumed that plan member contributions will be made at the current contribution rate and that employer contributions will be made at rates equal to the difference between actuarially determined contribution rates and the member rate. Based on these assumptions, the pension plan's fiduciary net position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

Sensitivity of the Net Pension Liability

Regarding the sensitivity of the net pension liability to changes in the single discount rate, the following presents the System's net pension liability and the Town's proportionate share of the System's net pension liability, calculated using a single discount rate of 7.40%, a single discount rate that is 1-percentage point lower (i.e., 6.40%), and a single discount rate that is 1-percentage point higher (i.e., 8.40%).

	1% Lower - 6.40%	Current Rate - 7.40%	1% Higher - 8.40%
The System's Net Pension Liability	\$ 32,176,695,000	\$ 22,601,360,000	\$ 14,626,005,000
The Town's Proportionate Share of the Net Pension Liability	\$ 810,669	\$ 569,425	\$ 368,492

Pension Liabilities, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions

At June 30, 2021, the Town's reported a liability of \$569,425 for its proportionate share of the net pension liability. The net pension liability was measured as of June 30, 2020, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. The Town's proportion of the net pension liability was based on a projection of the Town's long-term share of contributions to the pension plan relative to the projected contributions of all participating governmental units, actuarially determined. At June 30, 2020, the Town's proportion was approximately 0.002514 percent.

TOWN OF UPPER MARLBORO, MARYLAND
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2021

NOTE 6 – RETIREMENT PLAN – continued

For the year ended June 30, 2021, the Town recognized pension expense of \$117,288. At June 30, 2021, the Town reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Deferred Outflows	Deferred Inflows
Changes of assumptions	\$ 2,859	\$ 11,121
Differences in actual and expected experiences	-	24,054
Net difference between projected and actual earnings on pension plan investments	49,949	8,106
Contributions made subsequent to the measurement date	58,071	-
Total	\$ 110,879	\$ 43,281

The deferred outflow of resources of \$58,071 relating to contributions subsequent to the measurement date will be recognized as a reduction of the Town's net pension liability in the year ended June 30, 2022. Other amounts reported as deferred outflows of resources and deferred inflows of resources are being amortized over a five-year period beginning in fiscal 2021. These unamortized amounts will be ratably recognized in pension expense over the next four years.

Net Pension Liability

The components of the Town's proportionate share of the Pension System's net pension liability as of the measurement date of June 30, 2020, were as follows:

Total pension liability	\$ 1,944,681
Plan Fiduciary Net Position	1,375,256
Net Pension Liability	<u>\$ 569,425</u>
Plan Fiduciary Net Position as a Percentage of the Total Pension Liability	<u>70.72%</u>

TOWN OF UPPER MARLBORO, MARYLAND
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2021

NOTE 7 – LONG-TERM DEBT

The following is a summary of the activity in the Town's long-term debt:

	Beginning Balance	Increases	Decreases	Ending Balance
Governmental activities				
Compensated absences	\$ 29,454	\$ 53,519	\$ -	\$ 82,973
Ford Motor Credit	90,344	-	28,788	61,556
	<u>\$ 119,798</u>	<u>\$ 53,519</u>	<u>\$ 28,788</u>	<u>\$ 144,529</u>

During fiscal year 2020, the Town entered into a leasing agreement with Tax-Exempt Leasing Corp for three police vehicles. Principal and interest is payable bi-annually on January 15th and July 15th, beginning on January 15th, 2020. The annual interest rate over the life of the lease is 4.49%. The balance as of June 30, 2021 is \$61,556.

	Principal	Interest	Total
2022	\$ 30,095	\$ 2,430	\$ 32,525
2023	31,461	1,063	32,524
	<u>\$ 61,556</u>	<u>\$ 3,493</u>	<u>\$ 65,049</u>

NOTE 8 – CONCENTRATIONS

The Town derives most of its revenues from the citizens of the Town. The Town is located in Prince George's County, Maryland.

TOWN OF UPPER MARLBORO, MARYLAND
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2021

NOTE 9 – RISK MANAGEMENT

The Town is exposed to various risks of loss related to torts; thefts of, damage to, and destruction of assets; errors and omissions; injuries to workers; and natural disasters.

The Town has an insurance agreement with the Local Government Insurance Trust (LGIT), a public entity risk pool. LGIT provides the Town's property, general, automobile, employee, police and public officials' legal liability insurance coverage.

This is a total risk and cost sharing pool for all participants. In the event that the Trust's General Fund falls into a deficit that cannot be satisfied by transfers from the Trust's capital and surplus accounts, the Trustees shall determine a method to fund the deficit. The Trust agreement empowers the Trustees to assess an additional premium to each deficit-year participant. Debt issues could also be used to fund a deficit.

Premiums are charged to the Town's General Fund, with no provision made for claim liability in addition to premiums, unless an assessment is made by the Trust. There have been no assessments during the year ended June 30, 2021, and the amount of settlements has not exceeded coverage for each of the past three years.

NOTE 10 – COMMITMENTS AND CONTINGENCIES

Grants

The Town receives grants from time-to-time. Expenditures from certain grants are subject to audit by the grantor, and the Town is contingently liable to refund amounts received in excess of allowable expenditures. In the opinion of the Town's management, no material refunds will be required as a result of disallowed expenditures.

TOWN OF UPPER MARLBORO, MARYLAND
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2021

NOTE 11 – RISKS AND UNCERTAINTIES

The Pension Trust Fund is invested in various investment securities. Investment securities are exposed to various risks such as interest rate, market, and credit risks. Due to the level of risk associated with certain investment securities, it is at least reasonably possible that changes in the values of investment securities will occur in the near term and that such changes could materially affect the amounts reported in the statement of net position available for benefits.

NOTE 12 – OTHER POST-EMPLOYMENT BENEFITS

The Town offers no other post-employment benefits.

NOTE 13 - RECONCILIATION OF NON-GAAP BUDGET TO GAAP BUDGET

The financial statements and notes conform to GAAP. The budget is prepared on a basis not consistent with GAAP because the prior years' surplus is included in budgeted revenues and expenditures. The reconciliation between the non-GAAP budget and GAAP follows:

Budgeted excess of revenue over (under)		
expenditures - Non-GAAP basis	\$	-
Plus: Transfer to reserve fund		-
Less: Prior years' surplus -revenues		<u>(110,900)</u>
Budgeted excess of revenue over (under)		
expenditures - GAAP basis	\$	<u><u>(110,900)</u></u>

NOTE 14 – FUND BALANCE REPORTING

Fund balances for the Town's governmental funds consisted of the following as of June 30, 2021:

Unassigned Fund Balances

At June 30, 2021, the unassigned fund balance was \$611,424.

TOWN OF UPPER MARLBORO, MARYLAND
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2021

NOTE 15– NEW ACCOUNTING PRONOUNCEMENTS

The GASB has issued the following statements:

Statement No. 87, *Leases*, issued June 2018, effective for financial statements for fiscal years beginning after June 15, 2021.

Statement No. 89, *Accounting for Interest Cost Incurred before the End of a Construction Period*, issued June 2018, effective for reporting periods beginning after December 15, 2020.

Statement No. 90, *Majority Equity Interests – an amendment of GASB Statements No. 14 and No. 61*, issued August 2018, effective for reporting periods beginning after December 15, 2019.

Statement No. 91, *Conduit Debt Obligations*, issued May 2019, effective for reporting periods beginning after December 15, 2021.

Statement No. 92, *Omnibus 2020*, issued January 2020, effective for reporting periods beginning after June 15, 2021.

Statement No. 93, *Replacement of Interbank Offered Rates*, issued March 2020, effective for reporting periods beginning after June 15, 2020.

Statement No. 94, *Public-Private and Public-Public Partnerships and Availability Payment Arrangements*, issued March 2020, effective for reporting periods beginning after June 15, 2022.

Statement No. 95, *Postponement of the Effective Dates of Certain Authoritative Guidance*, issued May 2020, effective immediately.

Statement No. 96, *Subscription-Based Information Technology Arrangements*, issued May 2020, effective for reporting periods beginning after June 15, 2022.

Statement No. 97, *Certain Component Unit Criteria, and Accounting and Financial Reporting for Internal Revenue Code Section 457 Deferred Compensation Plans – an amendment of GASB Statements No. 14 and No. 84, and a supersession of GASB Statement No. 32*, issued June 2020, effective for reporting periods beginning after June 15, 2021.

The Town will implement these statements as necessary as of their effective dates. While the Town is still in the process of determining the effect of implementing these GASB statements, they are not expected to have a material effect on the financial position of the Town.

TOWN OF UPPER MARLBORO, MARYLAND
SCHEDULE OF THE TOWN'S PROPORTIONATE SHARE OF THE NET PENSION LIABILITY
Last Ten Fiscal Years

	2020	2019	2018	2017	2016	2015	2014
Town's proportion (%) of collective net pension liability	0.00252%	0.00210%	0.00164%	0.00148%	0.00125%	0.00142%	0.00115%
Town's proportionate share (\$) of collective net pension liability	\$ 569,425	\$ 433,796	\$ 343,641	\$ 320,090	\$ 294,469	\$ 294,227	\$ 204,117
Town's covered payroll(\$)	\$ 648,244	\$ 571,486	\$ 390,180	\$ 377,400	\$ 292,900	\$ 313,260	\$ 274,121
Town's proportionate share of collective net pension liability as a percentage of its covered payroll	87.84%	75.91%	88.07%	84.81%	100.54%	93.92%	74.46%
Pension plan's fiduciary net position as a percentage of the total pension liability	70.72%	72.34%	71.18%	69.38%	65.79%	69.38%	71.87%

The years shown above relect the June 30 measurement dates.

EMPLOYEES' RETIREMENT AND PENSION SYSTEM
FOR THE YEAR ENDED JUNE 30, 2020
Last 10 Fiscal Years

	2021	2020	2019	2018	2017	2016	2015
Contractually required contribution	\$ 58,071	\$ 47,894	\$ 32,659	\$ 30,128	\$ 24,313	\$ 29,841	\$ 26,803
Contributions in relation to the contractually required contribution	58,071	47,894	32,659	30,128	24,313	29,841	26,803
Contribution deficiency (excess)		-	-	-	-	-	-
Town's covered payroll	\$ 648,244	\$ 571,486	\$ 390,180	\$ 377,400	\$ 292,900	\$ 313,260	\$ 274,121
Contributions as a percentage of covered-employee payroll	9.0%	8.4%	8.4%	8.0%	8.3%	9.5%	9.8%

These schedules are presented to illustrate the requirement to show information for 10 years.
However, information prior to June 30, 2015 is not available.

TOWN OF UPPER MARLBORO, MARYLAND
REQUIRED SUPPLEMENTARY INFORMATION - UNAUDITED
SCHEDULE OF REVENUES AND EXPENDITURES -
BUDGET (NON-GAAP BASIS) AND ACTUAL (BUDGETARY BASIS)
FOR THE YEAR ENDED JUNE 30, 2021

	General Fund			
	Original Budget	Final Budget	Actual	Variance
Revenues				
Taxes	\$ 845,000	\$ 1,060,970	\$ 1,065,826	\$ 4,856
Fines, licenses and permits	349,166	157,745	148,825	(8,920)
Intergovernmental	156,187	51,154	291,916	240,762
Miscellaneous	13,000	125,850	50,852	(74,998)
Transfer of Reserve	110,900	-	-	-
Total Revenues	<u>\$ 1,474,253</u>	<u>\$ 1,395,719</u>	<u>\$ 1,557,419</u>	<u>\$ 161,700</u>
Expenditures				
General government	\$ 781,180	\$ 712,500	\$ 762,814	\$ (50,314)
Public safety	429,457	373,233	367,332	5,901
Public works	263,616	259,986	247,801	12,185
Total Expenditures	<u>\$ 1,474,253</u>	<u>\$ 1,345,719</u>	<u>\$ 1,377,947</u>	<u>\$ (32,228)</u>

TOWN OF UPPER MARLBORO, MARYLAND
SCHEDULE OF REVENUES
BUDGET (NON-GAAP BASIS) AND ACTUAL - GENERAL FUND
FOR THE YEAR ENDED JUNE 30, 2021

	Budget	Actual	Variable Favorable (Unfavorable)
REVENUES			
Taxes			
Real estate	\$ 340,000	\$ 304,969	\$ (35,031)
Personal property	373,000	27,951	(345,049)
Public utilities	-	337,157	337,157
Income taxes	347,970	395,749	47,779
Total Taxes	<u>1,060,970</u>	<u>1,065,826</u>	<u>4,856</u>
Fines, licenses and permits			
Parking permits	4,000	120	(3,880)
Parking meters	103,995	99,089	(4,906)
Parking fines	30,000	29,676	(324)
Cable franchise fee	14,000	11,407	(2,593)
Trader's license fees	750	-	(750)
Business licenses	-	2,483	2,483
Public/education/govt broadcasting	5,000	6,050	1,050
Total Licenses and Permits	<u>157,745</u>	<u>148,825</u>	<u>(8,920)</u>
Intergovernmental			
Disposal fee rebate	2,000	2,740	740
Highway user fee	24,000	22,963	(1,037)
Bank stock tax	7,500	-	(7,500)
Census grant	337	-	(337)
CDBG grant	-	10,337	10,337
State police aid	17,317	13,495	(3,822)
Grants	-	242,381	242,381
Total Intergovernmental	<u>51,154</u>	<u>291,916</u>	<u>240,762</u>
Miscellaneous			
Interest earnings	2,600	3,032	432
Miscellaneous receipts	12,350	47,820	35,470
Capital improvement: transfer of reserve	110,900	-	(110,900)
Total Miscellaneous	<u>125,850</u>	<u>50,852</u>	<u>(74,998)</u>
TOTAL REVENUES	<u>\$ 1,395,719</u>	<u>\$ 1,557,419</u>	<u>\$ 161,700</u>

TOWN OF UPPER MARLBORO, MARYLAND
SCHEDULE OF EXPENDITURES
BUDGET (NON-GAAP BASIS) AND ACTUAL - GENERAL FUND
FOR THE YEAR ENDED JUNE 30, 2021

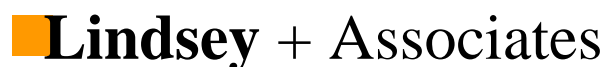
	Budget	Actual	Variable Favorable (Unfavorable)
EXPENDITURES			
General Government			
Salary Expense			
Commissioners	\$ 11,400	\$ 1,290	\$ 10,110
Administration	230,000	244,732	(14,732)
Municipal capital fund	241,400	246,022	(4,622)
Benefit Expense			
Payroll taxes	170,000	-	170,000
Pension	-	58,071	(58,071)
Health	-	58,601	(58,601)
Company portion tax	-	51,189	(51,189)
Total Administration	170,000	167,861	2,139
Operating expense			
Accounting	19,000	17,683	1,317
Audit	23,500	23,500	-
Advertising	-	820	(820)
Alarm monitoring	-	1,570	(1,570)
Bank/credit card charges	24,000	25,885	(1,885)
Bonds	-	422	(422)
Celebrations/tricentennial	2,000	538	1,462
CERT	500	140	360
COVID-19	-	23,975	(23,975)
Community Open Space	-	1,855	(1,855)
Computer software and support	13,250	15,442	(2,192)
Consultants	60,000	53,970	6,030
Events	-	1,167	(1,167)
Dues and subscriptions	-	3,890	(3,890)
Grants & Awards (FIP)	-	6,713	(6,713)
General Liability	-	7,057	(7,057)
Historical committee	200	125	75
Insurance	10,000	3,490	6,510
Legal	50,000	45,075	4,925
Maintenance	10,000	9,864	136
Payroll processing	5,500	3,988	1,512
Public notices	1,000	-	1,000
Postage	2,500	1,714	786
Printing	7,500	6,507	993
Office equipment	1,200	1,347	(147)
Other	250	203	47
Staff development & training	3,300	-	3,300
Supplies	40,000	50,153	(10,153)
Telephone	8,000	7,129	871
Town election	-	873	(873)
Utilities	12,000	9,001	2,999
Total Operating Expense	293,700	324,096	(30,396)

TOWN OF UPPER MARLBORO, MARYLAND
SCHEDULE OF EXPENDITURES
BUDGET (NON-GAAP BASIS) AND ACTUAL - GENERAL FUND
FOR THE YEAR ENDED JUNE 30, 2021

	Budget	Actual	Variable Favorable (Unfavorable)
Capital Outlay			
Annexation	\$ 1,000	\$ -	\$ 1,000
Technology upgrades	5,000	23,508	(18,508)
Parking meter upgrades	1,400	1,327	73
Total Capital Outlay	<u>7,400</u>	<u># 24,835</u>	<u># (17,435)</u>
Total General Government	<u>712,500</u>	<u>762,814</u>	<u>(50,314)</u>
Public Safety			
Salary expense			
Officers	260,000	275,380	(15,380)
Overtime	1,500	956	544
Total Salary Expense	<u>261,500</u>	<u>276,336</u>	<u>(14,836)</u>
Benefit expense			
Payroll taxes	15,000	-	15,000
Total Benefit Expense	<u>15,000</u>	<u>-</u>	<u>15,000</u>
Operating expense			
Dues and subscriptions	650	-	650
Insurance-police liability	5,000	2,010	2,990
Insurance-vehicle	-	2,734	(2,734)
Insurance-Workers compensation	-	10,858	(10,858)
Other	1,500	2,378	(878)
Staff training and development	300	150	150
Supplies	4,200	500	3,700
Telephone	-	3,244	(3,244)
Uniforms	500	176	324
Vehicle-fuel	5,000	1,200	3,800
Vehicle-maintenance	3,500	381	3,119
Vehicle-repairs	1,000	-	1,000
Weapons and duty equipment	1,000	-	1,000
Total Operating Expense	<u>22,650</u>	<u>23,631</u>	<u>(981)</u>
Capital outlay			
Vehicles	-	25,832	(25,832)
Equipment	-	1,380	(1,380)
Energy conservation	23,766	-	23,766
GOCCP Police state aid	17,317	7,628	9,689
Total Capital Outlay	<u>41,083</u>	<u>34,840</u>	<u>6,243</u>
Debt service			
Vehicles - debt service	33,000	32,525	475
Total Debt Service	<u>33,000</u>	<u>32,525</u>	<u>475</u>
Total Public Safety	<u>373,233</u>	<u>367,332</u>	<u>5,901</u>

TOWN OF UPPER MARLBORO, MARYLAND
SCHEDULE OF EXPENDITURES
BUDGET (NON-GAAP BASIS) AND ACTUAL - GENERAL FUND
FOR THE YEAR ENDED JUNE 30, 2021

	<u>Budget</u>	<u>Actual</u>	<u>Variable Favorable (Unfavorable)</u>
Public Works			
Salary Expense			
Employee salaries	\$ 120,000	\$ 128,036	\$ (8,036)
Overtime	<u>1,000</u>	<u>1,228</u>	<u>(228)</u>
Total Salary Expense	121,000	129,264	(8,264)
 Municipal capital fund			
Payroll taxes	26,000	-	26,000
Health benefits	<u>-</u>	<u>22,105</u>	<u>(22,105)</u>
Total Benefit Expense	26,000	22,105	3,895
 Operating expense			
Dues	150	-	150
Insurance-vehicle	4,750	4,508	242
Maintenance repairs beautification	11,000	9,351	1,649
Mosquito control	-	332	(332)
Other	2,000	1,499	501
Portajohn	1,200	1,500	(300)
Recycling	-	9,014	(9,014)
Uniforms	300	132	168
Utilities-highway lighting	21,500	17,808	3,692
Utilities-shop/telephones	5,000	4,257	743
Fuel	3,500	1,167	2,333
Vehicle maintenance and repairs	4,500	1,007	3,493
Sanitation	56,086	(56)	56,142
Waste collection	-	2,227	(2,227)
Waste disposal	-	40,751	(40,751)
Weather related expense	<u>1,000</u>	<u>-</u>	<u>1,000</u>
Total Operating Expense	110,986	93,497	17,489
 Capital Outlay			
Streets and sidewalks	2,000	1,288	712
Public works facility	<u>-</u>	<u>1,647</u>	<u>(1,647)</u>
Total Capital Outlay	2,000	2,935	(935)
 Total Public Works	<u>259,986</u>	<u>247,801</u>	<u>12,185</u>
 TOTAL EXPENDITURES	<u><u>\$ 1,345,719</u></u>	<u><u>\$ 1,377,947</u></u>	<u><u>\$ (32,228)</u></u>



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September 25, 2021

Board of Town Commissioners
Town of Upper Marlboro, Maryland

We audited the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of the Town of Upper Marlboro, Maryland (the "Town") for the year ended June 30, 2021, and have issued our report thereon dated September 25, 2021. Professional standards require that we provide you with the following information related to our audit.

Our Responsibility under U. S. Generally Accepted Auditing Standards

As stated in our engagement letter dated March 30, 2021 our responsibility, as described by professional standards, is to express opinions about whether the financial statements prepared by management with your oversight are fairly presented, in all material respects, in conformity with U. S. generally accepted accounting principles. Our audit of the financial statements does not relieve you or management of your responsibilities.

As part of our audit, we considered the internal control of the Town. Such consideration was solely for the purpose of determining our audit procedures and not to provide any assurance concerning such internal control.

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we performed tests of the Town's compliance with certain provisions of laws, regulations, contracts and grants. However, the objective of our tests was not to provide an opinion on compliance with such provisions.

Planned Scope and Timing of the Audit

We performed the audit according to the planned scope and timing previously communicated to you in our meeting about planning matters.

Significant Audit Findings

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. In accordance with the terms of our engagement letter, we will advise management about the appropriateness of accounting policies and their application. The significant accounting policies used by the Town are described in Note 1 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during the year ended June 30, 2021, except as may be explained in Note 1 to the financial statements. We noted no transactions entered into by the governmental unit during the year for which there is a lack of authoritative guidance or consensus. There are no significant transactions that have been recognized in the financial statements in a different period than when the transaction occurred.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected.

Difficulties Encountered in Performing the Audit

There were no difficulties encountered in performing audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management. We proposed adjustments to receivables, cash, and fixed assets. Management has corrected all such misstatements.

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representation from management that is included in the management representation letter dated September 25, 2021.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a “second opinion” on certain situations. If a consultation involves application of an accounting principle to the governmental unit’s financial statements or a determination of the type of auditor’s opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

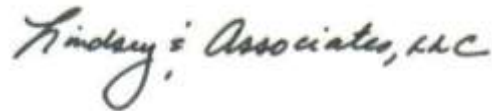
Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the governmental unit’s auditors. However, these discussions occurred in the normal course of our professional relationships and our responses were not a condition to our retention.

We have also provided the Town’s management with a letter dated September 25, 2021 pertaining to our audit findings and recommendations.

This information is intended solely for the use of the Members of Board of Town Commissioners and is not intended to be and should not be used by anyone other than these specified parties.

Very truly yours,

A handwritten signature in cursive script that reads "Lindsay & Associates, LLC". The signature is written in dark ink and is positioned below the "Very truly yours," text.

FORM F-65 (MD-2)		
STATE OF MARYLAND DEPARTMENT OF LEGISLATIVE SERVICES MARYLAND GENERAL ASSEMBLY		
MUNICIPAL AND SPECIAL DISTRICT ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR THAT ENDED JUNE 30, 2021		
		(Please correct any error in name, address, and ZIP Code)
Part I REVENUES - GENERAL FUND		
Item description		Amount - Omit cents
A. TAXES - LOCAL		
1 LOCAL PROPERTY TAXES		
Real property		304969
Personal property		27951
Railroads and public utilities		337157
Ordinary business corporations		
Additions - deferred taxes		
Additions and abatements - prior years		
Penalties and interest - delinquent taxes		
Tax sales revenues		
Total property taxes		670077
Less		
Discounts allowed on taxes		
Deferred taxes		
Other deductions*		
Net property taxes	T01	670077
2 LOCAL INCOME TAXES	T40	395749
3 OTHER LOCAL TAXES		
Admissions and amusement taxes	T11	
Front foot assessments	U01	
Public utility taxes	T15	
Trailer park taxes	T19	
Other local taxes*	T19	
Total other local taxes		0
TOTAL LOCAL TAXES		1065826
B. LICENSES AND PERMITS		
Street	T24	
Alcoholic beverages	T20	
Amusement	T21	
Traders	T28	2483
Professional and occupational	T28	
Animal	T29	
Building and equipment	T29	
Cable and television franchise fees	T15	11407
Other*	T29	120
TOTAL LICENSES AND PERMITS		14010
C. INTERGOVERNMENTAL REVENUES		
1 FROM THE FEDERAL GOVERNMENT		
Public safety		
Police	B89	
Fire	B89	
Other*	B89	
Transportation		
Highways and streets	B46	0
Transit	B94	
Airport	B01	
Other*	B89	
Sewer	B80	
Solid Waste	B89	
Water	B91	
Electric	B92	
Gas	B93	
Parks, recreation, and culture	B89	
Community development and housing	B50	
Economic development and opportunity	B89	
Other Federal grants*	B89	
Federal payments in lieu of taxes	B89	
Total Federal grants		0
* List in space provided		

Part I REVENUES - GENERAL FUND - Continued		
C. INTERGOVERNMENTAL REVENUES - Continued		
2 FROM THE STATE OF MARYLAND		
Public safety		
Police	C89	13495
Fire	C89	
Other*	C89	
Transportation		
Highway user revenues	C46	22963
Highways and streets	C46	
Transit	C94	
Airport	C89	
Other*	C89	
Sewer	C80	
Solid Waste	C89	
Water	C91	
Electric	C92	
Gas	C93	
Parks, recreation, and culture	C89	
Community development and housing	C50	10337
Economic development and opportunity	C89	
Other State grants*	C89	245121
State payments in lieu of taxes	C30	
Total State grants		291916
3 FROM THE COUNTY		
Tax rebate		
Financial corporation grants	D30	
Public safety		
Police	D89	
Fire	D89	
Other*	D89	
Transportation		
Highways and streets	D46	
Transit	D94	
Airport	D89	
Other*	D89	
Hotel and motel tax	T19	
Sewer	D80	
Solid waste	D89	
Water	D91	
Electric	D92	
Gas	D93	
Parks, recreation, and culture	D89	
Community development and housing	D50	
Economic development and opportunity	D89	
Other county grants*	D89	
County payments in lieu of taxes	D30	
Total county grants		0
4 FROM OTHER AGENCIES		
Total from other agencies		0
TOTAL INTERGOVERNMENTAL REVENUES		291916
D. SERVICE CHARGES		
1 GENERAL GOVERNMENT CHARGES		
Zoning and subdivision fees		
Developer impact fees		
Other*		
Total general government	A89	0
2 PUBLIC SAFETY CHARGES		
Special police services		
Special fire protection services		
Protective inspection fees		
Other*		
Total public safety	A89	0
3 TRANSPORTATION CHARGES		
Highways and streets	A44	
Parking facilities	A60	99089
Transit services	A94	
Airport	A01	
* List in space provided		

Part I REVENUES - GENERAL FUND - Continued		
D. SERVICE CHARGES - Continued		
Other*	A89	
Total transportation		99089
4 SEWER, SOLID WASTE, AND WATER CHARGES		
Sewer	A80	
Waste collection	A81	
Waste disposal	A81	
Water	A91	
Other*	A89	
Total sewer, solid waste, and water		0
5 RECREATION CHARGES		
Total recreation	A61	0
6 PUBLIC SERVICES ENTERPRISE CHARGES		
Gas, light and power	A93	
Electric	A92	
Liquor dispensaries - net profit	A89	
Other*	A89	
Total public services enterprise		0
TOTAL SERVICE CHARGES		99089
E. FINES AND FORFEITURES		
Court fines		
Red light and speed camera fines		
Other*		29676
Parking fines		
TOTAL FINES AND FORFEITURES	U30	29676
F. MISCELLANEOUS REVENUES		
Investment earnings	U20	3032
Rents and concessions	U40	
Contributions and donations	U50	
Sale of property (other than tax sale)	U11	
Other*	U99	53870
TOTAL MISCELLANEOUS		56902
G. LONG TERM DEBT PROCEEDS		
Proceeds from bonds, notes, loans and capital leases		
TOTAL REVENUES		1557419

Part II EXPENDITURES - GENERAL FUND									
Item description		Total {a}		Salaries {b}		Other operating {c}		Construction {d}	Other capital {e}
A.									
1	LEGISLATIVE (Council or commission)	1290		1290					
	Total legislative	1290	E29	1290	E29	0	F29	0	G29 0
2	EXECUTIVE								
	Elected executive	0							
	Other executive*	244732		244732					
	Total executive	244732	E29	244732	E29	0	F29	0	G29 0
3	ELECTIONS								
	Total elections	0	E89	0	E89	0	F89	0	G89 0
4	FINANCIAL ADMINISTRATION								
	Finance	21671				21671			
	Independent accounting and auditing	23500				23500			
	Budgeting	0							
	Purchasing	0							
	Other financial administration*	0							
	Total financial administration	45171	E23	0	E23	45171	F23	0	G23 0
5	LEGAL					45075			
	Total legal	45075	E25	0	E25	45075	F25	0	G25 0
6	PERSONNEL ADMINISTRATION								
	Total personnel administration	0	E29	0	E29	0	F29	0	G29 0
7	PLANNING AND ZONING								
	Total planning and zoning	0	E29	0	E29	0	F29	0	G29 0
8	GENERAL SERVICES								
	Municipal buildings	24835	E31		E31		F31		G31 24835
	Data processing	15442	E23		E23	15442	F23		G23
	Other general services*	385731	E89		E89	385731	F89		G89
	Total general services	426008		0		401173		0	24835
9	OTHER GENERAL GOVERNMENT								
	Other general government*	0							
	Total other general government	0	E89	0	E89	0	F89	0	G89 0
	TOTAL GENERAL GOVERNMENT	762276		246022		491419		0	24835
B.	PUBLIC SAFETY								
1	POLICE DEPARTMENT	334807		276336		23631			34840
	Total police department	334807	E62	276336	E62	23631	F62	0	G62 34840
2	FIRE AND RESCUE SERVICES								
	Fire and rescue services - municipal operated	0							
	Volunteer fire and rescue services - municipal grants	0							
	Total fire and rescue services	0	E24	0	E24	0	F24	0	G24 0
3	OTHER PUBLIC SAFETY								
	Protective inspection (building, plumbing, etc.)	0	E66		E66		F66		G66
	Traffic engineering	0	E44		E44		F44		G44
	Red light and speed camera	0	E62		E62		F62		G62
	Animal control	0	E32		E32		F32		G32
	Other protection*	0	E66		E66		F66		F66
	Total other public safety	0		0		0		0	0
	TOTAL PUBLIC SAFETY	334807		276336		23631		0	34840
C.	PUBLIC WORKS								
1	TRANSPORTATION SERVICES								
	Highways and streets (including storm drainage)	204823	E44	129264	E44	72624	F44		G44 2935
	Parking facilities	0	E60		E60		F60		G60
	Transit	0	E94		E94		F94		G94
	Airport	0	E01		E01		F01		G01
	Other transportation services*	0	E89		E89		F89		G89
	Total transportation services	204823		129264		72624		0	2935
*List in space provided									

Part II EXPENDITURES - GENERAL FUND - Continued									
Item description		Total {a}		Salaries {b}		Other operating {c}		Construction {d}	Other capital {e}
C.	PUBLIC WORKS - Continued								
2	SEWER, SOLID WASTE AND WATER SERVICES								
	Sewer	0	E80		E80		F80		G80
	Waste collection	2227	E81		E81	2227	F81		G81
	Waste disposal	40751	E81		E81	40751	F81		G81
	Water	0	E91		E91		F91		G91
	Other sewer, solid waste, and water services*	0	E81		E81		F81		G81
	Total sewer, solid waste, and water services	42978		0		42978		0	0
3	GAS, ELECTRIC, LIGHT, AND POWER SERVICES								
	Gas, light and power	0	E93		E93		F93		G93
	Electric	0	E92		E92		F92		G92
	Total gas, electric, light and power services	0		0		0		0	0
	TOTAL PUBLIC WORKS	247801		129264		115602		0	2935
D.	PARKS, RECREATION, AND CULTURE								
	Parks	0							
	Recreation	0							
	Culture and arts organizations	0							
	Other parks, recreation, and culture*	538				538			
	TOTAL PARKS, RECREATION AND CULTURE	538	E61	0	E61	538	F61	0	G61
E.	COMMUNITY DEVELOPMENT AND PUBLIC HOUSING								
	Community development	0							
	Public housing	0							
	Other community development and public housing*	0							
	TOTAL COMMUNITY DEVELOPMENT AND PUBLIC HOUSING	0	E50	0	E50	0	F50	0	G50
F.	ECONOMIC DEVELOPMENT AND OPPORTUNITY								
	Economic development (Includes tourism)	0							
	Training	0							
	Community action programs	0							
	Other economic development and opportunity*	0							
	TOTAL ECONOMIC DEVELOPMENT AND OPPORTUNITY	0	E89	0	E89	0	E89	0	E89
G.	DEBT SERVICE								
	Principal payments - G.O. debt	28788				28788			
	Principal payments - State loans	3737				3737			
	Total principal payments	32525		0		32525		0	0
	Interest - Short-term debt	0	I89		I89		I89		I89
	Water Interest	0	I91		I91		I91		I91
	Electric Interest	0	I92		I92		I92		I92
	Gas Interest	0	I93		I93		I93		I93
	Interest - G.O. debt	0							
	Interest - State loans	0							
	Other*	0	I89		I89		I89		I89
	Total interest payments	0		0		0		0	0
	TOTAL DEBT SERVICE	32525		0		32525		0	0
H.	MISCELLANEOUS EXPENDITURES								
	Judgments and losses	0							
	Retirement - pension contributions	0							
	Employee health insurance	0							
	Workmen's compensation	0							
	Social security contributions	0							
	Other*	0							
	Total miscellaneous	0	E89	0	E89	0	F89	0	G89
	TOTAL EXPENDITURES	1377947	Z00	651622		663715		0	62610
*List in space provided									

The Board of Commissioners for the Town of Upper Marlboro

Proclamation

The Board of Commissioners of The Town of Upper Marlboro
proclaim November to be Municipal Government Works! Month

Whereas, The Town was established in 1706 and incorporated in 1870;
and

Whereas, Maryland is the home to 156 other municipalities; and

Whereas, Municipal government represents the most responsive level of
government, allowing citizens to have direct access to elected officials; and

Whereas, in an effort to educate citizens about municipal government and the
importance of their participation, The Town of Upper Marlboro is proud to
promote municipal government awareness; and

Whereas, Municipalities have enhanced the quality of life for their respective
residents, maintaining natural and historic sites and structures, and helping to
make Maryland a great place to live, work, play and explore.

NOW, THEREFORE, BE IT PROCLAIMED that the Board of Commis-
sioners for The Town of Upper Marlboro, Maryland hereby joins the Mary-
land Municipal League in declaring November to be Municipal Government
Works! Month in The Town of Upper Marlboro.

IN WITNESS WHEREOF, the Board
of Town Commissioners have hereunto
set their hands and caused the seal of the
Town of Upper Marlboro, Maryland, to
be affixed this 9th day of November 2021.

Linda Pennoyer
President

Sarah Franklin
Commissioner/Treasurer

Janice Duckett
Commissioner



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: Friday November 5th, 2021
Re: Valley Lane Annexation Agreements

Commissioners,

As the Board has discussed, attached to this memo are annexation agreements for the three residential properties located along Valley Lane currently outside the Town limits. These agreements will provide the consent required to finalize Phase 2 & 3 annexation which will be voted on later this month and go into full effect in January 2022.

These agreements are being put forward as the Town will not be able to provide its full complement of services to these particular properties due to the poor condition of the County-owned segment of Valley Lane including but not limited to trash collection, recycling collection, bulk trash, yard waste, and snow removal. Once the annexation process is finalized, the Town will coordinate with the County to try and begin the process to turn the entirety of Valley Lane over to the Town, so that the roadway can be repaired and slightly expanded to allow these services to be provided. This process is anticipated to take upwards of 5 years.

Financial Cost: The financial impact of these agreements (if all are signed) to the Town is estimated at \$9,578,005 over the course of 5 years, or \$1,915.6 per year in lost tax revenue.

Attachments:

- Annexation Agreement 5505 Valley Lane Estate of Dierdre Jean Walsh
- Annexation Agreement 5507 Valley Lane Manuel Lopez
- Annexation Agreement 5605 Valley Lane Demetrius W. & Deborah S. Stevenson

Possible Board motion: "I motion to approve the Annexation agreements for 5505, 5507, and 5605 Valley Lane, and authorize the President/Mayor to sign them on behalf of the Board of Commissioners"

Janice Duckett
Commissioner

Sarah Franklin
Commissioner/Treasurer

Linda Pennoyer
Commissioner/President

**ANNEXATION AGREEMENT
BETWEEN THE TOWN OF UPPER MARLBORO AND
DIERDRE J WALSH**

THIS ANNEXATION AGREEMENT is made this ____ day of _____, 2021, by and between the Town of Upper Marlboro (“the Town”), a municipal corporation of the State of Maryland, with its principal offices at 14211 School Lane Upper Marlboro, MD 20772, and Dierdre J Walsh (“Owner”), 5505 Valley Lane Upper Marlboro, MD 20772.

RECITALS

WHEREAS, the Owner is the record owner of certain taxable real property located in Prince George’s County, Maryland, commonly known as the 5505 Valley Lane Upper Marlboro MD 20772, and more particularly described as Parcel 220, Tax Map 0101, Grid E2 (Tax Account #3- 0215921) (“the Annexation Parcel”); and

WHEREAS, the Annexation Parcel containing approximately 0.5310 acres was conveyed to Dierdre J Walsh on or about September 29th, 2011, as described in the deed recorded in the Land Records of Prince George’s County at Liber 33988, Folio 040; and

WHEREAS, the Annexation Parcel is not now contiguous to the Town, but the Owner is willing to consent to have the Annexation Parcel as part of a larger area annexed into the Town and at such time the property shall become contiguous to the Town; and

WHEREAS, subject to certain conditions and circumstances as stated herein below, the Owner and the Town desire to have the Annexation Parcel, as part of a larger annexation area referenced within Annexation Resolution 01-2021 (also known as the Second and Third Annexations) enacted pursuant to State Law, incorporated into the corporate boundaries of the Town; and

WHEREAS, pursuant to the authority contained in Md. Code Ann., Local Gov’t Art., Title 4, Subtitle 4, and Section 4-405 of said Article, the Owner, and the Town have agreed that the following terms, conditions, and circumstances will apply to the annexation proceedings and to the Annexation Parcel.

NOW, THEREFORE, in consideration of the mutual interests, provisions and covenants, agreements, and undertakings set forth herein, the sufficiency of which is expressly acknowledged, the Owner and the Town mutually agree as follows:

WITNESSETH:

1. WARRANTIES AND REPRESENTATIONS OF TOWN:

A. Upon the effective date of the Annexation Resolution implementing this Agreement, the Town will make the Annexation Parcel eligible to receive as many municipal services as possible while this agreement is in place, including but not limited to police protection to the extent

that the necessary public facilities and agencies exist to provide such services. Due to the conditions of the County-owned portion of Valley Lane, the Town's ability to perform full services such as trash, recycling, bulk trash, snow removal, and yard waste collection will need to be adjusted.

B.

C. From and after the effective date of the Annexation Resolution implementing this Agreement and approval by the Town Board of Commissioners, all provisions of the Charter and ordinances of the Town of Upper Marlboro shall have full force and effect within the Annexation Parcel.

D. The Town warrants and represents and the parties hereto further agree that should the Owner's property be annexed, the Owner and the Annexation Parcel and any occupants thereof shall be subject to the Charter, the Ordinances and rules and regulations of the Town and, subject to this Agreement, shall be entitled to all of the privileges of a citizen and taxpayer of the Town of Upper Marlboro, now in effect, or which may be placed in effect at any future date.

2. WARRANTIES AND REPRESENTATIONS OF OWNER:

A. This Agreement constitutes the Owner's formal written consent to annexation as required by Md. Code Ann., Local Gov't Art., § 4-404. The Owner acknowledges that it will receive a benefit from annexation and agrees that it waives and completely relinquishes any right to withdraw its consent to annexation from the date of execution of this Agreement by all parties. The Owner further agrees that it will not petition the subject Annexation Resolution to referendum and that, in the event of a referendum in which it is permitted to vote, that it shall vote in favor of the Annexation Resolution, and to that end waives any ballot confidentiality.

B. The Owner warrants and represents that it has full authority to sign this Agreement and is the sole owner of the Annexation Parcel, and that there is no action pending against it involving it which would in any way affect its right and authority to execute this Agreement.

C. The Owner warrants and represents that there are no other persons being qualified voters that are residing within the Annexation Parcel.

3. TAXES.

A. The Town agrees that the Annexation Parcel owned by Dierdre J Walsh shall be exempt or held harmless from municipal realproperty taxation by the Town (the "Exemption") for a period that begins on the effective date of the applicable annexation resolution and that ends on the date that is five (5) years after the effective date of the resolution annexing the Annexation Parcel. The Exemption or abatement shall be for that portion of the Upper Marlboro municipal real property taxation which is charged in the tax bill along with the State of Maryland and Prince George's County taxes levied against the Owner's real property that includes the Annexation Parcel. Since the Town will be providing municipal services to the Annexation Parcel and the County typically provides a differential or reduced rate for its real property taxation within a municipality, the Town will impose a reduced municipal tax rate to apply to the Annexation Parcel in order to hold the Owner harmless from the effects of real property taxation resulting from municipal annexation.

B. The Exemption shall be that amount imposed on the property as a consequence of Upper Marlboro municipal taxation that would increase the real property taxes charged from what is currently imposed or that would be imposed by the State of Maryland and Prince George's County against the real property within the annexation area in any year during which the Exemption is in effect. In addition to collecting its own real property tax that is typically reduced by a tax differential to compensate for municipal services that replace or enhance county services within the corporate limits of a municipality, Prince George's County also collects both State and municipal real property taxes for properties located in the Town. To effectuate the tax exemption or abatement, the Town will provide a reduced municipal tax rate to apply to the Annexation Parcel. If, in the future, Prince George's County, the Town's billing agent, cannot accommodate differing tax rates within the same municipality, as provided herein, then to give effect to the Exemption herein granted, the Town will refund to the Owner, upon application for such refund, pursuant to the authority contained in Section 14-905(b) of the Tax Property Article of the Annotated Code of Maryland, an amount equal to the Exemption. Otherwise, the Owner may elect in writing to have the Town make a payment to the taxpayer in an amount equivalent to the exempt municipal taxation or tax abatement within thirty days of the request.

C. Notwithstanding the foregoing provisions, the Exemption (tax abatement) period shall automatically expire on the date that is five (5) years following the effective date of the applicable Annexation Resolution that brings the Annexation Parcel into the corporate limits of the Town unless the Annexation Parcel is conveyed to a new owner in which case the Exemption period shall automatically expire on the date that is three (3) years following the effective date of the applicable Annexation Resolution that brings the Annexation Parcel into the corporate limits of the Town.

4. CONTINGENCY.

This Agreement is contingent on the performance of all of the material obligations of the parties to this Agreement and will be null and void if such obligations are not performed; provided that any party has noticed the others of any failure to perform and provided the defaulting party has not cured the default within thirty (30) days of such notification.

5. MISCELLANEOUS.

A. The use of singular verb, noun and pronoun forms in this Agreement shall also include the plural forms where such usage is appropriate; the use of the pronoun "it" shall also include, where appropriate "he" or "she" and the possessive pronoun "its" shall also include, where appropriate, "his," "hers" and "theirs."

B. From time to time after the date of this Annexation Agreement, the parties, without charge to each other, will perform such other acts, and will execute, acknowledge and will furnish to the other such instruments, documents, materials and information which either party reasonably may request, in order to affect the consummation of the transactions provided for in this Agreement.

C. This Agreement shall be recorded among the Land Records of Prince George's County

and be binding upon and inure to the benefit of the parties, their heirs, successors and assigns, and embodies and constitutes the entire understanding between the parties with respect to the subject matter hereof, and all prior agreements, understandings, representations, and statements, whether oral or written, are merged in this Annexation Agreement. Neither this Agreement nor any provision hereof may be waived, modified or amended unless such modification is in writing and is signed by the party against whom the enforcement of such waiver, modification or amendment is sought, and then only to the extent set forth in such instrument.

D. The parties hereto acknowledge that, in entering into this Agreement, neither party has been induced by, nor has relied upon, nor included as part of the basis of the bargain herein, any representation or statement, whether express or implied, made by any agent, representative or employee, which representation or statement is not expressly set forth in this Agreement.

E. This Agreement shall be construed according to its plain meaning without giving regard to any inference or implication arising from the fact that it may have been drafted in whole or in part by or for any one of the parties hereto. The above recitals are incorporated herein and made a substantive part of this Agreement.

F. This Agreement, its benefit and burden, shall be assignable, in whole or in part, by Owner without the consent of the Town or of its elected officials, employees or agents, to any purchasers or contract purchasers of the property or any part thereof. However, Owner will not transfer or pledge as security for any debt or obligation, any interest in all or part of the Annexation Parcel, without first obtaining the written consent and acknowledgment of the transferee or pledgee to the Annexation Agreement and to the complete observance hereof. The Owner shall provide the Town with copies of all documents of transfer or assignment, including exhibits when the documents are fully executed, regardless of recordation.

G. The captions in any Agreement are inserted for convenience only, and in no way define, describe or limit the scope of intent of this Agreement or any of the provisions hereof.

H. The laws of the State of Maryland shall govern the interpretation, validity and construction of the terms and provisions of this Agreement. If any term or provision of this Agreement is declared illegal or invalid for any reason by a court of competent jurisdiction, the remaining terms and provisions of this Agreement shall, nevertheless, remain in full force and effect.

I. All notices and other communications under this Agreement shall be in writing and shall be sent either by first class mail, postage prepaid, or by personal delivery, addressed to the parties as provided below. Notice shall be deemed given on the date delivered or attempted to be delivered during normal working hours on business days.

If to the Town: Mr. Kyle Snyder, Town Administrator
The Town of Upper Marlboro
14211 School Lane
Upper Marlboro, MD. 20772

With a copy to: Kevin J. Best, Esquire

The Law Office of Kevin J. Best
106B Defense Highway, Suite A
Annapolis, Maryland 21401

If to the Owner: Siana Duckworth Christopher,
Personal Representative for the Estate of Dierdre Jean Walsh 5505 Valley Lane
Upper Marlboro, MD 20772

IN WITNESS WHEREOF, the parties hereto personally or through their authorized representatives have executed this Agreement as of the day and year first written above.

WITNESS:

THE TOWN OF UPPER MARLBORO

By: _____

WITNESS/ATTEST:

SIANA DUCKWORTH
CHRISTOPHER, PERSONAL
REPRESENTATIVE FOR THE
ESTATE OF DIERDRE JEAN
WALSH

By: _____

STATE OF MARYLAND
COUNTY OF PRINCE GEORGE'S, to wit:

I HEREBY CERTIFY, that on this _____ day of _____, 2021, before me, a Notary Public in and for the State aforesaid, personally appeared LINDA PENNOYER, who has been satisfactorily proven to be the person whose name is subscribed to the within instrument, who acknowledged herself to be the TOWN MAYOR AND PRESIDENT of the Town Board of Commissioners of the Town of Upper Marlboro, a municipal corporation of the State of Maryland, and that said President/Mayor, being duly authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the municipal corporation as such its chief executive officer.

WITNESS my hand and notarial seal.

_____(SEAL)
Notary Public

My Commission Expires: _____

STATE OF MARYLAND,
COUNTY OF PRINCE GEORGE'S, to wit:

I HEREBY CERTIFY, that on this _____ day of _____, 2021, before me, a Notary Public in and for the State aforesaid, personally appeared personally appeared SIANA DUCKWORTH CHRISTOPHER, known to me (or satisfactorily proven) to be the person whose name is subscribed as the personal representative for the ESTATE OF DIERDRE JEAN WALSH, and acknowledged that she executed the same as her act for said estate for the purpose therein contained. .

WITNESS my hand and notarial seal.

_____(SEAL)
Notary Public

My Commission Expires: _____

ATTORNEY'S CERTIFICATE

I HEREBY CERTIFY that the foregoing instrument was prepared by or under the supervision of an attorney duly admitted to practice before the Court of Appeals of Maryland.

Kevin J. Best, Town Attorney

RETURN TO: The Town of Upper Marlboro, Attention: Town Administrator, 14211 School Lane, Upper Marlboro, MD 20772

**ANNEXATION AGREEMENT
BETWEEN THE TOWN OF UPPER MARLBORO AND
MANUEL LOPEZ**

THIS ANNEXATION AGREEMENT is made this ____ day of _____, 2021, by and between the Town of Upper Marlboro (“the Town”), a municipal corporation of the State of Maryland, with its principal offices at 14211 School Lane Upper Marlboro, MD 20772, and Manuel Lopez (“Owner”), 5507 Valley Lane Upper Marlboro, MD 20772.

RECITALS

WHEREAS, the Owner is the record owner of certain taxable real property located in Prince George’s County, Maryland, commonly known as the 5507 Valley Lane Upper Marlboro MD 20772, and more particularly described as Parcels 219 and 297, Tax Map 0101, Grid E2 (Tax Account #3-0200444) (“the Annexation Parcel”); and

WHEREAS, the Annexation Parcel containing approximately 0.469 acres was conveyed to Manuel Lopez on or about August 4th, 2015, as described in the deed recorded in the Land Records of Prince George’s County at Liber 37288, Folio 459; and

WHEREAS, the Annexation Parcel is not now contiguous to the Town, but the Owner is willing to consent to have the Annexation Parcel as part of a larger area annexed into the Town and at such time the property shall become contiguous to the Town; and

WHEREAS, subject to certain conditions and circumstances as stated herein below, the Owner and the Town desire to have the Annexation Parcel, as part of a larger annexation area referenced within Annexation Resolution 01-2021 (also known as the Second and Third Annexations) enacted pursuant to State Law, incorporated into the corporate boundaries of the Town; and

WHEREAS, pursuant to the authority contained in Md. Code Ann., Local Gov’t Art., Title 4, Subtitle 4, and Section 4-405 of said Article, the Owner, and the Town have agreed that the following terms, conditions, and circumstances will apply to the annexation proceedings and to the Annexation Parcel.

NOW, THEREFORE, in consideration of the mutual interests, provisions and covenants, agreements, and undertakings set forth herein, the sufficiency of which is expressly acknowledged, the Owner and the Town mutually agree as follows:

WITNESSETH:

1. WARRANTIES AND REPRESENTATIONS OF TOWN:

A. Upon the effective date of the Annexation Resolution implementing this Agreement, the Town will make the Annexation Parcel eligible to receive as many municipal services as possible while this agreement is in place, including but not limited to police protection to the extent

that the necessary public facilities and agencies exist to provide such services. Due to the conditions of the County-owned portion of Valley Lane, the Town's ability to perform full services such as trash, recycling, bulk trash, snow removal, and yard waste collection will need to be adjusted.

B. From and after the effective date of the Annexation Resolution implementing this Agreement and approval by the Town Board of Commissioners, all provisions of the Charter and ordinances of the Town of Upper Marlboro shall have full force and effect within the Annexation Parcel.

C. The Town warrants and represents and the parties hereto further agree that should the Owner's property be annexed, the Owner and the Annexation Parcel and any occupants thereof shall be subject to the Charter, the Ordinances and rules and regulations of the Town and, subject to this Agreement, shall be entitled to all of the privileges of a citizen and taxpayer of the Town of Upper Marlboro, now in effect, or which may be placed in effect at any future date.

2. WARRANTIES AND REPRESENTATIONS OF OWNER:

A. This Agreement constitutes the Owner's formal written consent to annexation as required by Md. Code Ann., Local Gov't Art., § 4-404. The Owner acknowledges that it will receive a benefit from annexation and agrees that it waives and completely relinquishes any right to withdraw its consent to annexation from the date of execution of this Agreement by all parties. The Owner further agrees that it will not petition the subject Annexation Resolution to referendum and that, in the event of a referendum in which it is permitted to vote, that it shall vote in favor of the Annexation Resolution, and to that end waives any ballot confidentiality.

B. The Owner warrants and represents that it has full authority to sign this Agreement and is the sole owner of the Annexation Parcel, and that there is no action pending against it involving it which would in any way affect its right and authority to execute this Agreement.

C. The Owner warrants and represents that there are no other persons being qualified voters that are residing within the Annexation Parcel.

3. TAXES.

A. The Town agrees that the Annexation Parcel owned by Manuel Lopez shall be exempt or held harmless from municipal realproperty taxation by the Town (the "Exemption") for a period that begins on the effective date of the applicable annexation resolution and that ends on the date that is five (5) years after the effective date of the resolution annexing the Annexation Parcel. The Exemption or abatement shall be for that portion of the Upper Marlboro municipal real property taxation which is charged in the tax bill along with the State of Maryland and Prince George's County taxes levied against the Owner's real property that includes the Annexation Parcel. Since the Town will be providing municipal services to the Annexation Parcel and the County typically provides a differential or reduced rate for its real property taxation within a municipality, the Town will impose a reduced municipal tax rate to apply to the Annexation Parcel in order to hold the Owner harmless from the effects of real property taxation resulting from municipal annexation.

B. The Exemption shall be that amount imposed on the property as a consequence of Upper Marlboro municipal taxation that would increase the real property taxes charged from what is currently imposed or that would be imposed by the State of Maryland and Prince George's County against the real property within the annexation area in any year during which the Exemption is in effect. In addition to collecting its own real property tax that is typically reduced by a tax differential to compensate for municipal services that replace or enhance county services within the corporate limits of a municipality, Prince George's County also collects both State and municipal real property taxes for properties located in the Town. To effectuate the tax exemption or abatement, the Town will provide a reduced municipal tax rate to apply to the Annexation Parcel. If, in the future, Prince George's County, the Town's billing agent, cannot accommodate differing tax rates within the same municipality, as provided herein, then to give effect to the Exemption herein granted, the Town will refund to the Owner, upon application for such refund, pursuant to the authority contained in Section 14-905(b) of the Tax Property Article of the Annotated Code of Maryland, an amount equal to the Exemption. Otherwise, the Owner may elect in writing to have the Town make a payment to the taxpayer in an amount equivalent to the exempt municipal taxation or tax abatement within thirty days of the request.

C. Notwithstanding the foregoing provisions, the Exemption (tax abatement) period shall automatically expire on the date that is five (5) years following the effective date of the applicable Annexation Resolution that brings the Annexation Parcel into the corporate limits of the Town unless the Annexation Parcel is conveyed to a new owner in which case the Exemption period shall automatically expire on the date that is three (3) years following the effective date of the applicable Annexation Resolution that brings the Annexation Parcel into the corporate limits of the Town.

4. CONTINGENCY.

This Agreement is contingent on the performance of all of the material obligations of the parties to this Agreement and will be null and void if such obligations are not performed; provided that any party has noticed the others of any failure to perform and provided the defaulting party has not cured the default within thirty (30) days of such notification.

5. MISCELLANEOUS.

A. The use of singular verb, noun and pronoun forms in this Agreement shall also include the plural forms where such usage is appropriate; the use of the pronoun "it" shall also include, where appropriate "he" or "she" and the possessive pronoun "its" shall also include, where appropriate, "his," "hers" and "theirs."

B. From time to time after the date of this Annexation Agreement, the parties, without charge to each other, will perform such other acts, and will execute, acknowledge and will furnish to the other such instruments, documents, materials and information which either party reasonably may request, in order to affect the consummation of the transactions provided for in this Agreement.

C. This Agreement shall be recorded among the Land Records of Prince George's County and be binding upon and inure to the benefit of the parties, their heirs, successors and assigns, and

embodies and constitutes the entire understanding between the parties with respect to the subject matter hereof, and all prior agreements, understandings, representations, and statements, whether oral or written, are merged in this Annexation Agreement. Neither this Agreement nor any provision hereof may be waived, modified or amended unless such modification is in writing and is signed by the party against whom the enforcement of such waiver, modification or amendment is sought, and then only to the extent set forth in such instrument.

D. The parties hereto acknowledge that, in entering into this Agreement, neither party has been induced by, nor has relied upon, nor included as part of the basis of the bargain herein, any representation or statement, whether express or implied, made by any agent, representative or employee, which representation or statement is not expressly set forth in this Agreement.

E. This Agreement shall be construed according to its plain meaning without giving regard to any inference or implication arising from the fact that it may have been drafted in whole or in part by or for any one of the parties hereto. The above recitals are incorporated herein and made a substantive part of this Agreement.

F. This Agreement, its benefit and burden, shall be assignable, in whole or in part, by Owner without the consent of the Town or of its elected officials, employees or agents, to any purchasers or contract purchasers of the property or any part thereof. However, Owner will not transfer or pledge as security for any debt or obligation, any interest in all or part of the Annexation Parcel, without first obtaining the written consent and acknowledgment of the transferee or pledgee to the Annexation Agreement and to the complete observance hereof. The Owner shall provide the Town with copies of all documents of transfer or assignment, including exhibits when the documents are fully executed, regardless of recordation.

G. The captions in any Agreement are inserted for convenience only, and in no way define, describe or limit the scope of intent of this Agreement or any of the provisions hereof.

H. The laws of the State of Maryland shall govern the interpretation, validity and construction of the terms and provisions of this Agreement. If any term or provision of this Agreement is declared illegal or invalid for any reason by a court of competent jurisdiction, the remaining terms and provisions of this Agreement shall, nevertheless, remain in full force and effect.

I. All notices and other communications under this Agreement shall be in writing and shall be sent either by first class mail, postage prepaid, or by personal delivery, addressed to the parties as provided below. Notice shall be deemed given on the date delivered or attempted to be delivered during normal working hours on business days.

If to the Town: Mr. Kyle Snyder, Town Administrator
The Town of Upper Marlboro
14211 School Lane
Upper Marlboro, MD. 20772

With a copy to: Kevin J. Best, Esquire
The Law Office of Kevin J. Best

106B Defense Highway, Suite A
Annapolis, Maryland 21401

If to the Owner: Manuel Lopez
5507 Valley Lane
Upper Marlboro, MD 20772

IN WITNESS WHEREOF, the parties hereto personally or through their authorized representatives have executed this Agreement as of the day and year first written above.

WITNESS:

THE TOWN OF UPPER MARLBORO

By: _____

WITNESS/ATTEST:

MANUEL LOPEZ

By: _____

STATE OF MARYLAND
COUNTY OF PRINCE GEORGE'S, to wit:

I HEREBY CERTIFY, that on this _____ day of _____, 2021, before me, a Notary Public in and for the State aforesaid, personally appeared LINDA PENNOYER, who has been satisfactorily proven to be the person whose name is subscribed to the within instrument, who acknowledged herself to be the TOWN MAYOR AND PRESIDENT of the Town Board of Commissioners of the Town of Upper Marlboro, a municipal corporation of the State of Maryland, and that said President/Mayor, being duly authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the municipal corporation as such its chief executive officer.

WITNESS my hand and notarial seal.

_____(SEAL)
Notary Public

My Commission Expires: _____

STATE OF MARYLAND,
COUNTY OF PRINCE GEORGE'S, to wit:

I HEREBY CERTIFY, that on this _____ day of _____, 2021, before me, a Notary Public in and for the State aforesaid, personally appeared MANUEL LOPEZ, and acknowledged the foregoing annexation agreement to be his act.

WITNESS my hand and notarial seal.

_____(SEAL)
Notary Public

My Commission Expires: _____

ATTORNEY'S CERTIFICATE

I HEREBY CERTIFY that the foregoing instrument was prepared by or under the supervision of an attorney duly admitted to practice before the Court of Appeals of Maryland.

Kevin J. Best, Town Attorney

RETURN TO: The Town of Upper Marlboro, Attention: Town Administrator, 14211 School Lane, Upper Marlboro, MD 20772

**ANNEXATION AGREEMENT
BETWEEN THE TOWN OF UPPER MARLBORO AND
DEMETRIUS & DEBORAH STEVENSON**

THIS ANNEXATION AGREEMENT is made this ____ day of _____, 2021, by and between the Town of Upper Marlboro (“the Town”), a municipal corporation of the State of Maryland, with its principal offices at 14211 School Lane Upper Marlboro, MD 20772, and the Demetrius W. & Deborah S. Stevenson (“Owner”), 5605 Valley Lane Upper Marlboro, MD 20772.

RECITALS

WHEREAS, the Owner is the record owner of certain taxable real property located in Prince George’s County, Maryland, commonly known as the 5605 Valley Lane Upper Marlboro MD 20772, and more particularly described as Parcel 218, Tax Map 0101, Grid E2 (Tax Account #3-0235416) (“the Annexation Parcel”); and

WHEREAS, the Annexation Parcel containing approximately 0.75 acres was conveyed to the Demetrius & Deborah Stevenson on or about December 19, 2002, as described in the deed recorded in the Land Records of Prince George’s County at Liber 15596, Folio 27; and

WHEREAS, the Annexation Parcel is not now contiguous to the Town, but the Owner is willing to consent to have the Annexation Parcel as part of a larger area annexed into the Town and at such time the property shall become contiguous to the Town; and

WHEREAS, subject to certain conditions and circumstances as stated herein below, the Owner and the Town desire to have the Annexation Parcel, as part of a larger annexation area referenced within Annexation Resolution 01-2021 (also known as the Second and Third Annexations) enacted pursuant to State Law, incorporated into the corporate boundaries of the Town; and

WHEREAS, pursuant to the authority contained in Md. Code Ann., Local Gov’t Art., Title 4, Subtitle 4, and Section 4-405 of said Article, the Owner, and the Town have agreed that the following terms, conditions, and circumstances will apply to the annexation proceedings and to the Annexation Parcel.

NOW, THEREFORE, in consideration of the mutual interests, provisions and covenants, agreements, and undertakings set forth herein, the sufficiency of which is expressly acknowledged, the Owner and the Town mutually agree as follows:

WITNESSETH:

1. WARRANTIES AND REPRESENTATIONS OF TOWN:

A. Upon the effective date of the Annexation Resolution implementing this Agreement, the Town will make the Annexation Parcel eligible to receive as many municipal services as possible while this agreement is in place, including but not limited to police protection to the extent

that the necessary public facilities and agencies exist to provide such services. Due to the conditions of the County-owned portion of Valley Lane, the Town's ability to perform full services such as trash, recycling, bulk trash, snow removal, and yard waste collection will need to be adjusted.

B. From and after the effective date of the Annexation Resolution implementing this Agreement and approval by the Town Board of Commissioners, all provisions of the Charter and ordinances of the Town of Upper Marlboro shall have full force and effect within the Annexation Parcel.

C. The Town warrants and represents and the parties hereto further agree that should the Owner's property be annexed, the Owner and the Annexation Parcel and any occupants thereof shall be subject to the Charter, the Ordinances and rules and regulations of the Town and, subject to this Agreement, shall be entitled to all of the privileges of a citizen and taxpayer of the Town of Upper Marlboro, now in effect, or which may be placed in effect at any future date.

2. WARRANTIES AND REPRESENTATIONS OF OWNER:

A. This Agreement constitutes the Owner's formal written consent to annexation as required by Md. Code Ann., Local Gov't Art., § 4-404. The Owner acknowledges that it will receive a benefit from annexation and agrees that it waives and completely relinquishes any right to withdraw its consent to annexation from the date of execution of this Agreement by all parties. The Owner further agrees that it will not petition the subject Annexation Resolution to referendum and that, in the event of a referendum in which it is permitted to vote, that it shall vote in favor of the Annexation Resolution, and to that end waives any ballot confidentiality.

B. The Owner warrants and represents that it has full authority to sign this Agreement and is the sole owner of the Annexation Parcel, and that there is no action pending against it involving it which would in any way affect its right and authority to execute this Agreement.

C. The Owner warrants and represents that there are no other persons being qualified voters that are residing within the Annexation Parcel.

3. TAXES.

A. The Town agrees that the Annexation Parcel owned by Demetrius & Deborah Stevenson shall be exempt or held harmless from municipal real property taxation by the Town (the "Exemption") for a period that begins on the effective date of the applicable annexation resolution and that ends on the date that is five (5) years after the effective date of the resolution annexing the Annexation Parcel. The Exemption or abatement shall be for that portion of the Upper Marlboro municipal real property taxation which is charged in the tax bill along with the State of Maryland and Prince George's County taxes levied against the Owner's real property that includes the Annexation Parcel. Since the Town will be providing municipal services to the Annexation Parcel and the County typically provides a differential or reduced rate for its real property taxation within a municipality, the Town will impose a reduced municipal tax rate to apply to the Annexation Parcel in order to hold the Owner harmless from the effects of real property taxation resulting from municipal annexation.

B. The Exemption shall be that amount imposed on the property as a consequence of Upper Marlboro municipal taxation that would increase the real property taxes charged from what is currently imposed or that would be imposed by the State of Maryland and Prince George's County against the real property within the annexation area in any year during which the Exemption is in effect. In addition to collecting its own real property tax that is typically reduced by a tax differential to compensate for municipal services that replace or enhance county services within the corporate limits of a municipality, Prince George's County also collects both State and municipal real property taxes for properties located in the Town. To effectuate the tax exemption or abatement, the Town will provide a reduced municipal tax rate to apply to the Annexation Parcel. If, in the future, Prince George's County, the Town's billing agent, cannot accommodate differing tax rates within the same municipality, as provided herein, then to give effect to the Exemption herein granted, the Town will refund to the Owner, upon application for such refund, pursuant to the authority contained in Section 14-905(b) of the Tax Property Article of the Annotated Code of Maryland, an amount equal to the Exemption. Otherwise, the Owner may elect in writing to have the Town make a payment to the taxpayer in an amount equivalent to the exempt municipal taxation or tax abatement within thirty days of the request.

C. Notwithstanding the foregoing provisions, the Exemption (tax abatement) period shall automatically expire on the date that is five (5) years following the effective date of the applicable Annexation Resolution that brings the Annexation Parcel into the corporate limits of the Town unless the Annexation Parcel is conveyed to a new owner in which case the Exemption period shall automatically expire on the date that is three (3) years following the effective date of the applicable Annexation Resolution that brings the Annexation Parcel into the corporate limits of the Town.

4. CONTINGENCY.

This Agreement is contingent on the performance of all of the material obligations of the parties to this Agreement and will be null and void if such obligations are not performed; provided that any party has noticed the others of any failure to perform and provided the defaulting party has not cured the default within thirty (30) days of such notification.

5. MISCELLANEOUS.

A. The use of singular verb, noun and pronoun forms in this Agreement shall also include the plural forms where such usage is appropriate; the use of the pronoun "it" shall also include, where appropriate "he" or "she" and the possessive pronoun "its" shall also include, where appropriate, "his," "hers" and "theirs."

B. From time to time after the date of this Annexation Agreement, the parties, without charge to each other, will perform such other acts, and will execute, acknowledge and will furnish to the other such instruments, documents, materials and information which either party reasonably may request, in order to affect the consummation of the transactions provided for in this Agreement.

C. This Agreement shall be recorded among the Land Records of Prince George's County

and be binding upon and inure to the benefit of the parties, their heirs, successors and assigns, and embodies and constitutes the entire understanding between the parties with respect to the subject matter hereof, and all prior agreements, understandings, representations, and statements, whether oral or written, are merged in this Annexation Agreement. Neither this Agreement nor any provision hereof may be waived, modified or amended unless such modification is in writing and is signed by the party against whom the enforcement of such waiver, modification or amendment is sought, and then only to the extent set forth in such instrument.

D. The parties hereto acknowledge that, in entering into this Agreement, neither party has been induced by, nor has relied upon, nor included as part of the basis of the bargain herein, any representation or statement, whether express or implied, made by any agent, representative or employee, which representation or statement is not expressly set forth in this Agreement.

E. This Agreement shall be construed according to its plain meaning without giving regard to any inference or implication arising from the fact that it may have been drafted in whole or in part by or for any one of the parties hereto. The above recitals are incorporated herein and made a substantive part of this Agreement.

F. This Agreement, its benefit and burden, shall be assignable, in whole or in part, by Owner without the consent of the Town or of its elected officials, employees or agents, to any purchasers or contract purchasers of the property or any part thereof. However, Owner will not transfer or pledge as security for any debt or obligation, any interest in all or part of the Annexation Parcel, without first obtaining the written consent and acknowledgment of the transferee or pledgee to the Annexation Agreement and to the complete observance hereof. The Owner shall provide the Town with copies of all documents of transfer or assignment, including exhibits when the documents are fully executed, regardless of recordation.

G. The captions in any Agreement are inserted for convenience only, and in no way define, describe or limit the scope of intent of this Agreement or any of the provisions hereof.

H. The laws of the State of Maryland shall govern the interpretation, validity and construction of the terms and provisions of this Agreement. If any term or provision of this Agreement is declared illegal or invalid for any reason by a court of competent jurisdiction, the remaining terms and provisions of this Agreement shall, nevertheless, remain in full force and effect.

I. All notices and other communications under this Agreement shall be in writing and shall be sent either by first class mail, postage prepaid, or by personal delivery, addressed to the parties as provided below. Notice shall be deemed given on the date delivered or attempted to be delivered during normal working hours on business days.

If to the Town: Mr. Kyle Snyder, Town Administrator
The Town of Upper Marlboro
14211 School Lane
Upper Marlboro, MD. 20772

With a copy to: Kevin J. Best, Esquire

The Law Office of Kevin J. Best
106B Defense Highway, Suite A
Annapolis, Maryland 21401

If to the Owner: Demetrius & Deborah Stevenson
5605 Valley Lane
Upper Marlboro, MD 20772

IN WITNESS WHEREOF, the parties hereto personally or through their authorized representatives have executed this Agreement as of the day and year first written above.

WITNESS:

THE TOWN OF UPPER MARLBORO

By: _____

WITNESS/ATTEST:

DEMETRIUS STEVENSON

By: _____

WITNESS/ATTEST:

DEBORAH STEVENSON

By: _____

STATE OF MARYLAND
COUNTY OF PRINCE GEORGE'S, to wit:

I HEREBY CERTIFY, that on this _____ day of _____, 2021, before me, a Notary Public in and for the State aforesaid, personally appeared LINDA PENNOYER, who has been satisfactorily proven to be the person whose name is subscribed to the within instrument, who acknowledged herself to be the TOWN MAYOR AND PRESIDENT of the Town Board of Commissioners of the Town of Upper Marlboro, a municipal corporation of the State of Maryland, and that said President/Mayor, being duly authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the municipal corporation as such its chief executive officer.

WITNESS my hand and notarial seal.

_____(SEAL)
Notary Public

My Commission Expires: _____

STATE OF MARYLAND,
COUNTY OF PRINCE GEORGE'S, to wit:

I HEREBY CERTIFY, that on this _____ day of _____, 2021, before me, a Notary Public in and for the State aforesaid, personally appeared DEMETRIUS W. STEVENSON and DEBORAH S. STEVENSON, and acknowledged the forgoing annexation agreement to be their respective acts.

WITNESS my hand and notarial seal.

_____(SEAL)
Notary Public

My Commission Expires: _____

ATTORNEY'S CERTIFICATE

I HEREBY CERTIFY that the foregoing instrument was prepared by or under the supervision of an attorney duly admitted to practice before the Court of Appeals of Maryland.

Kevin J. Best, Town Attorney

RETURN TO: The Town of Upper Marlboro, Attention: Town Administrator, 14211 School Lane, Upper Marlboro, MD 20772

The Town of Upper Marlboro

RESOLUTION: 2021-25
SESSION: Regular Town Meeting
DATED: November

A RESOLUTION OF THE TOWN BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO TO AWARD A CONTRACT TO PROVIDE AUTOMATED SPEED AND RED-LIGHT CAMERA ENFORCEMENT SERVICES.

WHEREAS, on May 30, 2021, the General Assembly of Maryland enacted HB 619 (Ch. 447 of the 2021 Laws of Md.) authorizing, in addition to designated school zones, the placement of speed monitoring systems (also known as speed cameras) in Prince George's County on highways in residential districts with a maximum posted speed limit of 35 miles per hour to be effective on October 1, 2021; and

WHEREAS, the Chief of Police has advised or concurs that Speed Monitoring Systems will advance public safety and welfare, and if strategically placed in designated areas, will further advance the safety of the motoring public; and

WHEREAS, pursuant to Town's Charter Section 82–56. (Purchasing and Contracts) all expenditures for contracts and purchases with an anticipated cost of more than ten thousand dollars (\$10,000) shall be subject to competitive sealed bidding unless the Board, by unanimous vote of the full Board, finds another method of procurement to be more advantageous; and

WHEREAS, the Board of Town Commissioners finds that the Town is in need of a firm to operate an automated speed & red light enforcement program to ensure the safety of Town roadways; and

WHEREAS, the Board of Town Commissioners waived the formal request for bids process and alternatively released RFP #UM 2021-01 soliciting proposals, and thereby published said request for proposals for at least 15 days to seek interested applicants during the period of from July 14th, 2021, through Friday August 13th, 2021; and

WHEREAS, the Town Board of Commissioners hereby finds that sufficient funds have been appropriated and that CONDUENT STATE & LOCAL SOLUTIONS, INC., a corporation in good standing with the State, is a responsible offeror whose proposal is the most advantageous to the Town taking into consideration price and the evaluation factors set forth in the request for proposals, and that it is in the best interest of the Town.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners for The Town of

Upper Marlboro, sitting in regular session this _____ day of _____, 2021, that the Town Board of Commissioners hereby authorizes the Town to enter into a contract with CONDUENT STATE & LOCAL SOLUTIONS, INC. for a period of 24 months, attached hereto and incorporated by reference herein with the below fee pricing:

Fixed Fee - \$3,349 per Speed Portable Camera Unit (PCU) system per month for 2 systems during the initial Base term and the first two option years	Monthly Fee: \$6,698
Fixed Fee - \$3,195 per Red Light Camera System per month for 8 systems during the initial Base term and the first two option years	Monthly Fee: \$25,560
Fixed Fee during the 3 year additional option term (if exercised) per Speed PCU system - \$2,999 for 2 systems per month	Monthly Fee: \$5,998
Fixed Fee during the 3 year additional option term (if exercised) per Red Light system- \$2,875 for 8 systems per month	Monthly Fee: \$23,000
Fixed Fee for Speed on Green - \$1,000 per system for 3 systems per month	Monthly Fee: \$3,000
Credit Card Convenience for each credit card transaction fee charged to citizen (not the Town)	\$4.00
Collections for Red Light citations only for payments received via 4 th notice and all subsequent	25% of the amount received

Price Conditions:

- The monthly flat fee per system will commence upon acceptance of the installed system,
- Pricing assumes a term with a two (2) year base and three (3) yearly extension options for a total possible term of five (5) years,
- Pricing assumes Conduent will pay for ongoing cost of power, and
- Conduent will charge a \$4.00 credit card processing fee, paid by the violator, for all payments made via a credit card

AND BE IT FURTHER RESOLVED, by the Board of Commissioners for The Town of Upper Marlboro that the President is authorized to execute this Resolution, the contract (Attachment A) approved pursuant hereto and to further execute and file any related documents, correspondence or forms necessary to carry out its intent.

INTRODUCED AND PASSED by the Board of Commissioners of the Town of Upper Marlboro, Maryland at a Public Meeting held on November ____, 2021.

ATTEST:

THE TOWN OF UPPER MARLBORO

Clerk

Linda Pennoyer, President

Date: _____

Sarah Franklin, Commissioner

Janice Duckett, Commissioner

CERTIFICATION

I, the undersigned, hereby certify that I am the Town Clerk of the Town of Upper Marlboro and that the Board of Town Commissioners of the Town of Upper Marlboro at a public meeting at which a quorum was present adopted this Resolution, and that said Resolution is in full force and effect and has not been amended or repealed.

In witness whereof, I have hereunto set my hand and seal of the municipal corporation, this _____ day of _____, 2021.

John Hoatson, Town Clerk

STATE OF MARYLAND
COUNTY OF PRINCE GEORGE'S, to wit:

I HEREBY CERTIFY, that on this _____ day of _____, 2021, before me, a Notary Public in and for the State aforesaid, personally appeared LINDA PENNOYER, who has been satisfactorily proven to be the person whose name is subscribed to the within instrument, who acknowledged herself to be the TOWN MAYOR AND PRESIDENT of the Town Board of Commissioners of the Town of Upper Marlboro, a municipal corporation of the State of Maryland, and that said President/Mayor, being duly authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the municipal corporation as such its chief executive officer.

WITNESS my hand and notarial seal.

_____(SEAL)
Notary Public

My Commission Expires: _____

STATE OF MARYLAND,
COUNTY OF PRINCE GEORGE'S, to wit:

I HEREBY CERTIFY, that on this _____ day of _____, 2021, before me, a Notary Public in and for the State aforesaid, personally appeared MANUEL LOPEZ, and acknowledged the forgoing annexation agreement to be his act.

WITNESS my hand and notarial seal.

_____(SEAL)
Notary Public

My Commission Expires: _____

ATTORNEY'S CERTIFICATE

I HEREBY CERTIFY that the foregoing instrument was prepared by or under the supervision of an attorney duly admitted to practice before the Court of Appeals of Maryland.

Kevin J. Best, Town Attorney

RETURN TO: The Town of Upper Marlboro, Attention: Town Administrator, 14211 School Lane, Upper Marlboro, MD 20772



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

**THE TOWN OF UPPER MARLBORO, MARYLAND JOINT DECLARATION
OF A LOCAL STATE OF EMERGENCY (TOWN EMERGENCY ORDER NO. DOE 2021-03)
AND RESOLUTION (NO. 2021-XX RES) OF THE TOWN BOARD OF COMMISSIONERS
OF THE TOWN OF UPPER MARLBORO EXTENDING THE LOCAL STATE OF
EMERGENCY INITIALLY ISSUED ON MARCH 25, 2020 THROUGH JANUARY 31st, 2022**

WHEREAS, the Governor, as of March 5, 2020 and thereafter, has issued orders initially declaring a state of emergency and catastrophic health emergency for the epidemic known as COVID-19; and

WHEREAS, in accordance with Emergency Ordinance 2020-04 (Emergency Operations), the President of the Town may declare a Local State of Emergency for a 30-day period; and

WHEREAS, an initial Emergency Declaration was declared on March 25, 2020, with multiple extensions approved by the Board of Town Commissioners thereafter; and

WHEREAS, an Order of the Governor of the State of Maryland Number 20-09-01-01 issued September 1, 2020, specifically authorized political subdivisions to issue more restrictive orders than issued by the Governor including requiring any businesses, organizations, establishments, or facilities to close or modify their operations; and/or requiring individuals to remain indoors or to refrain from congregating; and

WHEREAS, the Mayor of the Town of Upper Marlboro issued a proclamation further declaring a local emergency on March 1, 2021 and ordering the Town offices and Municipal Building to continue to be closed to the public except for (i) police operations, (ii) conduct a municipal election, (iii) allow entry to Town Hall for individuals to conduct Town business with social distancing and masking requirements, (iv) to allow organized municipal health and exercise classes on certain days; and

WHEREAS, while the Governor is authorized to issue emergency orders, so too may the local executives of the counties and municipalities, including the Mayor of Upper Marlboro, as well as the county health officers; and

WHEREAS, due to a rapid decline in key COVID-19 metrics, as well as increasing vaccination rates in the County, Prince George's County Executive Angela Alsobrooks announced on May 12, 2021, that the County has lifted restrictions regarding maximum capacity levels for most business establishments and activities in the County, and that these new guidelines were to go into effect Monday, May 17, 2021, at 5:01 p.m.; and

WHEREAS, with this lifting of COVID restrictions, most business establishments in the County will be able to operate at full capacity, with social distancing (maintaining six feet of distance between yourself and others, except members of the same household) and mask requirements still in place; and

WHEREAS, consistent with CDC recommendations, residents of Prince George's County who are fully vaccinated against COVID-19 no longer need to wear a mask outdoors while walking, running, hiking or biking alone, or when in small gatherings with members of their own households or other fully vaccinated individuals, and masks are still necessary and required in crowded outdoor venues like sports stadiums or outdoor concert venues, as well as in indoor venues and while on public transportation; and

WHEREAS, on May 12, 2021, the Governor announced a new statewide order (NUMBER 21-05-14-01) lifting capacity restrictions for all indoor and outdoor venues and with certain exceptions removing the mandate to wear face masks, for persons over 5 years old, unless when they are: 1. in or on any Public Transportation or School Bus; 2. obtaining healthcare services, including without limitation, in offices of physicians and dentists, hospitals, pharmacies, and laboratories; and 3. indoors in any portion of a School where interaction with others is likely, including without limitation, classrooms, hallways, cafeterias, auditoriums, and gymnasiums.

WHEREAS, Prince George's County Executive Angela Alsobrooks announced on May 26, 2021, that the County will align with the State of Maryland and CDC recommendations and lift the mask mandate for fully vaccinated individuals, due to a continued decline in key COVID-19 metrics and increasing vaccination rates, and these new guidelines will go into effect by Executive Order on Friday, May 28, 2021 at 5:00 p.m.; and

WHEREAS, on July 20, 2021, the County Courthouse in Upper Marlboro will gradually re-open to the public, subject to health screenings prior to entry, and some courthouse services will resume by appointment only; but most proceedings will proceed virtually but scheduling will be staggered to limit flow of individuals in the courthouse; and

WHEREAS, as required by Section 5 of Emergency Ordinance 2020-04 upon issuing any emergency proclamation, the President does hereby find the following:

- (i) That conditions of peril to the safety of persons and property continue to exist within said Town, caused by the COVID-19 epidemic; and
- (ii) That the President believes it is in the best interest of public safety and the protection of property that the exercise of certain rights be temporarily limited and that the conditions of this Order is designed to provide the least necessary restriction on those rights; and

WHEREAS, the President does hereby further find that it is in the best interest of public safety and the protection of property that the exercise of certain rights be temporarily limited and that the conditions of this Order is designed to provide the least necessary restriction on those rights.

NOW THEREFORE, be it resolved that on this 9th day of November 2021, President Linda Pennoyer of the Board of Commissioners for the Town of Upper Marlboro, hereby declares:

1. As of 5:00 p.m. a State of Local Emergency continues to exist within the boundaries of the Town of Upper Marlboro because of ongoing concerns about the possible spread of the Coronavirus (COVID-19).
2. That during the existence of said local and/or State emergency the Town shall observe the same rules and restrictions as the County, as adopted by reference herein below, except for any modifications to same found in this Joint Order and Resolution.

3. That except as otherwise stated in Prince George's County Executive Order No. 11- 2021 dated May 14, 2021, Prince George's County, Maryland, including the Town of Upper Marlboro, will follow the directives of the Order of the Governor of the State of Maryland, Number 21-05-12-01, dated May 12, 2021 and face coverings will be required in all indoor public facilities/establishments until December 9th, 2021 at 5:00 p.m. or as otherwise directed by either the County Executive via an executive order or the county governing body via a subsequent Council Resolution, or the President/Mayor of Upper Marlboro.
4. The State of Local Emergency shall extend through January 31st, 2022, unless terminated or modified earlier.
5. All Town-owned buildings and facilities are to remain closed to the public until the cancellation of this State of Local Emergency, or the Board of Town Commissioners approving a reopening plan drafted by the Town Administrator and security upgrades. The reopening plan may include authorization for Town Hall meeting room rentals to resume as well.
6. The Town shall follow the COVID-19 Response Policy and Directive for Town personnel and visitors to Town facilities, and the Town Response Plan for Courthouse Reopening, each hereby attached hereto and incorporated by reference herein, until the cancellation of this declaration. All prior Town emergency orders issued remain in effect except as modified by this Order. The Town shall follow the County Mask Mandate.
7. During this State of Local Emergency, the President and Board of Town Commissioners shared responsibilities include but are not limited to taking actions authorized by the Town Charter, Town Ordinances, and State and Local Executive or Health Officer Orders issued to protect the public's health, safety, and welfare.

BE IT FURTHER RESOLVED, by the Board of Commissioners for The Town of Upper Marlboro, sitting in regular session on this 8th day of June 2021, that the Town Board of Commissioners agrees that the COVID-19 pandemic continues to endanger the Town, and hereby approves, ratifies, and authorizes this Order and the extension of the Local State of Emergency to remain in effect and to extend through September 30th, 2021, for a period of 113 additional days, unless terminated or modified earlier.

ATTEST:

THE TOWN OF UPPER MARLBORO

Clerk

Linda Pennoyer, President

Date: _____

Sarah Franklin, Commissioner

Janice Duckett, Commissioner

CERTIFICATION

I, the undersigned, hereby certify that I am the Town Clerk of the Town of Upper Marlboro and that the Board of Town Commissioners of the Town of Upper Marlboro at a public meeting at which a quorum was present adopted this Joint Declaration of a Local State of Emergency (Town Emergency Order No. DOE 2021-02) and Resolution (No. 2021-16 RES), and that said Joint Resolution and Order is in full force and effect and has not been amended or repealed.

In witness whereof, I have hereunto set my hand and seal of the municipal corporation, this _____ day of _____, 2021.

John Hoatson, Town Clerk



Town of Upper Marlboro

Town Hall, 14211 School Lane
Upper Marlboro, MD 20772

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

info@uppermarlbormd.gov
www.uppermarlbormd.gov

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

November 2, 2021

**To: The Town of Upper Marlboro
14211 School Lane, Upper Marlboro, Maryland 20772**

**From: The Board of Supervisors of Elections
Town of Upper Marlboro**

We hereby certify that the results of the Town Election for the 2021-2023 Board of Town Commissioners for the Town of Upper Marlboro, conducted on Tuesday, November 2, 2021, are as follows:

Total Number of Voters: 86

Total Number of Abandoned Ballots: 1


Total Number of Absentee Ballots Issues: 18

Total Number of Absentee Ballots Returned: 14

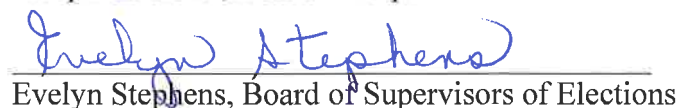
Total Ballots Cast: 99

**Bryan Bontrager 29
Janice Duckett 82
Sarah Franklin 78
Thomas J. Hanchett 66
Karen Lott 78
Linda Pennoyer 68
Jeremy Gunnoe 4**

Grand Total: 99


Yvonne Tucker, Chief Election Judge


Joseph Hourcle, Board of Supervisors of Elections


Evelyn Stephens, Board of Supervisors of Elections