

Town of Upper Marlboro

14211 School Lane • Upper Marlboro, Maryland 20772

TENTATIVE

REGULAR TOWN MEETING

Tuesday, November 20, 2018 – 7:00 p.m.

AGENDA

Call to Order

- Roll Call
- Pledge of Allegiance
- Consent to the Agenda

Approval of Meeting Minutes & Financial Reports

- Approval of the October 9, 2018 Regular Town Meeting minutes
- Approval of the October 23, 2018 Work Session minutes
- Approval of the Treasurer's Report, as of October 31, 2018.

Reports

- Staff & Committee Reports
- Commissioner Leonard
- Commissioner Pennoyer
- President Turner

Business

- Ordinance 2018-08: Classify Real Property (Board vote)
- Resolution 2018-06: Town Parking Meter Rates (Board vote)
- Ordinance 2018-09: Surplus Real Property (introduction)
- Special Event Application/ DC Running Club (for approval)
- Proclamation: MGW Month 2018 (for approval)
- General/Administration issues

Public Comment

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*

Wanda Leonard
Commissioner

Tonga Y. Turner
Commissioner/ President

Linda Pennoyer
Commissioner/ Treasurer

Town of Upper Marlboro

REGULAR TOWN MEETING

October 9, 2018

unApproved Minutes

Call to Order

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

Roll Call: Tonga Turner, President of the Board of Town Commissioners;
Wanda Leonard, Commissioner; Linda Pennoyer, Commissioner/Treasurer

Staff present: M. David Williams, Town Clerk/Administrator; Paula Rojas/Executive Officer; UMPD Chief Henderson; William Morgan/Accountant; SCW Chair Evelyn Stephens; TUMHC Chair Patti Skews; EC Chair Jeremy Gunnoe; TUMHC Archivist Brian Callicott

Also present: Write-in Candidate Tamara Brown; MVFD Chief Robert Beavers; MVFD Vice-President Jeffrey Beavers; Kendall Wallace/ MVFD, and various citizens and interested parties.

Pledge of Allegiance

Approval of Meeting Minutes & Financial Reports

President Turner asked for consent to the Agenda. Approval was granted by all Commissioners present. The Town Meeting minutes from September 11, 2018, the Work Session minutes from September 25, 2018 and the Draft Treasurer's Report as of September 30, 2018 were acknowledged by the Board as reviewed. President Turner motioned to approve both sets of minutes and the monthly Treasurer's Report as presented, Commissioner Pennoyer seconded. All minutes from September's Town Meeting and Work Session, and the Treasurers Report as of September 30, 2018 were unanimously approved.

Special Guest Presentation

Tamara Brown, a Washington Post endorsed District 9 Write-in Candidate for County Council, delivered a summary of her campaigning platform, highlighting her goals and objectives she will focus upon as a member of the County Council. Acknowledging District 9 as an "eclectic community", she noted its deficiency of resources and would work to capture development dollars to put back in to infrastructure. As a believer in "transparency", she also plans to engage citizens along the way, by weekly email communications and "community coffees" discussions. She added she would actively challenge current measures to deplete existing community resources, such as, the Volunteer Fire Department programs.

Reports

Staff/Committees: MVFD Chief Beavers reported that the MVFD has sent a letter to the County asking for a meeting, before any further changes are conducted that will adversely affect their ability to provide ALS service.

UMPD Officer Gerald Henderson reported they received 40 calls for service in the month of September, and that there were no violent crimes to report. He said they have increased patrol along Rte. 725 and Old Crain Hwy as well, in efforts to decrease speeding. He added that there will be a "Coffee with the Chief" Saturday, October 20 at 1:00 p.m., and reminded citizens to keep porch lights on and to lock vehicles. President Turner noted that October is "Domestic Violence Awareness" Month, and that the Town has free Purple Light Bulbs for citizens (2 per family) available at the Town Hall. On behalf of the Family Justice Center on Main Street, the Town will be accepting donations of personal care items to help aide victims of abuse. Unused, packaged toiletry items such as toothpaste and soap, can be deposited in the purple box inside the lobby, throughout the month of October. She added that a Self-Defense class will be featured at the next "Coffee with the Chief" event at the Town Hall.

TUMHC Chair Patti Skews announced the TUMHC will hold their next meeting on October 20 at 10 a.m. She noted they will be helping with the Jack O' Lantern Campfire at Darnall's Chance House Museum again this year, adding that the October 13th PGC Historical Society Bus Tour has been canceled. Archivist Brian Callicott noted that about 78 people participated in the Happy Wanderers Special Touring Event on October 6, 2018. The President noted that they have been working with Aaron Marcavitch of Maryland Milestones (ATHA) and will be providing support with his efforts to seek funding in order to expand the Maryland Heritage Areas, and possibly rehabilitate the Old Stone Building to become a staffed Tourism Welcome Center by means of grant funding available to ATHA.

SCW Chair Evelyn Stephens delivered an update on the Workgroup's renewal application to the DHCD for the Town's re-designation as a Sustainable Community, stating they will meet with DHCD personnel on October 11th here at Town Hall. She added that the SCW is planning on completing a first draft application to be ready for the Board's review at their October Work Session. Sometime in November (*date to be determined*) the SCW and the PGC Chamber of Commerce will be hosting a Forum at Town Hall for area business and property owners, to promote the Façade Improvement Program (FIP).

Events Committee Chair Jeremy Gunnoe reported that the flyers for the Trick or Treat on Main Street event have been distributed, and according to Facebook and Eventbrite, 100 people indicate they are coming, with another 900 interested. He added Main Street will be closed 4–9 p.m. and the businesses are being encouraged to participate with candy hand-outs and window decorations. The PGC District V Police and the Sheriff's Office are to assist. The Chair added that a separate "Marlborough Day" sub-committee meetings will begin in November, and the Annual Town Hall-iday Party will probably be scheduled for the first week in December. Trunk or Treat parking issues, possible Veterans' Day plans and coordinating Santa's visit with the MVFD were also discussed.

Commissioner Leonard: Reported that CERT will sponsor another Pond Clean-Up on October 20th and Middle and High School students will assist to earn community volunteer points towards graduation.

Commissioner Pennoyer: Reported that the Day-To-Serve Pond Clean-Up Event did not go as well as previous years, probably because of the conflict with the Douglass HS Homecoming Parade. A discussion ensued concerning who is responsible for the depositing the litter, and who is safeguarding against it. Commissioner Pennoyer also reported that the Crain Monument repair by the SHA is going very well, and that the Monument will be 200 years old in 2020.

President Turner: Delivered updates on the following topics: 1.) Dog Waste Stations have been installed around Town; 2.) Had visit from State officials to discuss upgrading pedestrian crosswalks and the Water Street bridge; 3.) A sample of the Town's new "code-compliant" Street-Name signs has been erected at School Lane & Old Crain Hwy; 4.) The PGC Chamber of Commerce is interested in creating an insular office in Upper Marlboro—Chamber to attend and discuss at next SCW "Forum"; 5.) Downtown Development RFQ was posted on September 1st—have received 24 proposals to date; and, 6.) Town Accounting operational procedures to be updated—Mr. William Morgan was introduced as the new Town Accountant, who will also conduct oversight for upgrades to current in-house HR policies and practices.

Business

Ordinance 2018-07: Business Licenses (Board vote): It was noted that public comment had been requested by September 25 and the ordinance was now up for a vote. President Turner asked for any additional input from the Board, and citing none, she conducted a final reading of the ordinance introduction. Commissioner Leonard then motioned to approve Ordinance 2018-07, to which Commissioner Pennoyer seconded the motion. Ordinance 2018-07 was unanimously approved.

Resolution 2018-05: Business License Fees (Board vote): The resolution establishing fees in conjunction with Ordinance 2018-07 was made available for review. The President noted the fee schedule was in line with what other municipalities have enacted. With no other questions by, or put forth to, the Board, Commissioner Pennoyer motioned to approve Resolution 2018-05 as presented. Commissioner Leonard seconded the motion. The resolution was approved unanimously.

Ordinance 2018-08: Classify Real Property (introduction): The President stated that this ordinance had been brought before the Board for discussion at their last Work Session in September, and then proceeded to officially introduce the second draft of the ordinance. She reviewed the ordinance's scope and purpose, noting the final reading and vote is scheduled for November 13, 2018. The President replied to a citizen's concern of the impact of raising taxes to existing and potential businesses in Town stating the new rates will now be in-line with other municipality's rates. She added, there have been, and are many other, barriers that have thwarted economic development and that a tax adjustment should not be a major concern. She asked citizens to please submit any questions, comments or concerns during the resident input time-frame listed at the end of the draft ordinance.

General/Administration issues: A Memorandum of Agreement (MOA) with the Marlboro Volunteer Fire Department (MVFD) to utilize their facility, should the Town's base of operations (Town Hall) become compromised during emergency circumstances, was reviewed by the Board. With no objections from Board, the President and the MVFD signed the MOA.

Chief Beavers announced they will be holding their Annual Public Safety/Community Service Day at Montpellier Farm on October 27th. Letter invitations have just been sent out.

TUMHC Chair Skews announced that the Bowie "CLAW" program, which addresses the area's feral cat population problem with a Tag and Release program, has expanded.

Public Comment

A resident objected to the current practice of using the term "Mayor" instead of the title "President" as the Charter indicates, then adding concerns about the President's critique of the Town's last Accountant. President Turner replied that the Town's Legal Counsel has advised that it is not improper, by way of tradition, for her to be referred to as Mayor. She added that when signing official documents and letters, the title of President/Board of Commissioners is purposely used, but feels more comfortable using the title of Mayor to better communicate to the general public the position she was elected to. To the second concern about the Accountant, she referenced the Town's Charter authorization of the President's powers to hire and fire at will, and her assessment was the employee was not up to the standard.

Adjournment

Commissioner Leonard motioned to adjourn, Commissioner Pennoyer seconded the motion. With all in favor, the meeting was adjourned at 8:23 p.m.

Respectfully submitted,

M. David Williams
Town Clerk/Administrator

Town of Upper Marlboro

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

Work Session Minutes

Tuesday, October 23, 2018 - 7:00 p.m.

unApproved

Call to Order

- Meeting was brought to order at 7:00 p.m.
- Roll Call – President Tonga Turner; Commissioner Wanda Leonard; Commissioner Linda Pennoyer; Town Clerk M. David Williams, Finance Director William Morgan, and Chief of Staff Kyle Snyder.
- Pledge of Allegiance

Reports

Commissioner Leonard: Reported that the CERT had cancelled their Pond Clean-Up event scheduled for October 27, 2018 due to the weather forecast. CERT will attempt to reschedule so participating students can earn their community service hours for graduation.

Commissioner Pennoyer: Reported she attended the PGCMA meeting last Thursday, and will report on the Legislative Agenda at the November Town Meeting. Also attended the Villages of Marlborough Tract G/HOA meeting at Town Hall last Wednesday, and plans to also attend the upcoming Marlborough Towne HOA meeting scheduled for tomorrow evening.

Chief-of-Staff: Mr. Snyder delivered an update on the Playground Project stating the Board of Education's attorney has suggested employing a "Use Agreement" instead of a property transfer process, as it is quicker. It was noted that this would allow work to be completed within the Grant-funding window, and that the Town can still work to acquire the property in the meantime. Mr. Snyder reviewed a letter sent from the MVFD to Chief Barksdale concerning an ALS gap in company 820. The President noted the MVFD would have better lines of communication to the County and State if they had better representation through a professional firm. She offered to write a letter of support, adding she would also introduce the MVFD to the Town's firm as well.

Finance Director: Mr. Morgan presented a draft "Purchase Process and Procedures" form that outlines directives and proper procedures for procurement requests, timetables for submission, and includes an electronic transfer initiative that employs a formulated Purchase Request Form. He indicated he is currently looking into outstanding FY2018 Audit issues, collection of delinquent taxes, and building a better rapport with SONA Bank. He noted other issues he was addressing that included: Recent Budget Amendment inconsistencies; Quickbooks "manual" data entry problems; Payroll transition issues; and, coordination of the annual Workman's Comp Audit.

President Turner: Delivered updates on the following topics: 1.) Met with Councilmember Franklin, the PGC/RDA and Greenwill Consulting on October 4th concerning the \$2.5M County Budget line-item appropriated for Town Redevelopment; 2.) Current RFQ for Downtown Development closed October 1st, at least five strong proposals received/next step has an RFP process to include stakeholder review/consensus; 3.) David Harrington, President of the PGC Chamber of Commerce (PGC/CoC) is interested in opening an ancillary Branch Office in Town; 4.) PGC/CoC can assist the Town with business Branding and sponsorship for Town Events; and, 5.) Commissioner Pennoyer, Darryl Carrington (Greenwill) and the TUMHC attended a HPC meeting on October 16 that had a "Property of Concern" line-item on the agenda that turned-out to be the OMES buildings in Town.

Business

Historical Committee Appointments: A Certificate of Appointment listing the roster of members of the Town of Upper Marlboro Historical Committee (TUMHC) was read aloud by the President. A two-year term was indicated as beginning November 1, 2018 and ending on October 31, 2020, for Chairperson Patti Skews, Vice Chairperson Tanja Hammond, Secretary Deidre Walsh; Archivist/Historian Brian Callicott, and voting members: George Leonnig, Joe Hourclé and Rusty Pennoyer. With no objections, the Board signed the Certificate of Appointment.

Ordinance 2018-08: Classify Real Property: Mr. Snyder noted the "second draft" ordinance had no changes or edits nor citizen input, since its official introduction at the October Town Meeting. President Turner informally introduced the ordinance for Board discussion, noting that a Town Utility Tax ordinance will be informally introduced and discussed at the November Work Session.

Resolution 2018-07: Town Business License: The President noted that new Town parking meters will be replacing the old existing meters within the next 30 days, and will also be erected along Judges Drive where they have not been before. A courtesy letter will be sent out by the Town to select County, Court and Sheriff's Office officials giving notice of the change. It was noted several unmetered spaces will be designated for Sheriff's Office personnel.

UMPD Chief Vacancy (update): The President stated that after numerous interviews conducted, an offer has been extended by the Town's Human Resources Director yesterday to a retired Prince George's County (PGC) Lieutenant, currently working with the County Office of Homeland Security. If she accepts, it was noted she will be the first female Police Chief in PGC history, and will bring a higher standard of professionalism and community relations to the position.

Acknowledging that she had already covered the Downtown Development RFQ in her report earlier, the President then moved on to the next agenda line item.

Grants Overview: Chief of Staff Snyder delivered an update on four (4) separate grants that the Town has applied for, and one (1) additional grant request that will be submitted in December:

1.) Town Playground: Department of Natural Resources "Open Space Program"—requesting \$200K, adding TOUM \$50K match, funding slated for FY2020; 2.) Maryland Energy Partnership: applied for designation w/Maryland Smart Energy Communities to qualify for \$25K in grants to implement petroleum use reduction initiatives, energy efficiency projects, and renewable energy programs; 3.) Downtown Streetscape & Economic Development Coordinator: DHCD/Community Development Block Grant (CDBG)—requesting \$500K in federal funding for improvements and management personnel; 4.) Community Garden w/adjacent Facility: "Local Food/Local Places Program"—requesting \$200K from the EPA for landscaping existing lot, plus, rehab for adjacent building to include office & storage space, and space for farmers market & workshops; 5.) Western Branch Water Recreation Area: Land & Water Conservation Fund—up to \$800K w/TOUM 50% match, application due December 18. Focus on Town lot near Cahn Memorial to enable fishing and kayaking activities. It was noted that the 5 grant requests total up to \$1,225K.

General/Administration issues: After it was noted a Town Committee had difficulty with deactivating the office security alarm, the President indicated the issue will be addressed swiftly.

Adjournment

Commissioner Pennoyer motioned to adjourn, President Turner seconded. With all in favor, the meeting was adjourned at 8:39 p.m.

Respectfully submitted,

M. David Williams
Town Clerk/Administrator



Town of Upper Marlboro

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October 2018 Treasure's Report

For presentation at the November 20, 2018 Town Meeting

Section 1 Town Budget Overview:

	Total			
	Actual	Budget	Remaining	% of Budget
Income				
Revenue				
Fines, Licenses, Permits	21,571.05	897,600.00	876,028.95	2.40%
Grants	50,803.25	150,453.00	99,649.75	33.77%
Intergovernmental	19,315.94	50,925.00	31,609.06	37.93%
Other Revenue	122,988.89	265,315.00	142,326.11	46.36%
Taxes	160,183.30	474,658.00	314,474.70	33.75%
Total Revenue	\$ 374,862.43	\$ 1,838,951.00	\$ 1,464,088.57	20.38%
Expenses				
General Government	\$ 199,583.41	\$ 640,304.00	\$ 440,720.59	31.17%
Public Safety	\$ 90,435.33	\$ 739,686.00	\$ 649,250.67	12.23%
Public Works	\$ 81,858.89	\$ 458,961.00	\$ 377,102.11	17.84%
Total Expenses	\$ 371,877.63	\$ 1,838,951.00	\$ 1,467,073.37	20.22%
Committees Overview				
Historical Committee	0.00	1,500.00	1,500.00	00.00%
CERT Team	0.00	1,500.00	1,500.00	00.00%
Celebrations/Tricentennial	8,022.61	13,000.00	4,977.39	61.71%

Section 2 Narrative:

As I am just over a month into this new role as the Director of Finance and Human Resources for the Town of Upper Marlboro, my time thus far has been great but with many obstacles to break through. In order to run an ethical and transparent financial department, one that fits the liking of myself I must understand policies and procedures that the previous employee put into place used on a daily basis. Some of those procedures has put a tremendous burden on my processes moving forward and has hindered timeliness of reports and job duties. Below list a few concerns that has my intention in the near future.

1. Operating account being used as a disbursement account (credits and debits)
2. Incorrect reconciliation balances in the Towns financial systems
3. Recouping proper financial audit materials

4. Leveraging financial systems capabilities
5. Implementation of proper purchasing policies for everyday spending

Though the above items have come across as issues. I am very confident in my abilities to fulfill all obligations this position entitles. And look forward to the opportunity in enhancing the operations of the finance department for the Town of Upper Marlboro.

William Morgan

Director of Finance & Human Resources

Section 3 Profit & Loss Statement

October vs. September 2018

	Total
	<u>Oct 2018</u>
<u>Income</u>	
Revenue	
Fines, Licenses,	
Permits	2,189.85
Intergovernmental	0
Other Revenue	5,294.89
Taxes	<u>102,538.25</u>
Total Income	\$ 110,022.99
<u>Expenses</u>	
General Government	51,516.74
Public Safety	9,496.08
Public Works	<u>13,603.51</u>
Total Expenses	\$ 74,616.33
Net Income	\$ 35,406.66

As of Oct. 31, 2018

Linda Pennoyer
Commissioner/ Treasurer

Tonga Y. Turner
Commissioner/ President

Wanda Leonard
Commissioner

Town of Upper Marlboro

RESOLUTION: 2018-06

SESSION: Regular Town Meeting

DATE : November 20, 2018

RESOLUTION OF THE BOARD OF COMMISSIONERS FOR THE TOWN OF UPPER MARLBORO TO CHANGE AND ADOPT PARKING METER RATES

WHEREAS, the Board of Commissioners for the Town of Upper Marlboro, a body politic and corporate of the State of Maryland under its Charter, and as a municipal corporation duly empowered by state law to regulate parking and collect parking meter fees; and

WHEREAS, the Board of Commissioners is authorized pursuant to Ordinance 2016-02, as amended, to establish parking meter zones and to set from time to time by resolution the amount to be deposited in the parking meters of the Town, and to further establish or amend any other fees authorized under said ordinance; and

WHEREAS, the Board of Commissioners has determined that there is a need to set new parking meter hours of operation, rates and consequent after-hours rates.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO that it hereby approves, adopts and establishes the following:

1. That as of January 1, 2019, the hourly parking meter fees for Town installed and maintained meters in all established zones shall be two and a half (\$2.50) U.S. dollars per hour, 24 hours per day with the exception of all-day Sunday and observed Federal Holidays, whereby the hourly fee shall be waived.
2. That as of January 1, 2019, the Town may charge an additional credit card processing fee not to exceed one (\$1) U.S. dollar for a voluntary credit card convenience fee payment transaction.
3. That these fees will be remaining in effect until a new resolution is passed.

AND BE IT FURTHER RESOLVED that the hourly fees set by this resolution shall be marked or otherwise displayed on the Town's parking meters, and this Resolution shall be posted on the Town's website and in a conspicuous place in the Town Hall for a period of at least 30 days after its passage.

PASSED by the Board of Commissioners of the Town of Upper Marlboro, Maryland at a regular meeting on the _____ day of _____, 2018.

ATTEST:

BOARD OF COMMISSIONERS OF THE TOWN
OF UPPER MARLBORO, MARYLAND

Town of Upper Marlboro

M. David Williams
Clerk

Tonga Y. Turner
President

Wanda Leonard
Commissioner

Effective Date: _____

Linda Pennoyer
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 _____, 2018.

M. David Williams, Town Clerk

The Town of Upper Marlboro

14211 School Lane • Upper Marlboro, Maryland 20772

BOARD OF COMMISSIONERS FOR THE THE TOWN OF UPPER MARLBORO

ORDINANCE: 2018-08

SESSION: Regular Town Meeting

INTRODUCED: September 25, 2018

AN ORDINANCE OF THE TOWN OF UPPER MARLBORO CREATING, DEFINING AND DESIGNATING CERTAIN TAX CLASSIFICATIONS FOR RESIDENTIAL AND COMMERCIAL REAL PROPERTY SITUATED WITHIN THE TOWN AND SUBJECT TO MUNICIPAL TAXATION, AND GENERALLY RELATING TO MUNICIPAL TAXATION.

WHEREAS, The Town of Upper Marlboro is an incorporated municipality governed pursuant to Article XI-E of the Constitution of Maryland; and

WHEREAS, pursuant to Section 5-202 of the Local Government Article of Md. Ann. Code, the legislative body of a municipality in this State shall have general power to pass such ordinances, not contrary to the Constitution of Maryland or public general law, as they may deem necessary in order to assure the good government of the municipality, to protect and preserve the municipality's rights, property, and privileges, to preserve peace and good order, to secure persons and property from danger and destruction, and to protect the health, comfort and convenience of the citizens of the municipality; and

WHEREAS, pursuant to Article 15 of the Maryland Declaration of Rights, as initially adopted in 1867, "every person in the State, or person holding property therein, ought to contribute his proportion of public taxes for the support of the Government, according to his actual worth in real or personal property;" and

WHEREAS, pursuant to Section 82-47 of the Charter of the Town of Upper Marlboro (the "Charter"), all real property and all tangible personal property within the corporate limits of the Town, or personal property which may have a situs there by reason of the residence of the owner therein, shall be subject to taxation for municipal purposes, and the assessment used shall be the same as that for State and County taxes, and that authority is given by said section to impose taxes only on property over which the Maryland Constitution or any act of the General Assembly grants taxing authority to the Town of Upper Marlboro or to any municipality in the State of Maryland; and

WHEREAS, below is an extract of the 2018–2019 list of county and municipal tax rates, and property tax rates in effect on July 1, 2018 published by the Maryland State Department of Assessments and Taxation ("SDAT"):

JURISDICTION	COUNTY RATE			TOWN/SPECIAL TAXING		
				DISTRICT TAX RATE		
	REAL	PERSONAL	UTILITY	REAL	PERSONAL	UTILITY
PRINCE GEORGE'S	1.00	2.50	2.50			
Upper Marlboro	0.921	2.314	2.314	0.24	0.45	0.45

All rates are shown per \$100 of assessment; and

WHEREAS, property tax rates are set by each unit of government, such as the State, counties, and incorporated cities and towns, for properties assessed (i.e., valued) by the State enabling said governments to set tax rates at the level required to fund governmental services of which said rates may be increased, decreased, or remain the same from year to year; however, should a proposed tax rate increase the total property tax revenues for a given class of real property, the governing body must advertise that fact and hold a public hearing on the new tax rate pursuant to Tax-Property Article, §6-308 of the Md. Ann. Code, which is called the Constant Yield Tax Rate process; and

WHEREAS, pursuant to the Tax-Property Article, §6-303(a) of the Md. Ann. Code, if not otherwise prohibited by said Article, the governing body of a municipal corporation may set separate rates for any classes of property that is subject to the municipal corporation property tax, in each year after the date of finality (i.e., January 1) and before the following July 1, the governing body of each municipal corporation annually shall set the tax rate for the next taxable year on all assessments of property subject to municipal corporation property tax; and

WHEREAS, pursuant to the Tax-Property Article, §6-303(c) of the Md. Ann. Code, unless otherwise provided by the governing body of the municipal corporation there shall be a single municipal corporation property tax rate for all real property subject to municipal corporation property tax; and

WHEREAS, the Town currently has only one (1) class of real property, despite having the authority to create multiple classifications as provided in the Tax-Property Article, §6-203(a) of the Md. Ann. Code whereby a “municipal corporation may impose municipal corporation property tax on those classes of property that it selects [i.e., the municipality itself is authorized to create and designate] to be subject to municipal corporation property tax;” and

WHEREAS, there are fourteen (14) administrative land use codes used by the Maryland State Department of Assessments and Taxation to describe every lot or parcel of real property as follows: agricultural, apartment, commercial, commercial condominium, commercial/residential, (residential) condominium, country club, exempt, exempt commercial, industrial, marsh, residential, residential/commercial, and town house; however, unlike the counties, the municipalities are not restricted to any enumerated statutory list or description when choosing to define classes of real property for municipal taxation purposes; and

WHEREAS, the Board finds that the following municipalities have classified real property in the same or similar manner (i.e., commercial/noncommercial) as is to be adopted herein by this Ordinance: Forest Heights (commercial and noncommercial), North Brentwood (commercial and noncommercial), Colmar Manor (commercial and noncommercial), Berwyn Heights (commercial and noncommercial), Cheverly (apartment and other), Cottage City (commercial and noncommercial) and Pocomoke City (owner occupied and non-owner occupied); and

WHEREAS, the Board further finds that \$31,986,930 or 40% of the Town's current gross assessable real property tax base of \$78,913,365 is made up of commercial (i.e., taxable non-residential) properties; and

WHEREAS, the Board further finds that a one cent increase in the municipal tax rate on real property levied on commercial property in the Town would yield \$3,198.693 in revenues from commercial properties located within the Town; and

WHEREAS, the Board further finds that residential property is a necessity of life to the inhabitant from which the owner-occupant or tenant derives little to no income, unlike commercial or industrial property, and that such a classification of real property is rationally related to an important governmental purpose in relieving the tax burden on residential property owners thereby making housing more affordable, and promoting the policies of making the Town a more sustainable, livable and family-oriented community.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO, STATE OF MARYLAND, DOES ORDAIN AND ENACT THE FOLLOWING REGARDING THE CLASSIFICATION OF REAL PROPERTY FOR PURPOSES OF ASSESSMENTS AND TAXATION:

A. Effective for the tax year beginning July 1, 2019, and for each tax year thereafter unless altered by a subsequent enactment of the Board of Town Commissioners, the classifications of property subject to municipal taxation, with respect to those properties, businesses or utilities located within the municipal boundaries of the Town of Upper Marlboro, shall be as follows:

<u>PROPERTY CLASSIFICATIONS</u>	<u>*FY'18 RATE/\$100</u>
1. COMMERCIAL REAL PROPERTY,	0.24
2. NONCOMMERCIAL REAL PROPERTY,	0.24
3. BUSINESS PERSONAL PROPERTY, AND	1.35
4. PUBLIC UTILITY PROPERTY	0.00

(* These rates were established by previous legislation and are indicated herein for informational purposes only. Prior to this ordinance, which shall apply beginning in FY'19 (July 1, 2019), all real property has been taxed at the same rate as one (1) class without distinction as to commercial or noncommercial real property.)

B. Real property that is lawfully used or leased substantially for residential dwelling purposes shall be classified as noncommercial real property. All other real property shall be classified as

commercial real property. Property that is exempt from taxation shall remain exempt regardless of classification by the Town.

C. The Treasurer, or their designee, shall notify the Special Assistant to the Director of the Maryland State Department of Assessments and Taxation of the action taken under the provisions of this ordinance and offer a copy hereof as soon as possible, but no later than December 1, 2018.

D. The Treasurer, or their designee, shall coordinate with the State Department of Assessments and Taxation regarding the requirement to obtain constant yield tax rate certifications for the net assessable real property base for the two (2) separate classes of real property created by this ordinance, no later than February 1, 2019 and each year thereafter.

AND BE IT FURTHER ORDAINED AND ENACTED, by the Board of Commissioners of the Town of Upper Marlboro, Maryland that any prior ordinances adopting and enacting any provision of this Ordinance or any other ordinance or resolution previously adopted pertaining to a subject or subjects embodied by the title of this Ordinance or the provisions found in conflict herein shall be deemed amended, repealed and/or superseded by the provisions of this Ordinance, as applicable, and should a previously enacted ordinance cover a provision or subject that is not covered by this Ordinance, it shall remain in full force and effect unless it directly conflicts with the express language of this Ordinance.

BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that this ordinance shall become effective at the expiration of twenty (20) calendar days following approval by the Board of Commissioners.

BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that this Ordinance shall be posted in the Town Hall office, and it or a fair summary thereof, shall be published once in a newspaper of general circulation in the Town.

Adopted this _____ day of _____, 2018.

THE TOWN OF UPPER MARLBORO,
BOARD OF COMMISSIONERS

Tonga Turner, President

Linda Pennoyer, Commissioner

M. David Williams, Town Clerk

Wanda Leonard, Commissioner

CERTIFICATION

I, HEREBY CERTIFY, as the duly appointed Town Clerk of the Town of Upper Marlboro, Maryland, that on the ____ day of November 2018, with ____ Aye votes, and ____ Nay votes, the aforesaid Ordinance 2018-08 passed.

M. David Williams, Town Clerk

Reviewed and Approved for Legal Sufficiency

Kevin J. Best, Esq.

Date: _____

Ordinance 2018-08 Schedule:

Board Work Session Discussion – 1st Reading	September 25, 2018
Board Discussion/Resident Input – Formal Intro	October 9, 2018
Resident Requested Input due –	October 21, 2018
Board Work Session Discussion –	October 23, 2018
Second Reading/Approval/Board Vote –	November 20, 2018

The Town of Upper Marlboro

14211 School Lane • Upper Marlboro, Maryland 20772

BOARD OF COMMISSIONERS FOR THE THE TOWN OF UPPER MARLBORO

DRAFT-1

ORDINANCE: 2018-09

SESSION: Regular Town Meeting

INTRODUCED: November 20, 2018

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO DECLARING PARCEL 51 OF GRID E2, MAP 101 LOCATED WITHIN THE TOWN OF UPPER MARLBORO TO BE SURPLUS PROPERTY AND AUTHORIZING OR RATIFYING THE TRANSFER OF SAID PROPERTY LOCATED AT 14212 SCHOOL LANE, UPPER MARLBORO, MD 20772 AND THE EXECUTION OF A DEED BY THE TOWN CONVEYING SAID LOT TO THE ABUTTING PRIVATE LOT OWNERS; AND GENERALLY RELATING TO THE DISPOSAL OF SURPLUS REAL PROPERTY.

WHEREAS, Md. Ann. Code, LG Art., § 5-204 and § 82-81 of the Town Charter authorizes the Town to acquire real, personal, or mixed property within or without the corporate limits of the Town for any public purpose by purchase, gift, bequest, devise, lease, condemnation, or otherwise and may sell, lease, convey, or otherwise dispose of or encumber any property belonging to the Town, at public or private sale after 20 days public notice, and convey to the purchaser any real or leasehold property belonging to the municipality if the legislative body of the municipality determines that the property is no longer needed for public use; and

WHEREAS, the Town of Upper Marlboro is the fee simple owner of Parcel 51, legally described as “Marlboro Hgts, Tower Lot Eq 110.0 X 417” pursuant to a deed recorded in the Land Records of Prince George’s County at Liber 928 and Folio 345, and located at 14212 School Lane in the Town of Upper Marlboro, Maryland; and

WHEREAS, the declaration of said property as surplus property is hereby ratified and declared as such to allow the sale of said property to the abutting landowners, Mr. and Mrs. Grant Duckett of land consisting of Parcel 51, also known as Tax ID #03-0246553 for consideration of \$400.00; and

WHEREAS, the Town Commissioners find it to be in the best interest of the Town to approve and ratify said sale and transfer of surplus real property deemed not needed for a public purpose.

NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO, STATE OF MARYLAND, that said Board hereby authorizes, declares and approves the transfer of certain surplus real property located in the Town of Upper Marlboro located at 14212 School Lane in the Town of Upper Marlboro, Maryland as further described in the above recitals for a purchase price of \$400.00 provided that all costs of effecting the transfer shall be borne by the grantees and they shall be responsible for the payment of any prorated portion of the current year's real estate taxes.

AND BE IT FURTHER ORDAINED AND ENACTED, that the Town Board of Commissioners further authorizes the President to execute a deed, on or immediately after the effective date of this Ordinance, in the form attached hereto and incorporated by reference herein as Exhibit A or in a similar form, conveying the aforesaid real property to Grant and Janice V. Duckett in exchange for payment of the aforesaid purchase price.

AND BE IT FURTHER ORDAINED AND ENACTED, by the Board of Commissioners of the Town of Upper Marlboro, Maryland that this ordinance shall become effective at the expiration of twenty (20) calendar days following approval by the Board of Commissioners.

AND BE IT FURTHER ORDAINED AND ENACTED, by the Board of Commissioners of the Town of Upper Marlboro, Maryland that this Ordinance shall be posted in the Town Hall office, and it or a fair summary thereof, shall be published once in a newspaper of general circulation in the Town.

Adopted this _____ day of _____, 2018.

THE TOWN OF UPPER MARLBORO,
BOARD OF COMMISSIONERS

Tonga Turner, President

Linda Pennoyer, Commissioner

M. David Williams, Town Clerk

Wanda Leonard, Commissioner

Ordinance 2018- Schedule:

Board Discussion/First Reading/Formal Intro.– Nov. Town Meeting _____November 20, 2018

Resident Requested Input Due– Nov. Board Work Session _____November 27, 2018

Second Reading/Approval/Board Vote– Dec. Town Meeting _____December 11, 2018

CERTIFICATION

I, HEREBY CERTIFY, as the duly appointed Town Clerk of the Town of Upper Marlboro, Maryland, that on the ____ day of December 2018 with ____ Aye votes and ____ Nay votes, the aforesaid Ordinance 2018-09 passed.

M. David Williams, Town Clerk

Reviewed and Approved for Legal Sufficiency

_____ Date: _____

TOWN OF UPPER MARLBORO
P.O. BOX 280
UPPER MARLBORO, MD 20773

APPLICATION FOR PARADE OR SPECIAL EVENT
IN THE TOWN OF UPPER MARLBORO

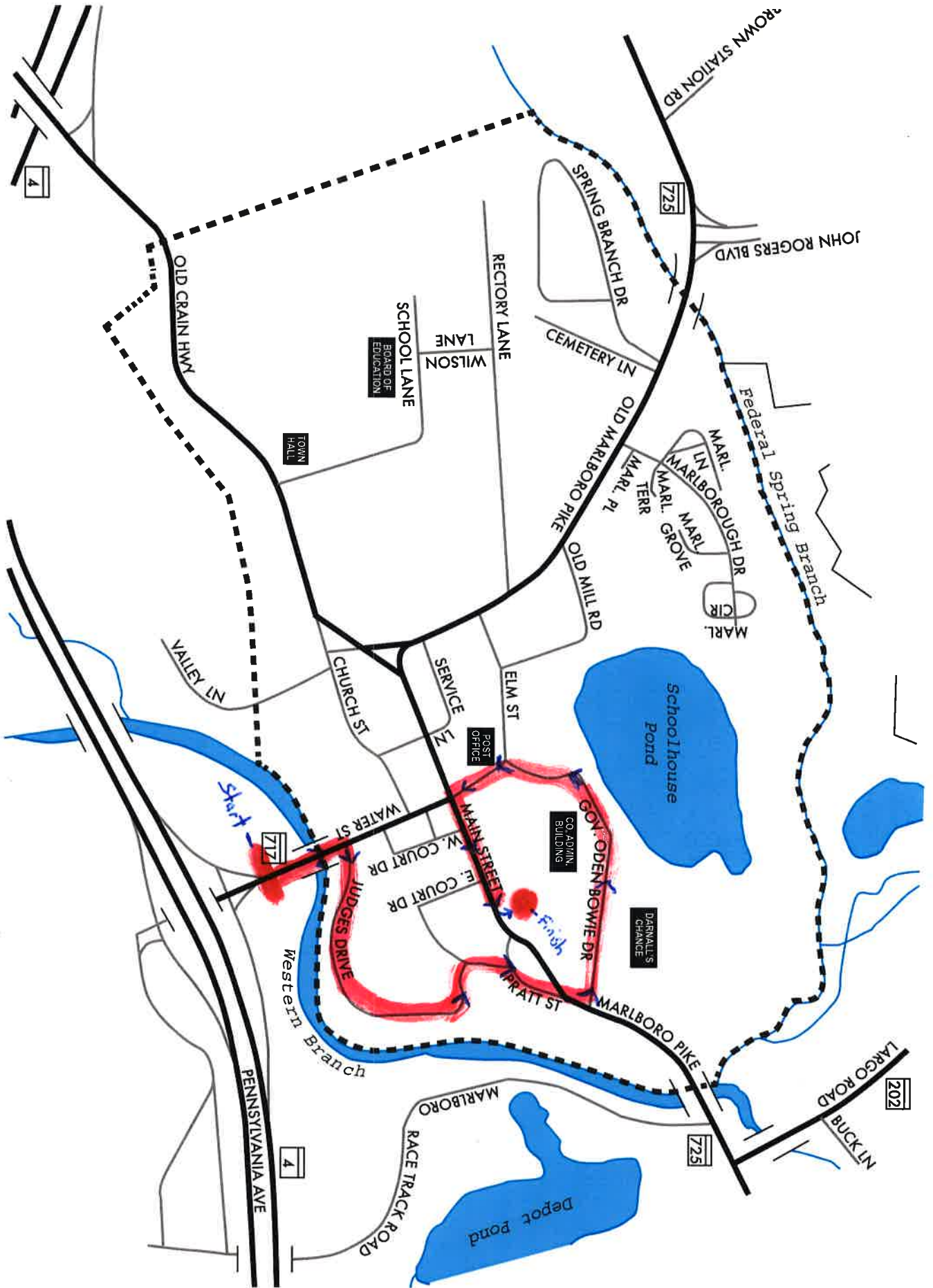
Please read the Standards of Issuance (attached) before completing this application.

(Filing period: No less than 30 days nor more than 90 days before the date proposed.)

1. NAME, ADDRESS AND TELEPHONE NUMBER OF PERSON OR ORGANIZATION SEEKING APPROVAL OF APPLICATION.
DC Running Club (John Brathwaite) 4706 Colonel Ashton PL, Upper Marlboro, MD 20772
240-472-9201
2. IF FOR, OR ON BEHALF OF, OR BY AN ORGANIZATION, THE NAME, ADDRESS, AND TELEPHONE NUMBER OF THE HEADQUARTERS OF THE ORGANIZATION AND OF THE AUTHORIZED AND RESPONSIBLE HEADS OF SUCH ORGANIZATION (Please attach a letter indicating the applicant's authority to act on behalf of the organization).
N/A
3. NAME, ADDRESS AND TELEPHONE NUMBER OF THE PERSON WHO WILL BE THE CHAIRMAN OF THE PROPOSED PARADE OR SPECIAL EVENT AND WHO WILL BE RESPONSIBLE FOR ITS CONDUCT.
John Brathwaite
4706 Colonel Ashton PL
Upper Marlboro, MD 20772
4. THE DATE OF THE PROPOSED PARADE OR SPECIAL EVENT.
January 1, 2019
5. THE AREA PROPOSED TO BE TRAVELLED, STARTING POINT AND TERMINATION POINT. ATTACH MAP.
Beginning on Water Street in front of the Show Place Arena, walking on Water Street, making a right on Judges Dr, a right on Pratt St, a left at the light of Gov. Oden Bowie Dr, a left on Water Street, a left on Main St and finishing in front of OTI
6. THE APPROXIMATE NUMBER OF PERSONS AND VEHICLES WHICH WILL CONSTITUTE THE PROPOSED PARADE OR SPECIAL EVENT APPLIED FOR.
400

7. THE HOURS WHEN SUCH PROPOSED PARADE OR SPECIAL EVENT WILL START AND TERMINATE.
9am start and 11am finish
8. THE LOCATION BY STREETS OF ANY ASSEMBLY AREAS FOR SUCH PROPOSED PARADE OR SPECIAL EVENT.
*① Water Street, ② Judges Drive, ③ Pratt Street, ④ Gov. Oden Bowie Dr.
⑤ Water Street, ⑥ Main Street.*
9. A STATEMENT AS TO WHETHER THE APPLIED FOR PROPOSED PARADE OR SPECIAL EVENT WILL OCCUPY ALL OR ONLY A PORTION OF THE WIDTH OF THE STREETS TO BE TRAVERSED.
We can use one side of the roads for the walk/run and use the other side for emergency vehicles.
10. STATE THE INTERVAL OF SPACE TO BE MAINTAINED BETWEEN UNITS OF SUCH PROPOSED PARADE OR SPECIAL EVENT.
None needed as this is a walk/run.
11. PLEASE INCLUDE A SIGNED HOLD HARMLESS AND INDEMNIFICATION AGREEMENT HOLDING THE TOWN OF UPPER MARLBORO HARMLESS OF ANY DAMAGE, HARM, OR LAWSUIT ARISING FROM OR OUT OF THE PROPOSED PARADE OR SPECIAL EVENT AND INDEMNIFYING THE TOWN FROM ANY COSTS OF LEGAL FEES AND/OR DAMAGES SIGNED BY THE PERSON IN CHARGE OF THE SPONSORING ORGANIZATION.
12. PLEASE PROVIDE A CERTIFICATE OF LIABILITY INSURANCE NAMING THE TOWN OF UPPER MARLBORO AS AN ADDITIONAL INSURED.
13. PLEASE PROVIDE ANY ADDITIONAL INFORMATION WHICH THE BOARD OF COMMISSIONERS SHALL FIND REASONABLY NECESSARY FOR A FAIR DETERMINATION AS TO WHETHER A PERMIT SHOULD BE ISSUED.
The DC Running Club has hosted over 100 races in DC, MD & VA over the past 10 years.
14. FEE: THERE SHALL BE PAID AT THE TIME OF FILING A PERMIT FEE OF \$25.00.

PD #25/CS
NOV 09 2018
(ML)





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

11/13/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Insurance Management Group 959 E. 4th St. P.O. Box 1600 Marion IN 46952	CONTACT NAME: Margaret Mayers PHONE (A/C, No, Ext): (260) 338-2925 E-MAIL ADDRESS: mmayers@insmgt.com FAX (A/C, No): INSURER(S) AFFORDING COVERAGE INSURER A: National Casualty Company INSURER B: Nationwide Life Insurance Co. INSURER C: INSURER D: INSURER E: INSURER F:	NAIC # 11991 66869
INSURED Road Runners Club of America/2019 and Its Member Clubs 1501 Lee Highway Suite 140 Arlington VA 22209		

COVERAGES**CERTIFICATE NUMBER:** 2019 \$1M A.I.**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Legal Liability to Participant \$1,000,000 GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			KRO0000007654500	12/31/2018	12/31/2019	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ Unlimited PRODUCTS - COMP/OP AGG \$ 1,000,000 Abuse and Molestation \$ 500,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			KRO0000007654500	12/31/2018	12/31/2019	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y / N <input type="checkbox"/>	N / A				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
B	Excess Medical & Accident (\$250 Deductible/Claim)			SPX0000030282400	12/31/2018	12/31/2019	Excess Medical \$10,000 AD & Specific Loss \$2,500

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER IS NAMED AS AN ADDITIONAL INSURED AS RESPECTS THEIR INTEREST IN THE OPERATIONS OF THE NAMED INSURED. DATE OF EVENT(S): 01/01/19 100 Days 100 Miles Kick Off with the Mayor of Upper Marlboro INSURED RRCA CLUB/EVENT MEMBER: DC Running Club, Att'n: John Brathwaite, 4706 Colonel Ashton Place, Upper Marlboro, MD 20772

CERTIFICATE HOLDER**CANCELLATION**

01/01/19 Town of Upper Marlboro 14211 School Lane Upper Marlboro MD 20772	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
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Town of Upper Marlboro

14211 School Lane
Upper Marlboro, Maryland 20772

Indemnity / Hold Harmless Agreement

To the fullest extent permitted by law, the undersigned Organization agrees to indemnify and hold The Town of Upper Marlboro, Maryland, its elected and appointed officials, employees, and volunteers and other working on behalf of The Town of Upper Marlboro, Maryland, harmless from and against all loss, cost, expense, damage, liability or claims, whether groundless or not, arising out of the bodily injury, sickness or disease (including death resulting at any time therefrom) which may be sustained or claimed by any person or persons, or the damage or destruction of any property, including the loss of use thereof, based on any act or omission, negligent or otherwise, of the Organization, or anyone acting on its behalf in connection with or incident to the (Organization and Event) _____ scheduled for (Date) _____, except that the Organization shall not be responsible to The Town of Upper Marlboro, Maryland's sole negligence; and the Organization shall, at its own cost and expense, defend any such claims and any suit, action, or proceeding which may be commenced thereunder, and the Organization shall pay any and all judgments which may be recovered in any suit, action or proceed, and any and all expense including, but not limited to, costs, attorney's fees and settlement expenses, which may be incurred therein.

Name of Organization DC Running Club

Authorized Signature Joh Bruth

Address 4706 Colonel Ashton Pl

Phone 240-472-9201 Date 11/9/18

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

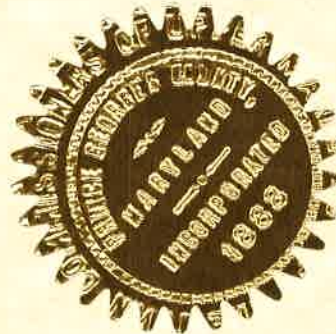
Whereas, Municipal government represents the most responsive level of
government, allowing citizens to have direct access to elected officials; and

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 Maryland
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 20th day of November 2018.



Wanda Leonard
Commissioner

Linda Pennoyer
Commissioner/Treasurer

Tonga Y. Turner
President