

Town of Upper Marlboro

14211 School Lane • Upper Marlboro, Maryland 20772

REGULAR TOWN MEETING

March 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://us02web.zoom.us/j/85999615701> Meeting ID: 859 9961 5701; Dial-in only: 301-715-8592.

Call to Order

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

Approval of Meeting Minutes & Financial Reports

- Approval of the February 9, 2021 Public Hearing Meeting minutes
- Approval of the February 9, 2021 Regular Town Meeting minutes
- Approval of the February 23, 2021 Board Work Session minutes
- Finance Report & Approval of the Treasurer's Report, as of February 28, 2021.

Reports

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

Business

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

- 1.) Charter Amendment Resolution 01-2021: Establishing Positions (Board vote)
- 2.) Resolution 2020-06: Extension of DOE (Board vote)
- 3.) Resolution 2021-07: PAMC Support (Board vote)
- 4.) Letter to County Fire Chief: Fire/EMS coverage concerns (Board discussion)

Administrative Updates

- 5.) Legislation, Projects and Initiatives
- 6.) 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

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 a synopsis of the monthly Town Meeting Agenda is also provided in the “On the Agenda” column of our monthly newsletter, the *Landings*. Outreach 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.

Town of Upper Marlboro

PUBLIC FORUM

Charter Amendment 01-2021

"Adding Positions"

Tuesday, February 9, 2021 - 6:30 p.m.

unApproved Minutes

This Public Hearing was conducted via Zoom Video Teleconference.

<https://us02web.zoom.us/j/85999615701>

Meeting ID: 859 9961 5701; Dial-in only: 301-715-8592

Call to Order

The meeting was called to order at 6:32 p.m.

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

Staff present: M. David Williams, Town Clerk; Kyle Snyder/ Administrator; and, UMPD Chief Burse.

Also present: TUMHC Chair Patti Callicott; and, TUMHC Archivist/Secretary Brian Callicott.

Pledge of Allegiance

Business

With unanimous consent to the Agenda, President Pennoyer gave the floor to Administrator Snyder.

Charter Overview & Background: TA Snyder noted that Attorney Best made his recommendation to the Board in June 2020 citing the Charter only named the Town Clerk and the Town Attorney as official Town Staff positions and should be updated to include the Chief of Police and the Town Administrator.

Town Clerk Williams then read aloud the introduction to CAR 01-2021 and reviewed the added language to Section 82 that creates the two (2) positions, plus, authorizes the use of the title "Mayor" by the President when deemed necessary. The Clerk noted remaining highlighted edits are to correct certain stylistic, grammatical and non-substantive errors.

No additional discussion points or comments were offered to, or by, the Board at this time.

Adjournment

Commissioner Duckett made a motion to adjourn, Commissioner Franklin seconded the motion. With all in favor, the Public Hearing was adjourned at 6:41 p.m.

Respectfully submitted,

M. David Williams
Town Clerk

Town of Upper Marlboro

REGULAR TOWN MEETING

February 9, 2021 • 7:00 p.m.

unApproved Minutes

This meeting was conducted via Zoom Video Conference: <https://us02web.zoom.us/j/85999615701>
Meeting ID: 859 9961 5701; Dial-in only: 301-715-8592

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: M. David Williams, Town Clerk; Kyle Snyder/Administrator; UMPD Chief Burse; William Morgan/Director of Finance; and, Superintendent Darnell Bond/Public Works.

Also present: TUMHC Chair Patti Callicott; TUMHC Archivist Brian Callicott; Jacob Moore/Greenwill Consulting Group LLC; Ray Feldman/Feldman Communications Strategies LLC; Joseph Hourclé /Board of Supervisors of Elections; Reverend Kevin V. Montague/Providence St. John Baptist Church, plus, various citizens and interested parties.

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 Board Gathering minutes from January 11, 2021, the Regular Town Meeting minutes from January 12, 2021, the Board Work Session minutes from January 26, 2021, and the Treasurer's Report as of January 31, 2021. Commissioner Duckett seconded. All Board minutes from January's Board Gathering, Town Meeting and Work Session, plus, the January Treasurer's Report were unanimously accepted and approved as presented.

Reports

Departments/Committees:

- Jacob Moore of Greenwill Consulting Group delivered updates of their work at the State House on the Town's behalf, noting that they have been drafting two Budgetary amendments with Senator Peters: 1.) For maintenance and repaving of Town Roads; and, 2.) Fund repairs and flooding issues associated with the Water Street Bridge. It was noted that due to the pandemic in this Budget cycle, it was more prudent to request State assistance through Budget Amendments versus Bond Bills.
- Chief Burse delivered the UMPD report for the month of January 2021 that was also projected via PowerPoint for the Zoom meeting attendees. He noted the one Breaking & Entering resulted in an arrest, and also reported that Town Police computers have been updated to State standards. He said the UMPD issued 40 parking citations and sent 4 Code Violation letters during January. He added the Dept of Corrections has a new 24/7 release schedule which partly explains the uptick in calls about vagrancy in the late hours. Finding support for transportation services was discussed.
- Superintendent Bond delivered the Public Works reports for January 2021 that was also projected via PowerPoint for the Zoom meeting attendees. The Board members praised their work this past season. Commissioner Duckett asked if the Crepe Myrtles at Town Hall could be allowed to grow taller. Superintendent Bond said he would seek consultation on that issue with Board approval.

- Director of Finance Morgan reviewed highlights of the January Treasurer's Report noting tax revenues were doing fairly well, and he feels the Town will most likely end FY2021 in the black. He added the FY2020 Audit was submitted on time with the State and reportedly "cleaner" than the previous year.
- TUMHC Chair Callicott reported that the Committee has been working on a Black History Month recording that should be ready for viewing at their next Quarterly Meeting on February 21, 2021.
- TA Snyder reported for EC Chair Gunnoe noting he has temporarily stepped down as chair while he completes online classes. He said he is assisting the EC now on 2 Blood Drive Events for April and July, and, helping with planning to hold "Drive-In Movie" events at the Show Place Arena this Spring.
- Commissioner Duckett reported for the AC saying they have an interim Chair, Lisa Alexander, and will hold their first meeting February 16th via Zoom. Topics will include input for the Mural Project downtown and planning a possible Independent Film Festival. She invited interested folks to attend.
- The President reported for SCW Chair Stephens, stating the FY21 F.I.P. Grant was approved for \$50K.
- Commissioner Franklin reported for the Green Team stating they will meet next week to develop a outreach program inviting citizens to submit their design ideas for green-elements that could be incorporated into the Church Street Parking Lot. The GT is also developing their Action Plan. TA Snyder added that the Town has recently qualified for the UMD's "Carbon Footprint Study".
- Chief Burse reported for CERT on their meeting held on January 9th and discussed goal and objectives for the new year. He noted their next meeting will be held on February 13th at 9:00 a.m.

Commissioners:

- Commissioner Franklin: Had no report at this time.
- Commissioner Duckett: Had no report at this time.
- President Pennoyer: Had no report at this time.

Business

- 1.) Resolution 2021-04 Awarding Health Broker Firm: The Clerk read aloud the Resolution's introduction. TA Snyder noted that the Town will not be paying the Broker directly, as fees will be collected from the healthcare provider. With no further comments or questions put before the Board, Commissioner Franklin motioned to approve Resolution 2021-04. Commissioner Duckett seconded. With all in favor, the motion passed unanimously.
- 2.) Resolution 2021-05 Approving Annexation Agreement/Moose Lodge: TA Snyder explained this first of its kind Town Agreement, which waives Town taxes for a 5-year period as a non-profit organization, will enable the Moose Lodge to become annexed into the Town. He added the County will still be providing refuse collection and street maintenance, and that calls for Public Safety assistance has proven minimal. Though the Town Attorney stated earlier that there was no conflict of interest, the President recused herself from the vote at the request of a concerned resident. Commissioner Duckett motioned to approve Resolution 2021-05. Commissioner Franklin seconded. With two approving, and one recusal, the motion was passed by Board majority.

Administrative Updates

- 3.) Legislation, Projects and Initiatives: TA Snyder provided updates on the following Town projects:
 - 1.) Heritage Area Expansion;
 - 2.) Town Playground;
 - 3.) Financial Policies;
 - 4.) PEPCO Charging Stations;
 - 5.) Mural Project Grant;
 - 6.) Main Street Affiliate Program;
 - 7.) Employee Handbook;
 - 8.) Solar Proposal;
 - 9.) Parking Enforcement vendor;
 - 10.) Northwest Branch Levy & Grading Project;
 - 11.) Trails Project State Grant/M-NCPPC;
 - 12.) Annexation Phases II & III;
 - 13.) Capital Improvement Budget Plan;
 - 14.) WSSC Sewer Repairs/Upgrades; and,
 - 15.) Racial Equality.

4.) General Commissioner & Staff items: No additional items or issues were brought before the Board by Town Staff of Elected Officials at this time.

Public Comment

A Town resident asked if the Arts Council will be interested in assisting with the UM Library Annual Poetry Contests. TA Snyder will pass along contact information.

A concerned citizen asked about a lone van parked in the Church Street Lot for the last 2 months. The Clerk explained the owner had purchased a 3-month permit and misunderstood the hours of operation. A new form has been drafted with clearer rules about not leaving vehicles overnight.

Another resident asked if there had been any tax increases for Town residents. The President replied that any discussions on that subject will continue at subsequent Board Meetings where residents are welcome to attend and provide comments. She added that residents will be notified well ahead of time of all the Budget Meetings.

Reverend Kevin Montague of the Providence St. John's Baptist Church introduced himself and stated he is looking forward to being more actively involved with the Town's community.

Adjournment

The meeting was adjourned at 8:21 p.m.

Respectfully submitted,

M. David Williams
Town Clerk

Town of Upper Marlboro

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

Work Session Minutes

February 23, 2021 - 7:00 p.m.

unApproved

This meeting was conducted via Zoom Video Conference: <https://us02web.zoom.us/j/85451683537>
Meeting ID: 854 5168 3537; Dial-in only: 301 715 8592

Call to Order

- Meeting was brought to order at 7:01 p.m.
- Roll Call – President Linda Pennoyer; Commissioner Janice Duckett; Commissioner/Treasurer Sarah Franklin; Town Clerk M. David Williams.
- Also present: Town Administrator Kyle Snyder; UMPD Chief David Burse; Director of Finance William Morgan; Marlborough Towne HOA Chair Monica Williams; SCW Chair Evelyn Stephens; Ray Feldman/Feldman Communications Strategies LLC; CEO Chris Lawson/Insuraty, Inc.; and, Compliance Officer Terri Mosely/Insuraty, Inc.
- Pledge of Allegiance

Business

- 1.) Employee Handbook: CEO Chris Lawson of Insuraty Inc delivered an overview on what their firm can offer to finalize the Employee Handbook to achieve continuity with Town legislation and policies, as well as, the Town Employee Portal when developed. After they answered Commissioners questions, it was noted another Session to work with Department Heads would be in order to help with performance evaluation forms and keeping on top of updates.
- 2.) FY2022 Budget: The Town will publish a timeline on its website of future FY22 Budget discussions. TA Snyder noted that an Extra Work Session will be scheduled each month up until passage in June, for the months of March, April and May 2021 during the day. Finance Director Morgan noted that the FY21 End-of-Year Adjustments will also be passed in June.
- 3.) Business License Ordinance: TA Snyder stated that last fall the Board had lowered the license fee dramatically in response to the pandemic, noting a better rate of response. The Board discussed the need to change the current fee and redrafting the existing Ordinance by the end of the fiscal year. Other licensing topics discussed included: 1.) Home-based businesses; 2.) Advantages of Licensing Software; CARES Act funding; and, 3.) The need to consult with the Town Attorney on proper penalties for infractions.
- 4.) Charter Amendment Resolution 01-2021: The Board discussed sources to consult for the Charter Amendment process. It was noted that our professional association and possibly codification vendors could assist in that capacity. The President will reach out to the MML.
- 5.) General Commissioner & Administrative Staff items: TA Snyder noted extensive work was being conducted by WSSC crews on Old Crain Highway, as well as, Water Street.

Adjournment

The meeting was adjourned at 8:14 p.m.

Respectfully submitted,

M. David Williams
Town Clerk



Town of Upper Marlboro

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Town of Upper Marlboro FY2021 Condensed Budget July 2020 - June 2021

Income

Revenue

Fines, Licenses & Permits

6154 Franchise Fee	\$10,110.68	\$16,000.00
6280 Trader's License Fees		\$1,000.00
6350 Permits/Rentals	\$2,345.00	\$15,500.00
6355 Parking Meters	\$59,551.22	\$290,666.00
6381 Parking Fines/Penalties	\$17,962.10	\$21,000.00
6550 Pub/Edu/Govt Broadcasting	\$6,032.60	\$2,500.00
Total Fines, Licenses, Permits	\$96,001.60	\$346,666.00

Grants

6530 Grants	\$336.50	
6530.2020-03 State Police Aid	\$9,200.25	\$17,317.00
6530.2020-04 Community Open Space Grant	\$0.00	\$100,000.00
Total 6530 Grants	\$9,536.75	\$117,317.00

Intergovernmental

6240 Financial Corporation Tax	\$0.00	\$9,145.00
6260 Highway User Fee	\$13,989.82	\$27,725.00
6310 Disposal Fee Rebate	\$1,557.00	\$2,000.00
Total Intergovernmental	\$15,546.82	\$38,870.00

Other

6390 Interest Earnings	\$2,253.51	\$5,000.00
6392 Sale of Property	\$2,340.00	\$1,500.00
6394 Miscellaneous Revenue	\$12,940.04	\$6,500.00
6396 Special Events/Donations	\$0.00	\$2,500.00



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Taxes		
6100 Real Estate Taxes	\$330,152.18	\$295,000.00
6101 Personal Property Taxes	\$438,649.96	\$390,000.00
6230 Income Taxes	\$327,149.89	\$160,000.00
Total Taxes	\$1,095,952.03	\$845,000.00
Total Revenue	\$1,234,570.75	\$1,363,353.00
Capital Improvement		
9000 Capital Improvement		
9000.2020-02 Transfer of Reserve	\$100,000.00	\$110,900.00
Total Capital Improvement	\$100,000.00	\$110,900.00
Total Income	\$1,334,570.75	\$1,474,253.00

Expenses

8000 General Government

8030 Salaries - Commissioners	\$3,235.32	\$11,400.00
8035 Salaries	\$156,665.89	\$268,280.00
8073 Accounting	\$10,500.00	\$18,500.00
8074 Audit	\$23,500.00	\$20,000.00
8075 Payroll Processing	\$2,808.37	\$5,000.00
8077 Public Notices	\$280.00	\$1,800.00
8080 Bank Charges	\$13,753.21	\$20,000.00
8086 Staff Development & Training	\$1,707.68	\$2,500.00
8090 Postage	\$1,645.98	\$1,200.00
8092 Printing	\$1,058.41	\$7,500.00
8095 Community Events & Recreations	\$1,389.22	\$10,000.00
8110 Legal	\$19,068.09	\$55,000.00
8115 Computer Software & Support	\$10,753.96	\$9,000.00
8120 Insurance	\$3,239.00	\$12,000.00
8130 Supplies	\$26,668.71	\$5,000.00
8131 Ofc Equipment R&M	\$661.99	\$1,000.00
8160 Telephone	\$3,399.65	\$8,000.00
8165 Utilities	\$6,941.45	\$12,000.00
8175 Public Property Maintenance	\$8,932.54	\$8,000.00



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8180 Grants & Awards	\$6,712.72	
8180.03 Community Open Space Grant	\$1,855.37	\$130,000.00
Total 8180 Grants & Awards	\$8,568.09	\$130,000.00
8185 Historical Committee	\$19.95	\$750.00
8187 Town Election	\$873.00	\$0.00
8191 CERT	\$199.49	\$750.00
8200 Other	\$70.85	\$2,500.00
8205 Consulting Fees	\$36,000.00	\$46,000.00
8210 Payroll Tax Expenses	\$131,817.29	\$95,000.00
8235 COVID-19	\$22,780.99	\$0.00
9001 Capital Improvement		
9000.2020-01 Parcel Acquisition	\$0.00	\$0.00
9000.2020-02 Construction & Maintenance	\$0.00	\$0.00
9000.05 Annexation	\$0.00	\$30,000.00
Total 8230 Capital Improvement	\$0.00	\$30,000.00
Total 8000 General Government	\$ 496,539.13	\$781,180.00

8250 Public Safety		
8260 Salaries	\$171,092.91	\$296,590.00
8261 Overtime	\$453.66	\$2,000.00
8273 Uniforms	\$20.06	\$750.00
8274 Weapons & Duty Equipment	\$8,086.48	\$20,817.00
8275 Staff Training	\$150.00	\$300.00
8277 Substance Testing/Pre Employment	\$0.00	\$0.00
8280 Supplies	\$2,891.78	\$4,200.00
8281 Association Dues	\$540.00	\$500.00
8282 PS Insurance	\$4,744.00	\$5,000.00
8290 Payroll Tax Expenses	\$7,612.67	\$58,550.00
8300 Vehicle Repairs	\$0.00	\$750.00
8301 Vehicle Maintenance	\$0.00	\$3,000.00
8302 Vehicle Fuel	\$0.00	\$2,500.00
8320 Other	\$196.87	\$1,500.00



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8330 Capital Improvement

8330.01 Technology	\$0.00	\$0.00
8330.03 Debt Service (FY2020)	\$16,262.45	\$33,000.00
Total 8330 Capital Improvement	\$16,262.45	\$33,000.00

Total 8250 Public Safety	\$ 212,050.88	\$429,457.00
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8350 Public Works

8360 Salaries	\$94,478.04	\$118,380.00
8361 Overtime	\$0.00	\$500.00
8370 Payroll Tax Expenses	\$17,220.91	\$35,000.00
8375 Uniforms	\$132.48	\$500.00
8377 Dues	\$0.00	\$200.00
8380 Other	\$1,498.83	\$750.00
8383 PW Insurance	\$4,508.00	\$6,500.00
8390 Streets Maintenance	\$1,288.21	\$3,000.00
8391 Weather Related Expenses	\$0.00	\$2,500.00
8400 Highway Lighting	\$11,421.23	\$21,500.00
8405 Vehicle Repairs	\$0.00	\$2,000.00
8410 Vehicle Maintenance	\$1,006.73	\$1,000.00
8415 Vehicle Fuel	\$0.00	\$2,500.00
8487 Substance Testing	\$0.00	\$0.00
8490 Utilities	\$2,765.50	\$3,000.00
8491 PWF-Maint/Repairs/Beautificatio	\$4,038.46	\$9,000.00
8493 Portajohn	\$900.00	\$1,200.00
8545 Sanitation	\$32,875.87	\$56,086.00



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8550 Capital Improvement		
8550.01 Annexation Upgrades	\$0.00	\$0.00
8550.03 Energy Conservation	\$0.00	\$0.00
Total 8550 Capital Improvement	\$0.00	\$0.00
Total 8350 Public Works	\$ 175,134.36	\$263,616.00
Total Expenses	\$ 880,724.37	\$1,474,253.00
Net Operating Income	\$ 353,846.38	\$0.00

PROFIT & LOSS January 2021

	<u>Total</u>
Income	
Revenue	
Fines, Licenses, Permits	\$ 14,043.82
Intergovernmental	\$ 5,529.90
Grants	\$ 0.00
Other Revenue	\$ 0.01
Taxes	\$ 123,839.42
Total Income	\$ 143,413.15
Expenses	
General Government	\$ 36,948.60
Public Safety	\$ 23,298.45
Public Works	\$ 15,294.69
Total Expenses	\$ 75,541.74



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Monthly Narrative

1. Year-end Forecast
2. Budget Process
3. Business license update

Bank Accounts

Cash on Hand and in Banks

1000 PGFSB Operating Checking	\$ 168,505.45
1001 Petty Cash	\$ 300.00
1010 PGFSB Payroll Account	\$ 29,936.68
1040 M&T Checking	\$ 39,408.59
1117 Old Line Bank	\$ 103,275.93
1122 Congressional Bank CD 5756	\$ 214,124.12
1140 MLGIP	\$ 201.73
Total Bank Accounts	\$ 555,752.50



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 February 2021

Incidents Reported in Town:

Disorderly Report 10	Business Alarm 1	Accident 2
Child Custody Call 1	Check on Welfare 1	Vandalism 1
Family Dispute 1	Suspicious Person 1	Fight Call 1
Unknown Trouble 1		

Chief Burse participated in several conference calls 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, Sgt. Irby, and Cpl. deBarros conducted high visibility patrols throughout the Town during the Stay at Home Order.

Chief Burse participated in a conference call with the Maryland Chief's Association.

Chief Burse, Sgt. Irby, and Cpl. deBarros assisted the Board of Education Staff with a two-day package distribution giveaway for teachers.

Chief Burse and Town Administrator Snyder participated in a virtual meeting with the parking vendor IPS.

Chief Burse and Town Administrator Snyder participated in a virtual MML sponsored tabletop exercise on Leadership During Community Division and Civil Unrest.

Chief Burse participated in the virtual District 2 Coffee Club meeting.

Chief Burse received mask donations from the Prince George's County Office of Community Relations.

Janice Duckett
Commissioner

Sarah Franklin
Commissioner/Treasurer

Linda Pennoyer
Commissioner/President



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

Date: Thursday, March 4, 2021

Subject: Public Works' Status Report

RE: February 2021 – Monthly Status Report

Public Works Related

- PWS obtained verbal quotes to replace/overhaul large in-bed salt spreader.
- Private contractors began install of utilities on the Vallario property downtown.
- Verizon contractors installed a taller telephone pole at Marlboro Liquors in preparation for a 5G cell tower pack.

Maintenance and Beautification

- PW crews re-trenched French drain around Public Works' yard.
- Maintenance and deep cleaning of all winter weather equipment before dismount from vehicles. (headlight replacement, hinge pins, couplers, etc.)
- PW vehicles were pressure washed and degreased to remove salt and road grime.
- Routine fixing and replacement of meters heads were also completed.

Street and Sidewalk

- WSSC contractors replaced water lines along Water St.
- WSSC contractor Granite Inliner began pipe lining along Church St. and 725.

Weather Related

- Multiple winter weather events resulted in quite a bit of plowing, snow pushback, and spot treating. These treatments resulted in the usage of more than half of our salt reserves we saved from last year.

Refuse Accumulations

- Bulk day accumulations for solid wastes (Landfill) are 1.18 tons. Bulk day accumulations for yard waste collections are 0 tons. Yard waste collected for the majority was mixed so it was sent to the landfill. Also, bulk was light, so we were able to hold back on trips to the dump. Leftover accruals for February were dumped the beginning of March and will reflect in the March status report. We had no dump body rentals for the month.

Sincerely,

Darnell F. Bond III
Public Works Superintendent

Janice Duckett
Commissioner

Sarah Franklin
Commissioner/Treasurer

Linda Pennoyer
Commissioner/President

CHARTER AMENDMENT RESOLUTION NO. 01-2021

A CHARTER AMENDMENT RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO, MARYLAND AMENDING THE CHARTER OF THE TOWN OF UPPER MARLBORO, MARYLAND BY CREATING THE OFFICES OF TOWN ADMINISTRATOR AND CHIEF OF POLICE, AND BY PERMITTING THE OFFICIAL USE OF THE ALTERNATIVE TITLE OF MAYOR BY THE PRESIDENT OF THE BOARD OF COMMISSIONERS, AND MAKING CERTAIN STYLISTIC, GRAMMATICAL AND NON-SUBSTANTIVE CHANGES THERETO

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO, MARYLAND adopted pursuant to the authority of Article XI-E, § 4 of the Constitution of the State of Maryland and Title 4, Subtitle 3 of the Local Government Article of the Annotated Code of Maryland, to amend the Charter of the Town of Upper Marlboro, to formally create the offices of Town Administrator and Chief of Police, to include the title of Mayor in addition to that of President when referencing said office within the Charter and to make other stylistic, grammatical and non-substantive changes thereto.

WHEREAS, the General Assembly of Maryland passed HB 615 during the 2018 session effective July 1, 2018 (now codified as § 4-304(a)(2) of the LG Art. of Md. Ann. Code) requiring the legislative body of a municipality to hold a public hearing and give at least 21-days' notice by posting the notice in a public place before adopting a resolution initiated by the legislative body that proposes an amendment to the municipal charter.

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

Corporate Name

Section 82-1. (CORPORATE NAME)

The inhabitants of the town of Upper Marlboro are hereby continued a body corporate and a municipal corporation by the name of “The Town of Upper Marlboro” with all of the privileges thereof, by that name to sue and be sued, to plead and be impleaded in any court of law or equity, to have and use a common seal and to have perpetual succession.

* * *

The Board of Commissioners

* * *

Section 82-7. (Board to be the Judge of Qualifications of [[it]] ITS Members).

The Board shall be the judge of the election and qualification of its members.

* * *

The President

Section 82-13. (Selection).

At their organizational meeting, a majority of the Commissioners shall elect one of their members President. The President shall preside at all meetings of the Board in accordance with the accepted rules of [[parliamentary]] PARLIAMENTARY procedure, except that he OR SHE may vote on any question before the Board. THE PRESIDENT SHALL BE THE CEREMONIAL MAYOR OF THE TOWN AND SHALL BE IDENTIFIED EITHER AS THE PRESIDENT OF THE BOARD OF COMMISSIONERS OR AS THE TOWN MAYOR.

* * *

Registration, Candidates and Elections

* * *

Section 82-32. (Vacancies).

In case of a vacancy on the Board of Commissioners for any reason, the Board of [[supervisors]] SUPERVISORS of Elections shall, pursuant to the provisions of Section 82-29, conduct a special election to elect some qualified person to fill such vacancy for the unexpired term, provided, however, any vacancy which occurs within 61 days of the next general election as provided for in Section 82-27 shall remain vacant until said general election. In case of a vacancy in the office of President for any reason, the Board shall elect one of its members to fill the vacancy

for the remainder of the unexpired term. Any vacancy in the office of the President shall be filled by the favorable votes of a majority of the members of the Board. The results of any such votes shall be recorded in the minutes of the Board.

* * *

Finance

* * *

Section 82-44. (Over-Expenditure Forbidden).

No officer or employee shall during any budget year expend or contract to expend any money or incur any liability or enter into any contract which by its terms involves the expenditure of money, for any purpose, in excess of the amounts appropriated for or transferred to that general classification of expenditure pursuant to this Charter. Any ~~[[contact]]~~ CONTRACT, verbal or written, made in violation of this Charter shall be null and void. * * *

Section ~~[85-52.]~~ 82-52. (Audit).

The financial books and accounts of the Town shall be audited annually if and when required by ~~[[Section 40 of Article 19]]~~ SECTION 16-305 OF THE LOCAL GOVERNMENT ARTICLE of the Annotated Code of Maryland [(1957 Edition)].

* * *

Section 82-53B. (Parking Facility).

(a) Without in any way limiting the generality of Section 82-53A, the Town of Upper Marlboro shall have the power to establish a parking facility within its corporate limits and, in connection therewith, to exercise any and all of its powers from whatever source derived, together with the power (without in any way limiting the generality of the foregoing):

* * *

(iii) To appoint any person, firm, or corporation (including without limitation, any governmental entity) as its agent for planning and construction of the parking facility, including without limitation ~~[[,]]~~; (A) contracting for financial, architectural, consulting, engineering or legal services~~[[:]]~~; (B) developing plans, specifications, surveys, estimates or feasibility reports; (C) developing the site, including, without limitation, grading, road construction, and installation of water, sanitary sewers and storm sewers, and other utilities; (D) contracting for labor, materials and equipment and administrative services required for construction of the parking facility; and (E) supervising the construction of the parking facility and taking all actions necessary to place it in operation;

* * *

(d) If any part or parts of this section of the Charter shall be held to be illegal or unconstitutional, the illegality or unconstitutionality shall not affect the validity of the remaining parts of this section. The President and Board of Commissioners of Upper Marlboro hereby declare that they would have passed the remaining parts of this section if they had known that the part [of] OR parts thereof would be declared illegal or unconstitutional.

* * *

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. The Board shall [[advertize]] ADVERTISE for competitive sealed bids in such manner as shall be prescribed by ordinance for all such competitive sealed bids. Competitive sealed bidding contracts shall be awarded to the bidder who offers the lowest or best bid, quality of goods and work, time of delivery or completion, and responsibility of bidders being considered. * * *

Personnel

Section 82-57. (Clerk to the Board).

There shall be a clerk to the Board. The clerk shall be appointed by the President with the approval of the Board and shall serve at the pleasure of the President. The clerk shall attend every meeting of the Board and keep a full and accurate account of the proceedings of the Board. The clerk shall keep such other records and perform such other duties as may be required by this Charter or the Board. In the event that the clerk cannot be present for any meeting or meetings of the Board, the clerk shall have the authority, with the Board’s approval, to assign the responsibility of attending said Board meeting(s), and the taking of minutes, to a town administrative staff member as a temporary alternate. THE CLERK TO THE BOARD SHALL BE IDENTIFIED EITHER AS THE CLERK TO THE BOARD OR AS THE TOWN CLERK.

* * *

Section 82-58. (Town Attorney).

* * *

Section 82-59. (Authority to Employ Personnel).

* * *

SECTION 82-59A. (TOWN ADMINISTRATOR).

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

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

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

* * *

Water and Sewers

* * *

Section 82-73. (Private Systems).

The Town may by ordinance provide that no water supply, sewerage, or storm water drainage system, and no water mains, sewers, drains, or connections therewith, shall be constructed or operated by any person or persons, firm, corporation, institution, or community, whether upon private premises or otherwise, and may provide that cesspools or other private methods of sewage disposal shall be operated and maintained in such a manner that they do not and will not be likely

to affect adversely the public comfort and health and any cesspool or other private method of sewage disposal affecting or likely to affect adversely the public comfort and health may be deemed a nuisance and may be abated by the Town[[,]]. Any violation of an ordinance passed under the provisions of this section shall be made a misdemeanor.

* * *

Section 82-75. (Right of Entry).

Any employee or agent of the Town, while in the necessary pursuit of his official duties with regard to the water or sewage disposal systems operated by the Town, shall have the right of entry, for access to water or sewer installations, at all reasonable hours, and after reasonable advance notice to the owner, tenant, or person in possession, upon any premises and into any building in the Town or in the County served by the Town’s water or sewage disposal system. Any restraint or [[hinderance]] HINDRANCE offered to such entry by any owner, tenant, or person in possession, or the agent of any of them, shall be a misdemeanor.

* * *

Special Assessments

Section 82-79. (Power: Special Assessments).

The Town shall have the power to levy and collect taxes in the form of special assessments upon property in a limited and determinable area for special benefits conferred upon such property by the installation, or construction of water mains, sanitary sewers, storm water sewers, curbs, and gutters and by the construction, and paving of public ways and sidewalks or parts thereof, and to provide for the payment of all or any part of the above projects out of the proceeds of such special assessments. The cost of any project to be paid in whole or in part by special assessments may include the direct cost thereof, the cost of any land acquired for the project, the interest on bonds, notes, or other evidences of indebtedness issued in connection with such project, a reasonable charge for the service of the administrative staff of the Town, and any other item of cost which may reasonably be attributed to the project.

* * *

Section 2. BE IT FURTHER RESOLVED that this Charter Amendment Resolution is adopted this _____ day of _____, 2021, and that upon adoption by the Board of Commissioners of the Town of Upper Marlboro, Maryland a complete and exact copy of this Charter Amendment Resolution shall be posted in the Town Office for a period of at least

forty (40) days following the date of its adoption. Additionally, a fair summary of the proposed Amendment shall be published in a newspaper of general circulation in the Town of Upper Marlboro not less than four (4) times at weekly intervals within the forty (40) days following the adoption OF this Charter Amendment Resolution.

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

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

Section 5. BE IT FURTHER RESOLVED that the Town Clerk of the Town of Upper Marlboro is specifically instructed to carry out the provisions of Sections 2, 3, 4, and 5 hereof, as

evidence of compliance herewith, the Town Clerk shall cause to be affixed to this Charter Amendment Resolution and to the Minutes of the Board of Commissioners Meeting in which it is adopted (i) an appropriate certificate of publication of the newspaper in which the summary of the Charter Amendment Resolution shall have been published and (ii) return receipts of the mailing referred to in Section 4, and shall further complete and execute the Certificate of Effect attached hereto.

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

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

ATTEST:

BOARD OF COMMISSIONERS OF THE
TOWN OF UPPER MARLBORO,
MARYLAND

M. David Williams
Clerk

Linda Pennoyer, President

Sarah Franklin, Commissioner

Effective Date: _____

Janice Duckett, Commissioner

Reviewed and Approved for Legal Sufficiency

Kevin J. Best, Esq.

Date: _____

CHARTER RESOLUTION CERTIFICATE

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

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

(SEAL)

M. David Williams
Town Clerk

NOTICE OF HEARING	_____ 01/19/2021 _____
PUBLIC HEARING	_____ 02/09/2021 _____
DATE OF INTRODUCTION/PASSAGE:	_____ 03/09/2021 _____
40-DAY POSTING END DATE:	_____ 04/18/2021 _____
FAIR SUMMARY NEWSPAPER	
WEEKLY PUBLICATION DATES (x 4):	_____ 03/18/2021 _____
	_____ 03/25/2021 _____
	_____ 04/01/2021 _____
	_____ 04/08/2021 _____
EFFECTIVE (50 TH DAY) DATE:	_____ 04/28/2021 _____

The Town of Upper Marlboro

RESOLUTION: 2021-06
SESSION: Regular Town Meeting
DATE: March 9, 2021

A RESOLUTION OF THE BOARD OF COMMISSIONERS FOR THE TOWN OF UPPER MARLBORO TO APPROVE AN APPLICATION FOR A PLANNING ASSISTANCE TO MUNICIPALITIES AND COMMUNITIES (“PAMC”) GRANT OFFERED BY THE PRINCE GEORGE’S COUNTY PLANNING DEPARTMENT TO PROVIDE TECHNICAL AID TO HIRE A BUSINESS MANAGEMENT CONSULTANT.

WHEREAS, the Planning Assistance to Municipalities and Communities (PAMC) program is offered by The Maryland-National Capital Park and Planning Commission (M-NCPPC), Prince George's County Planning Department, Community Planning Division, Neighborhood Revitalization Section and its purpose is to provide technical planning services at no cost to the community using Prince George’s County Planning Department expertise, and/or fund projects conducted by paid consultants; and,

WHEREAS, PAMC projects benefit municipalities and communities that may have limited planning resources but are committed to revitalization and enhancement of the appearance and function of their communities, and the number of projects approved each year will vary based on staff availability and the PAMC budget; and,

WHEREAS, The Town of Upper Marlboro is in need of support to help drive economic development in areas including 1) a revitalization plan, 2) a marketing strategy, and 3) a framework for the creation of a business association; and,

WHEREAS, the Town wishes to submit an application to the Prince George’s County Planning Department’s Planning Assistance to Municipalities and Communities Program (“PAMC”); and,

WHEREAS, successful applicants do not directly receive or manage PAMC funds for consultant services, and approved projects will be managed by M-NCPPC PAMC program planners, who will prepare a Scope of Services for the approved project (in collaboration with the applicant); review bids and select the on-call consultant; execute a Memorandum of Understanding (MOU) with the selected consultant; and manage the project, including the disbursement of contract funds for consultant payment; and,

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO that the Board, supports and approves the submission of an application, attached hereto as Exhibit 1, to the PAMC program and approves the final submission of the application, subject to any non-substantive revisions to the application to be made by the President/Mayor, which may be deemed appropriate.

The Town of Upper Marlboro

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon passage and that the President/Mayor is authorized to execute the subject application and any related documents.

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

ATTEST:

BOARD OF COMMISSIONERS OF THE TOWN
OF UPPER MARLBORO, MARYLAND

M. David Williams, Clerk

Linda Pennoyer, President

Sarah Franklin, Commissioner

Janice Duckett, Commissioner

[Exhibit 1 - Planning Assistance to Municipalities and Communities (PAMC) Application
& Statement in Support]

CERTIFICATION

I, the undersigned, hereby certify that I am the 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.

M. David Williams, Town Clerk



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 March 5th, 2021
Re: Extension of Declaration of Emergency, DOE 2021-01

Commissioners,

As you are aware the Town initially declared a state of emergency for the Town on March 25, 2020, with extensions approved by the Board of Town Commissioners at the April 28, September 15, and December 8th, 2020 Regular Board Meetings.

This 4th extension will run through June 30th, 2021, and will include the below minor changes:

- While Town building will remain closed to the public through June 30th, it does allow the Town Administrator the flexibility to increase in-person general government staffing at Town Hall as more staff get fully vaccinated. Social distancing and mask mandates remain in place.
- The three free 15min carry out only parking spaces will remain in place as long as the Court system is operating in Phase III or below of their reopening plan. The system is currently in Phase II through at least March 14th, with the suspension of jury trials through April 23, 2021. Phases IV (Jury trials resume) and Phase V will bring additional visitors to the Courthouse, and more visitors to the businesses and the need for all parking Town on-street parking spaces, which is when the carry-out only spaces will be eliminated.

At this time Town staff are planning and preparing for a possible reopening of the Town Hall to physical visitors sometime after June 30th, 2021, depending on restrictions and Health Department guidance at that point. More information on this plan will be sent out in the coming months.

Please let me know if you have any questions or concerns,

Kyle Snyder
Town Administrator
The Town of Upper Marlboro



Town of Upper Marlboro

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**THE TOWN OF UPPER MARLBORO, MARYLAND JOINT DECLARATION
OF A LOCAL STATE OF EMERGENCY (TOWN EMERGENCY ORDER NO. DOE 2021-01)
AND RESOLUTION (NO. 2021-07 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 JUNE 30, 2021**

WHEREAS, on March 5, 2020, Maryland Governor Larry Hogan initially declared a state of emergency in response to concerns about the novel Coronavirus (COVID-19); and

WHEREAS, in accordance with the Md. Code Ann., Public Safety Art., Section 14-111, a local State of Emergency may be declared by the principal executive officer of a political subdivision; 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 extensions approved by the Board of Town Commissioners at the April 28, September 15, and December 8th, 2020 Regular Board Meetings; and

WHEREAS, the Order of the Governor of the State of Maryland Number 20-11-17-01, issued November 17, 2020, specifically authorized political subdivisions to issue more restrictive orders than issued by the Governor including requiring any businesses, organizations, establishments, or facilities (except schools) to close or modify their operations; and/or requiring individuals to remain indoors or to refrain from congregating; and

WHEREAS, Ernest L. Carter, MD, PhD, the County Health Officer, has issued a Directive and Order for Enhanced Consumer and Employee Safety on November 15, 2020 providing that starting Sunday, November 15 at 5:00 PM, all indoor public businesses or establishments that are already open under the County's phase 2 of reopening, with the exception of essential businesses and retail stores, must reduce capacity limits to a maximum of 25% capacity, and restaurants will be limited to 25% capacity indoors and 50% capacity outdoors, and essential businesses (grocery stores, specialty food stores, big box stores) and retail stores may operate at 50% capacity but with all safety protocols adhered to; and

WHEREAS, Prince George's County, Maryland previously issued several emergency declarations that are applicable within the Town, unless modified by the Mayor's orders, as follows: Executive Order Number 6-2020 dated March 16, 2020; Executive Order Number 7-2020 dated April 13, 2020; CR-31-2020 adopted May 11, 2020; Executive Order Number 8-2020 dated May 14, 2020; Executive Order Number 10-2020 dated May 28, 2020; CR51-2020 adopted June 9, 2020; Executive Order Number 13-2020 dated June 12, 2020; Executive Order Number 15-2020 dated June 25, 2020; CR-64-2020 adopted July 7, 2020; Executive Order Number 20-2020 dated September 3, 2020; CR-90-101 adopted

September 15, 2020; CR-101- 2020 adopted October 13, 2020; CR-125-2020 adopted November 17, 2020; Executive Order Number 27-2020 dated December 15, 2020 and CR-002-2021 adopted on January 12, 2021; and

WHEREAS, on January 26, 2021, Prince George’s County Executive Angela Alsobrooks in Executive Order No. 3- 2021 announced that despite the recent decreases in aforementioned metrics, Prince George’s County continues to be in the high-risk category of disease transmission, health experts have confirmed that that the country is in a second wave of COVID-19 transmission exacerbated by behaviors from the recent Holidays, upcoming winter months will lead to increased indoor activities, the influenza season, and of community spread of new COVID-19 variants, it is necessary that the County remain in a Phase 1/Phase 2 (modified) stage of re-opening; and

WHEREAS, the President does hereby 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 March 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 the Local (County Health) Order known as a Directive and Order for Enhanced Consumer and Employee Safety issued on November 15, 2020, as amended, issued by the County Health Officer is hereby re-adopted by reference herein as if written word for word herein below and shall be applicable and enforced by the Upper Marlboro Police Department within the corporate limits of the Town.
3. The State of Local Emergency shall extend through June 30th, 2021, unless terminated or modified earlier.
4. All Town-owned buildings and facilities are to remain closed to the public until the cancellation of this State of Local Emergency. As Town staff are vaccinated, the Town Administrator is hereby permitted to begin scheduling multiple staff members to work in person at Town Hall at the same time.
5. 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 emergency orders issued remain in effect except as modified by this Order.
6. A copy of Governor’s Order (NUMBER 20-11-17-01) and the County Health Officer’s Directive and Order for Enhanced Consumer and Employee Safety on November 15, 2020 shall be made available to all occupants or attendees at any Town building and facility where public business is permitted.
7. The Town shall covert no more than three (3) on-street metered parking spaces in downtown Upper Marlboro to 15-minute “carry-out” spaces to help support our business community as long as the State Court system remains in Phase 3 or lower of their reopening plan.

8. 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 9th day of March 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 June 30, 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 2021-01) and Resolution (No. 2021-07 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.

M. David Williams, Town Clerk



Town of Upper Marlboro

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Wednesday March 10th, 2021

Fire Chief Tiffany Green
Office of the County Fire Chief
9201 Basil Court, Suite 452
Largo, MD 20774

RE: Concerns of Fire/EMS Coverage for the Town of Upper Marlboro and Upper Marlboro Area

Fire Chief Green,

Over the past few months, there have been several fires in the Upper Marlboro area just outside the Town's corporate limits. While County career and volunteer firefighting crews on scene performed professionally, there have been underlying concerns over apparatus response and availability. It is the Town's understanding that the three ladder closest ladder trucks/towers to the Town of Upper Marlboro have either been out of service due to mechanical issues for several months or disbanded. These units include: Tower 45- Croom Station (disbanded), Truck 837- Ritchie VFD (mechanical), and Tower 43 Bowie VFD (mechanical).

As of the date of this letter, it appears that the closest ladder truck/tower ladder to the Town of Upper Marlboro, and the Greater Upper Marlboro area, is Ladder Truck 826 out of District Heights, which is 10.5 miles or 18 minutes away.

While we understand that Upper Marlboro is in a rural tier of the County and may experience longer response times than more urban areas, but the fact that the three closest ladder trucks have been out for several months, and further increased response times, is a concern. As you may be aware, the Town of Upper Marlboro is particularly sensitive to the issue of structures fires, as our Downtown has seen more than its share of devastating multi-alarm fires over the past two decades. We wanted to voice our concerns on this matter of public safety and hope that your office could provide some insight on the Fire/EMS coverage in the Upper Marlboro area.

On behalf of the Board of Town Commissioners I just wanted to thank you and your agency for their continued professionalism and dedication to serving the residents of the Town and the greater Upper Marlboro community. The overall service and professionalism of the County's volunteer and career firefighters are exemplary, and we thank you for your leadership.

Sincerely,

Linda Pennoyer,
Mayor/President
Board of Town Commissioners

Janice Duckett
Commissioner

Sarah Franklin
Commissioner/Treasurer

Linda Pennoyer
Commissioner/President