

Town of Upper Marlboro

14211 School Lane • Upper Marlboro, Maryland 20772

REGULAR TOWN MEETING

January 12, 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 December 8, 2021 Regular Town Meeting minutes
- Approval of the December 22, 2021 Board Work Session minutes
- Finance Report & Approval of the Treasurer's Report, as of December 31, 2020.

Reports

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

Business

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

- 1) Resolution 2021-01 IPS Parking Enforcement Contract Approval (Board vote)
- 2) Resolution 2021-02 Awarding Town HR Services Contract (Board vote)
- 3) Resolution 2021-03 Supporting Planning Assistance (Board vote)
- 4) Hiring of 3rd Town Police Officer (Board approval)
- 5) CAR-2021-01 Charter Amendment Resolution (Board discussion)

Administrative Updates

- 6) Legislation, Projects and Initiatives
- 7) General Commissioner & Staff items

Public Comment

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

Adjournment

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

Janice Duckett
Commissioner

Sarah Franklin
Commissioner/Treasurer

Linda Pennoyer
Commissioner/President

PUBLIC COMMENT PROCEDURES

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

Agendas for meetings are posted on our website and 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

REGULAR TOWN MEETING

December 8, 2020 • 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 7:00 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; William Morgan/Director of Finance; Superintendent Darnell Bond/Public Works; and,

Also present: TUMHC Chair Patti Callicott; TUMHC Archivist Brian Callicott; Joseph Hourclé/Board of Supervisors of Elections; Board members Maritsa Serlemitsos-Day and Monica Williams/Marlborough Towne HOA; Ray Feldman/Feldman Communications Strategies LLC; DPW&T representatives/Deputy Director Gwendolyn Clerkly, Associate Director Kate Mazzara and Construction Manager Dwight Joseph; plus, various citizens and interested parties.

Pledge of Allegiance

Consent to the Agenda

The President asked to move the DPW&T presentation (Business line-item #1) ahead of the Committee and Commissioner Reports. The Board agreed unanimously to the revised Agenda.

Closed Session Statement

President Pennoyer read aloud the closing statement from the November 24, 2020 Closed Session, noting the need for the closure was of an urgent personnel matter:

The November 24, 2020 Board Work Session meeting was closed to the public in accordance with the procedures found in the General Provisions Article, §3-305(b) of the Maryland Code. The topic and purpose of this closed meeting were to discuss and preserve confidentiality of information concerning personnel . . . that affects one or more specific individuals.

The specific statutory authorities to close the session are found in the General Provisions Article Subsection 3-305, Subsection (b), Paragraph (1). Persons present for closed meeting discussions: President Linda Pennoyer; Commissioner Sarah Franklin; Commissioner Janice Duckett; UMPD Chief Burse; Town Administrator Kyle Snyder; and Finance Director William Morgan.

Approval of Meeting Minutes & Financial Reports

Commissioner Franklin motioned to approve the Regular Town Meeting minutes from November 10, 2020, the Board Work Session minutes from November 24, 2020, and the Treasurer's Report as of November 30, 2020. Commissioner Duckett seconded. All Board minutes from November's Town Meeting and Work Session, plus, the November Treasurer's Report were unanimously accepted and approved as presented.

Presentation

County DPW&T Western Branch Floodplain/Levee Project: Project representatives delivered updates noting their partnership working with the Department of Energy (DOE) who recently completed the design. Mr. Joseph said that the majority of their work will be in dredging, the rebuilding of embankments, and some utility work. An RFP will be published in the next couple of weeks in 3 major newspapers. It was also noted that work should start in the Spring and take up to 1 year and 3 months to complete.

Reports

Departments/Committees:

- Administrator Snyder reported for Greenwill Consultants stating they are working on a Bond Bill with Senator Peters for extensive street paving and sidewalk upgrades, Also, they are monitoring speed camera legislation sponsored by Delegate Harrison and working to have Prince George's County included into the legislation originally pertaining to Montgomery County traffic laws only.
- In Chief Burse's communicated absence, the UMPD report for the month of November 2020 was provided in a PowerPoint slideshow for the Zoom meeting attendees.
- Superintendent Bond delivered the Public Works status report for November 2020 that was also projected via PowerPoint for the Zoom meeting attendees. No additional comments/issues were raised.
- Director of Finance Morgan reviewed highlights of the November Treasurer's Report noting that even though the overall report is good, an expected decline in parking meter revenues is starting to be realized, and is attributed to the recent COVID-19 surges.
- TUMHC Chair Patti Callicott reported that the Committee held their Quarterly Meeting on November 20th and are working to finalize the Virtual Walking Tour. She added that the Committee will be coordinating with the Union United Methodist Church in the planning of activities to observe Black History Month in February. It was noted that minutes from their last meeting were forthcoming.
- Commissioner Franklin reported for the Events Committee. She reported they discussed volunteering for the Blood Drive, as well as options for Marlboro Day 2021, at their last meeting on Thursday. It was noted that at this time 52 out of 75 volunteer positions have already been assigned.
- Reporting for SCW Chair Stephens, President Pennoyer stated they expect to hear back from the State about the Sustainable Communities FY21 F.I.P. Grant request sometime in January. She added the SCW had a successful meeting with Town business leaders on December 1st, where parties involved discussed their issues/concerns, and increasing business involvement in Town projects & events.
- The CERT had no report at this time.
- President Duckett reported for the Arts Council stating they are still in the discussion stage of Board member assignments, their mission statement and event planning for 2021. It was noted that their next meeting will be on December 16, 2020. And all interested parties are encouraged to attend.
- Commissioner Franklin reported for the Green Team stating they met last Wednesday with Sustainable Maryland Program Director Mike Hunninghake who made suggestions and answered questions about creating "greening" projects. It was noted more volunteers were needed for the Team.

Commissioners:

- Commissioner Franklin: Announced she had attended an introductory meeting of the Government Alliance for Racial Equity (GARE) and will share materials with the Board for further discussion at the next Work Session. She proposed reaching out to more area HOAs to work together on Town issues.
- Commissioner Duckett: Reported that she has received complaints and has witnessed loitering activity in the School Lane area in the last 2 months, suggesting a Neighborhood Watch program may improve that situation. In addition, she requested an informal Q&A session with Greenwill on their operations.
- President Pennoyer: Will deliver report item(s) later in the agenda.

Business

- 1.) County DPW&T Western Branch Floodplain Project: *(this item was moved by Board approval)*
- 2.) Ordinance 2020-07 Urban Forest: The Clerk read aloud a second introduction. With no further comments or discussion offered, Commissioner Franklin motioned to approve Ordinance 2020-07, to which Commissioner seconded. With no one opposed, the motion was passed unanimously.

- 3.) Declaration of Emergency 2020-05: The President explained the Declaration basically remains as is except it now extends the end date to February 28, 2021. TA Snyder noted the legislation is a joint-Order that is also identified as Resolution 2020-26, being one and the same. It was noted line-item 7 allows 15-minute free parking for up to 4 metered spaces, so as to support downtown businesses with curbside pick-up. Signs will be erected. The Clerk read aloud the Joint DOE 2020-05 and Resolution 2020-26 introduction. President Pennoyer motioned for approval of the Order, to which Commissioner Franklin seconded. With all in favor, the motion passed unanimously.
- 4.) Town FY2021 Budget Update: Finance Director Morgan delivered a Budget Overview of FY2021 via a PowerPoint presentation for attendees. It was noted discussion on topics reviewed will commence at the next Board Work Session where public comment will be received. Topics presented included: 1.) Historical overview of past Town Finances; 2.) Current Positioning; 3.) Tax Rates comparisons; 4.) Increased expenses & COVID; 5.) Decreased Revenues & COVID; 6.) Budget Forecasting; and, 7.) Creating Revenue Opportunities. The President opened the floor for public comment and requested submitting those comments in writing as well for Board review. Comments included a request to consider Town Staffing vs Town population, and a request to not raise residential taxes during the pandemic. Help on the Town's Budget history was offered by past Commissioner Joseph Hourclé.

Administrative Updates

- 5.) Legislation, Projects and Initiatives: TA Snyder reviewed a spreadsheet included in the PowerPoint, providing updates on the following: 1.) ATHA Heritage Area expansion updates to come; 2.) Playground contract/construction time extended; 3.) PEPCO charging stations at Show Place Arena; 4.) PAMC Mural Grant; 5.) Main Street MD Affiliate Program updates to come; 6.) Employee Handbook approval to come after HR firm is contracted; 7.) MEA Solar Project permitting process back on track; 8.) New Parking Enforcement vendor near completion; 9.) Western Branch Project updates to be presented by DPW&T soon; 10.) Annexation meetings with Phase II property owners being conducted; 11.) Draft Capital Improvement Plan to be discussed at December Work Session; 12.) Town's 2030 Plan being developed/drafted for Board discussion; and, 11.) Racial Equality initiative(s) to be discussed at every upcoming Work Session.
- 6.) General Commissioner & Staff items: No additional items/concerns were brought before the Board at this time.

Public Comment

A concerned citizen asked about water flowing on Church Street. TA Snyder replied it was caused by WSSC conducting a system flush as part of their inspection process.

Adjournment

The President motioned to adjourn the meeting. Commissioner Franklin seconded. The meeting was adjourned at 8:48 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

December 22, 2020 - 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; and Town Clerk M. David Williams.
Also present: Town Administrator Kyle Snyder; William Morgan/Director of Finance; UMPD Chief David Burse; Superintendent Darnell Bond/Public Works; SCW Chair Evelyn Stephens; Ray Feldman/Feldman Communications Strategies LLC; and, Marlborough Towne HOA Board members Maritsa Serlemitsos-Day and Monica Williams.
- Pledge of Allegiance

Business

- 1) Parking Enforcement Vendor: TA Snyder reviewed the advantages of changing service providers noting the need for better compatibility with existing equipment. The Board discussed the MD MVA Flagging process, notification of delinquent payment letters, and contract term period. It was noted the Board will hold a vote at the January Town Meeting.
- 2) Healthcare Broker RFP Submissions: As only one provider submitted a proposal, TA Snyder will reach-out to other firms and research other municipalities recommendations.
- 3) Draft Town Capital Improvement Program (CIP): It was noted that the chart provided in the Board Meeting packet did not include Phase II & III Annexation areas. Discussion included budget structure, and the need to expand the CIP anticipating future phases of annexation.
- 4) Town Tax Rate Discussion: Director Morgan shared new information on municipal tax rates in PG County. It was noted this conversation will continue at the January Board Meetings.
- 5) Racial Equality: Commissioner Franklin shared information helpful in organizing projects and processes. She added the need for volunteers in order to form a larger Workgroup that is representative of all the different neighborhoods in Town.
- 6) General Commissioner & Administrative Staff items: Attendees were reminded to participate in the Blood Drive tomorrow. The President also announced that the Town's Food Drive was going very well and goes on until December 29th.

Adjournment

The meeting was adjourned at 8:04 p.m.

Respectfully submitted,

M. David Williams
Town Clerk



Town of Upper Marlboro

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Upper Marlboro, MD 20772

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

Income

Revenue

Fines, Licenses & Permits

6154 Franchise Fee	\$5,085.88	\$16,000.00
6280 Trader's License Fees		\$1,000.00
6350 Permits/Rentals	\$1,934.40	\$15,500.00
6355 Parking Meters	\$47,525.85	\$290,666.00
6381 Parking Fines/Penalties	\$15,078.10	\$21,000.00
6550 Pub/Edu/Govt Broadcasting	\$3,613.18	\$2,500.00

Total Fines, Licenses, Permits	\$73,237.41	\$346,666.00
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Grants

6530 Grants	\$336.50	
6530.2020-03 State Police Aid	\$4,905.50	\$17,317.00
6530.2020-04 Community Open Space		

Grant	\$0.00	\$100,000.00
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Total 6530 Grants	\$5,242.00	\$117,317.00
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Intergovernmental

6240 Financial Corporation Tax	\$0.00	\$9,145.00
6260 Highway User Fee	\$8,978.92	\$27,725.00
6310 Disposal Fee Rebate	\$1,038.00	\$2,000.00

Total Intergovernmental	\$10,016.92	\$38,870.00
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Other

6390 Interest Earnings	\$384.85	\$5,000.00
6392 Sale of Property	\$2,340.00	\$1,500.00
6394 Miscellaneous Revenue	\$4,163.58	\$6,500.00
6396 Special Events/Donations	\$0.00	\$2,500.00



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Taxes

6100 Real Estate Taxes	\$261,261.24	\$295,000.00
6101 Personal Property Taxes	\$103,495.47	\$390,000.00
6230 Income Taxes	\$259,370.86	\$160,000.00
Total Taxes	\$624,127.57	\$845,000.00

Total Revenue	\$719,512.03	\$1,363,353.00
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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	\$819,512.03	\$1,474,253.00
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Expenses

8000 General Government

8030 Salaries - Commissioners	\$808.83	\$11,400.00
8035 Salaries	\$113,065.92	\$268,280.00
8073 Accounting	\$7,500.00	\$18,500.00
8074 Audit	\$23,500.00	\$20,000.00
8075 Payroll Processing	\$2,094.55	\$5,000.00
8077 Public Notices	\$280.00	\$1,800.00
8080 Bank Charges	\$10,901.28	\$20,000.00
8086 Staff Development & Training	\$1,707.68	\$2,500.00
8090 Postage	\$572.99	\$1,200.00
8092 Printing	\$717.62	\$7,500.00
8095 Community Events & Recreations	\$889.22	\$10,000.00
8110 Legal	\$17,466.09	\$55,000.00
8115 Computer Software & Support	\$5,522.42	\$9,000.00
8120 Insurance	\$3,239.00	\$12,000.00
8130 Supplies	\$18,074.44	\$5,000.00
8131 Ofc Equipment R&M	\$661.99	\$1,000.00
8160 Telephone	\$3,243.23	\$8,000.00
8165 Utilities	\$4,609.04	\$12,000.00



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8175 Public Property Maintenance	\$6,064.98	\$8,000.00
8180 Grants & Awards	\$6,137.08	
8180.03 Community Open Space Grant	\$1,855.37	\$130,000.00
Total 8180 Grants & Awards	\$7,992.45	\$130,000.00
8185 Historical Committee	\$0.00	\$750.00
8187 Town Election	\$873.00	\$0.00
8191 CERT	\$199.49	\$750.00
8200 Other	\$0.00	\$2,500.00
8205 Consulting Fees	\$22,500.00	\$46,000.00
8210 Payroll Tax Expenses	\$55,013.63	\$95,000.00
8235 COVID-19	\$22,030.99	\$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	\$329,528.84	\$781,180.00

8250 Public Safety		
8260 Salaries	\$128,280.78	\$296,590.00
8261 Overtime	\$453.66	\$2,000.00
8273 Uniforms	\$20.06	\$750.00
8274 Weapons & Duty Equipment	\$6,017.31	\$20,817.00
8275 Staff Training	\$150.00	\$300.00
8277 Substance Testing/Pre Employment	\$0.00	\$0.00
8280 Supplies	\$2,311.32	\$4,200.00
8281 Association Dues	\$415.00	\$500.00
8282 PS Insurance	\$4,744.00	\$5,000.00
8290 Payroll Tax Expenses	\$4,152.71	\$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	\$175.00	\$1,500.00



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8330 Capital Improvement

8330.01 Technology	\$0.00	\$0.00
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8330.03 Debt Service (FY2020)	\$16,262.45	\$33,000.00
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Total 8330 Capital Improvement	\$16,262.45	\$33,000.00
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Total 8250 Public Safety	\$162,982.29	\$429,457.00
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8350 Public Works

8360 Salaries	\$62,806.56	\$118,380.00
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8361 Overtime	\$0.00	\$500.00
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8370 Payroll Tax Expenses	\$11,762.69	\$35,000.00
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8375 Uniforms	\$132.48	\$500.00
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8377 Dues	\$0.00	\$200.00
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8380 Other	\$560.74	\$750.00
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8383 PW Insurance	\$4,508.00	\$6,500.00
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8390 Streets Maintenance	\$1,288.21	\$3,000.00
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8391 Weather Related Expenses	\$2,519.06	\$2,500.00
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8400 Highway Lighting	\$7,690.67	\$21,500.00
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8405 Vehicle Repairs	\$0.00	\$2,000.00
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8410 Vehicle Maintenance	\$926.73	\$1,000.00
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8415 Vehicle Fuel	\$0.00	\$2,500.00
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8487 Substance Testing	\$0.00	\$0.00
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8490 Utilities	\$2,656.35	\$3,000.00
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8491 PWF-Maint/Repairs/Beautificatio	\$2,779.25	\$9,000.00
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8493 Portajohn	\$900.00	\$1,200.00
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8545 Sanitation	\$27,963.45	\$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
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Total 8350 Public Works	\$126,494.19	\$263,616.00
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Total Expenses	\$619,005.32	\$1,474,253.00
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Net Operating Income	\$200,506.71	\$0.00

PROFIT & LOSS December 2020

	<u>Total</u>
Income	
Revenue	
Fines, Licenses, Permits	\$7,496.15
Intergovernmental	\$0.00
Grants	\$0.00
Other Revenue	\$77.11
Taxes	\$83,146.15
Total Income	\$ 90,719.41
Expenses	
General Government	\$37,920.59
Public Safety	\$31,070.37
Public Works	\$16,196.69
Total Expenses	\$85,187.65



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Monthly Narrative

1. CARES Act/COVID-19 Reimbursements
2. Year end adjustments
3. COVID loss of revenue

Bank Accounts

Cash on Hand and in Banks

1000 PGFSB Operating Checking	78,966.51
1001 Petty Cash	300.00
1010 PGFSB Payroll Account	52,668.85
1040 M&T Checking	28,874.89
1117 Old Line Bank	103,275.93
1122 Congressional Bank CD 5756	212,310.55
1140 MLGIP	26.30
Total Bank Accounts	\$ 476,423.03



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 December 2020

Incidents Reported in Town:

Disorderly Report 3	House Alarm 5	Assault 1
Domestic Call 4	Hit & Run 1	Found Property 1
Business Alarm 3	Check on Welfare 4	Trespassing 1
Vehicle Accident 1	Suspicious Person 1	Non-Compliance 1
Fraud Report 1	Threat Complaint 1	Injured Person 1
Armed Person 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 participated in a virtual Prince George's County Council meeting for the changing of the Gavel.

Chief Burse testified virtually before the Maryland State House Delegation on PG-302-21 Speed Monitoring Systems- Residential Districts and School Zones.

Chief Burse and Town staff members participated in a virtual meeting with a Speed Camera vendor.

Chief Burse, Sgt. Irby and Code Officer Stewart participated with other Town staff to deliver food drive donations to the Maryland Food Bank.



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

Date: Monday, January 4, 2021

Subject: Public Works' Status Report

RE: December 2020 – Monthly Status Report

Public Works Related

- Public Works Superintendent joined the PGCDPW&T Community Partners meeting.
- PW crew assisted with drop-off of Town Food Drive non-perishable items to Trinity Church.

Maintenance and Beautification

- Public works crew complete it holiday decor set up.
- Crews trimmed back rose bushes and boxwoods at Town Hall.
- Fertilized and top seeded the monument.
- Cut and removed leaves from TH.
- Truck 215 was outfitted with new tires.
- Floors for PW office were completed.
- Crews extended the French drain at PW to combat flooding issue (currently seeking quotes to concrete a portion of drain alongside the building).

Street and Sidewalk

- Brackets made for new stop sign at Church Street and Service Lane.
- Impromptu meter blitz (in conjunction with UMPD, AND UMCE).
- WSSC contractor performed hydrant and storm drain checks Town-wide.

Weather Related

- Trucks and Tractor outfitted ahead of a “winter weather event”, resulted in a dry run where all implements were tested.
- December had multiple moderate rain events, one of which closed the Water Street bridge.
- This same event resulted in “ponding” of water along Church Street and School Lane where PW crews had to clear the storm drains.

Janice Duckett
Commissioner

Sarah Franklin
Commissioner/Treasurer

Linda Pennoyer
Commissioner/President



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Refuse Accumulations – Bulk day accumulations for solid wastes (Landfill) are 4.06 tons. Bulk day accumulations for yard waste collections are 3.54 tons. We also had one dump body rental for the month.

Sincerely,

Darnell F. Bond III
Public Works Superintendent

Janice Duckett
Commissioner

Sarah Franklin
Commissioner/Treasurer

Linda Pennoyer
Commissioner/President

The Town of Upper Marlboro

RESOLUTION: 2021-01
SESSION: Regular Town Meeting
DATED: January 12, 2021

A RESOLUTION OF THE TOWN BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO TO AWARD A CONTRACT TO MANAGE AND MAINTAIN THE TOWN'S WEB-BASED PARKING TICKET ISSUANCE HARDWARE, SOFTWARE, RECORDS, AND PAYMENT SOLUTIONS AND TO TERMINATE THE PRIOR VENDOR CONTRACT

WHEREAS, the Board pursuant to Ordinance 2016-02, as amended, regulates traffic and parking and has established parking meter zones throughout several public ways located within the corporate limits of the Town; and

WHEREAS, on or about August 16, 2017, the Town entered into a Software Licensing and Service Agreement with PassportParking, Inc. to provide services including software, web and mobile applications necessary to operate a mobile payment for parking and citation management program for the Town parking enforcement personnel and users of the Town's parking meters; and

WHEREAS, the Town currently maintains parking meter equipment supplied by IPS Group Inc. and desires to be migrate to their parking enforcement platform so that the parking meter equipment can directly communicate with the Town's parking enforcement equipment; and

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

WHEREAS, the Board of Town Commissioners released RFP 2020-02 and published it for at least 15 days to seek interested applicants from February 19, 2020, through March 6, 2020; and

WHEREAS, the Board of Town Commissioners waived the formal request for bids process and alternatively released RFP #UM 2020-02 soliciting proposals, and thereby published said request for proposals for at least 15 days to seek interested applicants during the period of February 19, 2020 through March 6, 2020; and

WHEREAS, the Town Board of Commissioners hereby finds that sufficient funds have been appropriated and that IPS Group Inc. is a responsible offeror whose proposal is the most advantageous to the Town taking into consideration price and the evaluation factors set forth in the request for

proposals, and that it is in the best interest of the Town to migrate to a new vendor and terminate the existing contract with PassportParking, Inc.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners for The Town of Upper Marlboro, sitting in regular session this _____ day of _____, 2021, that the Town Board of Commissioners hereby authorizes the Town to enter into an AGREEMENT TO PURCHASE PARKING TECHNOLOGY AND RELATED SERVICES, with Attachments, attached hereto and incorporated by reference herein, and to execute the relevant contract document(s).

AND BE IT FURTHER RESOLVED, by the Board of Commissioners for The Town of Upper Marlboro, that the Town Administrator is hereby authorized to give appropriate notice on behalf of the Town to the aforementioned vendor to terminate the existing Software Licensing and Service Agreement and take all appropriate actions to transition to the new vendor.

ATTEST:

THE TOWN OF UPPER MARLBORO

Clerk

Linda Pennoyer, President

Date: _____

Sarah Franklin, Commissioner

Janice Duckett, Commissioner

CERTIFICATION

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

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

M. David Williams, Town Clerk

The Town of Upper Marlboro

RESOLUTION: 2021-02
SESSION: Regular Town Meeting
DATED: January 12th, 2021

A RESOLUTION OF THE TOWN BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO TO AWARD A CONTRACT TO PROVIDE HUMAN RESOURCE SERVICES.

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

WHEREAS, the Board of Town Commissioners believes that the Town is in need of a professional Human Resources firm to assist the Town with reorganizing its personnel system; and

WHEREAS, the Board of Town Commissioners released RFP 2020-06 and published it for at least 15 days to seek interested applicants from June 29, 2020, through Wednesday, July 22, 2020; and

WHEREAS, the Board of Town Commissioners waived the formal request for bids process and alternatively released RFP #UM 2020-06 soliciting proposals, and thereby published said request for proposals for at least 15 days to seek interested applicants during the period of from June 29, 2020, through Wednesday, July 22, 2020; and

WHEREAS, the Town Board of Commissioners hereby finds that sufficient funds have been appropriated and that XXXXXXXX is a responsible offeror whose proposal is the most advantageous to the Town taking into consideration price and the evaluation factors set forth in the request for proposals, and that it is in the best interest of the Town to migrate to a new vendor and terminate the existing contract with PassportParking, Inc.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners for The Town of Upper Marlboro, sitting in regular session this _____ day of _____, 2021, that the Town Board of Commissioners hereby authorizes the Town to enter into an contract with XXXXX for a period of 24 months.

ATTEST:

THE TOWN OF UPPER MARLBORO

Clerk

Date: _____

Linda Pennoyer, President

Sarah Franklin, Commissioner

Janice Duckett, Commissioner

CERTIFICATION

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

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

M. David Williams, Town Clerk

The Town of Upper Marlboro

RESOLUTION: 2021-03
SESSION: Regular Town Meeting
DATE: January 12, 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 HIIRE 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 a Business Management Consultant who can guide the Businesses in the Town to form a Business Association that would produce a desirable place to attract and conduct business in the downtown district of the Town of Upper Marlboro; 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,

WHEREAS, the Town Board of Commissioners finds that this project will bring meaningful opportunities for local artists, to contribute to the development of art and culture in Prince George's County and to visually enhance public settings of Downtown Upper Marlboro.

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,

The Town of Upper Marlboro

subject to any non-substantive revisions to the application to be made by the President/Mayor, which may be deemed appropriate.

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 Town Clerk of the Town of Upper Marlboro and that the Board of Town Commissioners of the Town of Upper Marlboro at a public meeting at which a quorum was present adopted this Resolution, and that said Resolution is in full force and effect and has not been amended or repealed. In witness whereof, I have hereunto set my hand and seal of the municipal corporation, this _____ day of _____, 2021.

M. David Williams, Town Clerk

Planning Assistance to Municipalities and Communities (PAMC) Application

Applicant Information

1 - Contact Information

- A. Name: _____ C. Phone: _____
B. Title/Position: _____ D. Email: _____

2 - Organization

- A. Name: _____ D. Website: _____
B. Address: _____ E. Type (municipality or community): _____
C. Tax ID Number: _____
F. Community organizations requesting financial assistance: list prior experience and accounting structure.

Project information

Date Submitted:

3 - Project Title:

- A. Provide a detailed description of the requested project. If financial assistance is sought, provide a scope of services, including a list of deliverables.
- B. How will the project implement policies or recommendations in the County's approved plans? (Be specific when citing official plans, e.g. page numbers.)
- C. How will the completed project benefit the community in the immediate and/or long-term?
- D. Provide a map of the project boundaries. (If a municipality, the municipal boundaries or the location of the project within the municipality.)
- E. Upon completion, what next steps will be used to implement the project? If a community organization, identify any partners (government agencies, other organizations) that will assist in implementation.

4 -Additional Information

- A. Indicate whether the project location is in a TNI (Transforming Neighborhoods Initiative) area, Priority Funding Area (PFA), Plan 2035 Neighborhood Reinvestment Area, or Plan 2035 Employment Area?
- B. If applicant is a municipality, provide a resolution of support approved by the City Council.
- C. If applicant is a community organization, provide letters of support (minimum 3.)

Submit completed application by emailing attachments (this page, plus 2F, 3A-E, 4A, 4B or 4C) to:

pamc@ppd.mncppc.org

Question 3A

Provide a detailed description of the requested project.

The Town of Upper Marlboro is in need of a Business Management Consultant who can guide the Businesses in the Town to form a Business Association that would produce a desirable place to attract and conduct business in the downtown district of the Town of Upper Marlboro.

The Town's mandate is to preserve the livability and sustainability of the Town by having a cohesive group of businesses that serves the core community, reduce overcrowding by the surrounding, and reduce pressure on the Town's carbon footprint.

The Town recognizes its' need for economic development in the downtown district and continues with the established goals of improving the existing sidewalks; constructing streetscapes and downtown street; encouraging façade improvement in the core district; continuation of flood mitigation.

The relocation of County services to Largo has impacted the business tremendously. The pandemic has caused business to rethink how they conduct business. Most Town business are professional services and restaurants. The retail goods industry is lacking in the Town. These services must be increased to sustain the Town.

With the increased and continued development of the surrounding areas, the Town should maintain its' Main Street to be attractive to visitor. A Business Consultant can be the visionary and catalyst for standing a strong business association. Through the consultant's; expertise, the businesses can take on projects and be a source of education for the newly formed association and future members.

The project's goals will provide:

1. A Business Management Consultant who will assist in standing a business group that will collaborate with the Town to achieve objectives that promote and sustain Town growth.
2. Interview the Town's businesses to assess their needs and potential obstacles and provide solutions and/or options.
3. Provide assistance in creating a marketing plan for the core businesses.
4. Provide a curriculum to educate the Town and Businesses in business trends that will keep all stakeholders current in current and future trends.
5. Provide networking opportunities with government and private entities and assist in applying for applicable grants and loans with those entities.

Question 3C

How will the completed project benefit the community in the immediate and/or long term?

The completed project can benefit the community in the Long Term by providing an association that will be ready for future changes in the Town, County, and State. Not to forget world changes that impact us all.

An active business association can maintain relationship with governments, residents and property owners to sustain the Town.

A vibrant and attractive downtown core attracts visitors, as well as large and small commercial business that provide a pleasant shopping experience as well as provide continued growth.

Immediately the completed project will be beneficial because the effects of a business group are immediate from the first meeting. The Town has reached out to the businesses with a call-to-action meeting and received a good response. The Sustainable Communities workgroup has a dedicated member who is a business owner, the member will work with the business association as a Liaison between the association and the Town.

The Community will benefit by outreach that the association will provide. The association will provide activities geared toward the Town and the surrounding communities which will bring continued revenue to the Town and its' businesses. By increasing the economic footprint, more businesses will be attracted to the Town thus improving the quality of life for the Town's residents

The Business Association's Long-Term impact will be felt in maintaining the Town's history of being one of Maryland's oldest surviving Towns that can date back to colonial times. The association will also be instrumental in promoting the Town's designation as the County Seat of Prince George's County.

Question 3E

Upon completion, what next steps will be used to implement the project?

The next steps include:

1. Receiving a resolution of support by the Town Commissioners
2. Advertising for the Business Consultant
3. Interview and selection of the Business Consultant
4. Review of Expectations
5. Expected Completion Date



Town of Upper Marlboro

Town Hall, 14211 School Lane
Upper Marlboro, MD 20772

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

info@uppermarlboromd.gov
www.uppermarlboromd.gov

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

MEMORANDUM

To: Board of Town Commissioners
From: Kyle Snyder, Town Administrator
Date: Friday January 8th, 2021
Re: Hiring of 3rd UMPD Patrol Officer

Commissioners,

After reviewing the Town's Budget, staff has determined that the Town is able to fund the hiring of the 3rd patrol officer. The addition of a 3rd patrol officer would allow the Town to provide both daytime and evening police patrol coverage. The Town currently has enough additional major equipment (patrol vehicle, radio, vest, ect) that would keep the costs of hiring this additional officer low. The 3rd officer would be assigned the 2016 Ford Taurus (cruiser 367), currently sitting unused. However, if the Town decides to any additional police officers, we will need to purchase additional cruisers, radios, and other major equipment. If Phase 2 & 3 annexation moves forward, the estimated additional tax revenue would help support the hiring an additional 2 patrol officers for a total of 5 patrol officers.

The current FY21 budget includes the hiring of a F/T officer mid-way through the year with a total line-item amount of \$25,000. As this officer would be hired later in the year than anticipated due to the COVID-19 pandemic, it would only cost the Town roughly \$15,000, with a \$10,000 savings in the FY21 budget. Having additional officers would also increase our Police State Aid Grant funding.

The hiring of a 3rd officer this fiscal year will also allow for the Town residents to benefit from a lower County tax rate. With the current patrol hours provided by the Upper Marlboro Police Department, the Town is only able to claim 40% of the County tax differential for "Police Patrol Services". The hiring of the third officer will allow the Town to claim 60% of the tax differential due to expanded patrol hours, which would benefit tax-paying Town residents when the County calculates its tax differential at a lower rate for the Town of Upper Marlboro.

If the Board approves a 3rd officer at the January Town Meeting, they could be hired, trained and operational by early Spring 2021. As this position is already funded by the FY21 Budget, a simple Board motion to approve would be more than enough to move the project forward.

Thank you,



Town of Upper Marlboro

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MEMORANDUM

To: Board of Town Commissioners
From: Kyle Snyder, Town Administrator
Date: Friday January 8th, 2021
Re: Charter Amendment Resolution No. 01-2021

Commissioners,

Back in June 2020 the sitting Board requested the Town Attorney to draft a Charter Amendment Resolution (CAR) that would add two key positions into the Charter (Chief of Police and Town Administrator), as well as enable the President to officially use the term Mayor interchangeably, as well as some smaller grammatical edits.

CAR Description: “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”

This CAR was put on hold due to the vacancies on the Board and is one of the projects on the Town’s “backburner” I recommend the Board consider moving forward. By getting this CAR underway, it would help clear the path for the coming annexation resolution (which edits the Charter’s Town boundaries) as well as a potential CAR to overhaul the Town’s election process (including possibly moving the election date from January to November), as well as potential procurement/financial updates to the charter.

Proposed CAR Timeline:

Notice of Public Hearing:

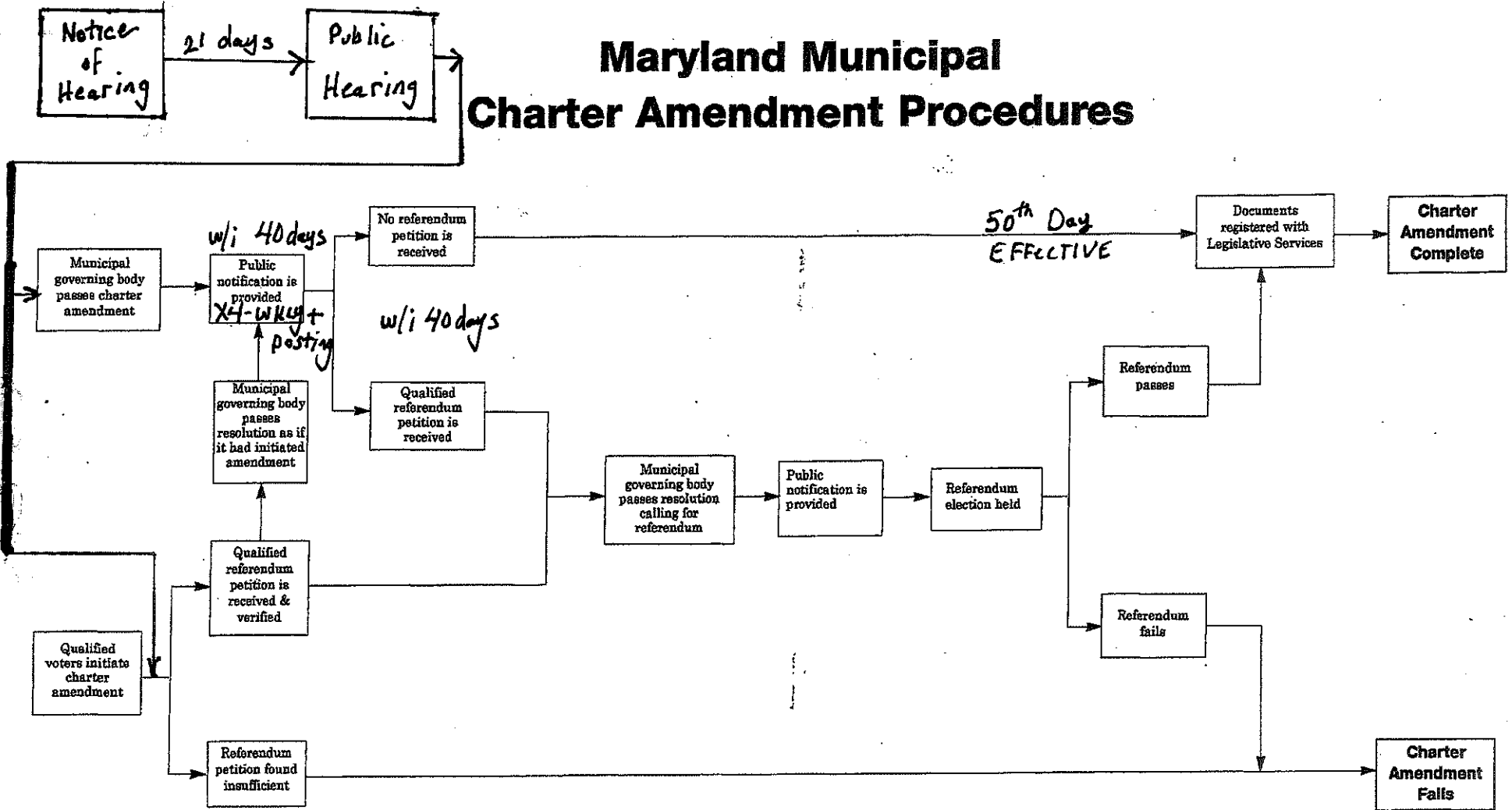
Public Hearing: Tuesday February 9th, 2021 (February Town Meeting)

Board Discussion of Public Comment: February 23rd, 2021 (February Worksession)

Introduction/Passage: Tuesday March 9th, 2021 (March Town Meeting)

CAR In Effect: Wednesday April 28, 2021

Maryland Municipal Charter Amendment Procedures



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 [[advertise]] **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 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: _____

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

CHARTER RESOLUTION CERTIFICATE

I, 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 01-2020 has not been amended, modified or repealed and remains in full force and effect as of the date hereof.

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

(SEAL)

M. David Williams
Town Clerk

NOTICE OF HEARING

PUBLIC HEARING

DATE OF INTRODUCTION/PASSED:

40-DAY POSTING END DATE:

FAIR SUMMARY NEWSPAPER

WEEKLY PUBLICATION DATES (x 4):

EFFECTIVE (50TH DAY) DATE: