

Town of Upper Marlboro

14211 School Lane • Upper Marlboro, Maryland 20772

REGULAR TOWN MEETING

September 15, 2020 – 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

Closed Session Statement

- August 25, 2020 Regular Board Work Session

Board Approval of Election Results for August 10, 2020 2nd Special Election

Approval of Meeting Minutes & Financial Reports

- Approval of the August 11, 2020 Regular Town Meeting minutes
- Approval of the August 25, 2020 Board Work Session minutes
- Finance Report & Approval of the Treasurer's Report, as of August 31, 2020.

Reports

- Department Reports — Public Safety, Public Works, Finance and Clerk's Office
- Committee Reports — Historical, Events, Sustainable Communities, CERT
- Commissioner Reports

Business

- 1) Resolution 2020-20 Check Signing Authorization (Board vote)
- 2) DOE 2020-04 Extension of State of Emergency (Board approval)
- 3) OMES Litigation Update by Town Attorney (discussion)

Administrative Updates

- 4) Legislation, Projects and Initiatives
- 5) General Commissioner & Staff items

Public Comment

Adjournment

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

Janice Duckett
Commissioner

Sarah A. 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

August 11, 2020 • 7:00 p.m.

unApproved Minutes

Call to Order

The meeting was called to order at 7:01 p.m.

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

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

Also present: TUMHC Chair Patti Skews; TUMHC Archivist Brian Callicott; EC Chair Jeremy Gunnoe; Monica Williams/Marlborough Towne HOA; Ray Feldman/Feldman Communications Strategies LLC; Jacob Moore and Tia Ortiz/Greenwill Consulting Group LLC; Justin Wilson/Sparks@Play; plus, various citizens and interested parties.

Pledge of Allegiance

Consent to the Agenda

The President received unanimous consent to the Agenda. She noted that newly elected Commissioner Janice Duckett would not be officially sworn-in until September 14th and thus will not be a voting Board member at tonight's meeting.

Board Approval of Election Results for July 27, 2020 Special Election

Clerk Williams read aloud the July 27th, 2020 Town Election results signed and certified by the BoSE to be entered into the record.

- Voter count: -68; Total absentee ballots-26; Total ballots cast-94
- Tabulation of votes (in alphabetical order): Bryan A. Bontrager-12; Janice Duckett-37; Sarah Franklin-45; Write-in vote-0.

Commissioner Franklin moved to receive the certified results as presented by the Clerk for the record, and President Pennoyer seconded. With all in favor, the motion was unanimously approved by Board majority.

Approval of Meeting Minutes & Financial Reports

Commissioner Franklin motioned to approve the Special Board Work Session minutes from June 3, 2020, the Regular Town Meeting minutes from June 9, 2020, the Board Work Session minutes from June 23, 2020, the Regular Town Meeting & Candidate Forum minutes from July 14, 2020 and the Treasurer's Report as of July 31, 2020. President Pennoyer seconded. All Board minutes from June and July's Town Meetings and Work Sessions, plus, the July Treasurer's Report were unanimously approved as presented.

Reports

Departments/Committees:

- Chief Burse delivered the UMPD report for the month of July 2020 that was also provided in the Board's meeting packet and projected on a PowerPoint for the Zoom attendees. He noted the several teleconferences with PGC/OEM, State Police and Chief's Association all involved taking actions to assist the County and State in preventing the spread of the novel Coronavirus. He added that 94 parking citations had been issued during July, and a good number of moving violations were issued as well.
- Superintendent Bond delivered the Public Works report for July 2020 that was also provided in the Board's meeting packet and projected on a PowerPoint for the Zoom attendees. He noted 5 more Pet Waste Stations had been added to the Town inventory bringing the total number to 16 Stations that the UMPWD is currently monitoring and collecting data for stormwater management purposes.

- Director of Finance Morgan reviewed highlights of the July Treasurer's Report stating that the Town is currently \$44K in the red, from revenues lost and expenses gained, during the pandemic. It was noted that CARES Act reimbursement forms had just been received and will be submitted very soon.
- Clerk Williams reported that he and the Human Resources Director hope to very soon be interviewing applicants for the Deputy Clerk position most recently advertised. He added that he has seen a good steady climb in citation revenues over the past month and expects the positive trend to continue.
- TUMHC Chair Skews reported that the Committee will hold their virtual Quarterly Meeting on August 15th at 10:00 a.m. TUMHC Archivist Callicott added that they had recently received historical items from Ms. Sharon Walters concerning the Spanish Flu outbreak of 1918-1919.
- EC Chair Gunnoe reported they had 102 vehicles participate in the Town Shred Event on August 8th, adding that they are also participating in the first UM Area Blood Drive hosted by the American Red Cross and M-NCPPC Parks & Recreation on September 4th at the UM Community Center from 12-6 pm. He added that all 36 appointment slots might now be full. He noted that they have bypassed plans for outdoor Movie Nights but are working on changes to the Trunk-or-Treat Event to implement safety measures in light of the continuing pandemic. The EC hopes to find sponsors to help defray costs. Commissioner Franklin added that the EC is looking for a new volunteer for Secretary/Treasurer.
- Chief Burse reported that the UM CERT participated in the Shred Event.
- Jacob Moore/Greenwill Consulting Group, LLC delivered updates on their work at the State Capitol on behalf of the Town. The report covered committee discussions from July & August highlighted in the PowerPoint presentation for the Zoom attendees. He noted more updates to come in September.

Commissioners:

- Commissioner-elect Janice Duckett: Thanked all who voted and those who supported her campaign and stated she looks forward to working on the Board of Town Commissioners.
- Commissioner Franklin: Reported that a few residents found the Absentee Ballot "a process" and hoped it could be streamlined, and some hoped for earlier polling hours. She added she would like to work with local schools and PTAs to discuss how volunteers can assist parents with distance learning.
- President Pennoyer: Acknowledged and thanked all who came out to vote in both Special Elections, noting that the turn-out was good and more than expected.

Business

- 1.) UM Playground Project: Sparks@Play designer Justin Wilson delivered an informational presentation to provide updates on the UM Community Playground Project. Mr. Wilson provided design specifications, timelines and how the project is constructed in phases. TUMHC Chair Skews asked how a "Time Capsule" might be incorporated in the Chesapeake Beach Railroad-themed facility. It was noted (and shown on slide) how placement had been reconsidered to area "A" for now. Commissioner-elect Duckett asked if citizen input had been considered. TA Snyder cited both newsletter and online public outreach had been conducted over a 2-year period. He noted this project as a first-step in planning phases for a larger recreational area for local youth of all ages, and resident input would be sought during each possible phase.

Administrative Updates

- 2.) Legislation, Projects and Initiatives: TA Snyder reviewed a spreadsheet included in the Meeting Packet and shared on the Zoom Meeting platform via a PowerPoint presentation. He provided updates adding that the grant deadline for the Mural Project had been extended and that the Main & Water Streets Upgrades Project was nearing completion.

He then noted that Route 725 at John Rodgers Blvd had suffered 3 flooding events within a 30-day period and is now a Flash Flood Zone (appropriate signage has been requested from the SHA.) An auto-rescue was performed at each of the 3 flood events that occurred on July 6, August 4, and August 7, 2020. Other updates included the Old Stone Building (County surplus list status), the OMES Petition for Judicial Review Virtual Hearing (set for 9/11/20), and, reported stray palettes from WSSC found in the Northwest Branch (still an open case with the State.)

Public Comment

A concerned resident said public restrooms are needed as once or twice a week she has witnessed public defecation on residential and Town property. Chief Burse advised calling the Police non-emergency number immediately so that the complaint gets entered properly into the police report record.

The same resident also reported a white van without plates that has been sitting in a downtown parking lot for a very long time. Chief Burse advised certain laws prohibit the UMPD from entering private property. It was suggested the eyesore might be addressed as a Code violation.

Another resident thanked Chief Burse for his department's assistance with their recent package-theft incident in Marlborough Towne and announced the issue has been resolved.

Adjournment

The meeting was adjourned at 8:32 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

August 25, 2020 - 7:00 p.m.

unApproved

Call to Order

- Meeting was brought to order at 7:03 p.m.
- Roll Call – President Linda Pennoyer; Commissioner/Treasurer Sarah Franklin; Commissioner-elect Janice Duckett; Town Clerk M. David Williams. Also present: Town Administrator Kyle Snyder; UMPD Chief David Burse; and Director of Finance William Morgan.
- Pledge of Allegiance

Business

- 1) Human Resources Firm RFP #UM 2020-06: The President acknowledged 5 responses to the RFP to date. She explained the need for the Town to have at least an audit of its HR practices to ensure compliance with County, State and Federal requirements. It was noted the RFP can be redrafted and republished after an initial audit, depending upon reevaluation of need.
- 2) FY2021 Budget & COVID-19 Impact: Finance Director Morgan reviewed how the pandemic has affected cashflow and recommended both short-term and long-term plans that can help with recovery. He estimated total losses, since March to date, are upwards of \$126K. Discussion topics, talking points and financial statistics were shared via a PowerPoint Slide presentation.
- 3) Extension of Town Emergency Declaration: It was noted a Board vote was not required for an extension. After discussion, all 3 Commissioners in attendance did agree to keep the Declaration in place. A draft with a new timeline will be presented at the next Town Meeting.
- 4) Board Goals & Initiatives: Discussion included opportunities afforded by Annexation; Strategic planning & creating a Town 2030 Vision Plan; Community outreach/citizen input; Coordination with County & State for expanded services during annexation phases; Town employee safety measures; And, a possible initiative for distance learning for resident youth during COVID.
- 5) General Commissioner & Administrative Staff items: There were no additional items brought forth at this time.

Public Comment

There was no public comment offered to the Board at this time.

Closed Session: (Board vote to close open session)

Under General Provisions Article 3-104 and 3-305(b)(1): To conduct a General Government Operations overview, and . . . to discuss and preserve confidentiality of information concerning personnel structure.

Commissioner Franklin motioned to close the open session so as to immediately enter into the separate closed session. President Pennoyer seconded. Seeing no further discussion, and no one opposed, the motion passed by majority vote of the Board. It was noted that a Closed Session statement will be delivered at the next Regular Town Meeting.

Adjournment

The open meeting was adjourned at 8:15 p.m.

Respectfully submitted,

M. David Williams
Town Clerk



Town of Upper Marlboro

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Town of Upper Marlboro FY2021 Budget vs. Actual July 2020 – August 2020

Income

Revenue	ACTUAL	BUDGET
Fines, Licenses & Permits		
6154 Franchise Fee	\$1,978.62	\$16,000.00
6280 Trader's License Fees	\$-	\$1,000.00
6350 Permits/Rentals	\$300.00	\$15,500.00
6355 Parking Meters	\$14,326.03	\$290,666.00
6381 Parking Fines/Penalties	\$5,159.68	\$21,000.00
6550 Pub/Edu/Govt Broadcasting	\$2,386.75	\$2,500.00
Total Fines, Licenses, Permits	\$24,151.08	\$346,666.00
Grants		
6530 Grants		
6530.2020-03 State Police Aid	\$610.75	\$17,317.00
6530.2020-04 Community Open Space Grant	\$-	\$100,000.00
Total 6530 Grants	\$610.75	\$117,317.00
Intergovernmental		
6240 Financial Corporation Tax	\$503.14	\$9,145.00
6260 Highway User Fee	\$-	\$27,725.00
6310 Disposal Fee Rebate	\$519.00	\$2,000.00
Total Intergovernmental	\$1,022.14	\$38,870.00
Other		
6390 Interest Earnings	\$334.85	\$5,000.00
6392 Sale of Property	\$2,340.00	\$1,500.00
6394 Miscellaneous Revenue	\$1,046.47	\$6,500.00
6396 Special Events/Donations	\$-	\$2,500.00
Total Other	\$3,721.32	\$15,500.00



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Taxes

6100 Real Estate Taxes	\$33,782.64	\$295,000.00
6101 Personal Property Taxes	\$1,862.42	\$390,000.00
6230 Income Taxes	\$30,663.58	\$160,000.00

Total Taxes	\$66,308.64	\$845,000.00
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Total Revenue	\$95,813.93	\$1,363,353.00
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Capital Improvement

9000 Capital Improvement		
9000.2020-02 Transfer of Reserve	\$50,000.00	\$110,900.00

Total Capital Improvement	\$50,000.00	\$110,900.00
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Total Income	\$145,813.93	\$1,474,253.00
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Expenses

8000 General Government

8030 Salaries - Commissioners	\$-	\$11,400.00
8035 Salaries	\$49,844.98	\$268,280.00
8073 Accounting	\$1,500.00	\$18,500.00
8074 Audit	\$23,500.00	\$20,000.00
8075 Payroll Processing	\$8,179.25	\$5,000.00
8077 Public Notices	\$200.00	\$1,800.00
8080 Bank Charges	\$4,277.32	\$20,000.00
8086 Staff Development & Training	\$1,347.68	\$2,500.00
8090 Postage	\$-	\$1,200.00
8092 Printing	\$717.62	\$7,500.00
8095 Community Events & Recreations	\$889.22	\$10,000.00
8110 Legal	\$2,268.00	\$55,000.00
8115 Computer Software & Support	\$1,747.30	\$9,000.00
8120 Insurance	\$2,911.00	\$12,000.00
8130 Supplies	\$706.60	\$5,000.00
8131 Ofc Equipment R&M	\$-	\$1,000.00



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8160 Telephone	\$1,072.99	\$8,000.00
8165 Utilities	\$1,092.26	\$12,000.00
8175 Public Property Maintenance	\$3,087.00	\$8,000.00
8180 Grants & Awards		
8180.03 Community Open Space Grant	\$-	\$130,000.00
Total 8180 Grants & Awards	\$-	\$130,000.00
8185 Historical Committee	\$-	\$750.00
8191 CERT	\$-	\$750.00
8200 Other	\$4,526.18	\$2,500.00
8205 Consulting Fees	\$7,500.00	\$46,000.00
8210 Payroll Tax Expenses	\$15,805.26	\$95,000.00
9001 Capital Improvement		
9000.05 Annexation	\$-	\$30,000.00
Total 8230 Capital Improvement	\$-	\$30,000.00
Total 8000 General Government	\$131,172.66	\$781,180.00

8250 Public Safety

8260 Salaries	\$51,896.15	\$296,590.00
8261 Overtime	\$453.66	\$2,000.00
8273 Uniforms	\$-	\$750.00
8274 Weapons & Duty Equipment	\$5,033.99	\$20,817.00
8275 Staff Training	\$75.00	\$300.00
8277 Substance Testing/Pre Employment	\$-	\$-
8280 Supplies	\$732.00	\$4,200.00
8281 Association Dues	\$-	\$500.00
8282 PS Insurance	\$4,744.00	\$5,000.00
8290 Payroll Tax Expenses	\$3,703.95	\$58,550.00
8300 Vehicle Repairs	\$-	\$750.00
8301 Vehicle Maintenance	\$-	\$3,000.00
8302 Vehicle Fuel	\$-	\$2,500.00
8320 Other	\$-	\$1,500.00
8330 Capital Improvement	\$5,419.00	



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8330.03 Debt Service (FY2020)	\$-	\$33,000.00
Total 8330 Capital Improvement	\$5,419.00	\$33,000.00
Total 8250 Public Safety	\$72,057.75	\$429,457.00
8350 Public Works		
8360 Salaries	\$25,005.72	\$118,380.00
8361 Overtime	\$-	\$500.00
8370 Payroll Tax Expenses	\$7,078.13	\$35,000.00
8375 Uniforms	\$132.48	\$500.00
8377 Dues	\$-	\$200.00
8380 Other	\$560.74	\$750.00
8383 PW Insurance	\$4,508.00	\$6,500.00
8390 Streets Maintenance	\$1,288.21	\$3,000.00
8391 Weather Related Expenses	\$-	\$2,500.00
8400 Highway Lighting	\$2,891.76	\$21,500.00
8405 Vehicle Repairs	\$-	\$2,000.00
8410 Vehicle Maintenance	\$-	\$1,000.00
8415 Vehicle Fuel	\$-	\$2,500.00
8487 Substance Testing	\$-	\$-
8490 Utilities	\$109.49	\$3,000.00
8491 PWF-Maint/Repairs/Beautification	\$1,026.97	\$9,000.00
8493 Portajohn	\$300.00	\$1,200.00
8545 Sanitation	\$8,916.42	\$56,086.00
Total 8350 Public Works	\$51,817.92	\$263,616.00
Total Expenses	\$255,048.33	\$1,474,253.00
Net Operating Income	\$(109,234.40)	\$-



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PROFIT & LOSS August 2020

	<u>Total</u>
Income	
Revenue	
Fines, Licenses, Permits	15,812.03
Intergovernmental	684.60
Other Revenue	1,381.32
Taxes	29,253.45
Total Income	\$ 47,131.40
Expenses	
General Government	44,813.63
Public Safety	24,821.39
Public Works	24,910.57
Total Expenses	\$ 94,545.59
Net Income	\$ (47,414.19)

Monthly Narrative

The Town is still recovering from the COVID-19 pandemic loss of revenue. We project that the Town lost upwards of \$130,000 from April to August. As we still monitor all financials, we expect large deposits in September and October for real estate taxes.



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Bank Accounts

Cash on Hand and in Banks

1000 PGFSB Operating Checking	14,747.02
1001 Petty Cash	300.00
1010 PGFSB Payroll Account	826.34
1040 M&T Checking	7,839.12
1117 Old Line Bank	103,275.93
1122 Congressional Bank CD 5756	212,310.55
1140 MLGIP	50,000.30
Total Bank Accounts	\$ 389,298.96



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 August 2020

Incidents Reported in Town:

Disorderly Report 6	House Alarm 3	Injured Person 1
911 disconnect 1	Lost Property 1	Traffic Complaint 1
Business Alarm 1	Check on Welfare 3	Animal Complaint 1
Disorderly Call 2	Fraud Report 1	Suspicious Person 1
Vehicle Accident 2	Break-in Report 1	Suspicious Auto 1

Chief Burse participated in several conference calls with the Prince George's Chiefs Association discussing issues related to COVID-19.

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 and Sgt. Irby assisted with a water rescue due to flooding at John Rogers Dr and Old Marlboro Pike.

Chief Burse, Sgt. Irby, and Cpl. deBarros participated in and provided security for the Town's Shred-it Event.

Chief Burse received a donation of face masks from the Prince George's County Office of Community Relations.

Chief Burse provided security and monitored the Town Election.

Chief Burse coordinated the cleaning of Town Hall after the Town Election.

Chief Burse received a Thank you letter from a 3rd grader who recently moved into the Town.

Chief Burse and other Town staff met with an employee of the County/State about the sink holes in many of the Town's streets.



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

Date: Monday, August 31, 2020

Subject: Public Works' Status Report

RE: August 2020 – Monthly Status Report

Capital Improvements – Public Works Superintendent attended an impromptu virtual one-on-one with the Director of Public Works for Forrest Heights, where Covid-19 and staffing were discussed.

Maintenance and Beautification Mulching at cut sites and herbicide treatments were on the menu for the month of August; outskirt areas, such as the bus stop near John Rogers Blvd, were treated. Also, our line trimmers received a refresh with new carburetors, fuel lines, and prime bulbs. Both mower decks were inspected for damage and cleaned; all repairs took place in-house.

Street and Sidewalk Repairs – The intersection upgrade at Main and Water Streets is moving along with the activation of the new traffic signal. MDOT service request (SR-0417551) was turned over to WSSC (WO-2986127) for inspection due to the sunken section of roadway, which is located near one of their water mains. MDOT service request (SR-0417556) dislodged grate is currently under construction to replace the storm drain flow box. Our Town Administrator, Chief of Police, and I met with John Tarr of a joint State/County agency to inspect some of our sinkhole issues within Town. He will plug us in with direct contacts at the state and county level to have these situations rectified faster. Also, increased “No Thru Trucks” signage was added to all entrances and surrounding areas of Church Street.

Weather Related Activities – August had a several rain events, including Tropical Storm Isaias, which resulted in extended hours for our crew, Water Street bridge closure and clearing of debris, the temporary closure of one lane of 725 at John Rogers, and increased flood zone patrols. The remnants of Hurricane Laura only prompted preparation, as it quickly diminished before hitting our area.

Refuse Accumulations – Bulk day accumulations for solid wastes (Landfill) are 6.32 tons. Bulk day accumulations for yard waste collections are 5.80 tons.

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: 2020-20

SESSION: Regular Town Meeting

DATED: September 15th, 2020

A RESOLUTION FOR THE PURPOSE OF DESIGNATING THOSE PERSONS IN ADDITION TO THE TREASURER WHO SHALL BE AUTHORIZED TO SIGN CHECKS, CERTIFICATES OF DEPOSIT AND OTHER BANK INSTRUMENTS ISSUED ON BEHALF OF THE TOWN WHEN THE NEED ARISES AND THE TREASURER IS UNAVAILABLE, AND ESTABLISHING THE DOLLAR AMOUNT ABOVE WHICH ALL CHECKS MADE PAYABLE BY THE TOWN SHALL BE ISSUED AND SIGNED BY THE TREASURER AND PRESIDENT OR TWO (2) OTHER PERSONS DESIGNATED HEREIN OF WHICH AT LEAST ONE (1) IS TO BE A COMMISSIONER.

WHEREAS, Charter Section 82-46 of The Town of Upper Marlboro, as amended by Charter Amendment Resolution 01-2012 effective October 31, 2012, requires that all checks issued in payment of salaries or other municipal obligations shall be issued and signed by the Treasurer, and that the Board of Commissioners may further authorize persons other than the Treasurer when the need arises and the Treasurer is unavailable to sign checks issued by the Town, and furthermore, the Board shall establish a dollar amount above which all checks must be co-signed by the Treasurer and President, or in their absence, two (2) other designated persons of which at least one (1) shall be a commissioner; and the other designated Commissioner

WHEREAS, the Town Commissioners wish to carry out the intent of said Charter Section 82-46 by naming the designated persons to sign checks when the need arises, and the Treasurer is unavailable and establish the dollar amount above which checks require two authorized signatures.

WHEREAS, the need for two special elections to fill two vacant Commissioner seats has resulted in a change in the members of the Board of Town Commissioners, specifically the Treasurer designated and named in Resolution 2020-01 as an authorized alternate signer of checks in the absence of the President, and/or, the Treasurer and the

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners for The Town of Upper Marlboro, sitting in regular session this _____ day of _____, 2020, that Commissioner Sarah Franklin, who is the duly appointed Treasurer, is authorized to sign any forms, contracts, or agreement on behalf of the Town for the establishment of safety deposit boxes and general banking and financial services for the Town, to include checking and savings accounts, CDs, money market accounts and other similar financial and investment instruments, and to perform all general activities associated therewith to, including serving as the required signatory

or authorized individual on all checks, deposits, withdrawals and fund transfers as needed and in accordance with the Town's Charter and fiscal policies, and be it

FURTHER RESOLVED, that Linda Pennoyer shall serve as substitute or additional signatory on all checks, deposits, withdrawals and fund transfers in the event there is a need and the Treasurer is unavailable, provided that all checks above \$5,000.00 made payable by the Town shall be issued and co-signed by the Treasurer and President, and if either or both or their unavailability or incapacities, the following two (2) other designated persons shall so serve of which at least one (1) is a commissioner: 1.) Commissioner Janice Duckett, and 2.) Town Administrator Kyle Snyder, and be it

FURTHER RESOLVED, that this Resolution will supersede Resolution 2010-01 immediately upon the date of its passage, and be it

FURTHER RESOLVED, that any financial institution doing business with the Town is hereby authorized to honor, receive, certify, or pay all checks, CDs or other instruments signed by persons as authorized by the Town Charter and this Resolution, and be it

FURTHER RESOLVED, that the foregoing Resolution and designation of persons authorized to sign checks or other instruments pursuant hereto, shall remain in full force and effect until written notice of its amendment, modification or repeal, shall have been received by the Town's banks or financial institutions and that receipt of such notice shall not affect any action taken by a financial institution prior thereto, and be it

FURTHER RESOLVED, that this Resolution shall take effect immediately upon passage.

ATTEST:

THE TOWN OF UPPER MARLBORO

Clerk

Linda Pennoyer, President

Date: _____

Sarah Franklin, Commissioner/Treasurer

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 _____, 2019.

M. David Williams, Town Clerk



Town of Upper Marlboro

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THE TOWN OF UPPER MARLBORO, MARYLAND **DECLARATION OF A LOCAL STATE OF EMERGENCY** **TOWN EMERGENCY ORDER NO. 04-2020**

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 25th, 2020, with an extension approved by the Board of Town Commissioners at the April 28th Board Work session; and

WHEREAS, the Governor issued Order Number 20-05-13-01, dated May 13, 2020, (Amending and Restating the Order of May 6, 2020, Allowing Reopening of Certain Businesses and Facilities, Subject to Local Regulation) which specifically authorized political subdivisions to issue more restrictive orders than issued by the Governor including requiring any businesses, organizations, establishments, or facilities to close or modify their operations; and/or requiring individuals to remain indoors or to refrain from congregating; and

WHEREAS, despite any Local Orders that may be issued, the Governor's latest order among other restrictions continues to prohibit: (i) large gatherings of more than 10 people, (ii) worship services that exceed 50% of a Religious Facility's Maximum Occupancy, (iii) shopping where the total number of persons permitted in a Retail Establishment at any one time shall not exceed 50% of that Retail Establishment's Maximum Occupancy, (iv) obtaining Personal Services where customers patronizing certain businesses such as barbers are required to do so by appointment basis only, wear Face Coverings, clean and disinfect the service areas, and not exceed 50% of the Personal Service Establishment's Maximum Occupancy; and

WHEREAS, the Governor's latest order further requires public compliance with (i) applicable Local Orders, (ii) the State Health Secretary's Directives, (iii) applicable social distancing guidelines published by the CDC and Md. Health Dept., and any orders issued by any applicable Local Health Officer pursuant to the Order of the Governor of the State of Maryland Number 20-04- 05-02, dated April 5, 2020, entitled "Delegating Authority to Local Officials to Control and Close Unsafe Facilities", as it may be amended from time to time; and

WHEREAS, the County Executive has issued a Local Order known as Executive Order No. 8-2020 on May 14, 2020 that essentially maintains the health emergency *status quo* under a new locally issued Stay-at-Home Order having similar mandates as those that were in place just prior to the issuance of the Governor's issued Order Number 20-05-13-01; 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; and

NOW THEREFORE, be it resolved that on this 15th day of September 2020, 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 (COVID19) existing on September 15th, 2020.
2. That the Local (County) Order known as Executive Order No. 8-2020 issued on May 14, 2020 by the County Executive is hereby 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 retroactively from July 15th, 2020, through December 31st, 2020, unless terminated or modified earlier.
4. All Town-owned buildings and facilities are closed to the public until the cancellation of this State of Local Emergency. Town General Government staff shall shift to one-person manning Town Hall for each business day to handle telephone calls.
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 20-05-13-01) and County Executive Order No. 8-2020 shall be made available to all occupants or attendees at any Town building and facility where public business is permitted.
7. During this State of Local Emergency, the President and Board of Town Commissioners shared responsibilities include but are not limited to taking actions authorized by the Town Charter, Town Ordinances, and State and Local Orders issued to protect the public's health, safety, and welfare.

ATTEST:

THE TOWN OF UPPER MARLBORO

M. David Williams, Town Clerk

Linda Pennoyer, President

Date: _____

Janice Duckett
Commissioner

Sarah Franklin
Commissioner/Treasurer

Linda Pennoyer
Commissioner/President