

# Town of Upper Marlboro

14211 School Lane • Upper Marlboro, Maryland 20772

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## **REGULAR TOWN MEETING**

Monday, August 13, 2019 – 7:00 p.m.

### **AGENDA**

#### **Call to Order**

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

#### **Announcements**

- Certified Election Results (Board approval)

#### **Approval of Meeting Minutes & Financial Reports**

- Approval of the July 1, 2019 Special Town Meeting minutes
- Approval of the July 9, 2019 Regular Town Meeting minutes
- Approval of the July 23, 2019 Board Work Session minutes
- Approval of the Treasurer's Report, as of July 31, 2019.

#### **Reports**

- Department Reports — Public Safety, Public Works, Clerk's Office
- Committee Reports — Historical, Events, CERT, Sustainable Communities
- Commissioner Bernal-LeClaire
- Commissioner Pennoyer
- President Leonard

#### **Business**

- 1) Resolution 2019-06: Heritage Area Support (Board vote)
- 2) Resolution 2019-07: Opioid Litigation Retainer (Board vote)
- 3) Emergency Ordinance 2019-06: To Authorize Police Training MAA (Board vote)
- 4) General/Administration issues

#### **Public Comment**

#### **Adjournment**

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

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**Kai Bernal-LeClaire**  
Commissioner

**Wanda Leonard**  
Commissioner/President

**Linda Pennoyer**  
Commissioner/Treasurer

## 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](mailto: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 2016-02: 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

Town Hall, 14211 School Lane  
Upper Marlboro, MD 20772

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

Info@uppermarlboromd.gov  
www.uppermarlboromd.gov

August 5, 2019

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

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


Subj: August 5, 2019 Special Town Election


We hereby certify that the results of the Special Town Election to fill a vacancy on the Board of Town Commissioners for the remainder of their 2018–2020 term of office, conducted on August 5, 2019, are as follows:

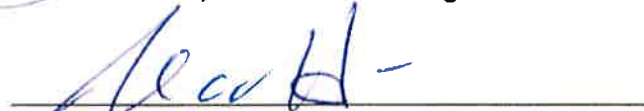
Total Number of Voters	58
Total Number of Absentee Ballots	3
<u>Total Ballots Cast</u>	61

Kai V. Bernal-LeClaire	28
Sarah Franklin	18
Evelyn H. Stephens	15
(write-in)	—
(write-in)	—
(write-in)	—



  
M. DAVID WILLIAMS  
TOWN CLERK

  
Yvonne Tucker, Chief Election Judge

  
Joseph Mourclé, Board of Supervisors of Elections

  
Ellen Storey, Board of Supervisors of Elections

# Town of Upper Marlboro

## SPECIAL TOWN MEETING

July 1, 2019 • 6:00 p.m.

unApproved Minutes

### Call to Order

The meeting was called to order by Commissioner Pennoyer at 6:09 p.m. who was selected by acclamation to Chair this meeting of the Board of Town Commissioners in absence of a President.

Roll Call: Commissioner Linda Pennoyer; Commissioner Wanda Leonard.

Staff present: M. David Williams, Town Clerk/Administrator; UMPD Chief Burse; UMPD Sergeant Samuel Irby; Vickie Stewart/Executive Assistant; and, Kyle Snyder/Chief of Staff.

Also present: Town Attorney Kevin J. Best; SCW Chair Evelyn Stephens; EC Chair Jeremy Gunnoe; Marissa Day/Marlborough Towne HOA; and various citizens and interested parties.

### Pledge of Allegiance

### Consent to the Agenda

Commissioner Pennoyer asked for consent to the Agenda. Approval was granted by all Commissioners present.

### Closed Session

Commissioner Pennoyer stated the Board would now enter in to Closed Session under General Provisions Article 3-305(b)(1). Specific topic(s) to be discussed: 1.) The appointment of a resident applicant to the Board of Supervisors of Elections (BoSE) to fill a vacancy for the remainder of their current term ending November 2019; 2.) Selection of a President for the Board of Town Commissioners for the remainder of their current term of office ending January 2020; 3.) A staff member employment contract; and, 4.) To consult with Counsel to obtain legal advice under General Provisions Article 3-305(b)(7). Commissioner Leonard motioned to close the open meeting, Commissioner Pennoyer seconded. With no one opposed, the open session was closed 6:15 p.m. and the public was asked to wait in the lobby until the reopening of the Town Meeting.

### Reopening of Special Town Meeting

The Town Meeting was reopened at 6:40 by Commissioner Pennoyer. She stated that during the closed session conducted tonight at 6:15 p.m. at the Upper Marlboro Town Hall for the purpose of maintaining confidentiality to discuss: 1.) An appointment to the BoSE; 2.) The selection of a new President; 3.) A staff member's employment contract; and, 4.) To obtain legal advice from the Town's Attorney, the following Board members and Town Staff were present: Commissioner Pennoyer, Commissioner Leonard, Chief of Staff Kyle Snyder, and, Town Attorney Kevin Best.

### Business

- 1.) Selection of new President/Board of Town Commissioners: Noting a vote of agreement had been conducted in the closed session, Commissioner Pennoyer then publicly nominated Commissioner Leonard as the new President for the current 2018-2020 Board of Town Commissioners. With Commissioner Leonard seconding, the motion was unanimously passed. It was noted that the new President's term will begin once she is administered the Oath of Office by the Clerk of the Circuit Court scheduled for tomorrow.

2.) Vacancy appointment/Board of Supervisors of Elections: Commissioner Pennoyer motioned to accept Ellen Storey as nominated, to fill a vacancy on the BoSE for the remainder of the current term. Commissioner Leonard seconded. With all in favor, the motion was unanimously passed.

3.) Special Election Date Confirmation: The Chair announced that there will be a Special Town Election to fill the vacant Commissioner seat on the Board of Town Commissioners, on August 5, 2019. She then motioned to approve the date as stated, and Commissioner Leonard seconded. The motion was unanimously approved. It was noted that letters of intent from interested candidates need to be submitted by July 8<sup>th</sup> C.O.B., and that forms can be obtained online or at the Town Hall.

### **Adjournment**

Commissioner Leonard made a motion to adjourn, Commissioner Pennoyer seconded the motion. With all in favor, the meeting was adjourned at 6:48 p.m.

Respectfully submitted,

M. David Williams  
Town Clerk/Administrator

# Town of Upper Marlboro

## REGULAR TOWN MEETING

July 9, 2019 • 7:00 p.m.

unApproved Minutes

### Call to Order

The meeting was called to order at 7:00 p.m.

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

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

Also present: SCW Chair Evelyn Stephens; EC Chair Jeremy Gunnoe; TUMHC Chair Patti Skews; CERT Secretary Alonzo Joy; and various citizens and interested parties.

### Pledge of Allegiance

### Approval of Meeting Minutes & Financial Reports

The President received consent to the Agenda. Commissioner Pennoyer motioned to approve the Town Meeting minutes from June 10, 2019, the Work Session minutes from June 17, 2019 and the Treasurer's Report as of June 30, 2019. President Leonard seconded. All June's Town Meeting and Work Session minutes, plus, the June Treasurer's Report were unanimously approved.

### Reports

Staff/Committees: Chief Burse delivered the UMPD report for the month of June 2019, a handout was provided. He noted that in addition to the many meetings and trainings he's attended throughout the County, both he and Sgt. Irby also provided Security for the recent UM Movie Night event.

Superintendent Bond delivered the Public Works reports for May and June 2019, a handout was provided. Aside from numerous training classes, extensive maintenance, Town beautification and capital improvement projects, it was noted that new signage for School Lane & Elm Street had been installed.

Town Clerk Williams reported on his involvement with the MML Summer Conference as an appointee on their Conference Committee this year, noting the exceptional, positive feedback from attendees who acknowledged the Town's excellent sponsorship and production of the Welcome Reception on Sunday.

TUMHC Chair Skews reported that the Committee toured Mt. Lubentia on June 15<sup>th</sup>, and, attended the 2<sup>nd</sup> Annual Genealogy Conference on June 23<sup>rd</sup> in Southern Maryland. Their next Archiving Session will be on July 20<sup>th</sup>, and that afternoon they will assist at Darnell's Chance's Ice Cream Social. She added they will have a booth at the 2019 National Night Out (NNO) on Aug. 6<sup>th</sup>, and at the "Cruiz'n Main Street" Car Show on Aug. 24<sup>th</sup>. The TUMHC's next Quarterly Meeting will be on Aug. 17<sup>th</sup>.

EC Chair Gunnoe reported on their first Movie Night on June 15<sup>th</sup>, noting they had 250-300 people at the new location at Sasscer Field. He announced the next movie, *How to Train Your Dragon*, was scheduled for July 20<sup>th</sup>, adding that they will be showing *Captain Marvel* on August 17<sup>th</sup>. He noted the EC will also have a booth at the 2019 NNO event on August 6<sup>th</sup>. Then then welcomed volunteers to participate.

SCW Chair delivered an update on the Façade Improvement Program (FIP), noting the SCW has received two (2) new applications for 14708 Main Street (historic Magruder Law Office), and for 5311 Water Street. She added they are hoping to accept 2 or 3 additional applications if funding allows.

CERT Secretary Alonzo Joy reported that the UM CERT will also have a booth at the 2019 NNO, where they will demonstrate how to assemble Emergency Kits. He said they will also participate at the next EC Movie Night, adding that the CERT is very, very eager to provide presentations/demonstrations disaster relief and emergency responses for Town and area civic associations, as well as, resident/citizen groups. He added the UM CERT meets every month at Town Hall and welcomes new members.

Commissioner Pennoyer: Reported on the benefits of the educational and networking opportunities she encountered at the MML Conference, acknowledging the hard work involved. She attended the CSA23 meeting which focused on organizing for the 2019 NNO event. It was noted that she was elected as Secretary for the PGC Municipal Association Board (PGCMA.)

President Leonard: Reported that UMPD Officer Andy Ferraro had just retired after 18 years of service to the Town, adding he will be greatly missed. She then introduced Kai Bernal-LeClaire, Evelyn Stephens, and Sarah Franklin as the 3 candidates running for the vacant Commissioner's seat on the current Board. She then delivered updates on the following topics: 1.) MMI Summer Conference Booth in "Municipal Main Street" Exhibit Hall was impressive; 2.) Delivered a workshop on "Starting a CERT" for conference attendees; 3.) Both Clerk Williams and Chief of Staff Snyder were recent winners in a nation-wide "Clerk Honor Roll" award program, as 2 out of the 3 Clerks recognized from the State of Maryland; 4.) New parking meter heads are expected by July 22nd; 5.) New Town business license deadlines have been extended, and a comprehensive master-list of active Town businesses is underway; 6.) Moving forward with plans for a UM Branch of the PGC Chamber of Commerce; 7.) The Town has been working with 4 interns from the PGC Summer Youth Program; and, 8.) The one-year anniversary of the June Ribbon-Cutting Ceremony for the new Town Hall was noted.

## **Business**

- 1.) Resolution 2019-09 Check Signatures: The resolution's introduction was read aloud by the Clerk. President Leonard motioned to pass Resolution 2019-09, Commissioner Pennoyer seconded. With all in favor, the motion was unanimously passed.
- 2.) Annexation Resolution 01-2019: Annexation Phase I: The President reviewed the Resolution's history and time-table for its Public Hearing and final passage, noting that AR 01-2019 and all related Exhibits are posted on the Town website and available at Town Hall.
- 3.) Special Event Application/Cruzin' Main Street: An application for the annual event was reviewed by the Board and highlights were read aloud by the Clerk. Commissioner Pennoyer requested that all Town businesses are properly notified of the event. It was noted Board signatures will be required on the attached SHA Street Closure Request Form. Commissioner Pennoyer motioned to accept the application as submitted, President Leonard seconded. The motion was passed. unanimously approved.
- 4.) Banner Town 2019 presentation: The Clerk reviewed the annual MML program requirements and affixed this year's award to the plaque acknowledging consecutive awards achieved since 2013.
- 5.) Swearing in of BoSE Member: President Leonard stated that Ellen Storey's application was accepted by the Board, and that she will be sworn-in by the President at a later time.

## **Public Comment**

A Town resident and business owner expressed concerned at the lack of notice with some business owners about changes and new fees in licensing. The Board acknowledged the Town's error, and the President said the issue will be addressed at the next Work Session. Another resident asked the Town to reconsider the new fees, taxes and meter rates, adding that the Annexation Plan was not handled correctly. The Clerk noted an amended schedule indicating a new Public Hearing date. A third resident noted recent construction at the Library is expected to be completed by July 9th, and then suggested a "Meet the Candidates" event be considered. He then expressed his support for the Phase 1 Annexation Plan.

## **Adjournment**

The meeting was adjourned by the President at 7:48 p.m.

Respectfully submitted,

M. David Williams  
Town Clerk/Administrator

# Town of Upper Marlboro

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

## Work Session Minutes

Tuesday, July 23, 2019 • 7:00 p.m.

unApproved

### Call to Order

- Meeting was brought to order at 7:01 p.m.
- Roll Call – President Wanda Leonard; Commissioner Linda Pennoyer; Town Clerk M. David Williams, Director of Finance William Morgan; and Chief of Staff Kyle Snyder.
- Pledge of Allegiance

### Reports

Commissioner Pennoyer: Reported she is completing the inventory listings of Town businesses. Discussed getting help with updates and data entry. Now have three (3) FIP applications to submit and working with another two (2) businesses to meet the criteria for qualified applicants.

Clerk's Office: Mr. Williams introduced Alpha Bangura, summer intern from the County's KEYS Youth Program, who is attending his first local government Town Hall Board meeting tonight. He also accompanied the Clerk to a recent Records Management Workshop in La Plata, MD.

President Leonard: Delivered updates on the following topics: 1.) Attended the County Council Meeting today concerning the removal of the historic designation of the OMES Building(s) site. The TUMHC was encouraged to gather support and testimony for the September 17<sup>th</sup> Public Hearing. It was noted that the Old Stone Building Surplus listing was also introduced today; 2.) Food Truck Hub moving forward; 3) UM Movie Night was hot but went well; 4.) Attended meeting yesterday with the Lion's Club and Ledo Pizza to discuss details and planning for the Cruizin' Main Street event; and, 5.) It was noted that a UM Flea Market is being planned to occur on the old movie theatre lot every weekend. No contact has been made with the Town to date.

### Business

Business License Program/ ORD 2018-07 & RES 2018-05: The Board discussed action items to improve communications with Town businesses.

Parking Meters & Hours/ Resolution 2018-06: The President reviewed the anticipated installation date for the new meters, and also reviewed the different rates and hours of operation by zone. Plans for paving the Church Street parking lot and an hourly rate increase were also discussed.

Heritage Area Expansion/ Support & Contribution: Town to make a \$5K contribution towards a study. A Resolution of support will be drafted possibly for the August Board Meeting.

Upper Marlboro Chamber of Commerce: Applications to be sent/posted soon. Town to appoint five (5) Directors to the UM Chamber of Commerce Board.

Conference Room Agreement/ Rate Schedule amendment: The Clerk noted the current application was missing a category for In-Town Businesses, and also suggested the required deposit(s) be consistent across the board. After Board discussion, the Board agreed to the proposed rate schedule for In-Town Businesses rentals, and the new \$250 deposit requirement.



The President announced that she and staff have been working to add a "Transparency Portal" to the Town Website. She added that other Administrative projects currently in progress include drafting an employee wage and salary ordinance, and Town Organizational Chart revisions.

Other items discussed by the Board included: 1.) In-Town Business's concerns about new fees and licensing; 2.) Outreach plan(s) and tactics to connect Town Businesses with the Chamber of Commerce UM Branch; 3.) Trinity Church Food Bank donations will be solicited at the Town's last Movie Night of the season; and, 4.) Coordinating with the Historic Preservation Commission (HPC) and other Historical Committees/Societies for the September 17, 2019 Public Hearing on the OMES site historic designation change.

Chief of Staff Snyder then reviewed 3 current designs submitted by Sparks-At-Play, for the new Town Playground to be built at the Town Hall utilizing a \$200K State Grant with a \$50K in-kind contribution from the Town.

Mr. Snyder noted that draft Resolutions for Meter Rates, and, supporting the expansion of the Maryland Heritage Area, will be presented at the next Town Meeting in August.

The Board discussed the feasibility of holding a Meet the Candidates Forum before the Special Town Election, concluding there wasn't enough staff, time or resources to do so.

### **Adjournment**

President Leonard adjourned the meeting at 8:12 p.m.

Respectfully submitted,

M. David Williams  
Town Clerk/Administrator



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## Town of Upper Marlboro Budget vs. Actuals July 2019 - July 2019

	Actual	Budget	% of Budget
<b>Revenue</b>			
Fines, Licenses, Permits	\$15,339.66	\$567,935.00	3%
Grants	\$2,764.75	\$750,829.00	1%
Intergovernmental	\$324.39	\$41,315.00	1%
Other Revenue	\$31.00	\$377,432.00	1%
Taxes	\$12,442.94	\$813,209.00	2%
<b>Total Revenue</b>	<b>\$30,902.74</b>	<b>\$2,550,720.00</b>	<b>1%</b>
<b>Expenses</b>			
General Government	\$54,964.91	\$1,624,167.00	4%
Public Safety	\$20,031.37	\$522,882.00	4%
Public Works	\$14,070.04	\$403,671.00	3%
<b>Total Expenses</b>	<b>\$89,066.32</b>	<b>\$ 2,550,720.00</b>	<b>4%</b>
<b>Committee Overview</b>			
Historical Committee	\$0.00	\$1,500.00	0%
CERT Team	\$0.00	\$1,500.00	0%
Events Committee	\$1,644.70	\$12,500.00	13%



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## MONTHLY NARRATIVE

As previously mentioned, our new business license program had some hiccups when sending out the notices in early May 2019. We have worked through those issues and came up with a current and/or updated listing of all businesses with the Town of Upper Marlboro. The process has begun in sending out those letters to current business owners who have yet to receive the business license programs initial letter. We will also waive any penalties attached with the late payment for the inconvenience.

For those businesses who have received the letter, many have already paid. We budgeted \$32,000 and thus far \$5,550 has been recorded as income which is 17% of that line item. We will continue to work with local businesses to involve them in our new processes.



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## Town of Upper Marlboro Balance Sheet As of July 31, 2019

	<u>Total</u>
Cash on Hand and in Banks	0.00
1000 PGFSB Operating Checking	26,523.85
1001 Petty Cash	750.00
1010 PGFSB Payroll Account	0.00
1040 M&T Checking	22,035.80
1060 Sona CD 7977	108,506.00
1063 Sona CD 1577	0.00
1068 SONA Bank CD 8641	267,612.43
1075 Sona CD 8153	0.00
1076 Sona Bank CD 1697	0.00
1077 Sona Bank CD 9681	0.00
1078 SONA CD 2705	0.00
1079 Sona Bank CD 9137	0.00
1084 SONABANK CD 5101	0.00
1117 Old Line Bank	101,948.20
1119 Community Bank of Tri-County	0.00
1120 Old LineBank/Washington Savings	0.00
1121 Arundel Federal Savings Bank	0.00
1122 Congressional Bank CD 5756	209,724.87
1123 Severn Savings Bank	0.00
1140 MLGIP	11,475.87
Total Cash on Hand and in Banks	<u>\$ 748,577.02</u>



# Town of Upper Marlboro Police Department

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

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## Monthly Town Police Department Report For the Month of July 2019

### Incidents Reported in Town:

Property Damage 1		
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### Last Month Incidents:

Accident Report 1	Assault Report 1	
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Chief Burse attended the Town of Morningside Parade and Festival on July 4, 2019 to support our fellow municipality.

Chief Burse attended the District 2 Coffee Club meeting and advised the group about upcoming Food Truck Events and Movie Nights.

Chief Burse attended the Speed and Red-Light Camera Administrator training course.

Chief Burse participated in several meetings with Town staff and volunteers in preparation for Movie Night hosted by the Town of Upper Marlboro on Saturday, July 20, 2019.

Chief Burse attended the Police and Volunteer Fire Department Awards Ceremony for the City of Seat Pleasant.

Chief Burse and Sergeant Irby attended and provided security for the Upper Marlboro Movie Night.

Chief Burse and Sergeant Irby meet with vendors to obtain quotes and information on outfitting new police vehicles.

Chief Burse attended a meeting to discuss National Night Out that will be held on August 6, 2019.

Chief Burse attended the Prince George's Chiefs of Police Association meeting.



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**Date:** Tuesday, August 13, 2019

**Subject:** Public Works Status Report

**RE:** July 2019 – Monthly Status Report

**Capital Improvements** – PW Superintendent held two meetings with the Assistant Superintendent of Nardi Construction to discuss the staging and PW's assistance in moving to their next forebay up for construction. Potential hazards were identified, and their solutions were completed within one week of first meeting. PW Superintendent completed application to Maryland Department of Natural Resources to obtain stencils to repaint storm drain inlets.

**Maintenance and Beautification** – Aggressive Town-wide herbicide to combat weed growth within our streets and sidewalks. Truck #3 had three tires plugged in-house. Town Hall had one condensation drain replaced by PW crews to combat water backup and drainage issues. Two Verizon and one Comcast line tech tickets were created for low hanging lines on Old Marlboro Pike, Elm Street, and Rectory Lane.

**Street and Sidewalk Repairs** – Multiple potholes were filled on Water St, Pratt St and Judges Dr. The sinkhole on Elm St was widened; backfilled with ABC gravel, packed, and cold patched; and then packed again to prevent potential spreading. Custom signage was ordered to reflect new meter rates for Main St and the newly acquired Governor Oden Bowie Dr.

**Weather Related Activities** – July had two significant thunderstorms, which resulted in increased neighborhood checks, a few downed limbs, two closures of our Water Street bridge, and one downed Verizon service line.

**Trainings** – Public Works Intern trained budget line items and potential service issues of our Town Hall and PW buildings. Intern was also incorporated into PW daily operations on a "Light Duty" basis. PW crews trained on work zone closure areas.

Sincerely,

Darnell F. Bond III  
*Public Works Superintendent*

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**Kai Bernal-LeClaire**  
Commissioner

**Wanda Leonard**  
Commissioner/President

**Linda Pennoyer**  
Commissioner/Treasurer

## **The Town of Upper Marlboro**

RESOLUTION      2019-06      DRAFT #2  
SESSION:          Regular Town Meeting  
DATE:              August 13, 2019

### **RESOLUTION BY THE BOARD OF COMMISSIONERS FOR THE TOWN OF UPPER MARLBORO TO SUPPORT THE EXPANSION OF THE MARYLAND HERITAGE AREA TO INCLUDE UPPER MARLBORO**

WHEREAS, pursuant to § 82-16(2)(d) of the Town Charter, the Board shall have, in addition to the power of passing all such ordinances not contrary to the Constitution and laws of the State of Maryland or its charter, it also has the power to pass ordinances having the specific purpose of appropriating municipal monies for any purpose within the powers of the Board; and

WHEREAS, Maryland has established the Maryland Heritage Preservation and Tourism Areas Program to identify Heritage Areas where additional state resources are to be devoted to preserving historic, natural and cultural resources and to developing programs that encourage tourism, and the program is administered by the Maryland Heritage Areas Authority (MHAA); and

WHEREAS, besides its power to recognize and certify Heritage Areas, MHAA may make matching grants and loans for planning, design, property acquisition, development, preservation, restoration, interpretation, marketing and programming and may extend state income tax credits for the rehabilitation of certified heritage structures; and

WHEREAS, in 1996, the Anacostia Heritage Area Partnership and Prince George's Heritage (PGH) successfully applied for Heritage Area recognition, and PGH further secured a management planning grant that was matched by the municipalities, M-NCPPC, the Prince George's County government, and private organizations; and

WHEREAS, Anacostia Trails Heritage Area, Inc. has submitted an application to the Prince George's County Historic Preservation Commission for a non-capital grant in the amount of \$20,000.00 to hire a consultant to undertake the production of a feasibility study to assess the potential challenges and benefits of expanding the boundaries of the existing Anacostia Trails Heritage Area to include other portions of Prince George's County including areas of Upper Marlboro, Accokeek, Fairmount Heights, Seat Pleasant, District Heights, Forest Heights, Glenarden, Landover Hills, Morningside, New Carrollton, Capital Heights, and Eagle Harbor, which could potentially be located within the expanded boundaries of the Heritage Area.

WHEREAS, the State-designated Anacostia Trails Heritage Area is moving forward with a study to expand its Heritage Area; and

WHEREAS, the expansion of the State Heritage Area to the Town would allow for new grants and tourism opportunities, and this study is the first step in potentially expanding the Heritage Area to new

## The Town of Upper Marlboro

parts of the County, and if this this happens, Heritage Area funding for preservation projects will be available to architectural, archeological, and cultural resources in parts of the County where they are not currently available, aiding in their long-term preservation; and

WHEREAS, the Board of Commissioners is in support of the expansion of the Anacostia Trails Heritage Area to the Town of Upper Marlboro, and pursuant to Line item \_\_\_\_\_ of the FY '20 Detailed Budget, as approved pursuant to Ordinance No. 2019-\_\_\_\_\_, the Board has appropriated funds for this purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO that the Town will contribute no more than \$5,000 of Town funds towards the Boundary Amendment Study to supplement County and State contributions, and the Mayor is hereby authorized to carry out the intent of this Resolution by signing any pertinent instruments or other documentation; and

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

**PASSED** by the Board of Commissioners of the Town of Upper Marlboro, Maryland at a regular meeting on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

ATTEST:

BOARD OF COMMISSIONERS OF THE TOWN  
OF UPPER MARLBORO, MARYLAND

\_\_\_\_\_  
M. David Williams, Clerk

\_\_\_\_\_  
Wanda Leonard, President

\_\_\_\_\_  
Kai Bernal-LeClaire, Commissioner

\_\_\_\_\_  
Linda Pennoyer, Commissioner

### CERTIFICATION

I, the undersigned, hereby certify that I am the Town Clerk of the Town of Upper Marlboro and that the Board of Town Commissioners of the Town of Upper Marlboro at a public meeting at which a quorum was present adopted this Resolution, and that said Resolution is in full force and effect and has not been amended or repealed. In witness whereof, I have hereunto set my hand and seal of the municipal corporation, this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
M. David Williams, Town Clerk



## Town of Upper Marlboro

RESOLUTION: 2019-07 DRAFT #2  
SESSION: Regular Town Meeting  
DATE: August 13, 2019

**A RESOLUTION OF THE BOARD OF COMMISSIONERS FOR THE TOWN OF UPPER MARLBORO TO RETAIN THE LAW FIRMS OF SHAPIRO SHER GUINOT & SANDLER, P.A. AND THEODORA ORINGHER P.C., AND ANDREWS & THORNTON REGARDING A CIVIL SUIT AGAINST CERTAIN ENTITIES LEGALLY RESPONSIBLE FOR THE WRONGFUL MANUFACTURE AND DISTRIBUTION OF PRESCRIPTION OPIATES AND NUISANCE DAMAGES CAUSED TO THE MUNICIPALITY**

WHEREAS, the Board of Town Commissioners recognizes the negative impact of the opioid crisis on the State of Maryland and the residents of the Town of Upper Marlboro; and

WHEREAS, the Board of Town Commissioners have deemed it in the best interest of the public health, safety and welfare to enter into a retainer agreement with law firms administering a civil suit against those legally responsible for the wrongful manufacture and distribution of prescription opiates; and

WHEREAS, there is no cost to the Town to join this civil suit as a party and the referenced firms have agreed to represent the Town on a contingency basis at no cost unless there is a recovery won whereby the firms' costs will be paid pro rata by the recovery in monetary damages obtained by the several participating Maryland municipalities in the litigation.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO that the Town hereby retains the law firms of Shapiro Sher Guinot & Sandler, P.A., and Theodora Oringher P.C., and Andrews & Thornton, in civil suit against those legally responsible for the wrongful manufacture and distribution of prescription opiates and damages caused.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon passage and that the President/Mayor is authorized to execute the subject retainer agreement with the above-referenced law firms.

**PASSED** by the Board of Commissioners of the Town of Upper Marlboro, Maryland at a regular meeting on the \_\_\_\_ day of \_\_\_\_\_, 2019.

ATTEST:

BOARD OF COMMISSIONERS OF THE TOWN  
OF UPPER MARLBORO, MARYLAND

\_\_\_\_\_  
M. David Williams, Clerk

\_\_\_\_\_  
Wanda Leonard, President

## Town of Upper Marlboro

\_\_\_\_\_  
Kai Bernal-LeClaire, Commissioner

\_\_\_\_\_  
Linda Pennoyer, Commissioner

### CERTIFICATION

I, the undersigned, hereby certify that I am the Town Clerk of the Town of Upper Marlboro and that the Board of Town Commissioners of the Town of Upper Marlboro at a public meeting at which a quorum was present adopted this Resolution, and that said Resolution is in full force and effect and has not been amended or repealed. In witness whereof, I have hereunto set my hand and seal of the municipal corporation, this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
M. David Williams, Town Clerk

**BOARD OF COMMISSIONERS  
FOR THE  
THE TOWN OF UPPER MARLBORO**

EMERGENCY ORDINANCE: 2019-06 DRAFT #2  
SESSION: Regular Town Meeting  
DATE: August 13, 2019

**AN EMERGENCY ORDINANCE OF THE TOWN OF UPPER MARLBORO TO AUTHORIZE  
THE BOARD OF COMMISSIONERS TO ENTER INTO A POLICE TRAINING MUTUAL AID  
AGREEMENT WITH THE PRINCE GEORGE'S COUNTY POLICE DEPARTMENT**

**WHEREAS**, the Board of Town Commissioners strives to ensure the Town Police Department is well equipped and trained to best serve the visitors and residents of the Town of Upper Marlboro; and

**WHEREAS**, police mutual aid agreements in Maryland are authorized by an enabling statute codified at Section 2-105 of the Annotated Code of Maryland, Criminal Procedure Article (the "Mutual Aid Statute"); and

**WHEREAS**, pursuant to Section 2-105(e)(2) of the Mutual Aid Statute, a county, municipal corporation, or the Maryland-National Capital Park and Planning Commission may not make a reciprocal agreement unless the parties agree to waive all claims and indemnify the other according to the terms and requirements set forth in said paragraph of the Criminal Procedure Article; and

**WHEREAS**, Section 82-16(2) of the Town Charter states that the Board shall have the power to pass ordinances not contrary to the laws and Constitution of this State, for the specific purpose of making agreements with other municipalities, counties, districts, bureaus, commissions, and governmental authorities for the joint performance of or for cooperation in the performance of any governmental functions; and .

**WHEREAS**, the Town and the County wish to enter into a Mutual Aid Agreement under Maryland Criminal Procedure, Code Annotated §2-105, that police officers from each jurisdiction, while being trained, or training another officer from the other jurisdiction, while in the confines of Prince George's County, may enforce the laws of the State of Maryland, to include laws enacted under the Transportation Article; and

**WHEREAS**, the Board of Town Commissioners has deemed it in the best interest of the public health, safety and welfare to enter into a Mutual Aid Agreement with the Prince George's County Police for the support of their Field Training Officers; and

**WHEREAS**, there is no direct cost to the Town to enter into this agreement.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO, STATE OF MARYLAND, DOES HEREBY ORDAIN, THAT:

**BOARD OF COMMISSIONERS  
FOR THE  
THE TOWN OF UPPER MARLBORO**

**SECTION 1.** The Town of Upper Marlboro shall enter into a "Mutual Aid Agreement Between Prince Georges County, Maryland, on Behalf of The Prince George's County Police Department (PGPD) and The Town of Upper Marlboro, Maryland, on behalf of the Upper Marlboro Police Department (UMPD) Regarding Field Training of Police Recruits and Mutual Aid," in substantially the form attached, and the President/Mayor and Chief of Police are authorized to execute this Mutual Aid Agreement.

**SECTION 2.** This Emergency Ordinance shall become effective when the Mutual Aid Agreement for Regarding Field Training of Police Recruits and Mutual Aid is authorized by the governing body or other proper authority of the Prince George's County government.

**BE IT FURTHER ENACTED AND ORDAINED** by the Board of Commissioners of the Town of Upper Marlboro, Maryland that due to the exigent circumstances and important governmental interests stated in the above recitals and herein and in order to further promote the health, safety and welfare of the Town and the general public, the Charter provision requiring that an ordinance may not be passed at the meeting at which it is introduced is hereby suspended by unanimous vote of the Board of Commissioners, and that this Emergency Ordinance shall become effective immediately following approval by the Board of Commissioners.

**AND BE IT FURTHER ENACTED AND ORDAINED** by the Board of Commissioners of the Town of Upper Marlboro, Maryland that pursuant to the Town Charter this Ordinance shall be posted in the Town office and a fair summary of it shall be published once in a newspaper of general circulation in the Town after passage by the Board.

AYES: \_\_\_\_\_ NAYES: \_\_\_\_\_ ABSENT: \_\_\_\_\_

**INTRODUCED** in a public session of the Board of Commissioners on this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Town Clerk

**ORDAINED, APPROVED AND** finally passed by the Board of Commissioners of the Town of Upper Marlboro, Maryland on this \_\_\_\_\_ day of \_\_\_\_\_, 2019, by:

Attest:

THE TOWN OF UPPER MARLBORO  
BOARD OF COMMISSIONERS

\_\_\_\_\_  
M. David Williams, Town Clerk

\_\_\_\_\_  
Wanda Leonard, President

**BOARD OF COMMISSIONERS  
FOR THE  
THE TOWN OF UPPER MARLBORO**

\_\_\_\_\_  
Linda Pennoyer, Commissioner

\_\_\_\_\_  
Kai Bernal-LeClaire, Commissioner

Reviewed and Approved for Legal Sufficiency

\_\_\_\_\_  
Kevin J. Best, Esq.

Date: \_\_\_\_\_