

# Town of Upper Marlboro

14211 School Lane • Upper Marlboro, Maryland 20772

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*Please join us for a brief Retirement Celebration just prior to the meeting starting at 6:30pm for UMPD Officer Andrew Ferraro*

## **REGULAR TOWN MEETING**

Tuesday, July 9, 2019 – 7:00 p.m.

### **AGENDA**

#### **Call to Order**

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

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

- Approval of the June 10, 2019 Regular Town Meeting minutes
- Approval of the June 17, 2019 Special Town Meeting minutes
- Approval of the Treasurer's Report, as of June 30, 2019.

#### **Reports**

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

#### **Business**

- 1) Resolution 2019-09 Check Signatures: (Board vote)
- 2) Annexation Resolution 01-2019: Annexation Phase I (discussion)
- 3) Special Event Application/Cruzin' Main Street (Board approval)
- 4) Banner Town 2019 presentation
- 5) Swearing in of Election Judge Ellen Storey (by President Leonard)
- 6) 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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**Wanda Leonard**  
Commissioner/ President

Commissioner

**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 2019-02: Commission Meeting 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

Monday, June 10, 2019

unApproved Minutes

### Call to Order

The meeting was called to order at 7:08 p.m.

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

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

Also present: Town Attorney/Kevin Best; SCW Chair Evelyn Stephens; TUMHC Chair Skews; NAACP PGC  
Chapter Vice-President/Jody Wildy; and various citizens and interested parties.

### Pledge of Allegiance

### Approval of Meeting Minutes & Financial Reports

The Regular Town Meeting minutes from May 14, 2019, the Town Charter Public Forum minutes from May 23, 2019, and the Board Work Session minutes from May 28, 2019 were acknowledged by the Board as reviewed. Commissioner Leonard motioned to approve the three sets of minutes, Commissioner Pennoyer seconded. All minutes from May's Regular Town Meeting, Public Forum and Board Work Session were unanimously approved.

Commissioner Pennoyer motioned to approve the Treasurer's Report as of May 31, 2019, Commissioner Leonard seconded. The Treasurer's Report was unanimously approved.

President Turner then asked that Agenda line item #8 "Presentation from the PGC NAACP" be delivered at this time, and the Reports section of the Agenda be forgone for tonight's meeting. Before the presentation, the President recounted the history of overt and covert racism, from in and outside of Town, and her personal experiences with it since running for office for the 2018-2020 term.

### Presentation

NAACP/Prince George's County Chapter: NAACP Chapter Vice-President Jody Wildy delivered a thirteen-minute presentation on the history of the NAACP, current race-relations issues, and the positive progress in diversity brought forth with the election of President Turner. The floor was then opened by President Turner for public comment.

### Business

Ordinance 2019-04 Town Operating Budget for FY2020: Finance Director William Morgan delivered an overview of the proposed FY2020 Town Operating Budget via a PowerPoint presentation. Highlights included: 1.) Anticipated County and State grants; 2.) Business License Fee ordinance and schedule; 3.) Diversified portfolios; 4.) Raised meter rates; 4.) Increased Highway User Revenues (HUR), and State Aid for Police Protection (SAPP); 5.) Raised Public Utility and Commercial Real Property tax rates; 6.) Grant award letters; 7.) New employee salaries, positions and training; Restricted Funds spending priorities/ Town Playground, Visitor Welcome Center; and, 8 ) Capital Improvements Projects/ IT infrastructure. During the presentation, Town Attorney Kevin Best noted that the County had just signed a Memorandum of Understanding with the Town, enabling the ownership and operation of 100 additional parking meters on Governor Oden Bowie Drive.

President Turner then motioned to adopt Ordinance 2019-04: Town Operating Budget for FY2020. Commissioner Pennoyer seconded. With all in favor, the motion was unanimously approved.

Emergency Ordinance 2019-05 Budget Amendments for FY19: President Turner motioned to amend Ordinance 2019-05 as an emergency ordinance throughout the document, Commissioner Pennoyer seconded. With no one opposed, the motion was unanimously approved. The President then asked for a

motion to adopt Ordinance 2019-05 as amended, to which Commissioner Pennoyer motioned, and Commissioner Leonard seconded. With all in favor, the motion was unanimously approved.

Old Line Bank/account presentation: This item was tabled to an undetermined future date.

Annexation Resolution 01-2019 Annexation Phase I: President Turner explained how the Phase One area to be annexed did not include any residential properties, and how the current Annexation Plan benefits the best interests of the Town. Attorney Best elaborated on specific details. Clerk Williams then introduced the Annexation Resolution pending final legal review. President Turner then asked for a motion to adopt AR 01-2019 as introduced, to which Commissioner Pennoyer motioned, and Commissioner Leonard seconded. It was noted the Resolution was subject to final approval according to the AR schedule listed on page 11.

The Annexation Plan was then reviewed and introduced by President Turner. Commissioner Leonard motioned to approve the Plan as stated, and Commissioner Pennoyer seconded. With all in favor, the motion was unanimously approved.

Resolution 2019-02: Commission Meeting Regulations: After reviewing the Resolution's history of public comment and discussion, the President explained how this Resolution will assist with proper policy and procedure for Board Meetings. President Turner then re-introduced Resolution 2019-02, and, asked for a motion to approve. Commissioner Leonard motioned to approve the Resolution as presented. A vote of the full Board was then conducted with President Turner and Commissioner Leonard both voting "Yea", and Commissioner Pennoyer voting "Nay". The motion was passed by majority vote of the Board.

Professional Services Contract(s): The President explained the value of the Greenwill Consulting Group who was hired to lobby on behalf of the Town for project funding at the County and State level. Stating their contract was up for renewal, she motioned to approve the renewal contract and Commissioner Leonard seconded the motion. With all in favor, the motion was unanimously approved.

A Memorandum of Understanding (MOU) with Greentree, a service contractor previously utilized to remove a tree that fell across a Town road and was beyond the capabilities of the Town to properly remove in a timely manner, was presented for Board approval by President Turner. After explaining the benefits of having the MOU to ensure timely resolution with such matters, the President motioned to approve the MOU pending legal review by the Town Attorney. Commissioner Pennoyer seconded the motion. With no one opposed, the MOU was unanimously approved.

The President explained the need to change the auditing firm that conducts the Town's Annual Audit. Commissioner Pennoyer motioned to approve the 4-year contract with C. Brown & Associates from June 30, 2019 through November 30, 2023, pending legal review. The contract was approved with a full majority vote of the Board.

Staff Contract: A Board vote of approval for an employment contract for the Director of Finance & Human Resources had been overlooked, but, was put forth to the Board for approval, pending legal review. Commissioner Pennoyer requested the deletion of "or Treasurer" from the contract, and, motioned to approve the contract, as amended, and pending legal review. With all in favor, the motion was passed.

Special Message from the Mayor: The President thanked everyone for all the kind words of encouragement this evening, and then read aloud her letter of resignation from the Board of Commissioners for the Town of Upper Marlboro effective June 30, 2019. She added that, though the position has been the greatest experience of her career, she has a greater priority to see to her family duties and responsibilities at this time. She noted it has been a great honor to serve the Town, and then motioned for the Board to accept her letter of resignation. Commissioner Leonard seconded. With no one opposed, the motion was passed.

## **Adjournment**

With all in favor, the meeting was adjourned at 9:16 p.m.

Respectfully submitted,

M. David Williams  
Town Clerk/Administrator

**Town of Upper Marlboro**  
**SPECIAL TOWN MEETING**  
**Monday, June 17, 2019 • 8:00 a.m.**  
unApproved Minutes

**Call to Order**

The meeting was called to order at 8:08 p.m.

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

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

Also present: SCW Chair Evelyn Stephens; TUMHC Chair Patti Skews and various citizens and  
                  interested parties.

**Pledge of Allegiance**

President Turner asked for consent to the Agenda. Approval was granted by all Commissioners present.

**Business**

Contract: President Turner presented a contract for services from Feldmann Communications Strategies LLC, for Board approval. She explained the value for the Town in having the service, especially when engaged in "crisis communication" with media outlets. The Board expressed a desire to explore more options for the service. The President recommended that the Board approve this contract now in the meantime, so as not to go without and be at risk. Two minor edits were noted by the Clerk. After discussion and a very short recess, Commissioner Leonard motioned to approve the contract as amended, Commissioner Pennoyer seconded. With all in favor, the motion was passed.

Board Q & A with the Mayor: The President waived standard public comment procedures and allowed an open forum style exchange of questions and answers with residents in attendance. Topics and suggestions for Board consideration that were covered by the President included: 1.) Continuing relationships with County Executive, County Councilmember(s), and, State Delegates and Senate President; 2.) Continuing Town Forum dialog on possible options for "Form of Government" restructuring; 3.) Employee Salaries ordinance; 4.) Continuing dialog on "moving forward" with Downtown redevelopment with Court Administrative Judge, the Honorable Sheila R. Tillerson Adams; and, 5.) Board member briefings for Board structure transition to be conducted by Chief of Staff.

**Adjournment**

Commissioner Leonard made a motion to adjourn, Commissioner Pennoyer seconded the motion. With all in favor, the meeting was adjourned at 9:24 p.m.

Respectfully submitted,

M. David Williams  
Town Clerk/Administrator



# Town of Upper Marlboro

Town Hall, 14211 School Lane  
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www.uppermarlbormd.gov

## Town of Upper Marlboro Budget vs. Actuals July 2018 - June 2019

	Actual	Budget	% of Budget
<b>Revenue</b>			
Fines, Licenses, Permits	\$106,036.54	\$94,000.00	113%
Grants	\$64,182.50	\$156,453.00	41%
Intergovernmental	\$37,245.57	\$40,750.00	91%
Other Revenue	\$481,654.13	\$590,494.00	82%
Taxes	\$557,389.20	\$474,658.00	117%
<b>Total Revenue</b>	<b>\$1,246,507.94</b>	<b>\$1,356,355.00</b>	<b>92%</b>
<b>Expenses</b>			
General Government	\$735,787.42	\$656,161.00	112%
Public Safety	\$201,105.51	\$240,140.00	84%
Public Works	\$344,289.20	\$460,054.00	75%
<b>Total Expenses</b>	<b>\$ 1,281,182.13</b>	<b>\$ 1,356,355.00</b>	<b>94%</b>

### Committee Overview

Historical Committee	\$96.98	\$1,500.00	6%
CERT Team	\$482.03	\$1,500.00	32%
Events Committee	\$9,506.47	\$13,000.00	73%



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## Monthly Narrative

The month of June featured some highs and lows. After implementing our first year of the business license fee, we've had many businesses to apply thus far, with many more to come. Commissioners and I are working diligently to gather every business within the town after noticing a good amount was forgotten in specific areas. This was not due to a lack of work on our part but, the information being used was not current and with every business registered to the Town's jurisdiction. Many offices have reached out to make certain their payments were collected as they understand the penalties that could follow.

### **TOWN OF UPPER MARLBORO PROFIT & LOSS JUNE 2019**

#### **REVENUE**

<b>FINES, LICENSES, PERMITS</b>	<b>\$15,646.91</b>
<b>GRANTS</b>	<b>\$0.00</b>
<b>INTERGOVERNMENTAL</b>	<b>\$1,398.14</b>
<b>OTHER REVENUE</b>	<b>\$101.28</b>
<b>TAXES</b>	<b>\$39,831.19</b>
<b>TOTAL REVENUE</b>	<b>\$56,977.52</b>

#### **EXPENSES**

<b>GENERAL GOVERNMENT</b>	<b>\$55,499.22</b>
<b>PUBLIC SAFETY</b>	<b>\$15,356.60</b>
<b>PUBLIC WORKS</b>	<b>\$15,372.80</b>
<b>TOTAL EXPENSES</b>	<b>\$86,228.62</b>



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## Balance Sheet As of June 30, 2019

	<u>Total</u>
<b>Bank Accounts</b>	
Cash on Hand and in Banks	0.00
1000 PGFSB Operating Checking	137,962.88
1001 Petty Cash	300.00
1010 PGFSB Payroll Account	0.00
1040 M&T Checking	16,142.29
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	100,639.52
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
<b>Total Cash on Hand and in Banks</b>	<b>\$ 852,363.86</b>





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

### Incidents Reported in Town:

Accident Report 1	Assault Report 1	
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### Last Month Incidents:

Accident Report 1		
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Chief Burse attended the Swearing-in ceremony for Mt. Rainer Deputy Chief Alston.

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

Chief Burse attended the Reducing Liability Training held by the New Carrollton Police Department.

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, June 15, 2019.

Chief Burse attended the funeral for retired City of Hyattsville Chief of Police Perry.

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

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

Chief Burse attended the Criminal Justice Coordinating Council meeting with leaders of the County Government.

Chief Burse attended the Maryland Municipal League Conference in Ocean City, Maryland.

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**Linda Pennoyer**  
Commissioner/ Treasurer

(vacant) Commissioner

**Wanda Leonard**  
Commissioner/ President

## **The Town of Upper Marlboro**

RESOLUTION: 2019-09  
SESSION: Regular Town Meeting  
DATED: July 9, 2019

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

**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 resignation of President Tonga Y. Turner effective as of June 30<sup>th</sup>, 2019, and the selection by the Board of Commissioners of Commissioner Wanda M. Leonard to replace her as President has resulted in a change in the membership and officers of the Board of Town Commissioners, specifically in the Office of the President as previously designated and named in Resolution 2018-01 as an authorized alternate signer of checks in the absence of the Treasurer along with the remaining alternate signers.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners for The Town of Upper Marlboro, sitting in regular session this \_\_\_\_\_ day of \_\_\_\_\_, 2019, that Commissioner Linda Pennoyer, 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 Commissioner Wanda M. Leonard 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 due to their unavailability or incapacities, the following two (2) other designated persons shall so serve of which at least one (1) is a commissioner: 1.) the Commissioner to be elected at the August 5<sup>th</sup> Special Election as evidenced by the approved minutes from the meeting at which the new commissioner is qualified and sworn into office , and 2.) Town Clerk, M. David Williams, and be it,

**FURTHER RESOLVED**, that this Resolution will supersede Resolution 2018-01 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

\_\_\_\_\_  
Wanda M. Leonard, President

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

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

\_\_\_\_\_  
*Vacant*, 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

THE TOWN OF UPPER MARLBORO, MARYLAND

**Annexation Resolution No. 01-2019**

**RESOLUTION PROPOSING THE ANNEXATION OF CERTAIN  
ADJOINING PUBLIC WAYS AND LANDS (TAX MAP 102, PARCEL 32,  
[NORTH AND SOUTH OF PENNSYLVANIA AVENUE/STEPHANIE  
ROPER HIGHWAY (MD 4)] & TAX MAP 102, PARCEL 115; & TAX MAP  
101, PARCEL 245; & TAX MAP 101, PARCEL 60 INTO THE TOWN OF  
UPPER MARLBORO (THE FIRST ANNEXATION))**

A RESOLUTION TO APPROVE THE ANNEXATION OF TWO (2) SEGMENTS OF STATE HIGHWAYS (RIGHTS-OF-WAY OF MD 4 & MD 717) AND APPROXIMATELY FIVE (5) PARCELS (INCLUDING PORTIONS OF PARCELS ALREADY LOCATED WITHIN THE TOWN'S CORPORATE LIMITS) OF LAND CONSISTING OF AN ANNEXATION AREA OF 189.08 ACRES OF LAND, MORE OR LESS, LOCATED IN THE 3<sup>RD</sup> ASSESSMENT DISTRICT OF PRINCE GEORGE'S COUNTY, AND LOCATED GENERALLY SOUTH AND EAST OF THE PRESENT CORPORATE LIMITS OF THE TOWN OF UPPER MARLBORO, INCLUDING LANDS SITUATED SOUTH OF MARLBORO PIKE (MD 725) BOUNDED BY OR STRADDLING MARLBORO RACE TRACK ROAD (PRIVATE ROAD), THE WESTERN BASIN OF DEPOT POND LOCATED WITHIN PARCEL 32 AND WEST OF THE CSX TRANSPORTATION RAILROAD RIGHT-OF-WAY, PARCEL 115, A PORTION OF PARCEL 60, A PORTION OF PARCEL 245, A SEGMENT OF PENNSYLVANIA AVENUE/STEPHANIE ROPER HIGHWAY (MD 4) BISECTING PARCEL 32, AND A SEGMENT OF WATER STREET (MD 717) INTO THE CORPORATE TERRITORY OF THE TOWN OF UPPER MARLBORO AS MORE FULLY DESCRIBED IN THIS RESOLUTION; PROVIDING FOR THE TERMS AND CONDITIONS OF THE ANNEXATION TO THE TOWN OF UPPER MARLBORO; AMENDING THE CHARTER OF THE TOWN OF UPPER MARLBORO FOR THE PURPOSES OF INCLUDING THE ANNEXED PROPERTY WITHIN THE LEGAL DESCRIPTIONS AND PLATS DEPICTING THE CORPORATE LIMITS OF THE TOWN; AND GENERALLY ALL MATTERS RELATED TO SAID ANNEXATION.

WHEREAS, the Board of Commissioners finds it to be in the best interest of the Town of Upper Marlboro (the "Town") to initiate this Resolution proposing the annexation of certain public lands (Tax Map 102, Parcel 32, [North and South of Pennsylvania Avenue/Stephanie Roper highway (MD 4)] & Tax Map 102, Parcel 115; & Tax Map 101, Parcel 245; & Tax Map 101, Parcel 60 into the Town (the "First Annexation") including the lands commonly known as the Show Place Arena and Prince George's Equestrian Center Properties, a portion of the Pennsylvania Avenue (MD 4) public right-of-way, a portion of the Water Street (MD 717) public right-of-way, the Upper Marlboro Community Center property at 5400 Marlboro Race Track Road, the Prince George's Soil Conservation District property at 5301 Marlboro Race Track Road, Depot Pond west of the CSX Transportation Railroad right-of-way, the fast and submerged land on either side of Marlboro Race Track Road within or bounding Parcel 32 to said private road's intersection with Marlboro Pike (MD 725) as more fully described herein below and particularly as described in the metes and bounds description of Section 2 provided

below and the map of the first annexation of the Town of Upper Marlboro, prepared by Charles P. Johnson and Associates, Inc. (June 2019) attached hereto; and

WHEREAS, The Town is authorized by the Town Charter and provisions of Title 4, Subtitle 4 of the Local Government Article, of the Annotated Code of Maryland (the “Maryland Code”) to expand its municipal boundaries by annexing lands which are adjoining and contiguous; and

WHEREAS, this Resolution is initiated by the Town Board of Commissioners pursuant to §4-403 of the LG Art., of Maryland Code; and

WHEREAS, the property to be annexed will consist of adjoining public ways and five (5) parcels of land (Tax Map 102, Parcel 32, [North and South of Pennsylvania Avenue/Stephanie Roper Highway (Md 4)] & Tax Map 102, Parcel 115; & Tax Map 101, Parcel 245; & Tax Map 101, Parcel 60) totaling 189.08 acres of land, more or less, contiguous and adjoining to the existing southern and eastern corporate boundaries of the Town, and more particularly described herein below (the “Annexation Property”) owned by Prince George’s County, Maryland, the Prince George’s County Soil Conservation District, and the State of Maryland; and

WHEREAS, parts of the Annexation Property are currently zoned according to the following categories or classifications: R-O-S or Reserved Open Space, RA or Residential-Agricultural, RR or Rural Residential and C-S-C or Commercial Shopping Center pursuant to the County Zoning Ordinance as depicted on the County Zoning Map; and

WHEREAS, the Local Government Article (“LG”), §4-403 of the Maryland Code states that “[b]efore an annexation resolution is introduced, the legislative body shall obtain consent from: (1) at least 25% of the registered voters who are residents in the area to be annexed; and (2) the owners of at least of 25% of the assessed valuation of real property in the area to be annexed...”; and

WHEREAS, the Annexation Property currently has no residential dwellings, and no residential occupants residing upon the premises or parcels owned and maintained by governmental owners named herein; therefore, the Board of Commissioners finds that there are no qualified voters residing in the Annexation Property; and

WHEREAS, the Board of Commissioners further finds that all of the parcels, ways or lands of the Annexation Property are owned by tax exempt entities including the State of Maryland, Prince George County, and the Prince George’s Soil Conservation District; and

WHEREAS, on April 4, 2019, the Court of Appeals of Maryland held in *Town of Forest Heights v. Md.-Nat’l Capital Park & Planning Comm’n* (No. 21, Sept. Term 2018) that the 25% consent requirement of LG § 4-403(b)(2) is not applicable to the owners of tax-exempt properties, and the Attorney General of Maryland has opined in 66 Op. Att’y Gen. Md. 267 (1981) that regarding land owned by a county government within a proposed municipal annexation area, a county government may not veto or withhold consent to a municipal annexation of its real property as follows from the *City of Salisbury v. Banker’s Life*, 21 Md. App. 396, 404 (1974) case, which stood for the proposition that the consent of tax-exempt

property owners within a proposed annexation area is not required to effectuate a municipal annexation; and

WHEREAS, the Annexation Property is described in the metes and bounds legal description of a parcel or parcels of land referenced herein below as the First Annexation, and the Annexation Property is more further described or depicted on a map exhibit entitled "Map of the First Annexation of the Town of Upper Marlboro, Prince George's County, Maryland, 1" = 300', June 2019" prepared by Charles P. Johnson and Associates, Inc., which is attached hereto as Exhibit A, and the Annexation Property is further shown on the Prince George's County TAX MAP (Tax Map 102, Parcel 32 (Account No. 0238873), & Tax Map 102, Parcel 115 (Account No. 3733714); & Tax Map 101, Parcel 245 (Account No. 0229864); & Tax Map 101, Parcel 60 (Account No. 0192286); and

WHEREAS, a proposed Annexation Plan consistent with the requirements of Section 4-415 of the Local Government Article, of the Annotated Code of Maryland has been prepared and submitted to the Town and made available for public review and discussion; a copy of the Annexation Plan has been provided to the Prince George's County Council and the County Executive, the Maryland-National Capital Park and Planning Commission, and the Maryland Department of State Planning at least thirty (30) days prior to the date of the public hearing to be conducted on this Resolution by the Board of Commissioners of the Town of Upper Marlboro; and

WHEREAS, all requirements of the Laws of the State of Maryland, Prince George's County and the Charter and laws of The Town of Upper Marlboro regarding initiation of this annexation by the Town's legislative body have been satisfied, and the Town Board of Commissioners has determined that it is desirable to initiate by resolution the annexation process for the benefit of the Town.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO** the following:

Section 1. Modification of Town Boundaries. The municipal boundaries of The Town of Upper Marlboro, Maryland shall be and are hereby amended to incorporate into The Town of Upper Marlboro the Annexation Property, as described in the metes and bounds legal description of parcels of land referenced herein below as the First Annexation, and the Annexation Property is more further described or depicted on a map exhibit entitled "Map of the First Annexation of the Town of Upper Marlboro, Prince George's County, Maryland, 1" = 300', June 2019" prepared by Charles P. Johnson and Associates, Inc., and certified by Steven William Jones, Professional Land Surveyor, which is attached hereto as Exhibit A, and the Annexation Property is further shown on Prince George's County Tax Map 102, Parcel 32 (Account No. 0238873), & Tax Map 102, Parcel 115 (Account No. 3733714); & Tax Map 101, Parcel 245 (Account No. 0229864); & Tax Map 101, Parcel 60 (Account No. 0192286). The annexation plat or map shall be subject to technical review and correction by the Town, or its designee, prior to the public hearing to be held on this Resolution.

**Section 2.** Amendment of Town Charter. Pursuant to the authority of Article XI-E of the Constitution of Maryland and the Local Government Article (Division II) of the Maryland Code, the Charter of the Town of Upper Marlboro (as published in the *Public Local Laws of Maryland – Compilation of Municipal Charters*) be and the same is hereby amended in Section 82-2 of said Charter by amending said Section to read as follows (changes underlined and/or in italics but not bold font) by adding the following subsection containing the metes and bounds description of the Annexation Property:

...

## Corporate Limits

### **Section 82–2. The corporate limits of the Town shall be as follows:**

- (a) Original Boundaries. Commencing at the mouth of the Federal Spring Branch at its confluence with the Western Branch and running down with the meanders of the Western Branch on the south side thereof, and exclusive of said branch, to the stream beyond James B. Belt's meadow; then up and with said stream to the small bridge culvert on the road from Upper Marlboro to Rosaryville, back of the former residence of A. S. Brooke; then in an air or direct line across the land of Frederick Sasscer to the Federal Spring Branch at a point which will throw into the corporation all the land formerly purchased by Thomas E. Williams and C. C. Magruder, Jr., of the trustees of D. Benedict J. Gardiner; then down and with the meanders of said Federal Spring Branch on the south side thereof, and exclusive of said branch to its mouth, the beginning point aforesaid.
- (b) First Annexation. The boundaries of Upper Marlboro are hereby extended to include the following parcel or area of land:
- (1) Beginning for the same at a point on the Northerly side of the Western Branch of the Patuxent River, said point also being on the Westerly Right-of-Way line of Water Street (30' wide), thence leaving the aforesaid Westerly Right-of-Way line of Water Street, and running with and binding on the aforesaid Northerly side of the Western Branch of the Patuxent River, which line is also the present southern boundary line of the Town of Upper Marlboro, the following course and distance
- (i) North 59°22'15" East, 30.20 feet to a point on the Easterly Right-of-Way line of the aforesaid Water Street, thence leaving the aforesaid Easterly Right-of-Way line of Water Street, and running with and binding on the aforesaid Northerly side and the Westerly side of the aforesaid Western Branch of the Patuxent River, which line is also the present southern and eastern boundary lines of the Town of Upper Marlboro, the following thirty-seven courses and distances
- (ii) North 59°22'15" East, 33.65 feet to a point, thence
- (iii) North 78°17'37" East, 54.21 feet to a point, thence
- (iv) South 80°47'48" East, 77.15 feet to a point, thence
- (v) South 71°19'31" East, 112.94 feet to a point, thence
- (vi) South 76°01'28" East, 152.69 feet to a point, thence



- (vii) South 83°05'54" East, 71.68 feet to a point, thence
- (viii) South 89°32'06" East, 85.41 feet to a point, thence
- (ix) South 85°04'07" East, 108.07 feet to a point, thence
- (x) North 80°58'04" East, 57.19 feet to a point, thence
- (xi) North 71°21'18" East, 121.74 feet to a point, thence
- (xii) North 72°44'50" East, 106.09 feet to a point, thence
- (xiii) North 58°16'59" East, 86.36 feet to a point, thence
- (xiv) North 35°36'26" East, 96.84 feet to a point, thence
- (xv) North 10°50'22" East, 65.08 feet to a point, thence
- (xvi) North 10°09'29" West, 53.08 feet to a point, thence
- (xvii) North 23°22'29" West, 68.12 feet to a point, thence
- (xviii) North 14°10'44" West, 43.37 feet to a point, thence
- (xix) North 06°08'00" West, 88.43 feet to a point, thence
- (xx) North 15°30'05" West, 105.41 feet to a point, thence
- (xxi) North 10°38'44" West, 22.55 feet to a point, thence
- (xxii) North 05°24'42" East, 99.91 feet to a point, thence
- (xxiii) North 24°36'20" East, 52.46 feet to a point, thence
- (xxiv) North 29°58'08" East, 73.58 feet to a point, thence
- (xxv) North 01°08'40" East, 73.14 feet to a point, thence
- (xxvi) North 12°22'04" West, 101.83 feet to a point, thence
- (xxvii) North 02°42'06" West, 105.34 feet to a point, thence
- (xxviii) North 18°30'24" East, 119.68 feet to a point, thence
- (xxix) North 25°23'06" East, 120.06 feet to a point, thence
- (xxx) North 17°35'07" East, 133.80 feet to a point, thence
- (xxxi) North 23°00'32" East, 127.31 feet to a point, thence
- (xxxii) North 43°34'57" East, 88.61 feet to a point, thence
- (xxxiii) North 31°19'50" East, 66.99 feet to a point, thence
- (xxxiv) North 16°33'44" East, 52.18 feet to a point, thence
- (xxxv) North 01°52'36" East, 74.08 feet to a point, thence
- (xxxvi) North 10°09'43" West, 73.94 feet to a point, thence
- (xxxvii) North 13°27'01" West, 60.91 feet to a point, thence
- (xxxviii) North 24°14'35" West, 62.64 feet to a point on the Southerly Right-of-Way line of Marlboro Pike (MD Rte. 725 [formerly MD Rte. 4], variable width) as shown on State Roads Commission Plat Number 26495, thence leaving the aforesaid Westerly side of the Western Branch of the Patuxent River, and running with and binding on the aforesaid Southerly Right-of-Way line of Marlboro Pike, and also running for a new boundary line of Upper Marlboro, the following three courses and distances
- (xxxix) North 61°30'04" East, 105.88 feet to a point, thence
- (xl) North 31°46'10" West, 35.06 feet to a point, thence
- (xli) North 62°31'27" East, 39.26 feet to a point on the extension of the Seventh or North 28°04'00" West, 64.92 feet as described in a Deed from Prince George's County to L. Thomas Wellons, III and Thomas Franklin Houck, Sr., dated January 13, 1987 and recorded among the Land Records of Prince George's County, Maryland in Liber 6627 at Folio 682, thence leaving the aforesaid Southerly Right-of-Way line of Marlboro Pike, and running

reversely with and binding on the aforesaid extension of the Seventh line, and the Sixth through Third lines as described in the aforesaid Deed recorded in Liber 6627 at Folio 682, the following five courses and distances

- (xlii) South 27°41'57" East, 74.04 feet to a point, thence
- (xliii) South 83°24'34" West, 20.30 feet to a point, thence
- (xliv) South 06°35'26" East, 140.00 feet to a point, thence
- (xlv) North 83°24'34" East, 18.27 feet to a point, thence
- (xlvi) North 43°26'56" East, 110.97 feet to a point on the Thirty-Seventh or South 54°13' East, 315.00 feet line as described in a Deed from Southern Maryland Agricultural Association, Inc., a Maryland corporation, to Prince George's County, Maryland, a Municipal corporation, dated August 26, 1980 and recorded among the aforesaid Land Records in Liber 5299 at Folio 269, distant 269.71 feet from the end thereof, thence running with and binding on the aforesaid Thirty-Seventh line, and the Thirty-Eighth and Thirty-Ninth lines as described in aforesaid Deed recorded in Liber 5299 at Folio 269, the following three courses and distances
- (xlvii) South 57°45'59" East, 269.71 feet to a point, thence
- (xlviii) South 39°18'37" East, 470.00 feet to a point, thence
- (xlix) South 23°03'37" East, 608.50 feet to a point on the Westerly line of the Pope's Creek Branch Railroad Right-of-Way, thence running with and binding on the aforesaid Westerly line of the Pope's Creek Branch Railroad Right-of-Way, and also running with and binding on the Fortieth through Forty-Sixth lines as described in the aforesaid Deed recorded in Liber 5299 at Folio 269, the following seven courses and distances
- (l) South 13°43'37" East, 435.00 feet to a point, thence
- (li) South 18°25'37" East, 110.00 feet to a point, thence
- (lii) South 07°25'37" East, 70.00 feet to a point, thence
- (liii) South 10°10'37" East, 45.00 feet to a point, thence
- (liv) South 09°24'23" West, 110.00 feet to a point, thence
- (lv) South 03°14'23" West, 130.00 feet to a point, thence
- (lvi) South 09°24'23" West, 34.66 feet to a point on the Northerly Right-of-Way line of Pennsylvania Avenue (Relocated MD Rte. 4, variable width) as shown on State Roads Commission Plat Number 19971, thence leaving the aforesaid Northerly Right-of-Way line of Pennsylvania Avenue, and also leaving the aforesaid Forty-Sixth line as described in Liber 5299 at Folio 269, and running in, through, over and across the aforesaid Pennsylvania Avenue Right-of-Way, and also continuing with the Westerly line of the Pope's Creek Branch Railroad Right-of-Way, the following course and distance
- (lvii) South 09°06'50" West, 307.99 feet to a point on the Southerly Right-of-Way line of the aforesaid Pennsylvania Avenue, thence leaving the aforesaid Southerly Right-of-Way line of Pennsylvania Avenue, and continuing with the Westerly line of the Pope's Creek Branch Railroad Right-of-Way the following fourteen courses and distances
- (lviii) South 13°46'35" West, 184.23 feet to a point, thence
- (lix) South 04°56'07" East, 65.46 feet to a point, thence
- (lx) South 16°30'10" West, 21.02 feet to a point, thence

- (lxi) South 65°06'58" West, 12.81 feet to a point, thence
- (lxii) South 07°04'00" West, 68.47 feet to a point, thence
- (lxiii) South 16°27'37" West, 192.21 feet to a point, thence
- (lxiv) South 12°24'11" West, 292.08 feet to a point, thence
- (lxv) South 13°46'35" West, 202.00 feet to a point, thence
- (lxvi) South 19°07'56" West, 128.56 feet to a point, thence
- (lxvii) South 15°16'41" East, 20.59 feet to a point, thence
- (lxviii) South 40°46'20" West, 59.48 feet to a point, thence
- (lxix) South 13°46'35" West, 938.84 feet to a point, thence
- (lxx) South 26°57'07" East, 53.00 feet to a point, thence
- (lxxi) South 13°52'27" West, 10.67 feet to a point at the end of the Ninth or South 89°32'00" East, 107.60 feet line as described in a Deed from Bertha Alene Curtis, et al, to Jose Mararac, dated April 29, 2008 and recorded among the aforesaid Land Records in Liber 29657 at Folio 228, thence leaving the aforesaid Westerly line of the Pope's Creek Branch Railroad Right-of-Way, and running reversely with and binding on the aforesaid Ninth line, and the Eighth through Fourth lines as described in the aforesaid Deed recorded in Liber 29657 at Folio 228, the following six courses and distances
- (lxxii) South 89°59'27" West, 107.60 feet to a point, thence
- (lxxiii) South 66°33'04" West, 117.25 feet to a point, thence
- (lxxiv) South 63°54'04" West, 274.05 feet to a point, thence
- (lxxv) South 73°28'04" West, 191.42 feet to a point, thence
- (lxxvi) South 77°23'04" West, 161.22 feet to a point, thence
- (lxxvii) North 89°48'51" West, 166.95 feet to a point at the Southerly end of the Easterly or South 18°08'22" West, 346.42 feet plat line as shown on a Record Plat entitled "Plat Two, The Reserve" and recorded among the aforesaid Land Records in Plat Book 149 on Page 2, thence leaving the aforesaid Fourth line as described in Liber 29657 at Folio 228, and running reversely with and binding on the outline of the aforesaid Record Plat the following fifteen courses and distances
- (lxxviii) North 18°08'32" East, 346.42 feet to a point, thence
- (lxxix) North 89°13'01" West, 123.10 feet to a point, thence
- (lxxx) South 67°57'42" West, 191.72 feet to a point, thence
- (lxxxii) South 40°38'59" West, 149.46 feet to a point, thence
- (lxxxiii) South 79°06'27" West, 69.28 feet to a point, thence
- (lxxxiv) North 65°58'23" West, 100.94 feet to a point, thence
- (lxxxv) North 49°33'44" West, 373.62 feet to a point, thence
- (lxxxvi) North 61°00'06" West, 252.03 feet to a point, thence
- (lxxxvii) North 45°53'18" West, 132.48 feet to a point, thence
- (lxxxviii) North 50°53'11" West, 190.16 feet to a point, thence
- (lxxxix) North 37°06'19" West, 305.81 feet to a point, thence
- (xc) North 24°27'00" West, 83.42 feet to a point, thence
- (xci) North 09°51'55" West, 178.84 feet to a point, thence
- (xcii) North 00°52'02" East, 171.54 feet to a point, thence
- (xciii) North 10°05'29" West, 124.18 feet to a point on the aforesaid Southerly Right-of-Way line of Pennsylvania Avenue, thence leaving the aforesaid Southerly

Right-of-Way line of Pennsylvania Avenue, and also leaving the aforesaid outline of Plat Two of The Reserve Record Plat, and running in, through, over and across the aforesaid Pennsylvania Avenue Right-of-Way the following course and distance

- (xciii) North 04°54'22" West, 325.42 feet to a point on the aforesaid Northerly Right-of-Way line of Pennsylvania Avenue, thence running with and binding on the aforesaid Northerly Right-of-Way line of Pennsylvania Avenue the following five courses and distances
- (xciv) North 62°17'50" East, 440.10 feet to a point of curvature, thence
- (xcv) 429.67 feet along the arc of a non-tangent curve, deflecting to the left, having a radius of 700.00 feet and a chord bearing and distance of North 29°04'02" East, 422.96 feet to a point of compound curvature, thence
- (xcvi) 247.41 feet along the arc of a tangent curve, deflecting to the left, having a radius of 400.00 feet and a chord bearing and distance of North 06°14'11" West, 243.48 feet to a point, thence with a tangent line
- (xcvii) North 23°57'20" West, 19.39 feet to a point, thence
- (xcviii) North 66°02'40" East, 47.00 feet to a point on the aforesaid Westerly Right-of-Way line of Water Street, thence leaving the aforesaid Northerly Right-of-Way line of Pennsylvania Avenue, and running with and binding on the aforesaid Westerly Right-of-Way line of Water Street the following course and distance
- (xcix) North 23°57'20" West, 47.30 feet to the point of beginning, containing 189.08 acres of land.

...

Section 3. Application of Town Charter and Ordinances. Upon the effective date of this Resolution, the provisions of the Charter, and ordinances of The Town of Upper Marlboro, and any local public laws enacted or to be enacted affecting The Town of Upper Marlboro, shall be effective within the Annexation Property except to the extent that federal or state law, this Resolution, an Annexation Agreement or the Annexation Plan provides otherwise.

Section 4. Zoning Classification. The Annexation Property is governed under the land use jurisdiction of the District Council of Prince George's County and the Maryland-National Capital Park and Planning Commission ("M-NCPPC"). The Annexation Property is currently zoned R-O-S or Reserved Open Space, RA or Residential-Agricultural, RR or Rural Residential and C-S-C or Commercial Shopping Center on certain portions of the subject parcels pursuant to the County Zoning Ordinance.

Section 5. Annexation Plan. The Town has prepared an Annexation Plan with regard to the Annexation Property. The Annexation Plan is attached hereto as Exhibit B, but is not part hereof and the Town reserves the right to amend the Annexation Plan prior to final adoption of this Resolution in a manner consistent with Local Government ("LG") Article, Section 4-415 of the Maryland Code. The Annexation Plan may not be construed in any way as an amendment to this Resolution. A copy of the Annexation Plan has been provided to the Prince George's County Council and the County Executive, M-NCPPC, and also to the Maryland Department of

State Planning (“MDP”) at least thirty (30) days prior to the date of the public hearing conducted by the Board of Commissioners on this Resolution.

**Section 6. Public Hearing and Public Notice.** A public hearing, as required by the provisions of LG Article, Section 4-406 of the Maryland Code, shall be held by the Town at a time to be determined by the Board of Commissioners, and duly advertised according to the provisions of that statute. Public notice of the proposed public hearing shall be given at least four (4) times, at no less than weekly intervals, in a newspaper of general circulation in Upper Marlboro, Maryland, the last day of which public notice shall precede the public hearing by at least fifteen (15) days, all in accordance with the provisions of Section 4-406, LG Article of the Maryland Code. Upon the first publication of the public notice a copy thereof, including exhibits, shall be provided to:

- (a) the Prince George’s County Council, and the County Executive,
- (b) the Maryland-National Capital Park and Planning Commission (c/o the Prince George’s County Planning Department), and
- (c) The Prince George’s County Planning Board

**Section 7. Registration of Boundaries.** Within ten (10) days of the effective date of this Resolution, in accordance with the provisions of the Local Government Article, Sections 4-414 and 4-308 of the Maryland Code, the President/Mayor, or her designee, shall promptly forward a copy of this Resolution with the new municipal boundaries to the Town Clerk, the Clerk of the Circuit Court for Prince George’s County, Maryland, the M-NCPPC, and to the Maryland Department of Legislative Services. Each such official or agency shall hold this Resolution with the new municipal boundaries on record and available for public inspection.

**Section 8. Effective Date.** This Resolution shall be deemed “finally enacted” on the date on which the Commissioners indicate their approval of the Resolution by affixing their signatures hereto. This Resolution shall become effective forty-five (45) days after final enactment, unless it is subject to a petition for referendum by at least 20% of the qualified voters of the municipality, whereas should said petition come to pass and be verified to be in compliance with law, the President/Mayor shall suspend this Resolution by proclamation pending the results of the referendum.

AND BE IT FURTHER RESOLVED, by the Board of Commissioners of the Town of Upper Marlboro, that the corporate boundaries of the Town of Upper Marlboro be, and they hereby are, enlarged and extended by including therein the Annexation Area referred to and described in this Resolution and in Exhibit A attached hereto and incorporated herein by reference.

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

ATTEST:

BOARD OF COMMISSIONERS OF THE  
TOWN OF UPPER MARLBORO,  
MARYLAND

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

\_\_\_\_\_  
Tonga Y. Turner, President/Mayor

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

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

\_\_\_\_\_  
Wanda Leonard, Commissioner

Reviewed and Approved for Legal Sufficiency

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

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

**CERTIFICATION**

**I, HEREBY CERTIFY THAT THE FOREGOING RESOLUTION OF THE TOWN OF UPPER MARLBORO DESIGNATED ANNEXATION RESOLUTION NO. 01 - 2019, WAS DULY INTRODUCED AND READ, AND THEREAFTER ADVERTISED FOR FOUR SUCCESSIVE WEEKS, AND CONSIDERED AT A PUBLIC HEARING ON JULY \_\_, 2019 AND WAS ADOPTED BY THE BOARD OF COMMISSIONERS AT A DULY ANNOUNCED PUBLIC MEETING, IN ACCORDANCE WITH THE APPLICABLE PROVISIONS OF THE ANNOTATED CODE OF MARYLAND AND CHARTER OF THE TOWN OF UPPER MARLBORO.**

ATTEST:

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

**EXHIBIT A** - "Map of the First Annexation of the Town of Upper Marlboro, Prince George's County, Maryland, 1" = 300', June 2019" prepared by Charles P. Johnson and Associates, Inc.

ANNEXATION RESOLUTION SCHEDULE

RESOLUTION INTRODUCTION DATE: June 10, 2019

ANNEXATION PLAN TO COUNTY, MDP, M-NCPPC & PGCPB (AT LEAST 30 DAYS  
BEFORE HEARING): Before July 28, 2019 (Fri/26)

HEARING NOTICE PUBLICATION DATES: 1 July 4, 2019  
(4 NOTICES FOR 4 WEEKS PRIOR TO HEARING) 2. July 11, 2019  
3. July 18, 2019  
4. July 25, 2019

MAIL PUBLIC NOTICE TO CO. COUNCIL, MDP & M-NCPPC: July 5, 2019

PUBLIC HEARING DATE (NOT LESS THAN 15 DAYS AFTER THE FINAL  
PUBLICATION OF THE NOTICES): August 27, 2019

ENACTMENT DATE (ON OR AFTER HEARING DATE): August 27, 2019

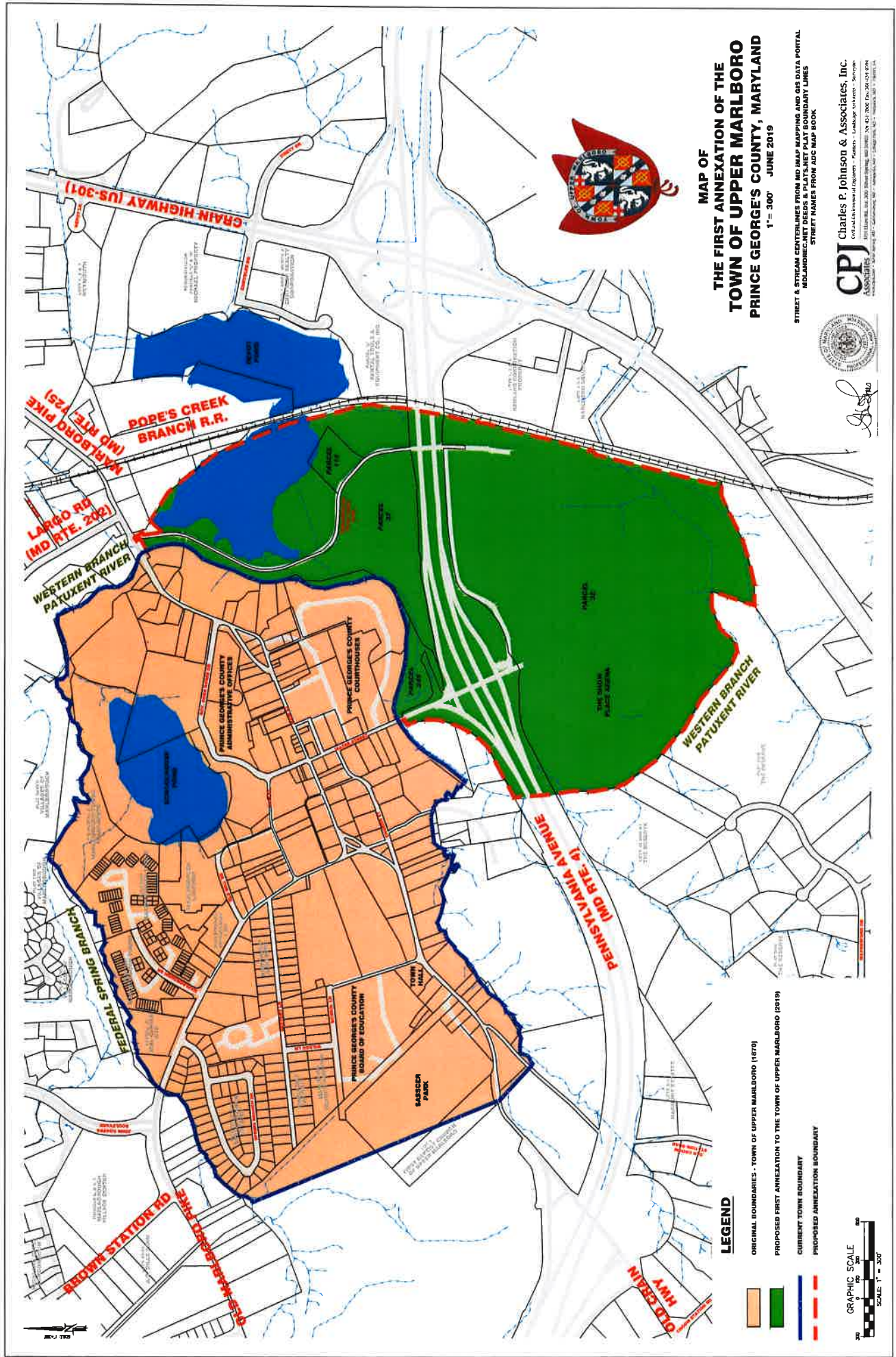
EFFECTIVE DATE (45 DAYS AFTER ENACTMENT): October 12, 2019

FILE ENACTED RESOLUTION (WITH CLERK OF CIR. COURT, MD. DEPT.  
LEGISLATIVE SERVICES, COUNTY TAX ASSESSOR & M-NCPPC W/I 10 DAYS):  
October 22, 2019

*Note: All items to be delivered or mailed to the County or the County Council shall include a separate delivery or publication to the County Executive.*



Exhibit 1





THE TOWN OF UPPER MARLBORO, MARYLAND

**ANNEXATION PLAN**

FOR THE ANNEXATION OF CERTAIN TAX EXEMPT AND OTHER PUBLICALLY-OWNED PROPERTIES LOCATED EAST AND SOUTH OF THE PRESENT CORPORATE LIMITS OF THE TOWN OF UPPER MARLBORO (TAX MAP 102, PARCEL 32, [NORTH AND SOUTH OF PENNSYLVANIA AVENUE/STEPHANIE ROPER HIGHWAY (MD 4)] & TAX MAP 102, PARCEL 115; & TAX MAP 101, PARCEL 245; & TAX MAP 101, PARCEL 60 INTO THE TOWN OF UPPER MARLBORO (THE FIRST ANNEXATION))

June 10, 2019

WHEREAS, The Board of Commissioners of The Town of Upper Marlboro (The “Town”) has initiated a Resolution (Annexation Resolution 01-2019) proposing to annex certain property contiguous and adjoining to the boundary of the Town, including the following: two (2) segments of State Highways (rights-of-way of MD 4 & MD 717) and approximately five (5) parcels (including portions of parcels already located within the Town’s corporate limits) of land consisting of an annexation area of 189.08 acres of land, more or less, located in the 3rd Assessment District of Prince George’s County, and located generally south and east of the present corporate limits of the Town of Upper Marlboro, including lands situated South of Marlboro Pike (MD 725) bounded by or straddling Marlboro Race Track Road (private road), the western basin of Depot Pond located within Parcel 32 and West of the CSX Transportation railroad right-of-way, Parcel 115, a portion of Parcel 60, a portion of Parcel 245, a segment of Pennsylvania Avenue/Stephanie Roper Highway (MD 4) bisecting Parcel 32, and a segment of Water Street (MD 717) into the corporate territory of the Town of Upper Marlboro as more fully described in Annexation Resolution 01-2019; and

WHEREAS, said Annexation Resolution was initiated by the Board of Commissioners pursuant to §4-403 of the LG Art., of Md. Ann. Code; and

WHEREAS, the Annexation Property currently has no residential dwellings, and no residential occupants residing upon the premises or parcels owned and maintained by governmental owners named herein; therefore, the Board of Commissioners finds that there are no qualified voters residing in the Annexation Property; and

WHEREAS, the Board of Commissioners further finds that all of the parcels, ways or lands of the Annexation Property are owned by tax exempt entities including the State of Maryland, Prince George County, and the Prince George’s Soil Conservation District; and

WHEREAS, the Board of Commissioners further finds that this annexation plan is consistent with any applicable municipal growth element of any comprehensive or related plan of the municipality; and

WHEREAS, on the 10th day of June 2019, the Board of Commissioners of The Town of Upper Marlboro introduced a resolution proposing the aforementioned municipal annexation initiated by the Town.

## **A. Introduction**

This Annexation Plan has been prepared by the Town pursuant to Section 4-415 of the Local Government Article, of the Annotated Code of Maryland.

## **B. Land Use and Zoning Pattern for the Annexation Property**

(1) The Annexation Property is located approximately along the Southern and Eastern boundaries of the Town's current corporate limits. The area to be annexed (the "Annexation Property") is described in the metes and bounds legal description of Annexation Resolution 01-2019, Section 2 as a parcel or parcels of land referenced therein as the First Annexation, and the Annexation Property is more further described or depicted on a map exhibit entitled "Map of the First Annexation of the Town of Upper Marlboro, Prince George's County, Maryland, 1" = 300', June 2019" prepared by Charles P. Johnson and Associates, Inc., which is attached hereto as Exhibit 1, and the Annexation Property is further shown on the Prince George's County TAX MAP (Tax Map 102, Parcel 32 (Account No. 0238873), & Tax Map 102, Parcel 115 (Account No. 3733714); & Tax Map 101, Parcel 245 (Account No. 0229864); & Tax Map 101, Parcel 60 (Account No. 0192286).

(2) The Annexation Property is currently zoned R-O-S or Reserved Open Space, RA or Residential-Agricultural, RR or Rural Residential and C-S-C or Commercial Shopping Center on certain portions of the subject parcels pursuant to the County Zoning Ordinance. Upon annexation into the Town, the Annexation Property will likely remain as currently classified under the County Zoning Ordinance.

## **C. Availability of Land for Public Facilities**

There are no existing or pending agreements between the Town and the land owners (i.e., the Prince George's County Government, the State of Maryland and the Prince George's Soil Conservation District) concerning dedication of portions of the Annexation Property for public facilities. Land use, zoning, subdivision, building construction and storm water regulations are generally administered by the County, the Washington Suburban Sanitary Commission (the "WSSC"), or the Maryland-National Capital Park and Planning Commission unless preempted by federal law. All necessary infrastructure and improvements, including road access, sidewalks, storm water management systems, water and sewer systems and/or extensions and utility delivery systems, and all other facilities necessary to service the Annexation Property shall be installed in accordance with sound engineering principles, and shall be subject to location, design and construction approvals and/or Mandatory Referrals reviewed by Prince George's County, WSSC or the County Planning Board.

## **D. Public Water and Sewer**

Public water and sewer service is or will be supplied by the Washington Suburban Sanitary Commission for the Annexation Property. The sewer basin is basin ID: 14, basin name: Western Branch. The current water and sewer categories are as follows: sewer category, sewer code: S-3, sewer description code: Community System and the Sewer Envelope Availability: Planned or Existing Community System. The water category is water code: W-3, water description code: Community

System. According to the County's 2008 Water and Sewer Plan, Category 3 - Community System means the property is or will be served by public water and sewer.

#### **E. Other Municipal or Related Services**

(1) Police Service. The Annexation Property is served by the Maryland-National Capital Park Police and the Prince George's County Police Department, and also, as permitted by law, may be further served by the Upper Marlboro Police Department on a limited basis for purposes of police protection. Certain services may also be provided by the Prince George's County Police Department pursuant to a Memorandum of Understanding or Mutual Aid Agreement regarding jurisdictional police services entered into between the Town and the County governments. Such services may commence after annexation, using existing personnel and equipment, at the same or similar level of service now being provided to the Town in areas where police protective services are provided on a concurrent basis with another police agency.

(2) Emergency Service. The Marlboro Volunteer Fire Department, Station #1 presently provides fire protection and emergency medical services to the Annexation Property. Such services will continue after annexation, using existing personnel and equipment, at the same or similar level of service now being provided.

(3) Street Maintenance. The Annexation Property contains no streets or highways under the jurisdiction of the Town of Upper Marlboro. Any existing public streets or roadways will continue to be maintained for public or private use by the County, the State of Maryland or other public entities into the foreseeable future.

(4) Refuse Collection. The Town presently offers only residential trash collection. There is no residential development within the Annexation Area and presently there are no municipal trash collection services proposed for the Annexation Area.

(5) Code Enforcement. Since the land to be annexed is owned and operated by governmental entities, such land is generally exempt from the enforcement of municipal building, livability and safety codes and ordinances.


#### **F. Financing Services**

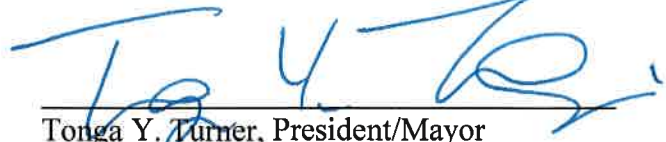
Financing for any municipal services extended to the Annexation Property will be provided through the general fund as currently provided to the Town. The largest source of tax revenues collected by the Town is attributable to the municipal property tax which is levied only against taxable property of which no portion of the Annexation Property contains such taxable property; however, the Town may fund certain extended services by way of intergovernmental grants, fees, payments in lieu of taxes and/or pursuant to memoranda of understanding.

**PASSED** and approved by the Board of Commissioners of the Town of Upper Marlboro, Maryland at a regular or special meeting on the 10<sup>th</sup> day of June, 2019.

ATTEST:

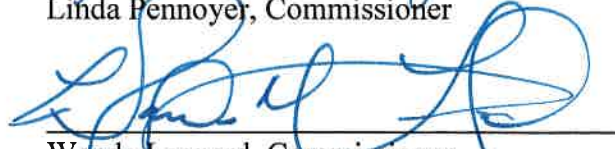
BOARD OF COMMISSIONERS OF THE TOWN  
OF UPPER MARLBORO, MARYLAND

  
M. David Williams  
Clerk

  
Tonga Y. Turner, President/Mayor

  
Linda Pennoyer, Commissioner

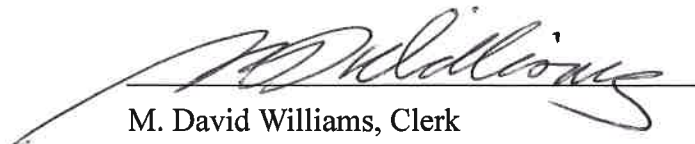
Approval Date: June 10, 2019

  
Wanda Leonard, Commissioner

CERTIFICATION

I, the undersigned, hereby certify that I am the Clerk of the Town of Upper Marlboro and that the Board of Commissioners of the Town of Upper Marlboro at a public meeting at which a quorum was present adopted this Annexation Plan, and that said Plan 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 10<sup>th</sup> day of June, 2019.

  
M. David Williams, Clerk



# Town of Upper Marlboro

Town Hall, 14211 School Lane  
Upper Marlboro, MD 20772

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

info@uppermarlboromd.gov  
www.uppermarlboromd.gov

## APPLICATION FOR PARADE OR SPECIAL EVENT

Please read the STANDARDS OF ISSUANCE before completing this application (attached).

**Filing period:** Anyone seeking issuance of a permit must file an application with the Board of Commissioners not more than 90 days before, and not less than 30 days before, the date and time at which the proposed event is to occur.

**FEE:** A non-refundable application fee of \$75.00 shall be paid by the applicant to the Town at the time of filing the parade/special events application. Payment is made by either cash, check or credit card (Visa/MasterCard). \*Applicant is subject to an additional fee for events with an approved alcoholic beverage permit.

### APPLICANT

Name: Marlboro Vol. Fire Dept. & LEO PIZZA U/M  
Mailing address: 7057 BOSTON AVE ROSE HAVEN MD 20714  
Email Address: Flylino@AOL.com  
Telephone Number: 301-440-8140 Cell Number: SAME

### PRIMARY CONTACT

*If the Applicant is the primary contact, mark section "same as Applicant"*

The primary contact shall be in charge of the conduct of the event; compliance with permit conditions and applicable law; informing participants of permit conditions; carrying the permit on his/her person during the event.

Name: Jeff Wyvill  
Email Address: SAME AS ABOVE  
Telephone Number:                      Cell Number:                       
Non-profit: Yes ☒ No ☐ If so, Tax ID #                     

**Linda Pennoyer**  
Commissioner/ Treasurer

**Tonga Y. Turner**  
Commissioner/ President

**Wanda Leonard**  
Commissioner





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## EVENT INFORMATION

Date: 8/24/19 Rain Date: 8/25/19

Type of Event: Parade\*: \_\_\_\_\_ Special Event: CAR SHOW

Requesting approval of a liquor permit? ☐ Yes ☒ No

*Applicant is responsible for obtaining required permit in accordance with the Prince George's County Board of License Commissioners (Liquor Board.)*

\* Parade Route must be provided with application (*a separate sheet, or map, may be used.*)  
Applicant must apply for, and provide the Town with a copy of, a Street Closure Permit from the State Highway Administration (SHA), should the parade route utilize any State owned roads.

Activities to occur during the event: CAR SHOW

Time and Location the event will start: 3:30pm ~~10:00am~~

Time and Location the event will end: 9pm

Time setup will begin: 2pm

Time breakdown end: 1/2 Hr

Equipment:

On next page, list items to be placed on municipal property and their proposed location(s), whether such items are temporary or permanent in nature, and whether such items will affect pedestrian or vehicular traffic, or ingress or egress from building, or buildings (*a separate sheet may be used if needed.*)

**Linda Pennoyer**  
Commissioner/ Treasurer

**Tonga Y. Turner**  
Commissioner/ President

**Wanda Leonard**  
Commissioner

SPECIAL EVENT APPLICATION

Page 2 of 6



# Town of Upper Marlboro

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CAR - Trucks & Bikes

List all recording equipment, sound amplification equipment, banners, signs, and other attention attracting devices which will be utilized during the event:

D.J.

Total Number of Participants anticipated: 300

Total Number of Vehicles anticipated: 200

TOWN OF UPPER MARLBORO USE ONLY			
Department	Signature	Comments <i>Approve / Decline</i>	Date
Board of Commissioners			
Public Safety			
Public Works			

**Linda Pennoyer**  
Commissioner/ Treasurer

**Tonga Y. Turner**  
Commissioner/ President  
SPECIAL EVENT APPLICATION

**Wanda Leonard**  
Commissioner



# Town of Upper Marlboro

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## STANDARDS OF ISSUANCE

The Board of Town Commissioners shall issue a permit as provided for hereunder, when, from a consideration of the application and from such other information as may otherwise be obtained, it finds that:

- (1) The conduct of the parade or special event will not substantially interrupt the safe and orderly movement of other traffic contiguous to its route;
- (2) The conduct of the parade or special event will not require the diversion of so great a number of police officers of the Town to properly police the line of movement and the areas contiguous thereto as to prevent normal police protection to the Town;
- (3) The conduct of such parade or special event will not require the diversion of so great a number of ambulances as to prevent normal ambulance service to portions of the Town, other than that to be occupied by the proposed line of march and areas contiguous thereto;
- (4) The concentration of persons, animals and vehicles at assembly points of the parade or special event will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to such assembly areas;
- (5) The conduct of the parade or special event will not interfere with the movement of firefighting equipment en route to a fire;
- (6) The conduct of the parade or special event is not reasonably likely to cause injury to persons or property, to provoke disorderly conduct or create a disturbance;
- (7) The parade or special event is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays en route;
- (8) The parade or special event is not to be held for the sole purpose of advertising any product, goods or event, and is not designed to be held purely for private profit.
- (9) It is the intent of the Board of Town Commissioners that generally one (1) lane of traffic on any street will be available for travel during the parade or special event and that these parades or special events do not constitute an emergency for purposes of closing the streets, sidewalks, footpaths, and thoroughfares to all pedestrian and vehicular traffic.

**Linda Pennoyer**  
Commissioner/ Treasurer

**Tonga Y. Turner**  
Commissioner/ President

**Wanda Leonard**  
Commissioner





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- (10) It is the intent of the Board of Town Commissioners not to authorize more than three (3) parades or special events, per month.
- (11) Organizations sponsoring any parade or special event shall agree to provide such traffic control and security as deemed necessary by the Board of Town Commissioners.
- (12) No event shall be held or arrangements made for a Special Event until a permit is received.
- (13) Applicants may need to apply with the Health Department for food vending and prepared meals onsite except for pre-packaged foods.
- (14) Serving of alcohol must be approved by the Board of Commissioners and applicant is required to obtain a permit in accordance to the Prince George's County Board of License Commissioners – Liquor License.
- (15) Applicants granted a permit must coordinate all planning and logistics with the Director of Events and Recreation for the Town of Upper Marlboro.

## Duties of Permittee:

Permittee hereunder shall comply with all permit directions and conditions and with all applicable laws and ordinances. The parade or special event chairman or other person heading or leading such activity shall carry the parade or special event permit upon his person during the conduct of the parade or special event.

## Revocation of Permit:

The Board of Town Commissioners shall have the authority to revoke a permit issued hereunder upon violation of the standards for issuance.

## Penalties:

Any person or organization who violates the Ordinance shall be subject to a fine up to \$1,000.00.

**Linda Pennoyer**  
Commissioner/ Treasurer

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## Indemnity / Hold Harmless Agreement

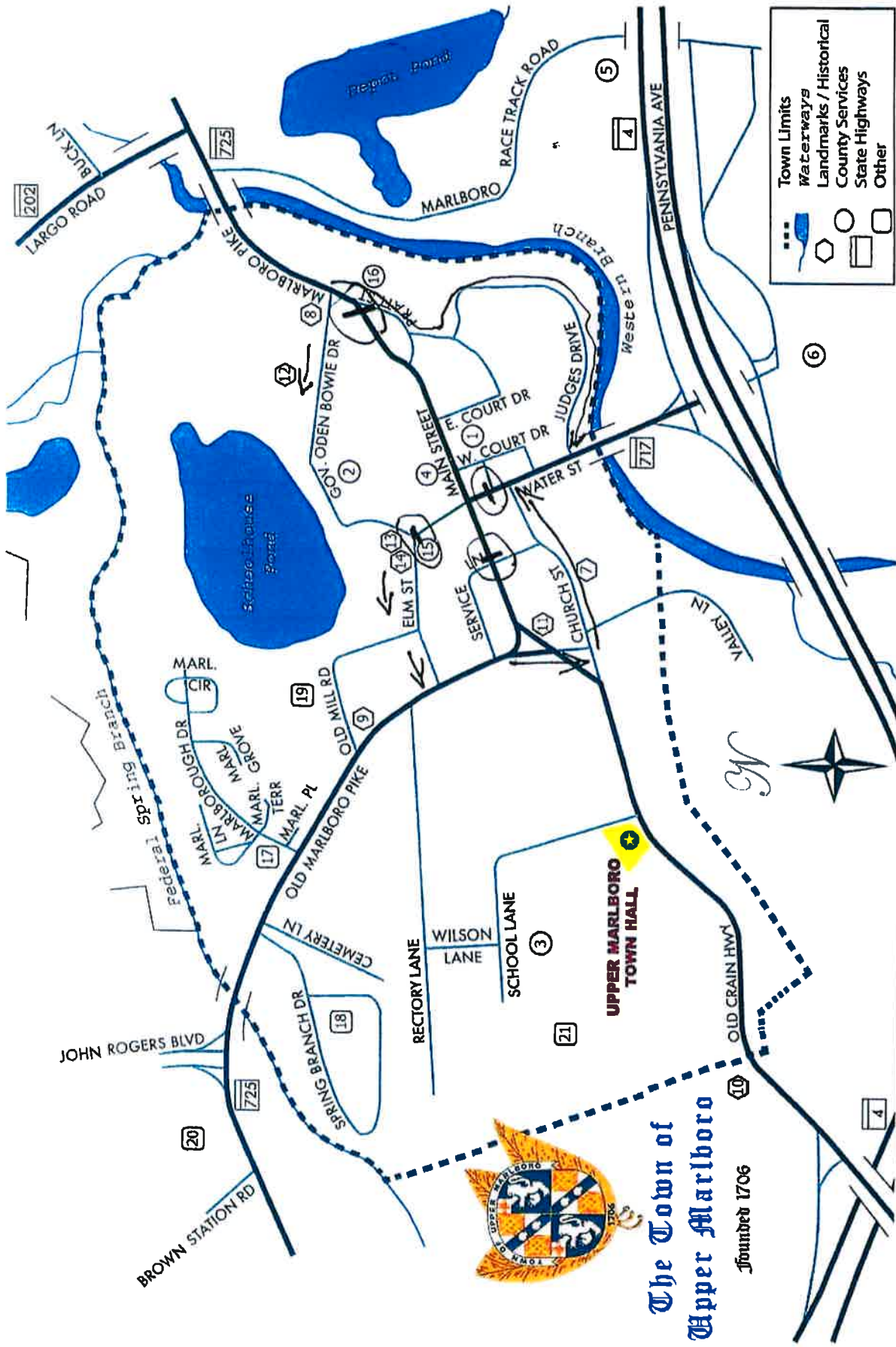
To the fullest extent permitted by law, the undersigned Organization agrees to indemnify and hold The Town of Upper Marlboro, Maryland, its elected and appointed officials, employees, and volunteers and other working on behalf of The Town of Upper Marlboro, Maryland, harmless from and against all loss, cost, expense, damage, liability or claims, whether groundless or not, arising out of the bodily injury, sickness or disease (including death resulting at any time therefrom) which may be sustained or claimed by any person or persons, or the damage or destruction of any property, including the loss of use thereof, based on any act or omission, negligent or otherwise, of the Organization, or anyone acting on its behalf in connection with or incident to the (Organization and Event) CAUZINS MAIN ST. CAR, TRUCK & BIKE SHOW scheduled for: (date) 8/24/19 on 8/25/19, except that the Organization shall not be responsible to The Town of Upper Marlboro, Maryland's sole negligence; and the Organization shall, at its own cost and expense, defend any such claims and any suit, action, or proceeding which may be commenced thereunder, and the Organization shall pay any and all judgments which may be recovered in any suit, action or proceed, and any and all expense including, but not limited to, costs, attorney's fees and settlement expenses, which may be incurred therein.

Name of Organization Marlboro Vol. Fire Dept.  
Authorized Signature Jeff Wyndle Vice-President MUSD  
Address 14815 Pratt St. U/M 20772  
Phone 301-952-0938 Date 6/10/19

**Linda Pennoyer**  
Commissioner/ Treasurer

**Tonga Y. Turner**  
Commissioner/ President

**Wanda Leonard**  
Commissioner



★ Town Hall	6. P.G. Equestrian Center / Showplace Arena	12. Darnall's Chance House Museum	18. Spring Branch Estates
1. P.G. County Courthouse	7. Trinity Episcopal Church	13. Dr. William Beanes' Gravesite	19. Lakeside Office Park
2. P.G. County Administration Building (CAB)	8. St. Mary of the Assumption Catholic Church	14. Old Marlboro Elementary School (OMES)	20. Villages of Marlborough Shopping Center
3. P.G. Board of Education (Sasser Bldg)	9. Union United Methodist Church	15. Post Office, Upper Marlboro Branch	21. Sasser Field / Boys & Girls
4. County Library, Upper Marlboro Branch	10. Providence Baptist Church	16. Marlboro Vol. Fire Dept. (Station 20)	
5. Community Center, Upper Marlboro	11. Robert Crain Railroad Monument	17. Marlborough Towne Club Field	



# The Marlboro Vol. Fire Dept. & Ledo Pizza Host 14th Annual Cruzin Main St. Car, Truck & Bike Show Benefiting Marlboro VFD & Lions Club of Upper Marlboro

## Saturday Nite Aug. 24th 2019


**Rain Date Sunday Aug. 25th 1pm**

4pm REGISTRATION @ LEDO PIZZA 14611 MAIN ST.  
UPPER MARLBORO MD. SHOW 5pm to 9pm  
CARS WILL PARK ON MAIN ST. UPPER MARLBORO

**FIRE TRUCKS**



OLDIES MUSIC BY D.J.  
FOR MORE INFO CALL  
JEFF WYVILL @ 301-440-8140  
JAY TUCKER @ 240-375-9607

 All Entries  
Enter From Water St.  
to Parking lot across  
from 7-11



**VENDORS  
SPACE  
\$20.00**

**SLICK AWARD**  
BEST PAINT JOB  
AWARD + \$50.00  
**LEDO PIZZA AWARD**  
BEST 1955  
AWARD + GIFT CARD



**Awards Sponsored  
By Brandywine  
Auto Parts**

**ENTRY FEE \$20.00  
CARS & TRUCKS  
\$15.00 BIKES  
PARKING FOR  
ENTRIES ONLY**

**WEB SITE : [www.marlbocarshow.vpweb.com](http://www.marlbocarshow.vpweb.com)  
Show Pre Entry Form on Web Site also for Vendors Forms**

**MANY AWARDS, GIFT CARDS & PRIZES  
DASH PLAQUES to FIRST 100 ENTRIES  
AWARDS GIVEN OUT 8:30pm**



# Maryland State Highway Administration

## Special Event Permit – Data Sheet

Event: 14th Annual Cruzin Main St. Car Show  
Start Date: Aug. 24th 2019 End Date: Aug. 24th 2019  
Start Time: 3:30pm End Time: 9pm  
Purpose/Type: Car Show  
Organizer: Marlboro Vol. Fire Dept.  
Contact Person Jeff Wyvill Daytime Phone: 301-440-8140  
and Address: 7057 Boston Ave. Rose Haven Md. Evening Phone: \_\_\_\_\_  
20714 Email Address: flylimo@aol.com  
No. of Participants: 300 No. of Vehicles/Units: 200 Rain/Snow Date: 8/25/19  
Proposed Route: Main St. Downtown Upper Marlboro  
(Written Description)

Will you be occupying all or part of a highway travel lane? No \_\_\_\_\_ Yes X

Will you be closing all or part of a roadway? No \_\_\_\_\_ Yes X

If Yes to either of the above, where? Main St. From Pratt St. to Old Crain Hwy

Have you requested Local Police assistance? No \_\_\_\_\_ Yes X Number 2 or 3 Town Police

Have you requested Maryland State Police assistance? No X Yes \_\_\_\_\_ Number \_\_\_\_\_

**\* THE EVENT ORGANIZER IS RESPONSIBLE FOR OBTAINING LOCAL AND/OR STATE POLICE ASSISTANCE \***

CIRCLE THE DISTRICT(S) AND COUNTY(S) YOUR EVENT WILL TAKE PLACE IN

DISTRICT 1 Dorchester / Somerset / Wicomico / Worcester

DISTRICT 2 Caroline / Cecil / Kent / Queen Anne's / Talbot

DISTRICT 3 Montgomery / Prince George's

DISTRICT 4 Baltimore / Harford

DISTRICT 5 Anne Arundel / Calvert / Charles / St. Mary's

DISTRICT 6 Allegany / Garrett / Washington

DISTRICT 7 Carroll / Howard / Frederick

ATTACH THE FOLLOWING

- ☐ Map of affected routes
- ☐ Traffic Control Plan (Including details on how intersections will be controlled, a detour plan, locations of police officers/volunteers and locations of all traffic control devices, as appropriate)
- ☐ Other event details \_\_\_\_\_

(Contact the District Office to determine what, if any, additional information will be required for your event.)

**\* Submit completed Data Sheet and Signature Sheet to SHA no later than 60 DAYS prior to your event \***

<http://www.marylandroads.com/index.aspx?PageId=59>



# Maryland State Highway Administration

## Special Event Permit - Signature Sheet

EVENT: 14th Annual Cruzin Main St. Car Show

### ORGANIZER'S ACKNOWLEDGEMENT

I/We hereby affirm that the **ORGANIZER** of this **EVENT** and all **PARTICIPANTS** will comply with the Laws of the State of Maryland and any applicable county and municipal statutes and ordinances and will adhere to the terms and conditions set forth in this **PERMIT**. My/Our signature(s) below confirm that the **ORGANIZER** and all **PARTICIPANTS** agree to hold harmless from any liability, incurred by them or to others associated with this **EVENT**, the various governmental agencies providing assistance for this **EVENT**. The **ORGANIZER** may be required to obtain Liability and Property Damage Insurance with limits of at least \$300,000 per incident/\$1,000,000 aggregate.

**ORGANIZER:** Marlboro Vol. Fire Dept.  
PLEASE PRINT NAME

**REPRESENTATIVE:** Jeff Wyvill Vice President MVFD  
PLEASE PRINT NAME

**SIGNATURE:** Jeff Wyvill V/P MVFD  
PLEASE SIGN

### TERMS AND CONDITIONS

- 1) This **EVENT** shall adhere to the route, number of participants and vehicles (not more than 10% higher than the numbers on this Permit), date(s) and times shown on the attached \_\_\_\_ sheet(s).
- 2) The **ORGANIZER** shall ensure that the approved **TRAFFIC CONTROL PLAN** is followed.
- 3) In the event of winter weather during the event, SHA will require access to all State Highways for weather related operations. This may require cancellation of the event.
- 4) Immediately following the event, the **ORGANIZER** shall clean up all litter, temporary signs and other event materials and return the roadway to a condition equal to or better than its condition before the event.
- 5) Additional stipulations: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### AGENCY APPROVALS

Before signing and giving approval for your agency, consider the following:

- 1) Ensure you have the approval authority to sign for your agency to commit manpower and resources.
- 2) Ensure you have looked over the entire application package, including the Route Map and Traffic Control Plan. If you identify any problems, have the event organizer address them prior to signing.
- 3) If reimbursement is required, ensure you have mutually agreed upon the amount (in writing) and terms under which payment will be made.

Local Government (\_\_\_\_): \_\_\_\_\_  
AGENCY SIGNATURE PRINTED NAME DATE

Local Government (\_\_\_\_): \_\_\_\_\_  
AGENCY SIGNATURE PRINTED NAME DATE

Local Government (\_\_\_\_): \_\_\_\_\_  
AGENCY SIGNATURE PRINTED NAME DATE

Maryland State Police: \_\_\_\_\_  
SIGNATURE PRINTED NAME DATE

State Highway Administration: \_\_\_\_\_  
SIGNATURE PRINTED NAME DATE





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

06/21/2019

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

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

<b>PRODUCER</b> Southern Maryland Insurance, Inc. 17000 Science Drive Suite 210 Bowie MD 20715		<b>CONTACT NAME:</b> SMI HOUSE <b>PHONE (A/C, No, Ext):</b> (301) 390-0099 <b>FAX (A/C, No):</b> (301) 390-0088 <b>E-MAIL ADDRESS:</b>	
<b>INSURED</b> Marlboro Volunteer Fire Department Inc PO Bo 195 14815 Pratt Street Upper Marlboro MD 20772		<b>INSURER(S) AFFORDING COVERAGE</b> <b>INSURER A:</b> Arch Insurance Co <b>INSURER B:</b> <b>INSURER C:</b> <b>INSURER D:</b> <b>INSURER E:</b> <b>INSURER F:</b>	

**COVERAGES****CERTIFICATE NUMBER:** CL1962134807**REVISION NUMBER:**

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


INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS								
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y	MEPK08135606	09/01/2018	09/01/2019	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 10,000,000 PRODUCTS - COMP/OP AGG \$ 10,000,000								
	A					<input checked="" type="checkbox"/> <b>AUTOMOBILE LIABILITY</b> <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY	MEPK08135606	09/01/2018	09/01/2019	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$				
						A				<input checked="" type="checkbox"/> <b>UMBRELLA LIAB</b> <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$	MEUM08082306	09/01/2018	09/01/2019	EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 6,000,000 \$
										<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below Y/N <input type="checkbox"/> N/A				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

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

RE: Car Show on 8/24/2019

The Town of Upper Marlboro is Additional Insured A.T.I.M.A in regards to the General Liability as per written contract.

**CERTIFICATE HOLDER****CANCELLATION**

The Town of Upper Marlboro PO Box 280  Upper Marlboro MD 20773	<b>SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.</b>  <b>AUTHORIZED REPRESENTATIVE</b> 
---	--

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# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

04/22/2019

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

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

<b>PRODUCER</b> Southern Maryland Insurance, Inc. 2905 Mitchellville Rd, Ste 112  Bowie MD 20716		<b>CONTACT NAME:</b> Terri Sheehan <b>PHONE (A/C, No, Ext):</b> (301) 390-0099 <b>FAX (A/C, No):</b> (301) 390-0088 <b>E-MAIL ADDRESS:</b>	
<b>INSURED</b> Ledo's Pizza of Upper Marlboro Main Street Carry Out Inc. 14611 Main Street Upper Marlboro MD 20772		<b>INSURER(S) AFFORDING COVERAGE</b> <b>INSURER A:</b> MUTUAL BENEFIT GRP <b>INSURER B:</b> <b>INSURER C:</b> <b>INSURER D:</b> <b>INSURER E:</b> <b>INSURER F:</b>	
		<b>NAIC #</b> 14664	

**COVERAGES** **CERTIFICATE NUMBER:** 19-20 Master **REVISION NUMBER:**


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

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:		BU00057356	02/28/2019	02/28/2020	EACH OCCURRENCE \$ 1,000,000
		DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000				
		MED EXP (Any one person) \$ 5,000				
		PERSONAL & ADV INJURY \$ 1,000,000				
					GENERAL AGGREGATE \$ 2,000,000	
					PRODUCTS - COMP/OP AGG \$ 2,000,000	
						\$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY					COMBINED SINGLE LIMIT (Ea accident) \$
						BODILY INJURY (Per person) \$
						BODILY INJURY (Per accident) \$
						PROPERTY DAMAGE (Per accident) \$
						\$
	<b>UMBRELLA LIAB</b> <b>EXCESS LIAB</b> <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$	<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE				EACH OCCURRENCE \$
						AGGREGATE \$
						\$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N / A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/>
						E.L. EACH ACCIDENT \$
						E.L. DISEASE - EA EMPLOYEE \$
						E.L. DISEASE - POLICY LIMIT \$

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

RE: Car Show on 8/24/2019  
The Town of Upper Marlboro-PO Box 280, Upper Marlboro, Maryland 20773 is additional insured A.T.I.M.A under General Liability per written contract.

**CERTIFICATE HOLDER****CANCELLATION**

The Town of Upper Marlboro PO Box 280  Upper Marlboro MD 20773	<b>SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.</b>  <b>AUTHORIZED REPRESENTATIVE</b> 
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**Board of Supervisors of Elections  
Oath of Office**

I ..... do swear (or affirm, as the case may be) that I will support the Constitution of the United States; and that I will be faithful and bear true allegiance to the State of Maryland, and support the Constitution and Laws thereof; and that I will, to the best of my skill and judgment, diligently and faithfully, without partiality or prejudice, execute the office of **Supervisor of Elections** according to the Constitution and the Laws of this State and the Charter of the Town of Upper Marlboro.