

# Town of Upper Marlboro

14211 School Lane • Upper Marlboro, Maryland 20772

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## REGULAR TOWN MEETING

Tuesday, May 14, 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 April 16, 2019 Regular Town Meeting minutes
- Approval of the April 23, 2019 Work Session minutes
- Approval of the Treasurer's Report, as of April 30, 2019.

#### Reports

- Departments Reports
- Commissioner Leonard
- Commissioner Pennoyer
- President Turner

#### Business

- 1) Proclamation: Town of Upper Marlboro Community Day
- 2) Ordinance 2019-02 Authorizing Town Committees (Board vote)
- 3) Resolution 2019-07 Establishing Town Events Committee (for approval)  
— Events Committee Bylaws
- 4) Resolution 2019-08 Establishing Town CERT (for approval)  
— CERT Bylaws
- 5) Resolution 2019-05 Town Hall Facility Regulations and Use (for approval)  
— Facility Use Agreement package
- 6) Ordinance 2019-03 Establishing FY20 Tax Levy Rates (Board vote)
- 7) Ordinance 2019-04 Town Operating Budget for FY2020 (Introduction)
- 8) General/Administration issues

#### Public Comment

#### Board to enter Closed Session

#### Board to exit Closed Session/Resume Regular Town Meeting

#### Business (*continued*)

- 9) Parking Contractor (for Board approval)

#### 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

**Tonga Y. Turner**  
Commissioner/ President

**Linda Pennoyer**  
Commissioner/ Treasurer

# Town of Upper Marlboro

## REGULAR TOWN MEETING

April 16, 2019

unApproved Minutes

### Call to Order

The meeting was called to order at 7:01 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; Finance Director William Morgan; Public Works Superintendent Darnell Bond

Also present: Katie Nash/Greenwill Consultants Inc.; President Jeffrey Beavers/MVFD Station 20; Historical Committee Chair Patti Skews; Events Committee member Sarah Franklin; and, various citizens and interested parties.

### Pledge of Allegiance

### Approval of Meeting Minutes & Financial Reports

President Turner welcomed new-comers to the Regular Town Meeting. She then asked for consent to the Agenda. Approval was granted by all Commissioners present. The Town Meeting minutes from March 12, 2019, the Work Session minutes from March 19, 2019 and the Treasurer's Report as of March 31, 2019 were acknowledged by the Board as reviewed. Commissioner Leonard motioned to approve both sets of minutes and the March Treasurer's Report as presented, Commissioner Pennoyer seconded. All minutes from March's Regular Town Meeting and Board Work Session, plus, the Treasurer's Report as of March 31, 2019 were unanimously approved.

### Reports

Staff/Committees: Chief Burse reported that he attended the Swearing-In Ceremony for the new Mount Rainier Chief of Police last month, and on March 6<sup>th</sup> he was sworn-in to the Maryland Chiefs of Police Association. He reported he attended a PGC Leadership Development Course for Municipalities, and has also recently met with vendors about security upgrades for Town Hall. He attended a "Criminal Justice Coordinating meeting with Administrative Judge Sheila Adams at the Courthouse, and also attended the new Police Chief's Conference in Ocean city on March 25<sup>th</sup>. He noted 2 thefts in-town in the last month.

President Beavers of the Marlboro Volunteer Fire Department Station 20 reported that the Station number will be changed from "20" to "8" adding that additional training requirements have been increased. He added the MVFD will be participating in the Marlboro Community Day.

Superintendent Bond delivered the monthly Public Works Department report for March, noting the month had only 2 wintry weather events neither of which required de-icing treatments or plowing of Town streets or sidewalks. Hard copies of the report were provided. The President then presented a plaque of appreciation to Mr. Bond to acknowledge his 5-years of dedicated service to the Town.

Finance Director Morgan delivered the Treasurer's Report as of March 31, 2019 noting that Fines, Licenses & Permits are expected to increase before the end of FY19. He then reviewed the monthly narrative, and explained the delinquent tax billings now in progress. The President then noted the recently passed Ordinance 2018-07 that lists Business License requirements to become effective July 1, 2019. Mr. Morgan acknowledged the Board for their aggressive search for new revenue sources. The President then opened the floor for Public Comment on the Treasurer's Report only. Public input/questions included: 1.) Will there be penalties & fees assessed for delinquent taxes? Mr. Morgan noted that Charter language allows fees, however, not charging if paying up-to-date by receipt of recent Delinquent Notice; 2.) How much of the "Other Revenue" line item from Budget & Actuals is considered the Town's reserves? Mr. Morgan will confirm and deliver actuals following the meeting—the President noted how three CDs were cashed during the course of the fiscal year and those totals will be shown in the presentation to follow.

*The President moved up the PowerPoint presentations from Business line items 2 & 3, so as Director Morgan could provide additional, clarifying financial information to the conversation.*

**FY2018 Annual Audit:** Director Morgan conducted a PowerPoint presentation that highlighted FY2018 finance operations, noting the change in Administrations halfway through the fiscal year. The President noted that Grant Matching figures are not built into general operating expenses. Proper levels for Reserve Accounts and the history of investments utilized to balance the budget were also discussed.

**Establishing Rates for FY2020 Tax Levy:** Finance Director William Morgan delivered a second PowerPoint presentation concerning draft Ordinance 2019-03, noting estimated revenues unrealized over the last 3 years due to having a Commercial Tax Rate extremely below other nearby municipalities. President Turner noted Ordinance 2018-08 had been passed last fall to classify the two separate tax rates on real property (residential & non-residential), emphasizing residential rates will continue to remain the same.

*President Turner then moved up from Business line item 5, the Legislative Update presentation by Greenwill Consulting Group LLC representative Katie Nash.*

**Legislative Update:** Ms. Nash noted that the Annapolis Legislative Session ended last week, and then reviewed the successes that were achieved for the Town, such as a \$175K approved Bond Bill for development of the Upper Marlboro Welcome Center. Ms. Nash aired a video of President Turner testifying before the State Delegation, and acknowledged her presence made all the difference. It was noted House leadership structure will change, and that Greenwill will continue to forge new relationships that are most advantageous for the Town.

**Committee Reports:** Events Committee Member Sarah Franklin reported all enjoyed the Poetry Slam event on April 13, adding the EC will be working on the calendar next week. Details on the upcoming Marlboro Community Day event on May 18 were reviewed. It was noted the Community Day committee has 3 more meetings before the event, and currently there are over 70 vendors registered. Vendor registration has now closed, and additional vendors are now being added to a waiting list.

TUMHC Chair Patti Skews reported that they will hold their annual Memories & Morsels on Main Street event on May 11th from 11 a.m.-3:00 p.m. She added that their next Archiving/Planning Session will be on April 20<sup>th</sup>, and the TUMHC will also have a booth at the Community Day event.

**Commissioner Leonard:** Reported that she attended both the MVFD Firehouse installation with Chief Burse, and the HEPAC meeting in Annapolis with Chief of Staff Snyder.

**Commissioner Pennoyer:** Reported that she attended the PGC Zoning Rewrite forum (due for County Council approval in May.) Also attended Councilmember Mel Franklin's County Development Meeting last night at the Aquatic Center in Brandywine. She added that she and other volunteers will be participating in the M-NCPPC Schoolhouse Pond Clean-Up next Tuesday. She added the Marlborough Towne HOA will be hosting a presentation from the Clean Water Partnership program and their work on Schoolhouse Pond at their next meeting at Town Hall tomorrow evening.

**President Turner:** Delivered updates on the following topics: 1.) Received \$175K Bond Bill to restore the Old Stone Building. Will now publish a RFP for historic restoration; 2.) Town has applied for \$109K in Public Safety Grants, and \$400K in grant requests for Western Branch Water Park and Town Hall Playground, among others; 3.) Credit/refund expected from LGIT Risk Assessment survey; 4.) Starting in June, monthly Food Truck days will occur every 1<sup>st</sup> Friday, and every 3<sup>rd</sup> Wednesday of the month. Councilmember Sydney Harrison currently developing County Truck Hub legislation for the County Seat; 5.) New UMPD officer to be sworn-in at next Work Session; 6.) Town Charter Amendments Forum on Thursday, May 23 at Town Hall. Proposed Charter amendments will be posted in advance of the event; 7.) Expecting several RFPs from developers by April 22<sup>nd</sup> for the Downtown Redevelopment Project; 8.) Greenwill LLC working to have MOU to secure the \$2.5M funding promised from the County since 2016; and, 9.) Will have five interns from the PGC Youth program this summer, funded by the County, to work within the various departments of the Town Government.

## **Business**

**Ordinance 2019-02: Authorizing Town Committees (introduction):** President Turner read aloud the introduction of the ordinance that enables the creation of Town Committees and the appointment of Board members. Clerk Williams reviewed the Ordinance's contents, and noted the two Committee

Resolutions and Bylaws to establish the Events and CERT committees have also been vetted by the Town Counsel and expect to have all committee legislation passed before June.

Ordinance 2019-03: Establishing Rates for FY20 Tax Levy (introduction): The President read aloud the introduction to Ordinance 2019-03 that establishes new tax classifications and rates. It was noted the ordinance will be posted for public input.

Resolution 2019-04: Rezoning 14520 Church Street: The President read aloud the resolution that helps protect the historical integrity of the property and surrounding community. President Turner motioned to approve Resolution 2019-04 as presented, Commissioner Pennoyer seconded. With all in favor the Resolution was unanimously approved.

General/Administration issues: Clerk Williams announced that the Town has signed up again this year for the State's Mosquito Control program, reminding residents that they can opt-out of the program by obtaining a request form from the Town Hall, or, by download it from the Department of Agriculture website.

The President reminded residents that the FY2018 Annual Audit was available to them for review, noting the confidential report can be requested in electronic or hard copy format.

### **Public Comment**

A concerned resident noted Charter provision 82-60 that states all compensation for employees be established from time to time by ordinance.

Another resident noted that new crosswalk island on Water Street has not deterred speeders.

### **Adjournment**

President Turner made a motion to adjourn, Commissioner Pennoyer seconded the motion. With all in favor, the meeting was adjourned at 9:09 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, April 23, 2019 - 7:00 p.m.

unApproved

### Call to Order

- Meeting was brought to order at 7:00 p.m.
- Roll Call – President Tonga Turner; Commissioner Wanda Leonard; Commissioner Linda Pennoyer; Town Clerk M. David Williams.
- Staff present – UMPD Chief Burse; Officer Samuel Irby; Finance Director William Morgan; and Chief of Staff Kyle Snyder.
- Pledge of Allegiance

### Reports

Commissioner Leonard: Reported that the CERT Pond Clean-Up was canceled again due to the inclement weather, adding that the UM/CERT will start their second term as Pond Sponsor in May.

Commissioner Pennoyer: Reported that she did participate with the Park Rangers for the M—NCPPC Earth Day Pond Clean-Up and collectively filled 16 large-sized bags of trash. She noted the water level has been extremely low lately. Also attended the last PGCMA meeting on April 18<sup>th</sup>, noting all Legislative Priorities they set have now gone to committees at the Statehouse.

### Business

Oath of Office: The President welcomed Samuel Irby to the Upper Marlboro Police Department and recognized his career highlights and positive recommendations. After listing his accomplishments, the President administered the Oath-of-Office to Officer Irby.

Town Operating Budget FY2020: The President noted that the new budget revenues forecasted are based on expanded parking hours and rates, not solely on Speed & Red Light Cameras. She added the Town expects to receive \$400K in grants, but still has outstanding \$400K in grant requests that are not reflected in the proposed FY20 Budget. It was noted that if needed, reserve funds would only be used for approved Capital Improvement projects. Other line items highlighted included: 1.) Employee Training across departments; (2.) Technical upgrades to secure network; 3.) Establishing a contingency fund for the first time; 4.) Exploring a lease option for Public Safety vehicles; and, 5.) Public Works line item 8550 Highways & Streets (various lawn & garden equipment). The President noted that various revenue sources have been tripled in some cases, and that this new income will be reinvested back in to the Town for these types of expenditures. It was noted all public comment is requested to be in writing and due by C.O.B. Friday May 3<sup>rd</sup>.

Ordinance 2019-03 Establishing Rates for FY2020 Tax Levy: The Board reviewed and discussed the draft ordinance, It was noted the ordinance will be up for Board passage at the May Town Meeting.

Ordinance 2019-02 Authorizing Town Committees: The Board reviewed and discussed the draft ordinance. The Clerk confirmed all related draft Committee Resolutions & Bylaws were up-to-date and ready for passage at the May Town Meeting along with Ordinance 2019-02.

Resolution 2019-05 Town Hall Facility Use: The Board reviewed and discussed the draft ordinance noting desired edits to the Facility Use Regulations, Rate Chart, and Application.

General/Administration issues: CoS Snyder announced that Food Truck Fridays will be on the first Friday, and every 3<sup>rd</sup> Wednesday, of each month starting in June and running through December.

**Adjournment**

Commissioner Leonard motioned to adjourn, Commissioner Pennoyer seconded. With all in favor, the meeting was adjourned at 7:52 p.m.

Respectfully submitted,

M. David Williams  
Town Clerk/Administrator



# Town of Upper Marlboro

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Fax: (301) 627-2080

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www.uppermarlbormd.gov

## Town of Upper Marlboro Budget vs. Actuals

July 2018 - April 2019

	Actual	Budget	% of Budget
<b>Revenue</b>			
Fines, Licenses, Permits	\$81,130.43	\$174,000.00	47%
Grants	\$50,803.25	\$150,453.00	34%
Intergovernmental	\$35,328.43	\$50,925.00	69%
Other Revenue	\$478,548.10	\$477,847.00	100%
Taxes	\$491,866.12	\$474,658.00	104%
<b>Total Revenue</b>	<b>\$1,137,676.33</b>	<b>\$1,327,883.00</b>	<b>86%</b>
<b>Expenses</b>			
General Government	\$593,452.67	\$619,163.00	96%
Public Safety	\$170,148.16	\$266,191.00	64%
Public Works	\$305,172.32	\$442,529.00	69%
<b>Total Expenses</b>	<b>\$ 1,068,773.15</b>	<b>\$ 1,327,883.00</b>	<b>80%</b>

<b>Committee Overview</b>			
Historical Committee	\$16.98	\$1,500.00	1%
CERT Team	\$482.03	\$1,500.00	32%
Events Committee	\$9,426.52	\$13,000.00	73%



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## MONTHLY NARRATIVE

We have looked out other areas in discovering aging accounts receivables and sent over twenty-five delinquent business personal property notices. To date we have not received any checks but have had many discussions with former business owners surrounding the delinquent taxes. Many of the businesses are no longer operational, which will force the Town to write off over \$50,000 in outstanding receivables.

Furthermore, the month of April projected for a \$61,000 deposit for public utilities taxes, which is late and will land in the month of May. And for expenses, the Town's employee pension contribution was debited for \$47,800. This has caused the profit and loss report to show an unbalanced report for the month of April.

### 1. Sales of Products

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

### **REVENUE**

FINES, LICENSES, PERMITS	\$9,599.95
GRANTS	\$0.00
INTERGOVERNMENTAL	\$0.00
OTHER REVENUE	\$701.10
TAXES	<u>\$6,738.81</u>
<b>TOTAL REVENUE</b>	<b>\$17,039.86</b>

### **EXPENSES**

GENERAL GOVERNMENT	\$58,809.20
PUBLIC SAFETY	\$10,714.65
PUBLIC WORKS	<u>\$18,457.22</u>
<b>TOTAL EXPENSES</b>	<b>\$87,981.07</b>





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## Town of Upper Marlboro Balance Sheet

As of April 30, 2019

	<u>Total</u>
<b>Bank Accounts</b>	
<b>Cash on Hand and in Banks</b>	
1000 PGFSB Operating Checking	28,437.05
1001 Petty Cash	300.00
1010 PGFSB Payroll Account	0.00
1040 M&T Checking	11,769.39
1060 Sona CD 7977	108,205.71
1063 Sona CD 1577	0.00
1068 SONA Bank CD 8641	267,121.14
1075 Sona CD 8153	168,944.55
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>\$906,618.10</b>



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

### Incidents Reported in Town:

Theft Call 1	Theft from Auto 1	Theft from store 1
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### Last Month Incidents:

Disorderly Conduct Arrest 1	Theft from Store 1	Theft from Auto 1
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Chief Burse had a meeting with Prince George's County Police Chief Stawinski to solicit the County's assistance with the Field Officer training for new Town officers.

The Maryland Police Training Commission coordinator inspected the Police Department for compliance with the State rules and regulations. The Police Department only had one minor infraction that occurred prior to Chief Burse's tenure; however, he will ensure it will be corrected.

Chief Burse coordinated with the District 2 Commanders, Maryland Park Police, and Sheriff's Department to get their assistance with Marlboro Community Day.

Chief Burse attended the District 2 Coffee Club meeting, advised the group about Marlboro Community Day, and answered questions about the Town's improvements.

Chief Burse and Public Works staff assisted St. Mary of the Assumption Church with their Good Friday processional around Governor Oden Bowie Drive and Main Street.

The Town of Upper Marlboro Police Department swore-in Samuel Irby as its newest Police Officer.

Chief Burse attended the 42<sup>nd</sup> Annual Prince George's County Public Safety Luncheon.

Chief Burse held a "Meet and Greet with the Chief" on April 27, 2019 for the Town of Upper Marlboro residents.

Chief Burse attended the City of Hyattsville Parade and Festival.

Chief Burse attended the Maryland Municipal League Police Executive Association conference training.

**Linda Pennoyer**  
Commissioner/ Treasurer

**Tonga Y. Turner**  
Commissioner/ President

**Wanda Leonard**  
Commissioner



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**Date:** Monday, May 6, 2019

**Subject:** Public Works Status Report

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

**Capital Improvements** – MOU's for emergency tree removal, and snow removal final drafts submitted for approval. Additional landscape nursery lines of credit were established.

**Maintenance and Beautification** – All Town maintained properties were topseeded and fertilized for their spring treatments to reduce weeds and promote healthy grass growth. Flowerbeds at Town Hall, Old Crain Hwy Monument, entrance signs, and Water St planter boxes planted with Begonias, Pansies, Gerbera Daisies, and Compact white Sunpatiens. Daily watering regiments established for all flowerbeds Townwide. 16ft landscape trailer purchased to haul all landscape equipment. Four flagpoles ordered for Cahn memorial Town entryway. Edging and sod strip implementation on Elm St to combat erosion issues.

**Street and Sidewalk Repairs** – Updated signage ordered for School and Wilson Lanes to establish enforceable “No Parking” and “Parking by Permit only” zones to combat Sascer building parking issues. Town sidewalks treated for weeds and unwanted grass growth.

**Weather Related Activities** – April had two moderate rain and wind events. One of which resulted in numerous downed tree limbs on Church St that were quickly handled by PW crews.

**Trainings** – Public Works supervisor trained PW crews on safe chainsaw usage and maintenance procedures. Also, Pw staff were trained on RTU filter replacement, potential RTU alarm triggers, and alarm acknowledgement procedures.

Sincerely,

Darnell F. Bond III  
*Public Works Superintendent*

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**Linda Pennoyer**  
Commissioner/ Treasurer

**Tonga Y. Turner**  
Commissioner/ President

**Wanda Leonard**  
Commissioner



**The Board of Commissioners for  
The Town of Upper Marlboro**

**Proclamation**

**Whereas**, The Town of Upper Marlboro has been a political, cultural and mercantile center in Prince George's County since its founding in 1706; and

Whereas, the Annual Marlborough Day Festival was held each year in the month of May from 1976 to 2014 by the Marlboro Area Recreation Committee; and

Whereas, Town residents and area citizens have expressed great enthusiasm for reestablishing an annual Upper Marlboro day of celebration; and

Whereas, the Board of Town Commissioners have enabled the formation of an active Town Events Committee whose mission is to encourage community engagement, further relationships with Town businesses and promote the Town of Upper Marlboro as a destination of choice;

NOW THEREFORE, BE IT RESOLVED, that the Board of Commissioners for The Town of Upper Marlboro, on behalf of our residents, civic groups, and businesses, is proud to sponsor and present the first annual Town of Upper Marlboro Community Day celebration to take place on May 18, 2019;

AND FURTHERMORE, we wish for our citizens and guests a memorable, safe and fun-filled Upper Marlboro Community Day.

IN WITNESS WHEREOF, the Board of Town Commissioners have hereunto set their hands and caused the seal of The Town of Upper Marlboro, Maryland, to be affixed this 14th day of May, 2019.



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Tonga Y. Turner  
President/Mayor

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Linda Pennoyer  
Commissioner/Treasurer

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Wanda Leonard  
Commissioner

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

ORDINANCE: 2019-02  
SESSION: Regular Town Meeting  
INTRODUCED: April 16, 2019

**AN ORDINANCE TO AUTHORIZE AND PROVIDE FOR THE APPOINTMENT AND GOVERNANCE OF ALL COMMITTEES AND OTHER BODIES NOT OTHERWISE PRESCRIBED BY THE CHARTER OR OTHER LAW TO PROVIDE FOR CERTAIN PRACTICES, PROCEDURES AND GOVERNANCE OF SUCH BODIES; BY PRESCRIBING AND PROVIDING FOR THE MEMBERSHIP, CREATION AND COMPOSITION OF CERTAIN BODIES; BY PROVIDING FOR CERTAIN APPOINTMENT PROCEDURES, COMPENSATION AND BUDGETING, TERMS OF APPOINTMENT AND REMOVAL, CONDUCT OF MEETINGS, APPOINTEE LIABILITY AND INDEMNIFICATION, COMMUNICATIONS; AND GENERALLY RELATING TO THE PRACTICES, PROCEDURES AND REQUIREMENTS FOR APPOINTED BODIES OF THE TOWN OF UPPER MARLBORO**

**WHEREAS**, the Board of Commissioners of the Town of Upper Marlboro has authority pursuant to state law and Section 82-17 (Exercise of Powers) of the Town Charter to create committees and other bodies to further the public interest of the Town; and

**WHEREAS**, Section 82-16(2)(p) (Departments) of the Town Charter authorizes the Board to create, change, and abolish offices, departments, or agencies, other than offices, departments, and agencies established by said Charter; to assign additional functions or duties to offices, departments or agencies, established by said Charter, but not including the power to discontinue or assign to any other office, department, or agency, any function or duty assigned by said Charter to a particular office, department, or agency; and

**WHEREAS**, Section 82-16(2)(l) (Community Services) of the Town Charter authorizes the Board to provide, maintain, and operate community and social services for the preservation and promotion of the health, recreation, welfare, and enlightenment of the inhabitants of the Town.

**NOW, THEREFORE, BE IT ORDAINED**, by the Board of Commissioners of The Town of Upper Marlboro sitting in regular session this \_\_\_\_\_ day of \_\_\_\_\_, 2019 the following:

# **TOWN OF UPPER MARLBORO COMMITTEE AND OTHER APPOINTED BODIES PRACTICES AND PROCEDURES ORDINANCE**

## **SECTION 1: AUTHORITY, PURPOSE, SCOPE AND DEFINITIONS.**

A. Authority. Pursuant to Title 5, Subtitle 2 of the Local Government Article of the Md. Ann. Code, and Sections 82-16(2)(p) and 82-17 of the Town Charter, the Board of Commissioners and the President shall be authorized pursuant to this Ordinance or any other duly enacted ordinance to create and establish certain offices, committees and other appointive bodies as deemed necessary to serve the best interests of the Town.

B. Purpose. In addition to authority stated in Subsection A, the purpose of this Ordinance is to authorize and set forth the practices, procedures and requirements for all Town appointed bodies serving the Town. Every committee or other appointed body shall have a specific statement of purpose and function as approved by the Appointing Authority or otherwise prescribed by law. Unless otherwise prescribed by Charter, ordinance or resolution, the size of each body shall be dictated by its duties and responsibilities as determined by the appointing authority or bylaws approved by the Board of Commissioners.

C. Scope. Unless otherwise provided elsewhere in the ordinances of the Town, the Town Charter or by authorized resolution, the provisions of this Ordinance shall apply to all committees or other appointed bodies established by Charter, separate legislation of the Board of Commissioners, or by order of the President, as permitted by law.

D. Definitions. The following definitions shall apply to this Ordinance:

- (1.) "Appointing authority" means the Board of Commissioners or the President, as permitted by the Town Charter or State law.
- (2.) "Appointed official" means a person designated by an Appointing Authority to occupy a Town office or perform some delegated power, function or duty on behalf of the Town government.
- (3.) "Committee" means an ad hoc or standing body or individual to whom either the President or the Board of Commissioners have delegated or committed a particular duty in the expectation of their acts or recommendations being confirmed by the Appointing Authority. A committee's purpose may be solely advisory in nature. A committee may also include a standing group of persons with managerial, supervisory, governmental, planning or investigatory functions having certain expressly delegated powers or functions.

## **SECTION 2: PRACTICES, PROCEDURES AND GOVERNANCE.**

A. General. All appointees of the various committees and other appointed bodies of the Town, shall abide by the rules, policies and practices stated in this Ordinance or by any other duly approved ordinance, resolution, including any approved organizational bylaws, or order to ensure the proper conduct of Town business, proper administrative interaction with agencies outside of the municipality, and proper administration of employees, appointees and other bodies of the Town of Upper Marlboro.

B. Reports. At each Town regular or other designated meeting, a report from each committee or other appointed body shall be made by the chairperson or other proper designee to the Board of Commissioners.

C. Limitations. Unless otherwise provided by State law, the Town Charter, an ordinance or written resolution, including any organizational bylaws passed pursuant to this Ordinance, or another enabling ordinance, a committee or other appointed body shall not have any authority to act on behalf of the Board of Commissioners or the President, nor shall such committees or other appointed bodies conduct hearings or take testimony or public comment unless specifically authorized by resolution or recorded motion of the Board of Commissioners or as otherwise permitted by law. Organizational bylaws shall be approved by the Board of Commissioners.

D. Compensation and budget.

(1.) Appointed body members shall receive no compensation, although they may be reimbursed for actual expenses incurred in the performance of their duties in accordance with appropriations for the various bodies or purposes as made by the Board of Commissioners.

(2.) In general, an individual committee or other body may not always have a defined budget. If a committee or other appointed body anticipates a need to expend funds not currently budgeted, it may request such funds through the President's office. Such a request is subject to a review and evaluation of need, availability of funds, and approval by the President and Board. For those bodies having budgeted funds set aside for their purposes, no contract shall be entered into except as authorized by Town procurement law.

E. Qualifications. The President shall appoint all members of any appointed bodies created by ordinance or authorized resolution unless otherwise prescribed by other law. Unless prescribed otherwise by law including any approved bylaws of the body, all bodies shall have appointees who shall meet the following qualifications for appointment: (i.) A member shall be a resident of the Town, (ii.), a member shall not be a person employed by or under contract to the Town except as a non-voting member or liaison, and (iii.) a member shall not be a convicted felon, unless otherwise waived by a unanimous vote of the Board of Commissioners.

F. Terms of appointment and removal. Unless otherwise prescribed by law, the terms of appointment for the various appointed bodies shall generally be one year; however, certain appointments may be for two years. Bodies formed for specific purposes may not have definite terms and may exist only until

the ordained or ordered purpose is accomplished. The following requirements shall also apply to terms of appointment, and removal or suspension of members:

- (1.) Upon appointment and as a condition thereof, an Appointed Official shall take and subscribe to the oath or affirmation of office as provided for in Section 82-85 of the Town Charter;
- (2.) Members are free to resign at any time, should their personal circumstances prevent continued effective service. A letter of resignation or other writing shall be submitted to the Town Clerk but the resignation shall not become effective until approved by the Appointing Authority; and
- (3.) Excessive absenteeism, excluding short term illness or necessary travel, is cause for removal of a committee member or other appointee. Unless otherwise prescribed by law, a body's appointee may be removed from office for cause or without cause by the President.

G. Meetings. The body or committee chairperson shall be responsible for setting the proposed meeting agenda, unless the body decides on another procedure. A commissioner may be assigned to coordinate with each body and may assist in drafting the agenda, scheduling meetings, and in the preparation and distribution of meeting materials. The following operating policies and procedures shall also apply:

- (1.) Except for those committees and other bodies that have adopted their own bylaws or rules of procedure, as approved by the Board of Commissioners, and unless otherwise specified by law, the most recent edition of Robert's Rules of Order shall generally be followed when conducting meetings;
- (2.) All committee and other body meetings shall be open to the public after reasonable notice is given and conducted in accordance with the State of Maryland's Open Meetings Law. A body may convene in closed session only for those reasons set forth in State Government Article, Section 10-508(a) of the Annotated Code of Maryland and a body should consult with the Town Clerk prior to considering doing so;
- (3.) Certain bodies may have standing meeting times, while others may meet on an "as needed" basis. Unless otherwise prescribed by law, each committee or body may meet as frequently as necessary to carry out its responsibilities. A body may also cancel a meeting from time to time if there are no agenda items in need of consideration or if a quorum cannot attend. A quorum for conducting business shall be a simple majority of the membership of the committee or other body;
- (4.) Minutes should be brief and essentially reflect decisions, motions, consensus, votes or recommendations of the body. A copy of the minutes should be sent to the Town Clerk for custodial purposes, who shall forward a copy to the Appointing Authority; and
- (5.) The Board of Commissioners recognizes the importance of civil discourse at all levels of the government including for those who volunteer their time and services on behalf of the Town. Bodies and committees should conduct themselves so as to maintain public confidence



in their municipal government and in the performance of the public trust. Disruptive behavior may result in removal by the chair of any person responsible for such behavior.

### **SECTION 3: LIABILITY AND INDEMNIFICATION; COMMUNICATIONS.**

A. Member liability. Appointed officials or members of a Town appointed body are considered municipal officials, regardless of whether they receive compensation. Subject to certain exceptions and limitations, state law allows a municipality to indemnify its officials and employees from personal financial loss, while acting in a discretionary capacity, without malice, and within the scope of the official's authority. The Town has purchased liability insurance policies for this purpose and intends to indemnify and defend its duly appointed committee or other body members in substantially the same manner as its other appointed and elected officials.

B. Email usage. The use of electronic mail creates certain issues related to the state open meetings and public records laws. There is no distinction in the law between written and electronic records. As a result, it is likely that email messages written or received in the capacity of a committee or body member are public records which must be made available for public inspection in the same manner as hardcopy documents. Use of one's own home computer and personal email accounts may not exempt such communications depending on the context. Unless subject to a privilege provided for by law, employees and committee members acting in their official capacity should have no expectation of privacy in their use of electronic mail for town purposes. Appointees are encouraged to establish or obtain separate email accounts from the Town or another provider dedicated solely for their use as a Town official.

C. Public Speaking. An individual appointed member has a right to speak publicly as a private citizen but should not purport to represent the Town, the body or committee or exercise the authority of the body or committee except when specifically authorized by that body to do so. If members identify themselves as members when speaking as private citizens, it may be perceived that they speak for the body or committee. Such a perception should be avoided.

BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that this ordinance shall become effective at the expiration of twenty (20) calendar days following approval by the Board of Commissioners.

BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that this Ordinance shall be posted in the Town Hall office, and it or a fair summary thereof, shall be published once in a newspaper of general circulation in the Town.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Attest:

THE TOWN OF UPPER MARLBORO,  
BOARD OF COMMISSIONERS

---

Tonga Y. Turner, President

---

Linda Pennoyer, Commissioner

---

M. David Williams, Town Clerk

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Wanda Leonard, Commissioner

Reviewed and Approved for Legal Sufficiency

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Kevin J. Best, Esq.

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

## **Town of Upper Marlboro**

RESOLUTION: 2018-07  
SESSION: Regular Town Meeting  
DATE: May 14, 2019

### **RESOLUTION BY THE BOARD OF TOWN COMMISSIONERS TO ESTABLISH, APPROVE AND MAINTAIN AN UPPER MARLBORO EVENTS COMMITTEE**

**WHEREAS**, the Board of Commissioners of the Town of Upper Marlboro has authority pursuant to Ordinance 2019-02: Authorizing Creation and Governance of Committees and Other Town Bodies, and, Section 82-16 (1) General Powers; and (2)(p) and (2)(rr) Specific Powers, of the Town Charter to create departments to further the public interest of the Town, and to establish programs to promote the health, welfare, and enjoyment of the inhabitants of the Town; and

**WHEREAS**, in the past year, the Board of Commissioners has successfully enhanced and expanded its community outreach program to its residents and area citizens, resulting in higher attendance levels and volunteerism at various annual Town events; and

**WHEREAS**, the Board of Commissioners has established goals and initiatives to strengthen community relations through proactive partnership with its residents, businesses and surrounding area communities; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Town of Upper Marlboro sitting in regular session this \_\_\_\_\_ day of \_\_\_\_\_, 2019 the following:

1. That the Board of Commissioners has determined that it is in the public interest to create a Town of Upper Marlboro Events Committee.
2. That the Board of Commissioners shall appoint a Chairperson and six (6) members to the Committee for two-year terms, said terms starting on January 1, 2019, to serve without compensation and at will.
3. That the Committee shall elect a Vice-Chairperson and Secretary by majority vote.
4. That the mission of the Committee is to provide annual and special venues of social and/or educational entertainment and activities to foster community engagement throughout the year for the residents of the Town and surrounding area communities.
5. That the Committee shall report to the Board of Town Commissioners, at least quarterly, on their work and submit a proposed budget to the President during the month of March of each year.

## Town of Upper Marlboro

6. That the meetings of the Committee are subject to and in compliance with the Maryland Open Meetings Act, Chapter 3, Sections 3-102 and 3-303.
7. That the Committee adopt such bylaws, within 30 days of appointment, as it deems appropriate for final approval by the Board.

**INTRODUCED AND PASSED** by the Board of Commissioners for the Town of Upper Marlboro, Maryland at a Public Meeting held on \_\_\_\_\_, 2019.

Attest:

THE TOWN OF UPPER MARLBORO  
BOARD OF COMMISSIONERS

\_\_\_\_\_  
Tonga Turner, President

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

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

\_\_\_\_\_  
Wanda Leonard, 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 Upper Marlboro Events Committee Organizational Rules**

## **ARTICLE I — NAME, LOCATION**

This Committee shall be known as the Upper Marlboro Events Committee (UMEC). The UMEC is a committee formed by the Board of Town Commissioners for the Town of Upper Marlboro pursuant to Town Charter Section 82-17 and Ordinance 2019-02. These bylaws, and any amendments thereto, become effective once approved by the Board of Town Commissioners.

## **ARTICLE II — MISSION**

The purpose of the UMEC is to bring together those people interested in planning and executing events for the Town and its people. The major function is to develop events that will promote the Town of Upper Marlboro and offer community engagement.

The activities of this Committee include developing an events calendar for the Town of Upper Marlboro. The UMEC will be primarily responsible for the Town events with volunteers participating with additional responsibilities and day of facilitation of events. The UMEC will then plan, coordinate and execute these events. The purpose of these events will be to encourage community engagement, further relationships with Town businesses and promote the Town of Upper Marlboro as a destination for events, town businesses and community.

## **ARTICLE III — TUMEC CORE MEMBERS**

Section 1 - Core Committee Members: The UMEC will have a three-person governing executive board with one member serving as the committee Chairperson and will serve from July - June. One committee member shall serve as Treasurer for the UMEC. Any of the three core members may represent the UMEC at town meetings and events; however, the committee Chairperson will be the primary point of contact between the UMEC and the town. The Core Committee members are appointed by and serve at the pleasure of the Board of Town Commissioners as recommended by a vote of the committee. Additional roles and responsibilities will be assigned by a majority vote of the committee.

Section 2 - Resignation and Vacancy: A Core Member may resign the office while not necessarily resigning membership of the UMEC by submitting a letter to the UMEC which shall be read into the official minutes. Vacancies shall be filled for the remainder of the term by electing a substitute at the regular committee meeting following the resignation.

## **ARTICLE IV — ASSOCIATE MEMBERS AND VOLUNTEERS**

Associate Members and Volunteers are individuals who express an interest in and who participate and contribute to the mission of the UMEC, and are approved by the Board of Town Commissioners.

## **ARTICLE V — MEETINGS**

Section 1: Meetings will be held at the Town Hall unless the Chairperson announces in advance, another location.

Section 2 - Monthly Meetings: General, monthly meetings will be held the first (1st) Thursday of each month. As needed, additional meetings for special events will be held after the monthly meeting. Such meetings are subject to the Maryland Open Meetings Act.

Section 3: The Core Committee shall discuss and prepare the agenda online before each meeting. A proposed agenda will be provided to the Committee, in advance, and posted pursuant to the Maryland Open Meetings Act.

Section 4 - Additional Meetings: Additional meetings may be called by order of the Chairperson. Members shall be notified in advance.

Section 5 - Quorum: A quorum for the meetings shall be FOUR (4) of the UMEC members. UMEC members absent for personal or family crisis may elect to vote by telephone participation. The UMEC chairperson shall be the final rule on the presence of a quorum.

Section 6: All meetings shall be open to the public, with notice to the public given in advance.

## **ARTICLE VI — ASSIGNED DUTIES**

Section 1 - Chairperson: The Chairperson shall have primary supervision over the activities of the UMEC, along with the other Core Committee members, within the scope provided by these bylaws. The Chairperson shall preside at all meetings, submit a monthly report of the activities of the UMEC to the Town's Board of Commissioner's at monthly town meetings, and submit a budget request each March to the Town's Board of Commissioners. If the Chairperson is unavailable, any Core Committee member may submit the monthly report.

Section 2 – Second Core Committee Member: The second Core Committee member shall perform such duties as the UMEC or the Chairperson may direct and shall assume the duties of the Chairperson in the event of absence, incapacity, or resignation of the Chairperson. The second Core Committee member shall serve as Treasurer of the UMEC.

Section 3 – Third Core Committee Member: The third Core Committee member shall perform such duties as the UMEC or the Chairperson may direct and shall assume the duties of the Chairperson in the event of absence, incapacity, or resignation of the Chairperson. The third Core Committee member shall serve as the primary point of contact for all UMEC volunteers.

## **ARTICLE VII — PARLIAMENTARY PROCEDURE**

Except as otherwise specified in these bylaws, all meetings shall be conducted according to Robert's Rules of Order, relaxed. The order of business at any regular meeting of the membership shall be:

- Attendance will be taken by signing an attendance roster
- Reading or disposal of the minutes of the previous meeting
- Reports by officers and committees
- Unfinished business
- New business
- Adjournment

## **ARTICLE VIII — TUMEC BUDGET AND EXPENSES**

Section 1 - Budget: The Core Committee Members shall be responsible for developing an annual budget to support the planned events throughout the Town's fiscal year. Upon approval of the final budget by the Board of Town Commissioners, the Committee shall begin implementing the fiscal year events.

Section 2 - Expenses: UMEC expenditures will be processed by the Treasurer through the Board of Town Commissioners or the President, as required, by the Town's Procurement Ordinance.

Section 1 - Reporting: The Treasurer shall be responsible for submitting a budget report at each regular monthly UMEC meeting. The report shall include a running list of expenses by event and remaining UMEC budget funds.

## **ARTICLE IX — AMENDMENTS**

These bylaws may be amended or revised by proposal of the UMEC members and approved by a majority vote at a UMEC regular meeting. The proposed amendment shall then be adopted, modified or rejected at the succeeding regular meeting of the membership. Bylaw revisions must be approved by the Board of Town Commissioners before becoming effective.

## **ARTICLE X — DISSOLUTION**

In the event of the dissolution of the UMEC, the Committee's collections, assets, properties, and records shall be turned over to the Board of Town Commissioners.

## **ARTICLE XI — EFFECTIVE DATE**

These bylaws shall become effective on \_\_\_\_\_.

APPROVED by the Board of Commissioners for the Town of Upper Marlboro, Maryland at their regular Town Meeting, on this \_\_\_\_\_ day of \_\_\_\_\_, 2019, by:

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

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

\_\_\_\_\_  
Tonga Turner, President

Attest:

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

## Town of Upper Marlboro

RESOLUTION: 2018-08

SESSION: Regular Town Meeting

DATE: May 14, 2019

### **RESOLUTION BY THE BOARD OF TOWN COMMISSIONERS TO ESTABLISH, APPROVE AND MAINTAIN THE UPPER MARLBORO CERT**

**WHEREAS**, the Governing Body of the Town of Upper Marlboro recognizes the need for enhanced emergency response resources in the wake of recent, unprecedented, natural disasters in the state of Maryland and likelihood that such events will increasingly occur; and

**WHEREAS**, first responders to such natural disasters, and other emergencies, have to address often overwhelming circumstances in emergency situations; and

**WHEREAS**, the Federal government has established the Community Emergency Response Team (CERT) program under its Citizens Corps and is coordinated nationally by the Department of Homeland Security's Federal Emergency Management Agency (FEMA), created by Executive Order 13254 in January by the President of the United States; and

**WHEREAS**, the Governing Body of the Town of Upper Marlboro has the authority to establish and maintain a CERT that can be trained to help first responders and address various needs in the event of an emergency; and

**NOW, THEREFORE, BE IT RESOLVED**, the Chief of the Town of Upper Marlboro Police Department, or an appointee such as an elected official or Town employee, shall be designated by the President of the Board of Town Commissioners to act as a non-voting liaison to the Upper Marlboro CERT; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, by the Board of Commissioners of The Town of Upper Marlboro sitting in regular session this \_\_\_\_\_ day of \_\_\_\_\_, 2019 the following:

1. The Board of Town Commissioners has determined that it is in the public interest to create and maintain an Upper Marlboro Community Emergency Response Team
2. The Upper Marlboro CERT is organized exclusively for educational purposes and public service to the citizens and communities of Upper Marlboro, MD
3. That the mission of the Committee is to provide trained assistance to professional responders in case of community-wide emergencies; and, to also provide trained assistance to area residents during disasters, emergencies, and miscellaneous planned events.



## Town of Upper Marlboro

4. That the Committee shall report to the Board of Town Commissioners, at least quarterly on their work, and also submit a proposed budget to the President of the Board of Town Commissioners during the month of March of each year.
5. That the meetings of the Committee are subject to, and in compliance with, the Maryland Open Meetings Act, Chapter 3, Sections 3-102 and 3-303.
6. That the Committee adopt such Bylaws, within 30 days of appointment, as it deems appropriate for final approval by the Board.

**INTRODUCED AND PASSED** by the Board of Commissioners of the Town of Upper Marlboro, Maryland at a Public Meeting held on \_\_\_\_\_, 2019.

THE TOWN OF UPPER MARLBORO  
BOARD OF COMMISSIONERS

Attest:

\_\_\_\_\_  
Tonga Turner, President

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

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

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

### CERTIFICATION

I, the undersigned, hereby certify that I am the Town 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 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 Upper Marlboro Community Emergency Response Team**

## **Organizational Rules**

### **ARTICLE I. Name and Location**

Section 1. The name of this organization shall be the Upper Marlboro Community Emergency Response Team, hereinafter referred to as "UMCERT."

Section 2. The UMCERT shall be based and shall meet at the Town of Upper Marlboro Town Hall, or as where the appointed members shall determine. All meetings of the UMCERT shall be in compliance with the Open Meetings Act of the State of Maryland.

### **ARTICLE II. Purpose**

Section 1 The UMCERT is organized exclusively for educational purposes and public service to the citizens and communities of Upper Marlboro, MD, and more specifically to:

- Educate citizens of the community on the subject of disaster/emergency preparedness, response, recovery, and mitigation;
- Provide assistance to the residents during disasters and emergencies;
- Provide trained assistance to professional responders in case of community-wide emergencies; and to
- Provide trained assistance during planned events.

### **ARTICLE III. Membership**

Section 1. Qualification: Membership in the UMCERT shall be individuals who will or have completed the required training and certification, and have been appointed by the Board of Town Commissioners.

Section 2. Types of Membership: There will be two types of memberships in the UMCERT: Active and Inactive. Active members will be authorized to vote and participate in all UMCERT activities.

Inactive members will be any person who has missed more than five consecutive meetings in a calendar year. Inactive members will not be allowed to vote, however, they may attend meetings, take training and participate in events. Attendance of three consecutive meetings shall reinstate active member status. This also includes any member of the Leadership Team (President, Vice-President, Secretary and Treasurer unless they have been excused by the President.)

Section 3. Duration of Membership. An individual may remain a member so long as they maintain the requisite skills.

Section 4. Resignation. Any UMCERT member may resign at any time by giving written notice to the Leadership Team. Resignation shall be effective upon receipt unless otherwise noted therein.

Acceptance shall not be required to make it effective. Upon resignation the member shall return all team issued items and equipment. Examples include, but are not limited to: credentials/identification, clothing and equipment issued by the Prince George's County Office of Emergency Management (OEM).

Section 5. Removal. Any UMCERT member may be removed for cause (including being determined inactive) by the CERT Leadership Team or OEM for conduct determined by the Leadership Team and/or OEM to be contrary to the best interest of the CERT, OEM or the jurisdictions they serve and represent. The decision to remove for cause may be appealed to the Board of Town Commissioners.

Section 6. Reinstatement. Any UMCERT member may request reinstatement to membership by the Leadership Team. A decision to reinstate will be at the sole discretion of the Leadership Team with the decision being final.

Section 5. Fees. A one-time fee of Twenty-five dollars (\$25.00) may be required upon joining the UMCERT.

#### **ARTICLE IV. The Board of Directors**

Section 1. The Board of Directors shall consist of the elected officers and the standing committee chairperson(s). See Article XIII for Committees.

Section 2. The Board of Directors shall handle the regular business of the UMCERT.

Section 3. Regular meetings of the Board of Directors shall be held as required and established by the Board of Directors.

Section 4. A quorum for conducting the business of the Board of Directors shall be a majority of all Board Members. A member of the Board not present may vote by absentee ballot.

Section 5. The Board of Directors is authorized to make individual expenditures for goods or services of up to Three Hundred U.S. dollars (\$300.00) without the approval of the membership.

Section 6. The Board of Directors shall submit a Budget Request to the Town of Upper Marlboro every March, listing previous year's accomplishments, and anticipated projects/events for the year ahead (Town fiscal year runs July 1–June 30.)

#### **ARTICLE V. Officers (Board of Directors) and Committee Chairpersons**

Section 1. There shall be the following appointed officers: a.) President; b.) Vice- President; c.) Secretary; and, d.) Treasurer.

Section 2. An officer who does not comply with assigned responsibilities may be relieved of office by the President or a majority vote by the membership after notification to the individual involved, subject to appeal to the Board of Town Commissioners. Appointment of a replacement shall be made by the President of the UMCERT with the approval of the Board of Directors pending the annual election.

Section 3. Committee members shall be appointed by the President of the UMCERT; subject to approval by the Board of Directors.

Section 4. A committee chairperson may be removed for a good cause by the President, if in the President's judgment; the chairperson is not properly performing or will not properly perform the duties of the position; subject to approval by a majority of the Board of Directors and appeal to the Board of Town Commissioners.

THE BOARD OF DIRECTORS, THE OFFICERS, AND THE MEMBERS RECEIVE NO COMPENSATION.

## **ARTICLE VI. Elections**

Section 1. a.) Nominations: Any Active Member may place into nomination an Active Member for elected office. The Nominating Committee will compile a list of all Nominations, present the list in the form of a ballot for the election of officers under Article V Section 1; b.) Nominating committee: The Nominating committee shall verify eligibility of voting members. They may organize the election at their discretion with procedures that guarantee fairness and legality; c.) Report of the Nominating Committee shall be made at the last meeting of the year; and, d.) Nominations from the floor will be in order at the last meeting of the year and prior to elections and installation of the new officers at the first meeting of the New Year; with the consent of the nominee.

Section 2. The Nominating Committee will consist of no less than the Chairperson plus two Active Members.

Section 3. Election shall be by secret ballot.

Section 4. Each eligible Active Member shall cast one vote.

Section 5. Term of office: Officers shall be elected for a term of two years. Officers may be elected for a consecutive term in the same office.

Section 6. Immediately following installation, the outgoing officers shall turn over to the newly installed officers all files, monies and historical materials and equipment.

## **ARTICLE VII. Duties of Officers**

Section 1. The President shall: a.) Preside at all meetings of the Board of Directors and general meetings of the UMCERT, and at any special meetings; b.) Sign checks with the Treasurer or another authorized signer; c.) Sign all contracts, letters, etc. as required; and, d.) Serve as an ex-officio member of all committees except that of the nominating committee; and, e.) Call special meetings when necessary.

Section 2. The Vice-President shall perform the duties of an absent President and perform such duties as are assigned by the President.

Section 3. The Secretary shall record the minutes of all proceedings of the Board of Directors and membership meetings. The Secretary shall handle the correspondence of the UMCERT. Should

the President or Vice-President not be available for a general meeting, the Secretary will preside over the meeting.

Section 4. The Treasurer shall a) Have charge of all the funds of the Upper Marlboro CERT; b) Make financial reports to the membership at meetings; c) Sign all checks with the President or another authorized signer; d) Keep dues collected in advance for the next administration; and, e) Keep funds in a bank account to be audited annually and kept orderly.

## **ARTICLE VIII. Meetings**

Section 1. Regular meetings shall be scheduled on the second Saturday of each month from 9:00–10:30 a.m., unless there is a scheduling conflict with the Town Hall.

Section 2. General membership. A quorum shall be a minimum of seven (7) active members at a regular or special meeting of the membership.

Section 3. Special meetings may be called by the President, the Board of Directors or a majority of the Active Members. Notice of a special meeting shall be given as early as time allows. This notice shall be written, oral or electronic mail.

Section 4. Public notification of all meetings of the Board of Directors shall be posted according to Maryland Open Meetings Act requirements through the Town of Upper Marlboro website, social media outlets and official publications in which calendars are employed.

## **ARTICLE IX. Amendments**

a.) The Bylaws may be amended or revised by an affirmative vote of a majority of Active Members, subject to Town Board approval.

b.) This vote will be by written ballot. Amendments to the Bylaws shall be given to Active Members in writing by the next regularly scheduled meeting and voted upon on the next following meeting, subject to Town Board approval.

## **ARTICLE X. Dissolution**

Section 1. Dissolution shall be in accordance with the provisions outlined in the Town of Upper Marlboro Charter, Section 82-15(b).

## **ARTICLE XI. Rules of Order**

"Roberts Rules of Order, Newly Revised" shall be the basis of conducting meetings.

## **ARTICLE XII. Standing Rules**

Regular meetings will be called to order at 9:00 a.m.

### **ARTICLE XIII. Standing Subcommittees**

1. Training
2. Community Relations

### **ARTICLE 1X - EFFECTIVE DATE**

These Bylaws shall become effective on \_\_\_\_\_, 2019.

APPROVED by the Board of Commissioners of the Town of Upper Marlboro, Maryland at their regular monthly Town Meeting, on this \_\_\_\_\_ day of \_\_\_\_\_, 2019, by:

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

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

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

Attest:

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

## **Town of Upper Marlboro**

RESOLUTION: 2019-05  
SESSION: Regular Town Meeting  
DATE: May 14, 2019

**RESOLUTION BY THE BOARD OF COMMISSIONERS FOR THE TOWN OF UPPER  
MARLBORO TO AUTHORIZE AND ESTABLISH A RATE SCHEDULE AND USER  
REGULATIONS FOR THE PUBLIC USE OF THE MEETING ROOMS, FACILITY  
COMMON AREA AND GROUNDS OF THE UPPER MARLBORO TOWN HALL LOCATED  
AT 14211 SCHOOL LANE, UPPER MARLBORO, MARYLAND 20772**

WHEREAS, Section 82–16(2)(l) (Community Services) of the Town Charter authorizes the Board to provide, maintain, and operate community and social services for the preservation and promotion of the health, recreation, welfare, and enlightenment of the inhabitants of the Town; and

WHEREAS, the Town of Upper Marlboro has been actively establishing Town Committees within its corporate boundaries whose membership require meeting space to conduct Town business; and

WHEREAS, the Board of Commissioners has established goals and initiatives to strengthen community relations through proactive partnership with its residents, businesses and surrounding area communities; and

WHEREAS, the Town of Upper Marlboro desires to offer the Town Hall meeting space(s) for area citizens and organizations, as well as, in-town and area civic associations; and

WHEREAS, THE BOARD OF COMMISSIONERS HAS DETERMINED THAT there is a need to establish and approve a Facility Use Agreement packet to include an Application, User Regulations, Rental Rate Schedule and a Hold Harmless Agreement for the public's use of the Town Hall Meeting Rooms, Facility and/or Grounds located at 14211 School Lane, Upper Marlboro, Maryland 20772.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO that as of May 14, 2019, the attached Facility Use Agreement packet will be used for all Town Hall Facility user requests. These fees and regulations will remain in effect until a new resolution is passed.

## Town of Upper Marlboro

AND BE IT FURTHER RESOLVED the President of the Board of Town Commissioners reserves the right to authorize or deny application requests, and/or, waive or impose additional fees as seen fit.

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

Attest:

THE TOWN OF UPPER MARLBORO  
BOARD OF COMMISSIONERS

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

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

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

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

Town Hall, 14211 School Lane  
Upper Marlboro, MD 20772

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

info@uppermarlboromd.gov  
[www.uppermarlboromd.gov](http://www.uppermarlboromd.gov)

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

## Regulations Governing Use of The Town of Upper Marlboro Meeting Room(s), Facility and Grounds

**The** Upper Marlboro Town Hall building and surrounding grounds are both owned and maintained by The Town of Upper Marlboro using public funds. The Board of Commissioners is interested in guaranteeing the use of meeting space to its residents. The Town also serves as a historical and cultural center for the greater Upper Marlboro area. In order to promote the public interest, the Town agrees to allow the residents of the Town, and of the greater Upper Marlboro area, to use the Town Hall meeting area(s) and its surrounding grounds for civic and cultural purposes under the terms and conditions as follows:

1. The attached Indemnity/Hold Harmless Agreement is signed and the organization/person agrees to its contents;
2. The agreement application is properly filled out and signed by the group's authorized leader, and submitted with payment at least one week prior to the event (*cash, money order, check or major credit cards are accepted*);
3. Meeting rooms will normally be available for use from 5:00 pm to 10:00 pm during the business week, and not available on observed Holidays. Weekend event requests require Board approval on a case-by-case basis;
4. The Town Hall Facility is a smoke-free environment; No alcohol or illicit drugs may be consumed or served; Beer and wine is allowed, but only with prior approval by the Board of Town Commissioners. Consumption of beer or wine while on Town Hall property requires the presence of a Town Police Officer at the rate of \$75 per hour. No alcohol shall be sold on Town property at any time. No open flames are allowed; If refreshments are to be served, tables must be protected with a water proof covering. If food is to be sold, a County Food Service Permit may be required;
5. A Certificate of Insurance showing liability coverage and listing the Town as an additional insured may be required by groups that are legal entities or individuals. Tenant user liability insurance is available via the LGIT and the NLC;
6. Town Hall and the grounds must be left in the same condition and arrangement as it was found; Any damage to the Town Hall Facility, its contents, furnishings and/or grounds must be compensated for to the Town;
7. Youth organizations must be supervised by at least one adult over the age of 21;
8. The capacity of the Conference Room is determined by fire regulations and must not exceed 39 people if using chairs and tables; and, 83 people without chairs and tables. The entire Facility capacity indoors is 73 people. Hallway doors to the meeting room must remain unlocked at all times;
9. In-Town events, residents, staff, businesses, civic groups, committees and clubs have priority use of the Town Hall Meeting Rooms and/or Grounds. Rental rates for outside-of-Town citizens, businesses and various groups are applied according to the current rate schedule (*see Rate Chart on Request Application next page.*)
10. Subject to the needs of the Town, in-Town residents or business owners may schedule use two months in advance; all others may schedule one month in advance;
11. No refunds for cancellations. No rescheduling of booked dates once agreement is approved;
12. One Application Form can be used for multiple meeting dates by a single entity, but, all dates requested must be within the same fiscal year (*July 1 — June 30*) however, only one Hold Harmless Agreement form per request is required.
13. The President of the Board of Town Commissioners reserves the right to supplant previously reserved dates, reclassify and/or waive rental fees, or make exemptions to regulations at his or her discretion.

**Linda Pennoyer**  
Commissioner/ Treasurer

**Tonga Y. Turner**  
Commissioner/ President

**Wanda M. Leonard**  
Commissioner



# 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](http://www.uppermarlboromd.gov)

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

*I have read and understand these conditions and regulations of this use agreement, and agree to abide by them.*

Signature of applicant \_\_\_\_\_ (date of this request) \_\_\_\_\_

Name of group/organization/individual \_\_\_\_\_

Contact information (phone & email) \_\_\_\_\_

Date(s) you are requesting the room to be reserved  
(FY2019: July 1, 2018—June 30, 2019)

Start time: \_\_\_\_\_ Duration (in hours): \_\_\_\_\_

## Meeting Room(s) & Grounds RATE CHART

*(entire Facility includes: Meeting Room(s), Lobby,  
Kitchenette and/or Outdoor Grounds)*

### Area Civic Associations:

*(outside Town's corporate boundaries)*

Meeting Room(s) only = \$75 per hour

Entire Facility = \$125 per hour

Max 3 hours — requires \$100 refundable deposit

### Town Residents, Committees & Staff :

First 2 hours FREE

Meeting Room(s) only = \$50 per hour

Entire Facility = \$75 per hour

Max 5 hours — requires \$100 refundable deposit

### Non-resident:

*(outside Town's corporate boundaries)*

Meeting Room(s) only = \$100 per hour

Entire Facility = \$150 per hour

Max 5 hours — requires \$250 refundable deposit

- If facility is locked upon arrival, please call our Town Police Department at 301-273-5901 to gain access.
- Enter through the side entrance (glass door) that faces School Lane.
- Please lock the School Lane entrance once all members of your event have arrived.
- Exit your event through the Conference Room fire exit directly into the parking lot.

Please provide 2 separate checks: One for rental fee & One for deposit (*deposit returned after event*)

TOTAL rental fee due: \$ \_\_\_\_\_

TOTAL deposit required: \$ \_\_\_\_\_

Make checks payable to: Town of Upper Marlboro. Please fill out a separate form for each rental date.

Mail to: Town of Upper Marlboro, P.O. Box 280, Upper Marlboro, MD 20773

**PLEASE NOTE:** No refunds for cancellations. No rescheduling of booked dates once agreement is approved.

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Commissioner/ Treasurer

**Tonga Y. Turner**  
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## Indemnity / Hold Harmless Agreement

In consideration of the use of facilities, \_\_\_\_\_ [name of person, association or entity] (the "User") agrees to indemnify and hold harmless The Town of Upper Marlboro (the "Town") and its officials, employees and agents from and against any and all liabilities, judgments, settlements, losses, costs or charges (including attorney's fees) incurred by the Town or any of its officials, employees or agents as a result of any claim, demand, action or suit relating to any bodily injury (including death), loss or property damage caused by, arising out of, related to or associated with the use of the premises by the User or by the User's members, guests, employees, agents or invitees. User knows, understands and acknowledges the risks and hazards associated with using the premises and the surrounding property, and hereby assumes any and all risks and hazards associated therewith.

User hereby irrevocably waives any and all claims against the Town or any of its officials, employees or agents for any bodily injury (including death), loss or property damage incurred by the User as a result of using the premises and surrounding property and hereby irrevocably releases and discharges the Town and any of its officials, employees or agents from any and all claims of liability arising out of or associated with the use of the premises. User shall pay the Town for any and all physical loss or damage to the premises (including the cost to repair or replace the premises) caused by, arising out of, relating to or associated with the use of the premises by the User or the User's members, employees, agents, guests or invitees. User further agrees to provide proof of insurance, when requested, which names the Town as an additional insured on a policy with limits and coverage's similar to those provided by the Town's insurance carrier. The parties also understand and agree that the Town will not be responsible for lost or stolen items.

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Organization: \_\_\_\_\_

Business Address: \_\_\_\_\_

Name of Contact: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**Linda Pennoyer**  
Commissioner/ Treasurer

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## PARKING AT TOWN HALL

**Town** Hall is located at the corner of School Lane and Old Crain Highway. Additional/overflow parking can be found next door at the Board of Education (BOE.) It can be accessed by a gateway in the chain-link fence (indicated by the yellow arrow on the map below.)

Users must drive further down School Lane to find the driveway entrance to the BOE parking lot. The pathway through the fence is well lit and monitored by security cameras.

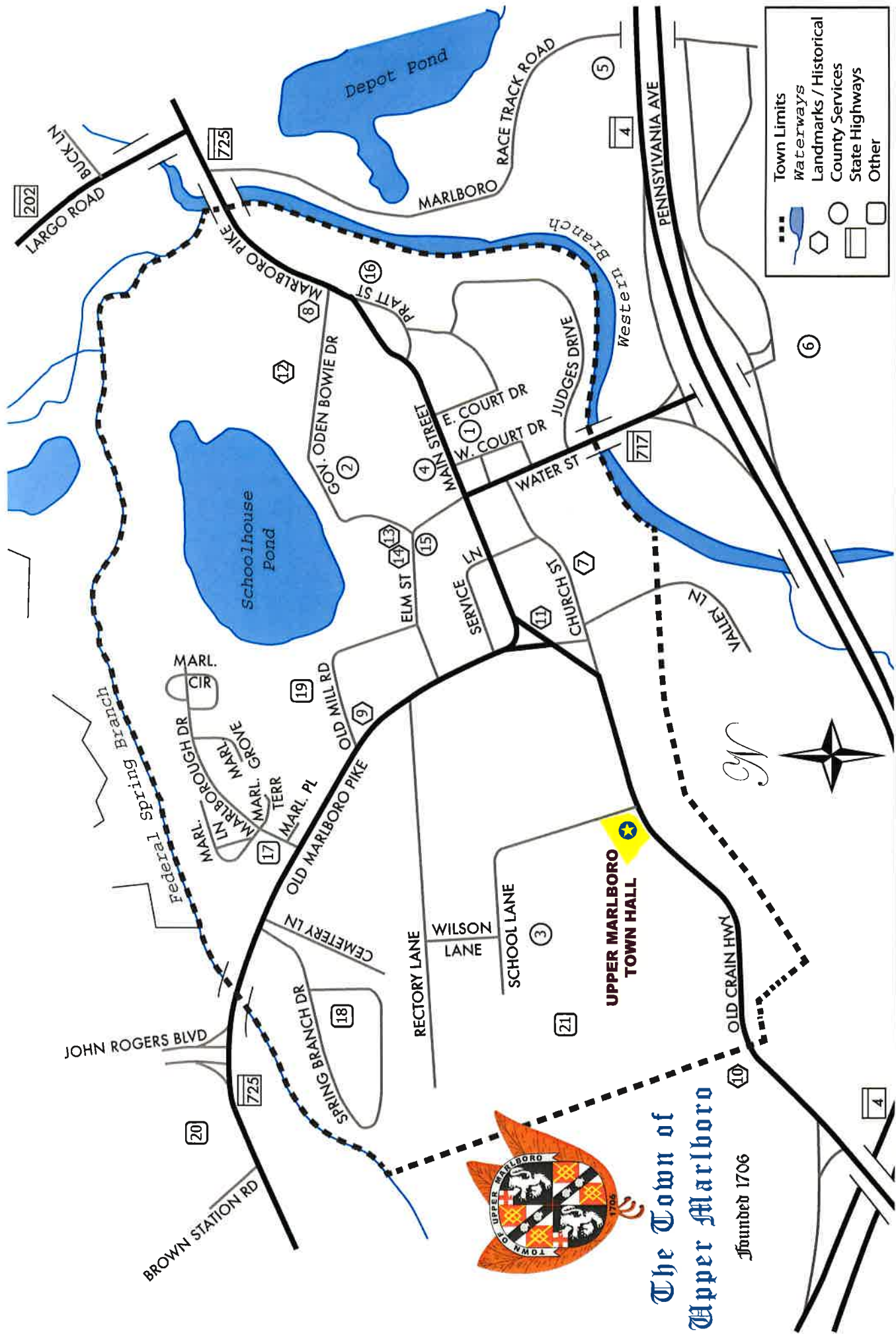


**Linda Pennoyer**  
Commissioner/ Treasurer

**Tonga Y. Turner**  
Commissioner/ President

**Wanda M. Leonard**  
Commissioner





# The Town of Upper Marlboro

Founded 1706

- |  |   |   |                                 |
|--|---|---|---------------------------------|
| ★ 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     |
| 3. P.G. Board of Education (Sasser Bldg)     | 9. Union United Methodist Church              | 15. Post Office, Upper Marlboro Branch    | Shopping Center                 |
| 4. County Library, Upper Marlboro Branch     | 10. Providence Baptist Church                 | 16. Marlboro Vol. Fire Dept. (Station 20) | 21. Sasser Field / Boys & Girls |
| 5. Community Center, Upper Marlboro          | 11. Robert Crain Railroad Monument            | 17. Marlborough Towne                     | Club Field                      |

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

ORDINANCE: 2019-03  
SESSION: Regular Town Meeting  
INTRODUCED: April 16, 2019  
DATE ENACTED: May 14, 2019

**AN ORDINANCE TO ESTABLISH TAX RATES FOR THE FISCAL YEAR 2020 TAX LEVY**

**WHEREAS**, the Town of Upper Marlboro (the “Town”) is a municipal corporation of the State of Maryland expressly authorized by Maryland Code Annotated, Local Government (“LG”) Art., § 5-205(b)(1) to expend any municipal funds for any purpose deemed to be public and to affect the safety, health and general welfare of the municipality and its occupants; and

**WHEREAS**, the Charter of the Town of Upper Marlboro (the “Town Charter”), Section 82–16(2)(v) (Finances), states that the Board shall have the power to pass ordinances not contrary to the laws and Constitution of this State in order to levy, assess, and collect ad valorem property taxes; to expend municipal funds for any public purpose; to have general management and control of the finances of the Town; and

**WHEREAS**, the Town Charter, Section 82–47 (Taxable Property) states all real property and all tangible personal property within the corporate limits of the Town, or personal property which may have a situs there by reason of the residence of the owner therein, shall be subject to taxation for municipal purposes, and the assessment used shall be the same as that for State and County taxes; and

**WHEREAS**, the Town Charter, Section 82–48 (Tax Levy) states that on or before the thirtieth day of June in each and every year, the Board shall determine the tax rate for the ensuing fiscal year, which determination shall constitute the tax levy for such year; and

**WHEREAS**, the Town Charter, Section 82-11 mandates that except in cases of emergency, no ordinance shall be passed at the same meeting at which it is introduced and that at any regular or special meeting of the Board held not less than six nor more than sixty days after the meeting at which the ordinance was introduced, it shall be passed, or passed as amended, or rejected, or its consideration deferred to some specified future date; and

**WHEREAS**, said Section 82-11 further mandates that each ordinance shall be posted in the Town office, and each ordinance or a fair summary thereof, shall be published at least once, in a newspaper of general circulation in the Town; and

**WHEREAS**, pursuant to Section 82–39 *et seq.* of the Town Charter, the Board of Town Commissioners plans to approve a separate annual budget ordinance consistent with this Ordinance.

**NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO, STATE OF MARYLAND, DOES ORDAIN AND ENACT AS FOLLOWS:**

That the tax rates for Fiscal Year 2020 for all real, personal and other property which is subject to taxation by the Town of Upper Marlboro are hereby established, levied and approved to be as follows:

Residential Real Property	\$ 0.24 per \$100.00 of assessed valuation;
Commercial Real Property	\$ 0.52 per \$100.00 of assessed valuation;
Business Personal Property	\$ 0.45 per \$100.00 of assessed valuation;
Public Utility Property	\$ 0.75 per \$100.00 of assessed valuation;

**AND BE IT FURTHER ENACTED AND ORDAINED** by the Board of Commissioners of the Town of Upper Marlboro, Maryland that the tax levy for Fiscal Year 2020 for the Town of Upper Marlboro and all other taxes, liens and/or fees prescribed herein shall remain as approved to be incorporated and adopted within the FY 2020 Budget Ordinance 2019-04.

**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 and effective 20 days after passage by the Board.

AYES: \_\_\_\_\_

NAYES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

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

**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

\_\_\_\_\_  
Tonga Turner, President

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

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

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

Reviewed and Approved for Legal Sufficiency

\_\_\_\_\_

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

Kevin J. Best, Esq.



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

**ORDINANCE:        2019-04 Town Operating Budget for FY2020   DRAFT-1**  
**SESSION:            Regular/Special Town Meeting**  
**INTRODUCED:      May 14, 2019**  
**FOR APPROVAL:    June 10, 2019**

AN ORDINANCE relating to adopting and approving the budget for the fiscal year 2020 and to establish certain procedures for reviewing and amending same, as more particularly set forth herein.

WHEREAS, the legislative body of every incorporated municipality in this State pursuant to Article 23A, Section 2(b)(2) of the Annotated Code of Maryland (“Code”) is delegated express ordinance making powers to expend municipal funds for any purpose deemed to be public and which affects the safety, health, and general welfare of the municipality and its occupants,

WHEREAS, every municipal legislative body is further expressly delegated ordinance making powers pursuant to Code, Article 23A, Section 2(b)(2) to expend municipal funds provided that any funds not appropriated at the time of the annual levy, shall not be expended, nor shall any funds appropriated be expended for any purpose other than that for which appropriated, except by a two-thirds vote of all members elected to said legislative body,

WHEREAS, the Town of Upper Marlboro for fiscal year 2019 is exempt from the notice and hearing requirements of the Maryland Constant Yield Tax Rate Law (Code, Tax-Property Art., Section 6-308),

WHEREAS, the Charter of the Town of Upper Marlboro (“Charter”) prescribes that the President of the Board of Commissioners (“President”) at least thirty days before the beginning of the fiscal year shall submit a budget to the Board of Commissioners (“Board”),

WHEREAS, the fiscal year for each municipal corporation in the State of Maryland is mandated by Code, Article 24, Section 1-102, and Charter, Section 82-39 to begin on July 1 of a calendar year and end on June 30 of the next calendar year,

WHEREAS, Charter, Section 82-40 further prescribes that the budget shall provide a complete financial plan for the budget year and shall contain estimates of anticipated revenues and proposed expenditures for the coming year,

WHEREAS, Charter, Section 82-41 prescribes that before adopting the budget the Board may hold a public hearing thereon upon such notice as may be deemed appropriate and that the Board may increase, decrease or eliminate any item in the budget and may add new items thereto,

WHEREAS, Charter, Section 82-41 further prescribes that the budget shall be adopted in the form of an ordinance, and that a favorable vote of at least a majority of the total elected membership of the Board shall be necessary for adoption,

WHEREAS, Charter, Section 82-11 mandates that except in cases of emergency, no ordinance shall be passed at the same meeting at which it is introduced and that at any regular or special meeting of the Board held not less than six nor more than sixty days after the meeting at which the ordinance was introduced, it shall be passed, or passed as amended, or rejected, or its consideration deferred to some specified future date,

WHEREAS, Charter, Section 82-11 further mandates that each ordinance shall be posted in the Town office, and each ordinance or a fair summary thereof, shall be published at least once, in a newspaper of general circulation in the Town,

WHEREAS, Charter, Section 82-42 prescribes that no public money may be expended without having been appropriated by the Board, and that from the effective date of the budget, the several amounts stated therein as proposed expenditures shall be and become appropriated to the several objects and purposes named therein,

WHEREAS, Charter, Section 82-43 prescribes that any transfer of funds between major appropriations for different purposes by the President must be approved by the Board before becoming effective,

WHEREAS, Charter, Section 82-44 proscribes any expenditures or contracts to expend money or to incur any monetary liability in excess of the amounts appropriated for or transferred to a particular general classification of expenditure in the budget, and

WHEREAS, Charter, Section 82-48 mandates that prior to June 30<sup>th</sup> in each and every year the Board shall determine the tax rate for the ensuing fiscal year, which determination shall constitute the tax levy for such year.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO, STATE OF MARYLAND, DOES ORDAIN AS FOLLOWS:

**Section 1.** The Fiscal Year 2020 Budget Ordinance (“FY2020 Budget Ordinance”) shall be divided into the following major anticipated revenue funds or groups having the estimated amounts as indicated below:

<u>REVENUE SOURCE</u>	<u>BUDGET AMOUNT</u>
Taxes	\$813,209
Intergovernmental	\$41,315
Fines, License and Permits	\$567,935
Other	\$32,450
Grants	\$341,489
From Designated Funds	\$356,322
Total Revenues	\$2,152,720

**Section 2.** The total of the anticipated revenues and any estimated fund balance available for expenditure during the fiscal year within each of the aforesaid categories of the FY2020 Budget Ordinance shall equal or exceed the total of the proposed expenditures within the following general classifications of expenditures as set forth in the appropriations with the amounts as indicated below:

<u>EXPENDITURES</u>	<u>BUDGET AMOUNT</u>
General Government	\$1,224,167
Public Safety	\$524,882
Public Works Department	\$403,671
Total Expenditures:	\$2,152,720

**Section 3.** Notwithstanding this budget ordinance, the FY2020 Budget shall be presented and discussed in further detail by enumerating additional sub-categories or detailed items pertaining to either revenues or expenditures as deemed necessary and expedient by the President and/or the Board (the “Detailed Budget”). Although not considered incorporated by reference or formally part of this FY2020 Budget Ordinance, the Detailed Budget, unless subsequently modified by the President, with approval of the Board as set forth in Section 4 below, shall reflect the various items discussed therein and shall remain substantially uniform throughout the fiscal year having essentially the same format and items as presented to the Board at the town meeting wherein the FY2020 Budget was approved.

**Section 4.** All budget amendments transferring monies between general classification of expenditure or appropriations as reflected in this FY2020 Budget Ordinance shall be submitted to the Board for approval, from time to time, by ordinance. Budget changes or amendments occurring within certain specified sub-categories or the various detailed items not reflected herein but shown in the Detailed Budget shall be approved from time to time by the President subject to review and approval by the Board as recorded in the journal of its proceedings.

BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town Of Upper Marlboro, Maryland that the levies for Fiscal Year 2020 for the Town of Upper Marlboro shall be liens from and after July 1, 2019 and shall be due and payable as specified in Title 14 of the Tax Property Article of the Code, as amended, and Charter Section 82-50; and

That all tax rates currently in effect, as established by Ordinance 2019-03, shall remain so unless changed at a future date by the Board of Commissioners.

BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that this ordinance shall become effective at the expiration of twenty (20) calendar days following approval by the Board of Commissioners.

BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that this ordinance shall be posted in the Town Hall office, and this FY 2020 Budget Ordinance or a fair summary of it shall be published once in a newspaper of general circulation in the Town.

AYES: \_\_\_\_\_

NAYES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

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

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

AMENDED, ORDAINED, APPROVED AND  
finally passed by the Board of Commissioners of  
the Town of Upper Marlboro, Maryland

on this \_\_\_\_\_ day of \_\_\_\_\_, 2019,

by:

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

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

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

Attest:

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

Reviewed and Approved for Legal Sufficiency

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

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

Proposed Ordinance 2019-04 Timeline:

Introduction:	May Regular Town Meeting	05/14/2019
Public Comment & Board Discussion:	May Board Work Session	05/28/2019
Passage/Board vote:	June Regular Town Meeting	06/10/2019 -Monday



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## Town of Upper Marlboro FY2020 Condensed Draft Budget July 2019 - June 2020

### Income

#### Revenue

##### Fines, Licenses & Permits

6154 Franchise Fee	25,000
6280 Trader's License Fees	1,200
6350 Permits/Rentals	41,000
6355 Parking Meters	439,235
6381 Parking Fines/Penalties	50,000
6550 Pub/Edu/Govt Broadcasting	11,500
<b>Total Fines, Licenses, Permits</b>	<b>567,935</b>

#### Grants

6530.01 FIP	59,510
6530.02 MNCPPC=Grant	40,140
6530.03 Assigned Fund Municipal Capital	30,000
6530.04 Conservation Energy Grant	25,000
6530.05 State Bond Bill	175,000
6530.06 State Police Aid	9,839
6530.07 Police Body Armor	2,000
6530.08 Park Conservation Grant	200,000
6530.09 Community Open Space Grant	200,000

**Total Grants** **741,489**

#### Intergovernmental

6240 Financial Corporation Tax	9,145
6260 Highway User Fee	30,094
6310 Disposal Fee Rebate	2,076

**Total Intergovernmental** **41,315**

#### Other

6390 Interest Earnings	15,000
6392 Sale of Property	2,500
6394 Miscellaneous Revenue	8,950
6396 Special Events/Donations	6,000

**Total Other** **32,450**

#### Taxes

6100 Real Estate Taxes	298,239
------------------------	---------



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6101 Personal Property Taxes	335,475
6230 Income Taxes	179,495
Total Taxes	<b>813,209</b>
<b>Total Revenue</b>	<b>2,196,398</b>
Capital Outlay	
9000 Capital Outlay Balance	356,322
Total Capital Outlay	<b>356,322</b>
<b>Total Income</b>	<b>2,552,720</b>

## Expenses

### 8000 General Government

8030 Salaries - Commissioners	3,600
8035 Salaries	419,153
8073 Accounting	9,500
8074 Audit	16,000
8075 Payroll Processing	5,200
8077 Public Notices	3,100
8080 Bank Charges	11,000
8083 Official Use	15,000
8086 Staff Development & Training	12,000
8090 Postage	3,000
8092 Printing	10,000
8095 Community Events & Recreations	18,000
8110 Legal	30,000
8115 Computer Software & Support	7,500
8120 Insurance	4,000
8130 Supplies	4,000
8131 Ofc Equipment R&M	3,000
8160 Telephone	7,000
8165 Utilities	8,500
8175 Bldg Maintenance - Town Hall	7,000
8180 Grants & Awards	
8180.01 FIP	59,510
8180.02 Park Conservation Grant	200,000
8180.03 Community Open Space Grant	200,000
Total 8180 Grants & Awards	<b>459,510</b>



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8185 Historical Committee	1,500
8191 CERT	1,500
8200 Other	2,500
8205 Consulting Fees	45,000
8210 Payroll Tax Expenses	109,604
8230 Capital Outlay - Assigned Municipal Capital Fund	30,000
8230.01 Town Hall Upgrades	10,000
8230.02 Technology Upgrades	13,000
8230.03 State Bond Bill	175,000
8230.04 Parking Meter Upgrades	60,000
Total 8230 Capital Outlay - AMCF	<b>288,000</b>
8231 Contingency Fund	<b>120,000</b>
Total 8000 General Government	<b>1,624,167</b>

## 8250 Public Safety

8260 Salaries	331,000
8261 Overtime	5,000
8273 Uniforms	9,000
8274 Weapons & Duty Equipment	3,000
8275 Staff Training	2,000
8277 Substance Testing/Pre Employment	2,000
8280 Supplies	2,500
8281 Association Dues	1,000
8282 PS Insurance	17,641
8290 Payroll Tax Expenses	57,741
8300 Vehicle Repairs	6,000
8301 Vehicle Maintenance	6,000
8302 Vehicle Fuel	6,000
8310 Grants & Awards (Police Body Armor)	2,000
8320 Other	2,000
8330 Capital Outlay - Other	
8330.01 Capital Outlay - Technology	12,000
8330.02 Capital Outlay - Vehicles	60,000
Total 8330 Capital Outlay	<b>72,000</b>
Total 8250 Public Safety	<b>524,882</b>





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## 8350 Public Works

8360 Salaries	163,920
8361 Overtime	6,000
8370 Payroll Tax Expenses	56,381
8375 Uniforms	3,500
8377 Dues	750
8380 Other	1,500
8383 PW Insurance	8,000
8390 Streets Maintenance	5,000
8391 Weather Related Expenses	3,000
8400 Highway Lighting	26,000
8405 Vehicle Repairs	2,000
8410 Vehicle Maintenance	2,000
8415 Vehicle Fuel	6,000
8487 Substance Testing	200
8490 Utilities	1,000
8491 PWF-Maint/Repairs/Beautification	14,000
8493 Portajohn	1,200
8545 Sanitation	58,220
8550 Capital Outlay (Hwys & Streets)	
8550.01 Capital Outlay –Street &Sidewalk	5,000
8550.02 Capital Outlay – H &S Equipment	15,000
8550.03 Energy Conservation Grant	25,000
Total 8550 Capital Outlay (Hwys & Streets)	45,000
<b>Total 8350 Public Works</b>	<b>403,671</b>

## Total Expenses

2,552,720

## Net Operating Income

-