

Town of Upper Marlboro

14211 School Lane • Upper Marlboro, Maryland 20772

REGULAR TOWN MEETING

Tuesday, November 12, 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 October 8, 2019 Regular Town Meeting minutes
- Approval of the October 22, 2019 Board Work Session minutes
- Approval of the Treasurer's Report, as of October 31, 2019.

Reports

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

Business

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

- 1) Proclamation: Municipal Government Works! Month
- 2) Oath-of-Office Ceremony: Board of Supervisors of Elections (Board approval)
- 3) Ordinance 2019-08 Elections-Authorizing Ballot Questions: (introduction)
- 4) Ordinance 2019-09 Board Salaries: (introduction)
- 5) Resolution 2019-11 PAMC Public Art: (Board approval)

Administrative Updates

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

Public Comment

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

Adjournment

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

PUBLIC COMMENT PROCEDURES

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

Agendas for meetings are posted on our website and a synopsis of the monthly Town Meeting Agenda is also provided in the “On the Agenda” column of our monthly newsletter, the *Landings*. Outreach and notices of legislative items are also posted on the Town's social media accounts (Facebook & Twitter).

Our meetings are open to the public, and we ask that residents who want to comment to please follow the rules that have been established by “Resolution 2019-02: Adoption of Rules of Order and Regulations for Public Meetings” . . .

III. Citizen Input

A. At regular and special meetings, residents of the Town may have the opportunity to address the Board on any item on the agenda provided a resident is recognized and allowed to speak by the President. Recognized public comment and/or questions that are germane to the immediate agenda item shall be limited to (1) minute. Furthermore, each regular meeting shall also have an agenda item for citizen input regarding any municipal question, during which time any resident of the Town may address the Board for up to three (3) minutes on matters or items not necessarily placed on the agenda. Individuals not residing in the Town may speak at regular or special meetings under conditions specified by the Board. The President or the Board may uniformly change or adjust the time limitations for all speakers depending on the circumstances or provide additional time for experts or other officials.

B. Except in instances where the presiding officer expressly invites or allocates time for public testimony, questions, comments, or other forms of participation, or when public participation is otherwise authorized by law, no member of the public attending an open meeting session may actively participate in the session. Public comment by members of the public is not typically designed or intended for interactive dialogue between the Commission and the public, unless the presiding officer specifically allows it or the Commission elects to suspend its rules to allow such colloquy.

C. Speakers shall state their name for the record, and their address (**street name only**). Ordinarily, for each agenda item, including citizen input, speakers shall have one opportunity to speak and may not poll or ask questions of individual commissioners, staff or public officials. Otherwise, the Board shall determine the conduct of the public discussions on any issue and may set reasonable time limits for such.

D. Ordinarily, work sessions are open to public observation only and public participation is at the discretion of the Board. At work sessions, residents and non-residents may be allowed to speak on any municipal issue, but only under conditions specified by the Board.

Each individual speaker must stand, state their name and home of record (street name only) and approach the Board to a designated position in order to be recognized by the Chair of the Board, and to be heard by the recording Clerk, as well as others in attendance.

Town of Upper Marlboro

REGULAR TOWN MEETING

October 8, 2019 • 7:00 p.m.

unApproved Minutes

Call to Order

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

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

Staff present: M. David Williams, Town Clerk/Administrator; UMPD Chief Burse; William Morgan/Director of Finance; Vickie Stewart/Executive Assistant; and, Kyle Snyder/Chief of Staff

Also present: SCW Chair Evelyn Stephens; EC Secretary Sarah Franklin; TUMHC Chair Patti Skews; BoSE Member Ellen Storey; MVFD President Jeffrey Beavers; Plus, various citizens and interested parties.

Pledge of Allegiance

Consent to the Agenda

President Leonard received unanimous consent to the Agenda.

Approval of Meeting Minutes & Financial Reports

Commissioner Kai Bernal-LeClaire motioned to approve the Regular Town Meeting minutes from September 10, 2019, the Work Session minutes from September 24, 2019, and, the Treasurer's Report as of September 30, 2019. Commissioner Pennoyer seconded. Both September's Town Meeting and Work Session minutes, plus, the September Treasurer's Report were unanimously approved.

Reports

Departments/Committees: Chief Burse delivered the UMPD report for the month of September 2019, noting there were 3 accidents in the Town during this month. A handout was provided chronicling his attendance and participation in many area events, conferences and meetings with County agencies.

CoS Snyder delivered the Public Works reports for September 2019 on behalf of Superintendent Bond, a handout was provided. Along with updates on Town landscaping, training, equipment and street maintenance, he noted the Department will be adopting an 8 a.m. to 4 p.m. workday schedule. He added that the Town's recycling contractor will no longer pick-up materials with plastic bags mixed-in.

Clerk Williams gave an update on preparations for the Town Election on January 6, 2020.

TUMHC Chair Skews reported that the Committee met on September 21st to discuss next steps concerning the County's removal of the historic designation(s) of the OMES buildings. She then announced they will hold their next Archive Session on October 19th, and, will be helping-out with the Great Jack-O-Lantern Campfire Event at Darnall's Chance House Museum on October 19th.

President Leonard reported for the Events Committee stating that the 2nd Annual Trick or Treat on Main Street event will be held on Saturday October 26th. She noted that the MVFD has ordered 4,200 pieces of candy and 500 Fire Helmets for the kids.

SCW Chair Stephens stated the Town's Sustainable Community Workgroup is reviewing the current renewal application which is due October 30th. It was noted that participants who have already received funding under previous applications are welcome to submit again for further façade projects.

CERT President Leonard reported that the UM CERT will hold their next meeting this Saturday.

Commissioner Bernal-LeClaire: Announced he had attended the County Council Hearing on the OMES historic designation change on September 10th and also provided testimony. He added he had coordinated with the Town's Public Affairs consultant for an interview on WAMU Radio which as of yet has not aired. He noted he also attended a Special Meeting with the State Delegation at Town Hall on October 4th.

MVFD President Beavers reported they are preparing for the Town's Holiday Party. He announced the County Public Safety Day is scheduled for October 19th at Montpelier Farms.

Commissioner Pennoyer: Reported that she has been attending many local HOA meetings being held here at Town Hall. She added she has been looking for planning assistance through the M-NCPPC Park & Planning Department to develop a public art/mural project for the bare walls at Main & Water streets.

President Leonard: Provided updates on the following: 1.); Delivered welcoming speech at the Purple Lights Night Ceremony held at the PGCC in Largo. 2.); Attended the Emergency Preparedness Summit at Fairmont Heights HS, the regular monthly meeting at the MVFD, and County Executive Alsobrook's Cook-Out. 3.); Met with Sheriff High to increase partnership. 4.); State Senator Peters visited Town Hall on October 4th and complimented recent Town Beautification and Branding efforts/will conduct conference call with Greenwill to discuss the Senator's recommendations. 5.); School House Pond project to be completed by end of month. 6.); Thanked all who attended the October 17th Public Hearing/ will be seeking Legal Counsel advice on "next steps"; and, 7.) The Old Stone Building was recently taken off County Surplus Property list, Greenwill currently negotiating with County to get building put back onto list.

Business

The President announced the Board will take public comment on each Business line items, and requested that speakers limit their comment to 2 minutes per item.

- 1.) Ordinance 2019-07 Amending Ord 2016-02 Vehicle and Traffic/To add Vehicle Booting: The resolution's introduction was read aloud by the Clerk. Commissioner Bernal-LeClaire motioned to pass Resolution 2019-07, Commissioner Pennoyer seconded. With all in favor, the motion was unanimously passed.
- 2.) Resolution 2019-10 Authorization of Lease Agreement/Purchase of Police Vehicles: President Leonard noted that a lower interest rate had been obtained since the last Board Meeting. The resolution's introduction was read aloud by the Clerk. Commissioner Bernal-LeClaire motioned to pass Resolution 2019-10, Commissioner Pennoyer seconded. With all in favor, the motion was unanimously passed.
- 3.) Special Event Application/Douglass HS Homecoming: The President noted that the application fee had been waived as Douglass HS is classified as a civic group. Commissioner Bernal-LeClaire motioned to approve the Special Event application for the October 19th parade, and, to waive the standard application fee. Commissioner Pennoyer seconded the motion. With all in favor, the motion was unanimously passed.

Administrative Updates

- 4.) Legislation, Projects & Initiatives: CoS Snyder delivered status reports on the following projects:
 - ToUM Playground: Proposal for review at next Work Session. Board of Education has signed.
 - Waterway Park: On hold pending completion of the DPW&T Floodplain Project work on the Western Branch. To start work on RFP for design & construction.
 - Heritage Area expansion: Funded, coordinator lining-up final funding for proposal/consultant.
 - Parking Meters updates: New meters installed (2 more on Gov Oden Bowie Drive later this week), and Mobile Parking App roll-out scheduled for later this month.
 - Welcome Center/Old Stone Building: On hold until County places back on Surplus properties listings, have draft RFP for design & construction. To consult w/Greenwill on next steps.

- Energy Efficiency Grant: Working w/PEPCO for LED streetlamp lighting/Electric Vehicles for Public Works for next year's budget cycle.
- Public Art/Mural Project: Working w/Park & Planning.
- PEPCO Vehicle Charger(s): Offered to municipalities, application is pending review.
- November "Landings" newsletter: To be mailed by October 31, 2019.
- Census 2020: Working w/County to support a Town "Focus" group to get accurate count.
- Speed Signs rotation: Will be relocating/rotating placement around Town to collect data.
- Main Street MD Program: Membership class "Affiliate" (less than 1K population)
- Verizon Franchise: Renewal ordinance due April 2022.
- State Highway Administration (SHA) Projects: 1.) MD 725 Speed Camera(s); 2.) Intersection Upgrades (Main & Water Streets) should begin soon; 3.) Downtown sidewalk upgrades to begin Summer 2020; 4.) Water Street Bridge improvements to close bridge for 6 months.

5.) General Board and Administrative Staff items: Director of Finance Morgan reviewed highlights of the September Treasurer's Report noting revenues from Public Utility Taxes have yet to come-in, adding they represent a good amount of the budget. He also noted that the Profit & Loss statement for September shows more income revenues than expenses.

Public Comment

TUMHC Chair Skews asked the status of the Western Branch Waterway Park project. She noted the 100th Anniversary of the OMES and asked the Board to consider some kind of celebration or acknowledgment.

EC Secretary Franklin noted they are planning an event for Veterans' Day.

A resident asked about the parking meter status for 5 spaces along Judge's Drive. CoS Snyder replied those spaces were delegated to the Sheriff's Department per agreement with the County.

A concerned resident noted that an owner of a recently acquired residential property on Old Crain Highway may be seeking a text amendment to reestablish multiple apartments in the single home residence.

Adjournment

President Leonard adjourned the meeting at 7:50 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, October 22, 2019 - 7:00 p.m.

unapproved

At 6:33 p.m., prior to the Board Work Session, President Leonard administered the Oath of Office to the Town's newest Police Officer, Katherine de Barros.

Call to Order

- Meeting was brought to order at 7:00 p.m.
- Roll Call – President Wanda Leonard; Commissioner Linda Pennoyer; Commissioner Kai Bernal-LeClaire (conference-call connection starting at 7:03 p.m.); Town Clerk M. David Williams, Chief of Police David Burse; and Chief of Staff Kyle Snyder.
- Pledge of Allegiance

Business

President Leonard acknowledged a new format for Board Work Session agendas, to help enable a more "Roundtable" style of discussion that Board members can engage in more freely.

Board of Supervisors of Elections Appointment: Clerk Williams reported that all three current BoSE members have indicated they desire to continue on their roles for the next 2019-2021 term of office. The President directed the BoSE be scheduled for their Oath of Office ceremony at the November 12, 2019 Regular Town Meeting.

Board Compensation: In light of the upcoming Town General Election, a memo from CoS Snyder was submitted to the Board, indicating process timelines for possible Board Salary increases. After Board discussion, it was noted that the ordinance to be introduced at the November Town Meeting would not go into effect until after the Town Election and the start of the new fiscal year.

Ballot Questions: CoS Snyder presented an overview, and Legal Counsel advise, on the next steps in bringing non-binding Ballot Question(s) to the next Town Election. Three issues discussed by the Board at open meetings over the past year included: 1.) Changing the form of our local government (5-member Board vs 3-members); 2.) Moving the Town Election date; and, 3.) Allowing the title "Mayor" to be interchangeable in unofficial communications. With all Board members in agreement, the President asked for an enabling ordinance to be drafted.

Community Playground Proposal Review: CoS Snyder reviewed a second proposal from Sparks at Play to utilize a \$200K State grant for a Community Playground adjacent to the Board of Education. After discussion, the Board agreed a RFP should be published for at least 15 days.

General Board & Administrative Staff items:

- A draft Town Vehicle Use Policy was presented for review by the Board before being sent for legal review. The President asked for comments by November 1, 2019.
- CoS Snyder delivered updates on grant programs the Town has been working with, or, wants to participate in for the future.
- Staff presented a Town Project Tracking spreadsheet enabling easier access to the information by the Board and Staff.
- Clerk Williams presented a 2020 Town Election Calendar for Board review. It was noted that Legal Counsel has determined a petition signed by 10 qualified Town residents would be required by all candidates seeking to have their names printed on the ballot.

- Commissioner & Staff Reports: Commissioner Pennoyer inquired about the Town's current status/compliance with Small Cell legislation. CoS Snyder will contact Legal Counsel and Consultants for any updates.

Verizon has contacted the Town concerning the renewal of its Franchise Agreement for April 2022. Legal Counsel will be contacted to start the process.

Adjournment

President Leonard adjourned the meeting at 8:58 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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Town of Upper Marlboro Budget vs. Actuals July 2019 - October 2019

	Actual	Budget	% of Budget
Revenue			
Fines, Licenses, Permits	\$93,254.71	\$567,935.00	16%
Grants	\$7,559.50	\$750,829.00	1%
Intergovernmental	\$2,908.09	\$41,315.00	7%
Other Revenue	\$137,052.04	\$379,432.00	36%
Taxes	\$559,963.28	\$813,209.00	69%
Total Revenue	\$800,737.62	\$2,552,720.00	31%
Expenses			
General Government	\$339,306.68	\$1,624,167.00	21%
Public Safety	\$75,845.18	\$524,882.00	14%
Public Works	\$81,426.39	\$403,671.00	20%
Total Expenses	\$496,578.25	\$2,552,720.00	19%
Committee Overview			
Historical Committee	\$99.95	\$1,500.00	7%
CERT Team	\$238.45	\$1,500.00	16%
Events Committee	\$5,053.71	\$12,500.00	40%



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MONTHLY NARRATIVE

The month of October we began to see a true element of the changes from last fiscal year. An increase in tax rates has brought revenues that should allow this administration the opportunity to replenish the reserve fund. Match that with a police department that has been active in patrolling the community for the continuance of safe corridors. This has made the parking meter project a vital piece of our everyday cash balance.

1. Parking meters
2. Real Property Taxes
3. Public Utility Taxes
4. Other Information

Town of Upper Marlboro

Profit & Loss
October 2019

REVENUE

FINES, LICENSES, PERMITS	\$34,954.60
GRANTS	\$0.00
INTERGOVERNMENTAL	\$1,143.64
OTHER REVENUE	\$6,108.92
TAXES	\$502,631.15
TOTAL REVENUE	\$544,838.31

EXPENSES

GENERAL GOVERNMENT	\$43,163.10
PUBLIC SAFETY	\$18,732.15
PUBLIC WORKS	\$18,481.78
TOTAL EXPENSES	\$80,377.03



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Town of Upper Marlboro Balance Sheet As of October 31, 2019

	<u>Total</u>
Cash on Hand and in Banks	0.00
1000 PGFSB Operating Checking	81,587.39
1001 Petty Cash	300.00
1010 PGFSB Payroll Account	0.00
1040 M&T Checking	38,553.16
1060 Sona CD 7977	0.00
1063 Sona CD 1577	0.00
1068 SONA Bank CD 8641	268,605.82
1075 Sona CD 8153	0.00
1076 Sona Bank CD 1697	0.00
1077 Sona Bank CD 9681	0.00
1078 SONA CD 2705	0.00
1079 Sona Bank CD 9137	0.00
1084 SONABANK CD 5101	0.00
1117 Old Line Bank	102,280.73
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	212,310.55
1123 Severn Savings Bank	0.00
1140 MLGIP	1,957.85
Total Cash on Hand and in Banks	<u>\$ 705,595.50</u>



Town of Upper Marlboro Police Department

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

Monthly Town Police Department Report For the Month of October 2019

Incidents Reported in Town:

Theft Report 2	Break-In Report 1	
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Last Month Incidents:

Accident Report 3		
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Chief Burse attended a meeting with State's Attorney Braveboy regarding the new marijuana laws with other Prince George's County Municipal Chief's.

Chief Burse attended the Prince Lights Night Domestic Violence kick-off with the Sheriff's Department.

Chief Burse attended the "Coffee with a Cop" in Hyattsville City.

Chief Burse attended the Prince George's County Police District 8 Police Station Grand Opening.

Chief Burse participated in a meeting with State Delegate Douglas Petters.

Chief Burse attended the District 2 Coffee Club meeting and discussed the Town's Trunk or Treat.

Chief Burse attended the funeral for PGPD Officer Turner.

Chief Burse had a meeting with several Prince George's County Municipal Chiefs to discuss agreements and MOU's.

Chief Burse met with District 2 Commanders and Field Training Officer with Sgt. Irby.

Sgt. Irby completed his required Field Training and is actively patrolling the Town.

Chief Burse and Mayor Leonard conducted the swearing-in of Corporal Katherine de Barros as the Town's newest officer.

Sgt. Irby and Corporal de Barros provided security for the Town's Trunk or Treat on Main Street.

Kai Bernal-LeClaire
Commissioner

Wanda Leonard
Commissioner/President

Linda Pennoyer
Commissioner/Treasurer



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Date: Monday, November 4, 2019

Subject: Public Works Status Report

RE: October 2019 – Monthly Status Report

Capital Improvements – PW Superintendent was invited to Prince Georges County Municipal Snow and Ice Season Coordination meeting. Due to a conflict in scheduling, our Chief of Staff attended in my absence. PW fleet annual inspections were completed by PGC Health Department, and inspection certificates were distributed.

Maintenance and Beautification – Trucks 215 and 216 had their first appointments for “check-ups” and preventative maintenance under our new contract with the Counties fleet maintenance division. Both received oil and filter changes; truck 215 received tires, had flashing ambers, and a taillight replaced. Truck 216 had a new switch plate and control switches installed to replace the previous failing unit. Town Hall had all fence line trees pruned, flowerbeds prepped, and was aerated, seeded, and fertilized in preparation for winter. All Town owned streets and sidewalks were blown to remove leaves, increased litter, and leaf bag collection was implemented Town-wide.

Street and Sidewalk Repairs – Town-wide parking space striping was completed to establish boundaries for patrons and enforcement for our officers. A total of twenty-six storm drain inlets were painted and stenciled with “Chesapeake Bay Drainage” before stencils were returned to the Department of Natural Resources.

Refuse Accumulations – Bulk day accumulations for solid wastes (Landfill) are: 1.26 tons or \$58.90. Bulk day accumulations for yard waste collections are: 2.79 tons, or \$77.00. The amount of non- acceptable landfill items such as tires account for the decrease in landfill totals for this month.

Trainings – PW staff were trained Mechanical breakdown, flare usage procedures, and Personal Protective Equipment (PPE) for tree trimming.

Sincerely,

Darnell F. Bond III
Public Works Superintendent

Kai Bernal-LeClaire
Commissioner

Wanda Leonard
Commissioner/President

Linda Pennoyer
Commissioner/Treasurer

The Board of Commissioners for the Town of Upper Marlboro

Proclamation

The Board of Commissioners of The Town of Upper Marlboro
proclaim November to be Municipal Government Works! Month

Whereas, The Town was established in 1706 and incorporated in 1870;
and

Whereas, Maryland is the home to 156 other municipalities; and

Whereas, Municipal government represents the most responsive level of
government, allowing citizens to have direct access to elected officials; and

Whereas, in an effort to educate citizens about municipal government and the
importance of their participation, The Town of Upper Marlboro is proud to
promote municipal government awareness; and

Whereas, Municipalities have enhanced the quality of life for their respective
residents, maintaining natural and historic sites and structures, and helping to
make Maryland a great place to live, work, play and explore.

NOW, THEREFORE, BE IT PROCLAIMED that the Board of Commis-
sioners for The Town of Upper Marlboro, Maryland hereby joins the Mary-
land Municipal League in declaring November to be Municipal Government
Works! Month in The Town of Upper Marlboro.

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 12th day of November 2019.



Wanda Leonard
President

Linda Pennoyer
Commissioner/Treasurer

Kai Bernal-LeClaire
Commissioner

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

DRAFT

ORDINANCE: 2019-08

SESSION: Regular Town Meeting

INTRODUCED: November 12, 2019

AN ORDINANCE OF THE TOWN OF UPPER MARLBORO TO AUTHORIZE AND PROVIDE A PROCESS FOR THE POSING OF NONBINDING AND ADVISORY BALLOT QUESTIONS TO BE PLACED BEFORE THE VOTERS AT A TOWN ELECTION; AND GENERALLY RELATING TO TOWN ELECTIONS AND ELECTION PROCEDURES.

WHEREAS, pursuant to § 82-19 of the Town Charter, every person who (a) is a citizen of the United States, (b) is at least eighteen (18) years of age, (c) has resided within the corporate limits of the Town for thirty (30) days next preceding any Town election and (d) is registered in accordance with the provisions of said Charter shall be a qualified voter entitled to vote at any or all Town elections; and

WHEREAS, pursuant to § 82-22 of the Town Charter, the Board of Supervisors of Elections shall be in charge of the registration of voters, nominations and all Town elections; and

WHEREAS, pursuant to § 82-30 of the Town Charter, after the closing of the polls, the Board of Supervisors of Elections shall determine the vote cast for each candidate or question and shall, no later than 12:00 Noon on the Thursday immediately following the election, certify the results of the election to the clerk of the Town who shall record the results in the minutes of the Board of Commissioners (emphasis added); and

WHEREAS, pursuant to § 82-34 of the Town Charter, the Board of Commissioners shall have the power to provide by ordinance in every respect not covered by the provisions of said Charter for the conduct of registration, candidacy and elections and for the prevention of fraud in connection therewith, and for a recount of ballots in case of doubt or fraud; and

WHEREAS, the Board finds that consistent with 88 Opinion of the Attorney General of Md., 156 (2003), before legally binding ballot questions (i.e., questions to approve legislation at the polls as proposed or initiated solely by the voters (a.k.a. an initiative), the Town Charter must first be amended to authorize such questions to be placed on the ballot provided such questions do not seek to amend the Charter (i.e., the structure and organization of town government), which is a process dictated by State law; and

WHEREAS, the Board further finds that it is authorized to legislate to authorize the placement of non-binding questions on the municipal ballot and that pursuant to a non-binding process, the voters of the Town should be queried and provide guidance as to various municipal

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

questions involving the incorporation, organization, government and local affairs of the municipal government that the Board and/or the residents should pursue or consider regarding possible future amendments to the polices, ordinances or Charter provisions of the Town of Upper Marlboro.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO, STATE OF MARYLAND, DOES ORDAIN AND ENACT the following:

ELECTION AND BALLOT PROCEDURES

Section 1. Definitions. The following words and phrases have the meanings indicated below:

- A. “Advisory Question” means a ballot question commonly known as a “straw vote” placed on the ballot as a nonbinding vote taken to indicate the relative strength of public opinion and opposing issues or positions. Although nonbinding, an advisory question shall be initiated, pursuant to this Ordinance, by the voters essentially using the initiative process or by the legislative body essentially using the referendum process as provided herein.
- B. “Initiative” means a process that allows citizens to propose new laws (i.e., ordinances) or changes to existing laws and to enact or reject them at the polls. The initiative process for amending the Town Charter must follow the procedures set forth in Md. Ann. Code, LG Art., § 4-305 (Initiation of charter amendment by petition of voters). Any other binding initiative process must be authorized by the Town Charter.
- C. “Municipal Question” means an issue or question, relating to, or characteristic of a municipal corporation, and consisting of subject matter over which the Board has authority. The Board shall have sole discretion in determining whether an issue is a municipal question.
- D. “Petition” means a writing signed by a number of registered voters of the Town which is required by law to place a question or ordinance on the ballot or demand a recall election, as permitted by charter or statute. Such petitions for official action must be signed by a specified number of registered voters.
- E. “Referendum” means a process that allows voters to petition an enactment of a legislative body to a vote of the people. The referendum process for amending the Town Charter must follow the procedures set forth in Md. Ann. Code, LG Art., § 4-304 (Initiation of charter amendment by legislative body) *et seq.* Any other binding referendum process must be authorized by the Town Charter.

Section 2. Advisory Questions.

A. General.

1. An Advisory Question may be placed on the ballot at a regular or special Town election by petition of the voters or by a vote of the Board in conformity with the provisions of this Ordinance.

2. The Board shall not call a special election for the sole purpose of entertaining or placing an Advisory Question or questions on the ballot.
3. The number of ballot questions at any election shall not exceed seven (7) in number, and shall be succinct, grammatically correct and free of vulgarities or slang.

B. Initiated by the Board.

1. The Board upon its own action and without a formal petition may order by written resolution that an Advisory Question be placed on the ballot at any regular or special Town election, provided that the question involves a municipal question.
2. Said resolution shall fix the exact language to appear on the ballot and shall be approved at least fifteen (15) days before the subject election.

C. Initiated by the Voters.

1. A proposal to place an Advisory Question on the ballot at a regular or special municipal election of the Town may be presented to the Board on a petition signed by at least ten (10) registered voters of the Town.
2. Said petition signed by at least ten (10) registered voters shall be presented by the individual circulating the petition to the Board at a regular or special town meeting stating a desire to have the question placed on the ballot at the next election. The Board may but need not call or convene a special session solely to accept a petition under this Section. The Board may summarily reject the petition without further review if it finds that the sole question proposed, or all of the questions proposed within the petition are not deemed to be municipal questions.
3. The registered Town voters signing said petition shall sign the same as their names appear on the Town's election books, and under each signature shall be typed or printed each petitioner's name, and address where he or she is registered to vote in Town elections.
4. At the bottom of each page of said petition, the individual circulating the petition shall sign the same and make an affidavit before a notary public that he or she circulated the petition and saw each individual whose names appear thereon sign the same in his or her presence.
5. The Town Clerk shall transmit the petition to the Town Board of Election Supervisors, who shall have no more than thirty (30) days after receipt of such a petition to certify the signatures of the registered voters of the Town.
6. Upon certification of the signatures, the petition shall be presented to the Board for final approval before said election, provided that the question or questions to be so placed on the ballot involve a municipal question and otherwise meets the requirements of this Ordinance.
7. If finally approved by the Board, the Clerk working in cooperation with the Board of Supervisors of Elections shall cause the question or questions to be placed on the ballot at the

next regular municipal election held at least ten (10) days after such approval by the Board.

D. Post-election. The Chairman of the Board of Supervisors of Elections shall certify to the Clerk of the Town who shall record the results in the minutes of the Board of Commissioner and announce the results of the vote on the Advisory Question at the next regular or special meeting of the Commission.

AND BE IT FURTHER ORDAINED AND ENACTED, by the Board of Commissioners of the Town of Upper Marlboro, Maryland that the Board of Supervisors of Elections shall carry out the intent of this Ordinance.

AND BE IT FURTHER ORDAINED AND ENACTED, by the Board of Commissioners of the Town of Upper Marlboro, Maryland that any prior ordinances adopting and enacting any provision of this Ordinance or any other ordinance or resolution previously adopted pertaining to a subject or subjects embodied by the title of this Ordinance or the provisions found in conflict herein shall be deemed repealed and superseded by the provisions of this Ordinance, and should a previously enacted ordinance cover a provision or subject that is not covered by this Ordinance, it shall remain in full force and effect unless it directly conflicts with the express language of this Ordinance.

AND BE IT FURTHER ORDAINED AND ENACTED, by the Board of Commissioners of the Town of Upper Marlboro, Maryland that the President shall be authorized to sign this Ordinance on behalf of the Board.

AND 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.

AND 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.

THE TOWN OF UPPER MARLBORO,
BOARD OF COMMISSIONERS

Wanda Leonard, President

Attest:

Linda Pennoyer, Commissioner

Clerk

Kai Bernal-LeClaire, Commissioner

Reviewed and Approved for Legal Sufficiency

Kevin J. Best, Esq.

Date: _____

Proposed Ordinance 2019-08 Timeline:

Introduction:	November Regular Town Meeting	11/12/2019
Public Comment & Board Discussion:	November Board Work Session	11/26/2019
Passage/Board vote:	December Regular Town Meeting	12/10/2019



Town of Upper Marlboro

Town Hall, 14211 School Lane
Upper Marlboro, MD 20772

Tel: (301) 627-6905 info@uppermarlbormd.gov
Fax: (301) 627-2080 www.uppermarlbormd.gov

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

MEMORANDUM

To: Board of Commissioners
From: Kyle Snyder, Chief of Staff
Date: Wednesday November 6th, 2019
Re: Ordinance 2019-09

Dear Commissioners,

As requested by the Board at the October Work Session, Town Staff has drafted, and the Town Attorney has reviewed, Ordinance 2019-09 that would increase the Town Commissioner's annual salaries from \$1,200 to \$3,800.

Town Charter Section 82-5. (Salary of Commissioners).

Each Commissioner shall receive an annual salary which shall be equal for all Commissioners and shall be as specified from time to time by an ordinance passed by the Board in the regular course of its business, provided, however, that the salary specified at the time any Board takes office shall not be changed during the period for which that Board was elected. The ordinance making any change in the salary paid to the several Commissioners, either by way of increase or decrease, shall be finally ordained prior to the general election for the members of the next succeeding Board and shall take effect only as to the members of the next succeeding Board.

Below is a comparison of different small/medium sized municipalities within the County and their annual compensation for their Council/Commissioners. These figures are pulled from the 2016 MML Municipal Elected Officials Salary & Benefits Survey.

Municipality	Annual Council/Commission Compensation
Berwyn Heights	\$3,000
Brentwood	\$2,700
Colmar Manor	\$6,000
Cottage City	\$3,600
North Brentwood	\$1,620
Forest Heights	\$2,500
Edmonston	\$2,400
Eagle Harbor	\$1,800

Public Comment is being accepted both in-person at the November & December Town Meetings, as well as online via the Town website (online comments will close on 11/22/2019).

Linda Pennoyer
Commissioner/ Treasurer

Kai Bernal-LeClaire
Commissioner

Wanda M. Leonard
Commissioner/ President

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

ORDINANCE: 2019-09
SESSION: Regular Town Meeting
INTRODUCED: November 12, 2019

DRAFT

**AN ORDINANCE TO SET THE SALARY FOR MEMBERS AND
PRESIDENT OF THE BOARD OF TOWN COMMISSIONERS**

WHEREAS, Section 82-4 of the Charter for Upper Marlboro allows the rate of pay for the Board of Commissioners to be specified via an ordinance; and

WHEREAS, said section requires the rate of pay to be the same for all Commissioners; and

WHEREAS, Section 82-14 of the Charter allows the President of the Commission to receive an annual salary in addition to that received as a Commissioner; and

WHEREAS, said sections requires all changes in rates of pay to be ordained prior to the general election in which it will take effect; and

WHEREAS, the salaries for elected officials in the Town of Upper Marlboro have not changed since 2013; and

WHEREAS, the Board of Town Commissioners has determined there is a need to adjust the compensation of future elected officials in the Town;

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:

Section 1. COMMISSIONER SALARY

The salary for each member of the Board of Commissioners of the Town of Upper Marlboro shall be set at thirty-eight hundred dollars (\$3,800) per year.

Section 2. PRESIDENT SALARY

The President of the Board of Commissioners for the Town of Upper Marlboro shall receive fifteen thousand dollars (\$15,000) per year in addition to his or her salary as a Town Commissioner.

Section 3. DATE OF NEW SALARIES

These new salaries shall begin with the new fiscal year starting on July 1, 2020.

Section 4. SAVINGS CLAUSE

Current salaries of elected officials shall remain in effect through June 30, 2020.

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 ordinance or a fair summary of it 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

Wanda M. Leonard, President

Kai Bernal-LeClaire, Commissioner

Clerk

Linda Pennoyer, Commissioner

Reviewed and Approved for Legal Sufficiency

Kevin J. Best, Esq.

Date: _____

Proposed Ordinance 2019-09 Timeline:

Introduction:	November Regular Town Meeting	11/12/2019
Public Comment & Board Discussion:	November Board Work Session	11/26/2019
Passage/Board vote:	December Regular Town Meeting	12/10/2019

The Town of Upper Marlboro

RESOLUTION: 2019-11 **DRAFT #1**
SESSION: Regular Town Meeting
DATE: November 12, 2019

A RESOLUTION OF THE BOARD OF COMMISSIONERS FOR THE TOWN OF UPPER MARLBORO TO APPROVE AN APPLICATION FOR A PLANNING ASSISTANCE TO MUNICIPALITIES AND COMMUNITIES (“PAMC”) GRANT OFFERED BY THE PRINCE GEORGE’S COUNTY PLANNING DEPARTMENT TO PROVIDE TECHNICAL AID TO INTRODUCE PUBLIC ART IN DOWNTOWN UPPER MARLBORO

WHEREAS, the Planning Assistance to Municipalities and Communities (PAMC) program is offered by The Maryland-National Capital Park and Planning Commission (M-NCPPC), Prince George's County Planning Department, Community Planning Division, Neighborhood Revitalization Section and its purpose is to provide technical planning services at no cost to the community using Prince George’s County Planning Department expertise, and/or fund projects conducted by paid consultants; and,

WHEREAS, PAMC projects benefit municipalities and communities that may have limited planning resources but are committed to revitalization and enhancement of the appearance and function of their communities, and the number of projects approved each year will vary based on staff availability and the PAMC budget; and,

WHEREAS, The Town of Upper Marlboro (the “Town”) is planning to partner with property owners and a local artists to bring public art into the historic Town of Upper Marlboro, and the Town plans to have a mural designed and painted onto the north facing exterior wall of 5311 Water Street Upper Marlboro MD 20772; and,

WHEREAS, the Town wishes to submit an application to the Prince George’s County Planning Department’s Planning Assistance to Municipalities and Communities Program (“PAMC”); and,

WHEREAS, successful applicants do not directly receive or manage PAMC funds for consultant services, and approved projects will be managed by M-NCPPC PAMC program planners, who will prepare a Scope of Services for the approved project (in collaboration with the applicant); review bids and select the on-call consultant; execute a Memorandum of Understanding (MOU) with the selected consultant; and manage the project, including the disbursement of contract funds for consultant payment; and,

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

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO that the Board, supports and approves the submission of an application, attached hereto as Exhibit 1, to the PAMC program and approves the final submission of the application, subject to any non-substantive revisions to the application to be made by the President/Mayor, which

The Town of Upper Marlboro

may be deemed appropriate.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon passage and that the President/Mayor is authorized to execute the subject application and any related documents.

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

ATTEST:

BOARD OF COMMISSIONERS OF THE TOWN
OF UPPER MARLBORO, MARYLAND

M. David Williams, Clerk

Wanda Leonard, President

Kai Bernal-LeClaire, Commissioner

Linda Pennoyer, Commissioner

[Exhibit 1 - Planning Assistance to Municipalities and Communities (PAMC) Application
& Statement in Support]

CERTIFICATION

I, the undersigned, hereby certify that I am the 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

Planning Assistance to Municipalities and Communities (PAMC) Application

Applicant Information

1 - Contact Information

- A. Name: Kyle Snyder C. Phone: 301-627-6905 ex1104
B. Title/Position: Chief of Staff D. Email: ksnyder@UpperMarlboroMD.gov

2 - Organization

- A. Name: The Town of Upper Marlboro D. Website: www.UpperMarlboroMD.gov
B. Address: 14211 School Lane Upper Marlboro MD 20772 E. Type (municipality or community): Town
C. Tax ID Number: 52-6010777
F. Community organizations requesting financial assistance: list prior experience and accounting structure.

Project information

Date Submitted: 10/31/2019

3 - Project Title: Downtown Upper Marlboro Public Art Mural

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

4 - Additional Information

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

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

pamc@ppd.mnccppc.org

Revised March 2018