

# Town of Upper Marlboro

14211 School Lane • Upper Marlboro, Maryland 20772

## REGULAR TOWN MEETING

December 14, 2021 – 7:00 p.m.

### AGENDA

This meeting will be conducted via Zoom Video Teleconference. As the Town Hall remains closed to the public at this time, citizens may participate by video or phone (*please sign-in with the Clerk*): <https://uppermarlbormd-gov.zoom.us/j/83040128644?pwd=blZrbGZlZ3JpTFJtQmFVdWR6UDdZdz09>

Meeting ID: 830 4012 8644; Passcode 772302; Dial-in only: 301-715-8592

**6:00 PM - In-Person Swearing-In of new Town of Upper Marlboro Police Officer, Corporal Sherron Johnson**  
**\*Residents Encouraged to Attend Ceremony At Town Hall**

**6:30 PM**

### NOTICE OF CLOSED SESSION

Tuesday, December 14, 2021, Virtual Meeting,  
Preceding The December Regular Town Meeting

Under General Provisions Article 3-305(b)(14)\_\_\_\_ “Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.”

The Board of Commissioners propose to go into Closed Session on Tuesday, December 14, 2021 at 6:30 PM, preceding the December Regular Town Meeting to discuss security contracts.

### Regular Town Meeting Agenda:

**7:00 PM Call to Order**

- Roll Call
- Pledge of Allegiance
- Consent to the Agenda
- Presidents Statement from the December 14, 2021 Closed Session

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

- Approval of the October 12, 2021, Regular Town Meeting minutes
- Approval of the October 26, 2021, Board Work Session minutes
- Approval of the November 9, 2021, Regular Town Meeting minutes
- Approval of the November 23, 2021, Board Work Session minutes
- Approval of the November 30, 2021, Public Hearing Annexation Phase II & Phase III
- Finance Report & Approval of the Treasurer's Report, as of November 30, 2021.

### **Reports**

- Department Reports — Public Safety, Public Works, Finance and Clerk’s Office
- Committee Reports — Greenwill Consulting, Historical, Events, Sustainable Communities, Arts Council, Green Team and the CERT
- Commissioner Reports

### **Business** *Public comment will be taken prior to Business line items (2 minutes per item)*

- 1) Resolution 2021-27: To Authorize DOE 2021-03 (Board Vote)
- 2) Resolution 2021-28: Declaration of Board Vacancy & Selection of Special Election Date (Board Vote)
- 3) Approval of Marlborough Towne HOA Agreement (Board Approval)
- 4) Ordinance 2021-06 Residential Speed (Board Vote)
- 5) Resolution 2021-29 Designation of Residential Speed Areas Old Crain Hwy & Old Marlboro Pike (Board Vote)
- 6) Approval of ARPA Funding Plan (Board Approval)
- 7) Awarding Town Hall Security Contract (Board Approval)
- 8) Approval of the Events Coordinator Position (Board Approval)

### **Administrative Updates**

- 1) Legislation, Projects and Initiatives
- 2) General Commissioner & 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](mailto:info@uppermarlboromd.gov)). You are always welcome to schedule an appointment with the President or a Commissioner to discuss municipal problems and quality-of-life issues one-on-one and work together towards a satisfactory solution.

Agendas for meetings are posted on our website and 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.**

**When the meeting is held on a virtual platform, please sign-in with your first and last name.**

**Town of Upper Marlboro**  
**REGULAR TOWN MEETING MINUTES**  
**October 12, 2021 • 7:00 p.m.**

This meeting was conducted via Zoom Video Conference:

**Call to Order**

The meeting was called to order at 7:02 p.m.

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

Staff present: Kyle Snyder/Administrator; UMPD Chief Burse; William Morgan/Director of Finance; Superintendent Darnell Bond/Public Works; John Hoatson/ Town Clerk, Vickie Stewart

Also present: Patti Callicott; Joseph Hourclé /Board of Supervisors of Elections; Marlborough Towne HOA Chair Monica Williams; Ray Feldmann/Feldmann Communications Strategies LLC; Jacob Moore / Greenwill; Darrelynne Strother.

**Pledge of Allegiance**

**Consent to the Agenda**

The President received unanimous consent to the Agenda.

**Approval of Meeting Minutes & Financial Reports**

Commissioner Franklin motioned to approve the Regular Town Meeting minutes from September 14, 2021, Special Board Work Session minutes from September 21, 2021 & Regular Board Work Session minutes from September 28, 2021, and the Treasurer's Report as of September 30, 2021. President Pennoyer seconded. All Board minutes from September Town Meeting, Special Board Work Session & Regular Work Session, plus, the September Treasurer's Report were unanimously accepted and approved as presented.

**Reports**

Departments/Committees:

**Public Safety:**

- Chief Burse participated in conference call with the Prince George's Chiefs Association.
- Chief Burse participated in several conference calls with Prince George's County Office of Emergency Management and the Maryland State Police related to COVID-19.

- Chief Burse and Sgt. Irby conducted high visibility patrols throughout the Town.
- Code Officer Stewart completed a National Traffic Incident Management Responder Course.
- Chief Burse participated in the CERT monthly meeting.
- Chief Burse participated in a demonstration by Axon around the latest technology in Body Cameras and in-car cameras.
- Chief Burse participated in the Visitation Service for Chief O'Donnell.
- Chief Burse attended the Annual Maryland Municipal League Chief's Conference.
- Chief Burse participated in the Public Safety Day hosted by Cheverly Police Department.
- Chief Burse, Sgt. Irby and Code Officer Stewart participated in the Summer Outdoor Movie Night.
- Chief Burse participated in the Public Safety Day hosted by Mt. Rainier Police Department.
- Chief Burse and the Board of Commissioners participated in the Swearing-in of Police Officer Joseph Brooks.

#### **Incidents Reported in Town:**

Traffic Complaint 2	Commercial Alarm 2	Fraud Report 1
Domestic Call 1	Check on Welfare 1	Hit & Run Call 1
Unknown Trouble 1	Fight Call 1	Armed Person 1
Vehicle Accident 4	Stalking Report 1	Disorderly Call 5
Subject Stop 1	Miscellaneous Report 1	Property Damage 1
Suspicious Auto 1	Found Property 1	Suspicious Person 1
Lock Out 1	Attempt Suicide 1	

#### **Public Works:**

##### **Public Works Related:**

- Crewmembers Gibson, Sheckels, and Superintendent Bond attended the National Traffic Incident Management Responder Training (SHRP2) in Hanover, Md.
- New PWC M. Sheckels continued training in PW operations and equipment and received required pin numbers from the County.

- Crewmembers tested, set-up, maintained, and packed up all items from this year's first movie night.
- Crewmember Washington and Superintendent Bond worked traffic control for an accident on the Rt 4. onramp handled by Sgt Irby.
- PWD acquired remaining pallets for the Green Team's community garden and assisted with fence set up.

#### **Maintenance and Beautification:**

- Crews prepped Town-owned properties for remnants of Ira.
- Increased wetness has increased maintenance and deck cleanings of landscape equipment.
- Pet waste station supplies received and distributed.

#### **Street and Sidewalk:**

- Cleaned storm drain inlets around Town in preparation for remnants of Ira.
- PWD and Commissioner Franklin reported numerous boardwalk issues to P.G Parks.
- PWD reviewed Town roadway engineering RFP and submitted feedback to TA Snyder.
- Installed a reboundable Pedestrian Crossing sign at the courthouse crosswalk.

#### **Refuse Accumulations:**

- Bulk day accumulations for solid wastes (Landfill) are 4.69 tons. Bulk day accumulations for yard waste collections are 5.69 tons. We had no dump body rentals for the month.
- New Town Recycle Bins delivered to Public Works for assembly.

**Finance Department:**

<b>BUDGET CODE</b>	<b>DESCRIPTION</b>	<b>ACTUAL</b>	<b>APPROVED BUDGET</b>
	<b>Fines, Licenses &amp; Permits</b>		
6154	Franchise Fee	\$ 3,081.94	\$ 13,000.00
6280	Trader's License Fees	\$ -	\$ 500.00
6350	Town Permits	\$ -	\$ 1,700.00
6351	Food Trucks	\$ -	\$ 1,000.00
6352	Business License	\$ 13,538.03	\$ 10,000.00
6354	Room Rental	\$ -	\$ 669.00
6355	Parking Meters	\$ 39,888.32	\$ 174,000.00
6381	Parking Fines/Penalties	\$ 6,796.32	\$ 35,000.00
6383	Red Light Camera	\$ -	\$ -
6550	Pub/Edu/Govt Broadcasting	\$ 1,087.01	\$ 5,000.00
	<b>TOTAL</b>	<b>\$ 64,391.62</b>	<b>\$ 240,869.00</b>

**Intergovernmental**

6240	Financial Corporation Tax	\$ 9,144.52	\$ 9,145.00
6260	Highway User Fee	\$ 13,482.59	\$ 27,725.00
6310	Disposal Fee Rebate	\$ -	\$ 1,750.00
	<b>TOTAL</b>	<b>\$ 22,627.11</b>	<b>\$ 38,620.00</b>

**Miscellaneous Revenue**

6390	Interest Earnings	\$ -	\$ 2,500.00
6392	Sale of Property	\$ -	\$ 1,000.00
6394	Town Hall Services	\$ -	\$ 250.00
6396	Special Events/Donations	\$ -	\$ 2,500.00
6396	Other	\$ 647.54	\$ 1,000.00
	<b>TOTAL</b>	<b>\$ 647.54</b>	<b>\$ 7,250.00</b>

**Taxes**

6101	Commercial	\$ 51,972.07	\$ 189,541.00
6102	Non-Commercial	\$ 43,021.28	\$ 171,698.00
6103	Delinquent - RE	\$ -	\$ 5,000.00
6104	BPPT - FY2022	\$ 19,585.26	\$ 35,555.00
6105	Public Utilities	\$ 3,000.00	\$ 700,999.00
6106	Income Taxes	\$ 4,644.99	\$ 315,000.00
	<b>TOTAL</b>	<b>\$ 122,223.60</b>	<b>\$ 1,417,793.00</b>

	<b>Total Revenue</b>	<b>\$ 209,889.87</b>	<b>\$ 1,704,532.00</b>
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## EXPENDITURES

### GENERAL GOVERNMENT

	<b>Administrative Salary &amp; Wages</b>	<b>\$ 59,052.36</b>	<b>\$ 257,279.00</b>
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	<b>Payroll Deductions &amp; Benefits</b>		
8124	Employer Tax	\$ 11,634.91	\$ 59,000.00
8125	Pension Benefits	\$ 5,064.01	\$ 60,000.00
8126	Medical Employee Benefits	\$ 26,141.97	\$ 110,000.00
8128	Life Insurance	\$ -	\$ 6,800.00
	<b>TOTAL</b>	<b>\$ 42,840.89</b>	<b>\$ 235,800.00</b>

### Professional Services

8073	Accounting Services	\$ 3,000.00	\$ 18,000.00
8074	Auditing Services	\$ 20,000.00	\$ 20,000.00
8075	Payroll Processing (TPA)	\$ 922.90	\$ 5,000.00
8110	Town Attorney & Legal	\$ 6,912.00	\$ 55,000.00
8115	IT Support & Equipment	\$ 2,710.51	\$ 10,000.00
8205	Media Relations	\$ 10,500.00	\$ 18,000.00
8206	Government Relations	\$ 9,000.00	\$ 36,000.00
8207	Human Resource Services	\$ 2,985.00	\$ 12,000.00
8208	Planning Firm	\$ 18,865.00	\$ -
	<b>TOTAL</b>	<b>\$ 74,895.41</b>	<b>\$ 174,000.00</b>

### Insurance & Benefits

8120	General Liability	\$ 14,065.00	\$ 15,000.00
8121	Bonds	\$ -	\$ 500.00
8122	Workers Compensation	\$ 15,574.00	\$ 15,500.00
8123	Insurance Claims	\$ -	\$ 5,000.00
	<b>TOTAL</b>	<b>\$ 29,639.00</b>	<b>\$ 36,000.00</b>



**Operating**

8077	Public Notices	\$	200.00	\$	1,500.00
8080	Bank Charges	\$	8,084.43	\$	20,000.00
8086	Trainings & Memberships	\$	2,569.01	\$	5,000.00
8090	Postage	\$	241.84	\$	3,000.00
8092	Printing	\$	3,206.66	\$	7,500.00
8130	General Supplies	\$	3,726.04	\$	10,000.00
8131	Ofc Equipment R&M	\$	674.78	\$	1,000.00
8160	Town Hall Office Phones	\$	1,782.73	\$	5,000.00
8161	Mobile Phones	\$	152.40	\$	4,000.00
8162	Town Elections	\$	210.00	\$	1,200.00
8165	Town Hall Utilities	\$	3,773.95	\$	11,000.00
8175	Town Hall Repair & Maintenance	\$	3,516.50	\$	10,000.00
8200	Other	\$	804.48	\$	2,000.00
	<b>Total</b>	<b>\$</b>	<b>28,942.82</b>	<b>\$</b>	<b>81,200.00</b>

**PUBLIC SAFETY**

	<b>Public Safety Salary &amp; Wages</b>	<b>\$</b>	<b>48,124.06</b>	<b>\$</b>	<b>401,620.00</b>
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**Public Safety Operating**

8273	Uniforms	\$	-	\$	2,000.00
8274	Weapons & Duty Equipment	\$	725.33	\$	5,000.00
8275	Training & Memberships	\$	623.74	\$	1,500.00
8277	Substance Testing/Pre-Employment	\$	1,750.00	\$	1,000.00
8280	Supplies	\$	224.19	\$	3,000.00
8281	Mobile Phone	\$	555.13	\$	5,000.00
8282	Association Dues	\$	-	\$	750.00
8300	Vehicle Repairs	\$	-	\$	2,500.00
8301	Vehicle Maintenance	\$	-	\$	4,000.00

8302	Vehicle Fuel	\$	-	\$	5,000.00
8320	Other	\$	-	\$	1,500.00
	<b>TOTAL</b>	<b>\$</b>	<b>3,878.39</b>	<b>\$</b>	<b>31,250.00</b>

6530.2022.03	<b>GOCCP State Aid</b>	<b>\$</b>	<b>1,042.06</b>	<b>\$</b>	<b>16,400.00</b>
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8330	<b>Debt Service</b>	<b>\$</b>	<b>-</b>	<b>\$</b>	<b>32,525.00</b>
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	<b>Public Safety Total</b>	<b>\$</b>	<b>53,044.51</b>	<b>\$</b>	<b>481,795.00</b>
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## PUBLIC WORKS

	<b>Salary &amp; Wages</b>	<b>\$ 35,718.26</b>	<b>\$ 225,500.00</b>
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### Public Works Operating

8375	Uniforms	\$ -	\$ 750.00
8377	Training & Memberships	\$ 75.00	\$ 500.00
8380	Other	\$ 74.03	\$ 1,500.00
8390	Streets Maintenance	\$ 948.31	\$ 4,000.00
8391	Weather Related Expenses	\$ -	\$ 2,500.00
8400	Streetlight Electricity	\$ 4,353.89	\$ 21,500.00
8405	Vehicle Repairs	\$ -	\$ 3,000.00
8410	Vehicle Maintenance	\$ -	\$ 3,500.00
8415	Vehicle Fuel	\$ -	\$ 4,000.00
8488	PWF Utilities	\$ 360.44	\$ 3,500.00
8490	Mobile Phones	\$ 95.53	\$ 2,500.00
8176	Maintenance & Repairs	\$ 2,794.04	\$ 6,200.00
8491	Beautification	\$ -	\$ 2,500.00
8492	Small Tools & Equipment	\$ 1,449.23	\$ 2,500.00
8493	Septic Tank	\$ 300.00	\$ 1,200.00
8545	Mosquito Control	\$ -	\$ 1,400.00
	<b>TOTAL</b>	<b>\$ 10,450.47</b>	<b>\$ 61,050.00</b>

<b>6530.2022.06</b>	<b>State Street Scape</b>	<b>\$ -</b>	<b>\$ 20,000.00</b>
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### Refuse Collection

8546	Residential Waste Collection	\$ 11,407.19	\$ 41,124.00
8547	Residential Recycle Collection	\$ 2,458.50	\$ 9,834.00

8548	Bulk & Yard Waste	\$ 670.40	\$ 3,600.00
	<b>TOTAL</b>	<b>\$ 14,536.09</b>	<b>\$ 54,558.00</b>

	<b>Public Works Total</b>	<b>\$ 60,704.82</b>	<b>\$ 361,108.00</b>
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	<b>Total Expenses</b>	<b>\$ 348,077.75</b>	<b>\$ 1,627,182.00</b>
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	<b>Net Operating Income</b>	<b>\$ -138,187.88</b>	<b>\$ 0.00</b>
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### **OTHER FUND BALANCES**

	REVENUE/TRANSFER	EXPENSES	APPROVED BUDGET
Police State Aid	\$ 935.75	\$ 1,042.06	\$ 16,400.00
Community Open Space	\$ -	\$ 4,500.00	\$ 130,000.00
Other Grants	\$ 21,389.35	\$ -	\$ 70,000.00
ARP - American Recovery Fund	\$ 331,539.82	\$ 29,073.28	\$ 281,246.00
Committee Expenses	\$ -	\$ -	\$ 17,750.00
Replenish Reserve Transfer	\$ -	\$ -	\$ -
Capital Improvement Projects	\$ -	\$ 36,471.00	\$ 66,000.00
<b>TOTALS</b>	<b>\$ 353,862.92</b>	<b>\$ 71,086.34</b>	<b>\$ 581,396.00</b>

### **COMMITTEE BREAKDOWN**

	TRANSFER TO...	EXPENSES	APPROVED BUDGET
Events	\$ 1,965.49	\$ 1,965.49	\$ 7,000.00
CERT Team	\$ -	\$ -	\$ 750.00
Historical Committee	\$ 39.99	\$ 39.99	\$ 750.00
Arts Council	\$ -	\$ -	\$ 750.00
Green Team	\$ -	\$ -	\$ 750.00
TOUM Events	\$ -	\$ -	\$ 7,750.00
<b>TOTALS</b>	<b>\$ 2,005.48</b>	<b>\$ 2,005.48</b>	<b>\$ 17,750.00</b>

### **Key Monthly Items**

1. Audit Updates
2. ARPA
3. Debt Service Updates

### **BALANCE SHEET**

<b>Bank Accounts</b>	
Operating Checking	45,481.23
Petty Cash	300.00
Payroll Account	2,131.95
M&T Checking	54,323.29
ARP Fund	331,539.82
Disbursement Acct	0.00
MLGIP	215,489.57
<b>Total Bank Accounts</b>	<b>\$ 649,265.86</b>

### **Committee Reports —**

#### **Greenwill Consulting:**

Couple months away from session. In December there will be a special session to address the congressional districts based on Census data. There will be a potential change for Upper Marlboro. Currently Upper Marlboro is in the 23<sup>rd</sup> congressional district. Current Senator is Ron Watson. Upper Marlboro would then be placed in Mike Jackson's District. Greenwill is keeping an eye on this currently.

Greenwill is working with Commissioners to have a legislative priority meeting with Senator Ron Watson.

#### **Historical Committee:**

Patti Callicott provided a report for the Historical Committee. Memories and Morsels was held on September 12, 2021. Voice enhancer was purchased and given to the Town Clerk.

No Archive Session was held on September 18, 2021. Next Archive Session will be held on Saturday, October 16, 2021.

#### **Events Committee:**

**Commissioner Franklin provided a report for the Events Committee. They are working on decorations and candy donations for Trunk or Treat.**

**Discussed Christmas event and ideas for that. Possible holiday event will take place on December 4, 2021.**

**Free tickets available for Trunk or Treat on EventBrite.**

**Sustainable Communities:**

**Evelyn Stephens currently traveling. No report provided.**

**Arts Council:**

**Town Administrator Kyle Snyder provided the report. Happy Leaf Arts Festival taking place on Sunday, October 17, 2021 (Rain Date) on Main Street. Live music and poetry.**

**Mural survey results will be made available soon. Checks have been cut for artists who submitted proposals.**

**Green Team:**

**Darrellynne Strother stated the Green Team is working on the community garden. Seedlings have been planted in pots that will need to be transplanted.**

**CERT:**

**CERT Team participated in the Town movie night. For the month of September they had 111 volunteer and service worker hours. Pond clean up will October 23, 2021 8:30am until 11:30am. Pond Clean Up is open to the public.**

**Commissioner Reports**

**Commissioner Franklin: Vision Plan article has been submitted for the “Landings” Newsletter. Will be working with Town Administrator to create a portal along with a survey.**

**Commissioner Duckett: No report provided**

**President Pennoyer: literally just returned from the MML Fall Conference.**

**Business:**

- 1) Code Appeal: 14311 Rectory Lane (Board Discussion)**

Discussion was held regarding code violations at the property located at 14311 Rectory Lane. Property belongs to Bryan Bontrager. Mr. Bontrager and Town Commission held a discussion regarding the ordinance and violations given. Homeowner wants the violations dismissed. Mr. Bontrager states there is no ordinance that controls the cosmetic conditions of his home. Ordinance was written in 2016 and did not include much Town input.

**Action:** Board of Town Commissioners will make a decision regarding the code violations at the November, 2021 Regular Town Meeting. Ordinance needs to be revisited and revised with Town input.

**2) POD Permit Extension: 14133 Spring Branch Road (Board Approval)**

Tanya Barnes located at 14133 Spring Branch Road has a POD for storage. She completed an application for a 2<sup>nd</sup> extension. POD has been located at the property for over a year. Tanya Barnes requested for the POD to be picked up at the end of October, 2021.

**Action:** Letter will be sent to Tanya Barnes confirming that POD must be removed by Sunday, October 31, 2021.

**3) Town Roadway & Survey RFP (Board Approval)**

**Action:** Consensus from the Town Commissioners was made to release the Town Roadway & Survey RFP. Consensus: Commissioner Franklin – Yes, Commissioner Duckett – Yes, President Pennoyer – Yes.

**4) Resolution 2021-24: Police Vehicle Lease Agreement (Board Vote)**

**\$25,000 budgeted for police vehicle purchases in this fiscal year.**

**Action:** Commissioner Franklin made a motion to approve Resolution 2021-24. Seconded by Commissioner Duckett. **Vote:** Commissioner Franklin – Yes, Commissioner Duckett – Yes and President Pennoyer – Yes.

**5) Annexation Phase 2 & 3 Plan (Board Discussion & Vote)**

**120 properties have asked to become part of the Town limits. Public hearing will take place on Tuesday, November 30, 2021. Annexation will take effect on January 14, 2022 45 days after Enactment. Town Clerk Hoatson read the Annexation Plan Introduction.**

**Action:** Commissioner Duckett made a motion to approve Annexation Plan. Seconded by Commissioner Franklin. **Vote:** Commissioner Franklin – Yes, Commissioner Duckett – Yes and President Pennoyer – Yes.

**Annexation Resolution will be approved at a later date.**

**Administrative Updates**

**Legislation, Projects and Initiatives**

**Town Administrator Kyle Snyder gave an update on legislation, projects and initiatives moving forward.**

**General Commissioner & Staff items:**

**Patti Callicott asked about the pallets in the pond and dirt bikes on Route 4. Wanted to know if State will provide more assistance to enforce the law.**

**Public Comment**

**None**

**Motion to adjourn made by Commissioner Franklin and seconded by Commissioner Duckett.**

**Adjournment at 9:21PM**

Respectfully submitted,

John Hoatson, Town Clerk

# Town of Upper Marlboro

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

## Work Session Minutes

**October 26, 2021 - 7:00 p.m.**

This meeting was conducted via Zoom Video Conference

### Call to Order

- Meeting was brought to order at 7:03 p.m.
- **Roll Call:** – President Linda Pennoyer; Commissioner Janice Duckett; Commissioner/Treasurer Sarah Franklin
- **Staff present:** Kyle Snyder/Town Administrator; UMPD Chief Burse; William Morgan/Director of Finance; Superintendent Darnell Bond/Public Works; John Hoatson / Town Clerk
- **Attending:** Jodi Wildey, Prince George's County NAACP
- Pledge of Allegiance

### Business:

#### **Business**

#### **1. Discussion with Prince George's County NAACP (Board Discussion)**

**Jodi Wildy with Prince George's County NAACP made a presentation to the Board of Town Commissioners & Staff to discuss diversity and race. Jodi shared a video with Theodore Zeldin which addressed listening.**

**Jodi agreed to come back and do some training with the new Board of Town Commissioners.**

**Commissioner Franklin would like staff & commissioners to attend GARE.**

#### **2. Financial Policies (Board Discussion)**

**Director of Finance William Morgan presented the Financial Policies document that has been created for internal operations. There were some changes and edits that needed to be made.**

**President Pennoyer stated that this is a draft and does require more work. It will be re-drafted and provided at a later date.**

**Town Administrator Kyle Snyder stated that the Charter will need to be amended regarding spending limits. This is a good 1<sup>st</sup> step. Accounting firm has also looked at this documents with regards to operations.**

**Coin collection is also included in the Financial Policies document.**



**Commissioner Franklin asked that the financial sections of the Town Charter be sent out to all commissioners. Town Administrator Kyle Snyder will send it out.**

### **3. Annexation Resolution 01-2021 (Board Discussion)**

**Town Administrator Kyle Snyder talked about the annexation timeline.**

**Public Hearing is scheduled for Tuesday, November 30, 2021. This will be both in person and virtual (hybrid).**

### **4. Town Job Descriptions (Board Discussions)**

**Chief of Police and Town Administrator job descriptions were added to the others job descriptions provided to the Board of Town Commissioners previously.**

**Commissioner Franklin asked about adding, "Spanish Preferred" to the job descriptions.**

**Town Administrator Kyle Snyder asked Darnell Bond, Public Works Superintendent about the chain on command in Public Works. Darnell Bond stated that Crew Members report to Crew Leads and Crew Leads report to one Foreman and Foreman reports to Superintendent.**

### **5. Town of Upper Marlboro Election Update**

**Election will take place on Tuesday, November 2, 2021. Polls open from 7:00 AM until 8:0 PM.**

**Candidates: Bryan Bontrager, Janice Duckett, Sarah Franklin, Thomas J. Hanchett, Karen Lott and Linda Pennoyer**

**Commissioner Franklin raised the issue of Election Judges. Town Clerk John Hoatson stated that the Board of Supervisors of Elections is making decisions regarding Election Judges. They make the call with regards to having Election Judges. Town Clerk performs duties asked by the Board of Supervisors of Elections.**

#### **Administrative & Staff Items:**

**Marlborough Towne HOA Agreement – Town Administrator working with Town Attorney to revise the HOA Agreement for final vote.**

**Extension of Declaration of Emergency – Will be forthcoming at the November Town Meeting.**

**Playground / Groundbreaking Ceremony – Saturday, October 30, 2021 at 11:00 AM**

**Board of Commission Work Session Adjourned at 8:45 PM**

**Respectfully submitted,**

**John Hoatson  
Town Clerk**

**Town of Upper Marlboro**  
**REGULAR TOWN MEETING MINUTES**  
**November 9, 2021 • 7:00 p.m.**

This meeting was conducted via Zoom Video Conference:

**Call to Order**

The meeting was called to order at 7:02 p.m.

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

Staff present: Kyle Snyder/Administrator; UMPD Chief Burse; William Morgan/Director of Finance; Superintendent Darnell Bond/Public Works; John Hoatson/ Town Clerk, Vickie Stewart

Also present: Patti Callicott, TUNHC; Brian Callicott TUMHC; Joseph Hourclé /Board of Supervisors of Elections; Marlborough Towne HOA Chair Monica Williams; Evelyn Stephens Sustainable Communities; Ray Feldmann Feldman Communications; Greg Franklin; Robert Diss; Todd Frankenfield; Thomas Hanchett

**Pledge of Allegiance**

**President's statement from the October 12, 2021 & October 26, 2021 Closed Session**

**Consent to the Agenda**

Motion was made by Commissioner Sarah Franklin to approve the Closed Session Summaries from October 12, 2021 & October 26, 2021 & Consent to the Agenda. Motion was seconded by Commissioner Duckett. Vote 3-3

**Approval of Meeting Minutes & Financial Reports**

Motion to table approval of the October 12, 2021 Regular Town Meeting minutes, Approval of the October 26, 2021 Board Work Session minutes and Finance Report & Approval of the Treasurer's Report as of October 31, 2021 was made by Commissioner Franklin and seconded by Commissioner Duckett. Vote 3-3

**Reports**

Departments/Committees:

**Public Safety Report –**

**Incidents Reported in Town:**

Traffic Complaint 1	Commercial Alarm 5	Threat Complaint 1
Domestic Call 1	Check on Welfare 7	Hit & Run Call 1
911 Disconnect Call 2	Assist Fire/EMS 1	Armed Person 1

Vehicle Accident 1	Noise Complaint 1	Disorderly Call 6
Residential Alarm 4	Lost Property 1	Exparte 1
Suspicious Auto 1		

- **Chief Burse participated in conference call with the Prince George's Chiefs Association.**
- **Chief Burse and Sgt. Irby conducted high visibility patrols throughout the Town.**
- **Chief Burse participated in the Swearing-in ceremony for Chief Jarrod Towers of the City of Hyattsville Police.**
- **Chief Burse participated in a Community Our Streets Our Future Event with State's Attorney Braveboy in the Town of Bladensburg.**
- **Chief Burse and Staff hosted the National Faith and Blue Shredding Event with three local Town churches.**
- **Chief Burse attended the Annual Maryland Chief's of Police Conference.**
- **Chief Burse attended the Funeral Mass Service for PFC Jimmy Sullivan of the City of Bowie Police Department.**
- **Chief Burse, Sgt. Irby and Code Officer Stewart participated in the Summer Outdoor Movie Night.**
- **Chief Burse participated in the District 2 Coffee Club Meeting.**
- **Chief Burse participated in the Town playground Groundbreaking Ceremony.**
- **Chief Burse, Cpl. Brooks, Code Officer Stewart, and Town staff participated in the Town of Upper Marlboro's Trunk or Treat Event.**

### **Public Works –**

#### **Public Works Related**

- Dump trailer received from TWP Motorsports and outfitted with siderunner boards and tarp tie-downs. Tarp end pole was modified to work with implemented secure latch boards.
- DOE permits for refuse vehicles received.
- PW transported Leafgro to spread at the community garden.
- PWD attended the MML PWA quarterly meeting in Takoma Park where we had a presentation from Compost Crew.
- TA Snyder and I met with Mr. S. Weaver of Washington Gas and Justin Deckert of Pepco to discuss potential initiatives aimed at municipalities from each company.
- Crew lead Washington and I assisted with the playground groundbreaking ceremony set-up.

- PW assisted with set-up and traffic control for the Town's last movie night of the year, the Happy Leaf Festival, and Trunk or Treat events.
- PWD assisted with the faith in Blue Shred Event.

#### **Maintenance and Beautification**

- PW began tree trimming at TH, Old Mill Rd, Elm St, The Church St lot, and Monument.
- PWD received quotes from Greentree for tree removal services for TH and Spring Branch Properties.
- Performed routine site cuts.
- Serviced shop compressor in house.
- Fixed landscape trailer wiring issues in house.
- Began preening and tidying up of flower beds.

#### **Street and Sidewalk**

- Cleaned storm drain inlets around Town in preparation for Mid Atlantic floods.
- TA Snyder, Commissioner Franklin, and I walked potential trail routes with Robert Patten of P.G. Parks.
- Relocated speed sign to Old Crain Hwy and back to MD 725 to collect data.

#### **Weather Related Activities**

- PWC closed Water St Bridge due to Mid Atlantic flooding remnants.

#### **Refuse Accumulations**

- Bulk day accumulations for solid wastes (Landfill) are 3.87 tons. Bulk day accumulations for yard waste collections are 9.24 tons. We had no dump body rentals for the month.
- 162 new Town recycle bins assembled to date with the first delivery to a new resident on Old Crain Hwy.

## Finance Department –

### REVENUE

BUDGET CODE	DESCRIPTION	ACTUAL	APPROVED BUDGET
	<b>Fines, Licenses &amp; Permits</b>		
6154	Franchise Fee	\$ 11,500.96	\$ 13,000.00
6280	Trader's License Fees	\$ -	\$ 500.00
6350	Town Permits	\$ -	\$ 1,700.00
6351	Food Trucks	\$ -	\$ 1,000.00
6352	Business License	\$ 14,138.03	\$ 10,000.00
6354	Room Rental	\$ -	\$ 669.00
6355	Parking Meters	\$ 54,622.90	\$ 174,000.00
6381	Parking Fines/Penalties	\$ 13,013.12	\$ 35,000.00
6383	Red Light Camera	\$ -	\$ -
6550	Pub/Edu/Govt Broadcasting	\$ 2,266.31	\$ 5,000.00
	<b>TOTAL</b>	<b>\$ 95,538.32</b>	<b>\$ 240,869.00</b>

#### **Intergovernmental**

6240	Financial Corporation Tax	\$ 9,144.52	\$ 9,145.00
6260	Highway User Fee	\$ 17,799.97	\$ 27,725.00
6310	Disposal Fee Rebate	\$ 519.00	\$ 1,750.00
	<b>TOTAL</b>	<b>\$ 27,463.49</b>	<b>\$ 38,620.00</b>

#### **Miscellaneous Revenue**

6390	Interest Earnings	\$ -	\$ 2,500.00
6392	Sale of Property	\$ -	\$ 1,000.00
6394	Town Hall Services	\$ -	\$ 250.00
6396	Special Events/Donations	\$ -	\$ 2,500.00
6396	Other	\$ 1,453.85	\$ 1,000.00
	<b>TOTAL</b>	<b>\$ 1,453.85</b>	<b>\$ 7,250.00</b>

#### **Taxes**

6101	Commercial	\$ 111,911.96	\$ 189,541.00
6102	Non-Commercial	\$ 88,492.81	\$ 171,698.00
6103	Delinquent - RE	\$ -	\$ 5,000.00
6104	BPPT - FY2022	\$ 58,731.10	\$ 35,555.00
6105	Public Utilities	\$ 3,000.00	\$ 700,999.00
6106	Income Taxes	\$ 66,285.39	\$ 315,000.00
	<b>TOTAL</b>	<b>\$ 328,421.26</b>	<b>\$ 1,417,793.00</b>

	<b>Total Revenue</b>	<b>\$ 452,876.92</b>	<b>\$ 1,704,532.00</b>
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### EXPENDITURES

#### **GENERAL GOVERNMENT**

	<b>Administrative Salary &amp; Wages</b>	<b>\$ 82,684.56</b>	<b>\$ 257,279.00</b>
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	<b>Payroll Deductions &amp; Benefits</b>		
8124	Employer Tax	\$ 16,731.54	\$ 59,000.00
8125	Pension Benefits	\$ 5,064.01	\$ 60,000.00
8126	Medical Employee Benefits	\$ 26,141.97	\$ 110,000.00
8128	Life Insurance	\$ -	\$ 6,800.00
	<b>TOTAL</b>	<b>\$ 47,937.52</b>	<b>\$ 235,800.00</b>

#### **Professional Services**

8073	Accounting Services	\$ 4,500.00	\$ 18,000.00
8074	Auditing Services	\$ 20,000.00	\$ 20,000.00
8075	Payroll Processing (TPA)	\$ 1,748.66	\$ 5,000.00
8110	Town Attorney & Legal	\$ 10,746.00	\$ 55,000.00
8115	IT Support & Equipment	\$ 3,620.89	\$ 10,000.00
8205	Media Relations	\$ 12,000.00	\$ 18,000.00
8206	Government Relations	\$ 12,000.00	\$ 36,000.00
8207	Human Resource Services	\$ 3,980.00	\$ 12,000.00
8208	Planning Firm	\$ 18,865.00	\$ -
	<b>TOTAL</b>	<b>\$ 87,460.55</b>	<b>\$ 174,000.00</b>

<b>Insurance &amp; Benefits</b>			
8120	General Liability	\$ 14,065.00	\$ 15,000.00
8121	Bonds	\$ -	\$ 500.00
8122	Workers Compensation	\$ 15,574.00	\$ 15,500.00
8123	Insurance Claims	\$ -	\$ 5,000.00
	<b>TOTAL</b>	<b>\$ 29,639.00</b>	<b>\$ 36,000.00</b>

<b>Operating</b>			
8077	Public Notices	\$ 1,240.00	\$ 1,500.00
8080	Bank Charges	\$ 13,759.90	\$ 20,000.00
8086	Trainings & Memberships	\$ 2,569.01	\$ 5,000.00
8090	Postage	\$ 748.73	\$ 3,000.00
8092	Printing	\$ 3,206.66	\$ 7,500.00
8130	General Supplies	\$ 20,496.38	\$ 10,000.00
8131	Ofc Equipment R&M	\$ 674.78	\$ 1,000.00
8160	Town Hall Office Phones	\$ 2,100.74	\$ 5,000.00
8161	Mobile Phones	\$ 823.96	\$ 4,000.00
8162	Town Elections	\$ 436.00	\$ 1,200.00
8165	Town Hall Utilities	\$ 6,085.38	\$ 11,000.00
8175	Town Hall Repair & Maintenance	\$ 4,059.50	\$ 10,000.00
8200	Other	\$ 1,539.50	\$ 2,000.00
	<b>Total</b>	<b>\$ 57,740.54</b>	<b>\$ 81,200.00</b>

	<b>General Government Total</b>	<b>\$ 305,462.17</b>	<b>\$ 784,279.00</b>
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<b>PUBLIC SAFETY</b>			
	<b>Public Safety Salary &amp; Wages</b>	<b>\$ 72,107.41</b>	<b>\$ 401,620.00</b>

<b>Public Safety Operating</b>			
8273	Uniforms	\$ 147.74	\$ 2,000.00
8274	Weapons & Duty Equipment	\$ 1,560.33	\$ 5,000.00
8275	Training & Memberships	\$ 623.74	\$ 1,500.00
8277	Substance Testing/Pre-Employment	\$ 1,750.00	\$ 1,000.00
8280	Supplies	\$ 231.19	\$ 3,000.00
8281	Mobile Devices	\$ 1,128.65	\$ 5,000.00
8282	Association Dues	\$ -	\$ 750.00
8300	Vehicle Repairs	\$ -	\$ 2,500.00
8301	Vehicle Maintenance	\$ -	\$ 4,000.00

8302	Vehicle Fuel	\$ -	\$ 5,000.00
8320	Other	\$ 235.44	\$ 1,500.00
	<b>TOTAL</b>	<b>\$ 5,677.09</b>	<b>\$ 31,250.00</b>

6530.2022.03	<b>GOCCP State Aid</b>	<b>\$ 1,042.06</b>	<b>\$ 16,400.00</b>
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8330	<b>Debt Service</b>	<b>\$ -</b>	<b>\$ 32,525.00</b>
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	<b>Public Safety Total</b>	<b>\$ 77,784.50</b>	<b>\$ 481,795.00</b>
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**PUBLIC WORKS**

	<b>Salary &amp; Wages</b>	<b>\$ 53,599.65</b>	<b>\$ 225,600.00</b>
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<b>Public Works Operating</b>			
8375	Uniforms	\$ -	\$ 750.00
8377	Training & Memberships	\$ 75.00	\$ 500.00
8380	Other	\$ 74.03	\$ 1,500.00
8390	Streets Maintenance	\$ 948.31	\$ 4,000.00
8391	Weather Related Expenses	\$ -	\$ 2,500.00
8400	Streetlight Electricity	\$ 5,978.62	\$ 21,500.00
8405	Vehicle Repairs	\$ -	\$ 3,000.00
8410	Vehicle Maintenance	\$ -	\$ 3,500.00
8415	Vehicle Fuel	\$ -	\$ 4,000.00
8488	PWF Utilities	\$ 552.32	\$ 3,500.00
8490	Mobile Phones	\$ 186.87	\$ 2,500.00
8176	Maintenance & Repairs	\$ 1,012.79	\$ 6,200.00
8491	Beautification	\$ -	\$ 2,500.00
8492	Small Tools & Equipment	\$ 3,230.84	\$ 2,500.00
8493	Septic Tank	\$ 300.00	\$ 1,200.00
8545	Mosquito Control	\$ -	\$ 1,400.00
	<b>TOTAL</b>	<b>\$ 12,358.78</b>	<b>\$ 61,050.00</b>

6530.2022.06	<b>State Street Scape</b>	<b>\$ -</b>	<b>\$ 20,000.00</b>
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<b>Refuse Collection</b>			
8546	Residential Waste Collection	\$ 14,857.19	\$ 41,124.00
8547	Residential Recycle Collection	\$ 3,283.50	\$ 9,834.00



8548	Bulk & Yard Waste	\$ 1,089.36	\$ 3,600.00
	<b>TOTAL</b>	<b>\$ 19,230.05</b>	<b>\$ 54,558.00</b>
	<b>Public Works Total</b>	<b>\$ 85,188.48</b>	<b>\$ 361,108.00</b>
	<b>Total Expenses</b>	<b>\$ 468,435.15</b>	<b>\$ 1,627,182.00</b>
	<b>Net Operating Income</b>	<b>\$ -15,558.15</b>	<b>\$ 0.00</b>

#### OTHER FUND BALANCES

	REVENUE/TRANSFER	EXPENSES	APPROVED BUDGET
Police State Aid	\$ 5,035.75	\$ 1,042.06	\$ 16,400.00
Community Open Space	\$ -	\$ 6,894.77	\$ 130,000.00
Other Grants	\$ 21,389.35	\$ -	\$ 70,000.00
ARP - American Recovery Fund	\$ 331,539.82	\$ 29,073.28	\$ 281,246.00
Committee Expenses	\$ -	\$ -	\$ 17,750.00
Replenish Reserve Transfer	\$ -	\$ -	\$ -
Capital Improvement Projects	\$ -	\$ 36,471.00	\$ 66,000.00
<b>TOTALS</b>	<b>\$ 357,964.92</b>	<b>\$ 73,481.11</b>	<b>\$ 581,396.00</b>

#### COMMITTEE BREAKDOWN

	TRANSFER TO...	EXPENSES	APPROVED BUDGET
Events	\$ 2,048.82	\$ 2,048.82	\$ 7,000.00
CERT Team	\$ -	\$ -	\$ 750.00
Historical Committee	\$ 39.99	\$ 39.99	\$ 750.00
Arts Council	\$ 2,738.89	\$ 2,738.89	\$ 750.00
Green Team	\$ -	\$ -	\$ 750.00
TOUM Events	\$ -	\$ -	\$ 7,750.00
<b>TOTALS</b>	<b>\$ 4,827.70</b>	<b>\$ 4,827.70</b>	<b>\$ 17,750.00</b>

#### Key Monthly Items

1. ARPA
2. Debt Service Updates
3. Website Finance Improvements

#### BALANCE SHEET

<b>Bank Accounts</b>	
Operating Checking	108,380.76
Petty Cash	300.00
Payroll Account	2,796.66
M&T Checking	70,986.40
ARP Fund	331,539.82
Disbursement Acct	0.00
MLGIP	215,489.57
<b>Total Bank Accounts</b>	<b>\$ 729,493.21</b>

**Business:**

**Town FY 21 Audit Overview Presentation (Presentation)**

**Robert Diss with Lindsay & Associates provided a financial overview of the Fiscal Year 2021 Audit.**

**TUM 1<sup>st</sup> Municipality this year to have audit completed by Lindsay & Associates.**

**Committee Reports:**

**Greenwill Consulting**

*Was Not In Attendance & No Report Provided.*

**Historical Committee**

**Archive Session was held on October 16, 2021. Discussed the movie that was filmed in the Town. Bryan had photos of some of the buildings in the Town that were used in the film.**

**Quarterly Meeting will take place on Saturday, November 20, 2021.**

**Events Committee**

**Held 2 successful events: October Movie Night and Drive-Thru Town Trunk or Treat.**

**Upcoming: December 4<sup>th</sup>, tree lighting, caroling, fire, tree lighting and hot chocolate. Commissioner Franklin will be meeting with Town Staff & CERT President on Friday to go over the plans.**

**Sustainable Communities**

**The FIP Program has 3 applications for approval. There are also 3 interested parties who have not submitted applications. The total of the 3 applications submitted is \$77,000.00.**

**50% of that is the grant responsibility. \$38,500.00 the Town would be expected to reimburse the applicants.**

**Money shall be expended by the end of the year.**

## **Arts Council**

Happy Leaf Arts Festival was held in October. A post evaluation has been conducted to gain feedback for next year.

Arts Council will meet again in December. Ronnie Humbertson has been provided the results of the mural surveys and will be a topic of discussion at the next Arts Council meeting.

## **Green Team**

Green Team approved bylaws and plan has been approved. Green Team has also been working hard on the community garden.

Hoping to harvest the community garden close to Thanksgiving and donating to Marlboro churches foodbank.

## **CERT**

CERT did not have a meeting this month. They participated in the Happy Leaf Festival, shred event and Town Trunk or Treat event.

CERT also participated in the pond clean up on October 23, 2021.

## **Commissioner Reports**

### **Commissioner Franklin**

Commissioner Franklin continues to work on the vision plan.

### **Commissioner Duckett**

No report provided

### **President Pennoyer**

Will provide report at the end of the meeting.

## **Business**

- 1) Code Appeal: 14311 Rectory Lane (Board Discussion)

**Motion was made by Commissioner Duckett to deny the appeal for code violation at 14311 Rectory Lane. Was seconded by Commissioner Franklin. Vote: 3-3**

**Town Administrator Kyle Snyder will send a letter to homeowner advising of decision of the Board of Commissioners.**

**2) Municipal Government Works Month Proclamation (Board Vote)**

**Town Clerk Hoatson read the proclamation.**

**Motion was made by Commissioner Franklin to approve the Municipal Government Works Month Proclamation. Was seconded by Commissioner Duckett. Vote: 3-3**

**3) Phase 2 & Phase 3 Annexation Tax Waiver (Board Vote)**

**Town Administrator Kyle Snyder provided an overview. There are 3 properties who will need modified town services because of road conditions. This is the reason for the tax waiver.**

**These are updated agreements. Services were edited. Also The length of this contract is a three year contract with a 2 year automatic update.**

**Mayor Pennoyer stated the having Valley Lane is important to the Annexation so now it is included in the Town boundary. A wrong has now been made right.**

**Motion was made by Commissioner Franklin to approve Phase 2 & Phase 3 Annexation Tax Waivers. Was seconded by Commissioner Duckett. Vote: 3-3**

**4) Selection of Town Attorney RFP #UM 2021-02 (Board Vote)**

**3 RFP's were received. One from Baltimore and one from Hagerstown. Kevin Best has done an amazing job for the Town of Upper Marlboro. He brought annexation under budget.**

**Motion was made by President Pennoyer to approve retaining the services of Kevin Best as Town Attorney. Was seconded by Commissioner Duckett. Vote: 3-3**

**5) Resolution 2021-25: To Authorize Automated Traffic Enforcement Vendor Contract (Board Vote)**

**Conduet revised their prices. Town Clerk Hoatson read it into the record.**

**Motion was made by Commissioner Franklin to approve Resolution 2021-25 pending positive legal review by the Town Attorney. Was seconded by Commissioner Duckett. Vote: 3-3**

**6) Resolution 2021-26: To Authorize DOE 2021-03 (Board Vote)**

**Town Attorney provided changes. Decision was made to table it until the Town Work Session.**

**Motion was made by President Pennoyer to table it until the work session. Was seconded by Commissioner Franklin. Vote: 3-3**

**7) Certify Election Results (Board Vote)**

**Town Clerk Hoatson read the certified election results into the record.**

**Motion was made by Commissioner Franklin to accept the certified election results. Was seconded by Commissioner Duckett. Vote: 3-3**

**Administrative Updates**

**Legislation, Projects and Initiatives**

**Town Administrator Kyle Snyder gave an update on legislation, projects and initiatives moving forward.**

**General Commissioner & Staff items:**

**Discussion was held about keeping a database regarding volunteers who support the Town. Possible background checks, applications. Issue will be discussed at an upcoming Work Session.**

**Public Comment**

**Patti Callicott asked about the pallets in the Western Branch. Town Administrator Kyle Snyder said that WSSC is surprised there are more in there. They will continue to pull them until complete.**

**Evelyn Stephens asked about the Old Marlboro Elementary School.**

**The Town is still going forward with case filings. Topic will be discussed at a future meeting.**

**Patti asked if Event Committee was going to do anything for the 100<sup>th</sup> Anniversary of the Crain Monument. They would like to recreate the photo that is located across from the conference room. Event Committee will figure it out together.**

**President Pennoyer made a statement at the end of the meeting that after 6 years of service to the Town of Upper Marlboro, she will not be accepting the oath of office on December 13, 2021. It has been an honor and privilege to serve the Town. It is time for her to go.**

**November Regular Town Meeting adjourned at 8:30 PM**

Respectfully submitted,

John Hoatson, Town Clerk

# Town of Upper Marlboro

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

## Work Session Minutes

**November 23, 2021 - 7:00 p.m.**

This meeting was conducted via Zoom Video Conference

### Call to Order

- Meeting was brought to order at 7:01 p.m.
- **Roll Call:** – President Linda Pennoyer (Excused Absence); Commissioner Janice Duckett; Commissioner/Treasurer Sarah Franklin
- **Staff present:** Kyle Snyder/Town Administrator; UMPD Chief Burse; William Morgan/Director of Finance; Superintendent Darnell Bond/Public Works; John Hoatson / Town Clerk
- **Attending:** Monica Williams, Reatha Gillis
- Pledge of Allegiance

### Business:

#### **Business**

#### **1. Marlborough Towne HOA Agreement (Board Discussion)**

Commissioner Franklin added some things to the DRAFT HOA Agreement.

Monica Williams stated everything in the agreement looks good. Was also concerned about who could terminate the agreement and side roads.

Monica Williams thanked the Town for all the work on this HOA Agreement.

#### **Action Item:**

Resolution will be created to go along with the HOA Agreement. All Town Commissioners would sign the Resolution. The President Mayor will sign the HOA Agreement.

**Section 1 Overview & Terms:** The Board of Town Commissioners would be able to terminate the agreement not just the President / Mayor.

**Trail Development – Public use can be added to both the HOA Agreement & Resolution**

HOA Agreement will be cleaned up and final draft created. Will send it out to everyone as soon as it is complete. Will work with Kevin Best, Town Attorney to create the resolution to go along with the HOA Agreement. An additional MOU will be created sometime in the Spring regarding the roads. Final vote will take place at the December Town Meeting.



## **2. Emergency Ordinance 2021-05 Pocket Park Purchase (Board Vote)**

**Town Administrator Kyle Snyder did an overview of the Emergency Ordinance 2021-05.**

**The Town is moving forward on the purchase of a vacant lot on Main Street. Purchase price is \$20,000.00 which is covered by a state bond bill grant which the Town received in 2019. Town must pay the closing costs of \$1,000.00 to \$2,000.00.**

**Town Attorney Kevin Best drafted the emergency legislation and authorizes the Town to purchase the land and does a budget amendment.**

**Land was appraised at \$20,000.00.**

**Commissioner Franklin read the overview of Ordinance 2021-05 – Pocket Park Purchase into the record.**

### **Action Item:**

**Within 20 days the property will be transferred to the Town. The Town has the \$20,000.00 and will seek reimbursement from the State of Maryland.**

**Vote was cast, but was not upheld because all three Board of Town Commissioners were not present at the November Board Work Session.**

**Vote will be conducted at the Public Hearing on Annexation Phase II & Phase III.**

## **3. Town Roadway Survey & Design RFP (Board Discussion)**

**Town Administrator Kyle Snyder stated that the Town has \$450,000.00 grant from the State of Maryland for road improvements.**

**Survey team will look at all roads including Marlborough Towne and provide a replacement schedule.**

**3 Firms submitted proposals: Mead & Hunt of Columbia Maryland; CB3 Consulting Services, Inc of Largo, Maryland; Kim Engineering of Beltsville, Maryland.**

### **Action Item:**

**Public Works Superintendent Darnell Bond and Town Administrator Kyle Snyder will review the RFP's and provide a report to the Board of Commissioners.**

#### **4. Draft 2 Financial Policies (Board Discussion)**

**Finance / HR Director William Morgan provided an overview of the Financial Policies.**

**Original internal control policy was sent back in September and has been revised for grammatical issues and feedback on some questions that were raised.**

**Wanted to put something in front of the Board regarding expenditures for the Town.**

**Commissioner Franklin stated that directors need to be able to manage their programs and obtain the equipment and supplies they need.**

##### **Action Item:**

**Procurement ordinance will be updated going forward. (Amounts will be updated)**

**Policies will be voted on at the December Town Meeting once the Town Attorney looks at it.**

**Charter Amendment will also need to be created to edit**

#### **5. Town Hall Security Policies (Board Discussion)**

**Police Chief David Burse spoke about how that during the past three years he has identified security issues at Town Hall.**

**There are exterior, internal / external upgrades that need to be purchased.**

**Three companies have provided quotes: BFPE, ABC Alarm and EAI Security.**

**Commissioner Duckett asked which company is better suited for the Town.**

**Chief Burse stated it is going to be close to the \$30,000 to \$35,000 range. BFPE is suited for the Town.**

**BFPE and EAI Security are the two best quotes.**

##### **Action Item:**

**December Closed Session (December 14, 2021) will be held prior to the Town Meeting to discuss in more detail the security plan ahead.**

**EAI will need to update their quote.**

**Resolution will be drafted and approved at the Regular Town Meeting on December 14, 2021.**

**Monitoring contract is included in the price.**

**Commissioner Franklin wants William Morgan, Director of Finance to draft a memo for the security plan using ARPA funds.**

**Chief Burse will forward security quotes to William Morgan, Director of Finance and they will talk.**

**6. Resolution 2021-26: To Authorize DOE 2021-03 (Board Discussion)**

**Town declaration of emergency has expired. State let theirs expire back in July. County is still under a state of emergency.**

**This resolution allows to continue wearing masks, keeping Town Hall closed and meetings virtual.**

**Action Item:**

**Commissioner Franklin asked that on page 2, #3, it should be the Board of Town Commissioners who vote to decide to lift the mask mandate, not just the President / Mayor.**

**Resolution 2021-26 will be added to the Town Meeting Agenda for final vote.**

**7. Ordinance 2021-06: Residential Speed (Board Introduction)**

**Not an emergency ordinance. Board introduced it with option to pass at the December town meeting.**

**This ordinance amends the previous automated speed ordinance.**

**Town Clerk John Hoatson read and introduced Ordinance 2021-06 Residential Speed into the record.**

**Resolutions do include the hundred blocks.**

**Action Item:**

**Commissioner Franklin wants it changed that Chief of Police or designee oversee the speed camera program and not the President / Mayor.**

**Commissioner Franklin requested that, “or her designee” changed to their designee.**

**Ordinance 2021-06 Residential Speed will be placed on the December Town meeting agenda.**

## **8. ARPA Funding Plan (Board Discussion)**

**Town Administrator Kyle Snyder stated they added hiring an events coordinator, redevelopment firm at \$15,000.00.**

**Redevelopment firm RFP will go out in January and hopefully move forward in March.**

**Spoke about codification.**

**Chief of Police David Burse spoke about some equipment that needs to be purchased.**

**Basic batteries in radios are from 2009. They should not be using them. Handheld radios cost \$6,500.00**

**Public Works Superintendent Darnell Bond spoke about his wish list.**

**Public Works could use a pick up truck.**

**Rental of larger facility for Public Works**

**Salt spreader / street sweeper**

**Tools and equipment need to be upgraded**

**Hazard pay, recycle bins, mortgage assistance**

### **Action Item:**

**Town residents need a chance to speak about what they would like to see with regards to ARPA spending.**

## **9. Administrative & Staff Items**

- 1. Commissioner Franklin spoke to have a closed session to seek legal advice regarding the closed session held on November 9, 2021 to talk about the actions of the Board of Supervisors of Elections.**

### **Action Item:**

**Commissioner Franklin made a motion to hold a closed session on November 30, 2021 to seek legal advice from Town Attorney regarding the actions of the Board of Supervisors of Elections. Seconded by Commissioner Duckett. Vote 2-2 Commissioner Franklin and Commissioner Duckett.**

- 2. Commissioner Franklin spoke about the tree lighting event held on Saturday, December 4, 2021.**

- 3. Public Works Superintendent Darnell Bond stated that the salt spreader would not turn on. Everything with the unit is frozen.**

**William Morgan, Director of Finance stated there are plenty of funds to obtain salt spreader.**

**Action Item:**

**Resolution will be drafted and approved at the December Town Meeting.**

**Verbal approval was granted during the November Board Work Session.**

**Commissioner Franklin made a motion to authorize Darnell to procure a new salt spreader. Seconded by Commissioner Janice Duckett. Vote 2-2 Commissioner Franklin and Commissioner Duckett.**

- 4. Town Administrator Kyle Snyder provided an update on the holiday decorating contest and invoice for playground.**
- 5. Town Clerk John Hoatson read a statement from President / Mayor Pennoyer that she will not be accepting the oath of office on Monday, December 13, 2021.**

Board of Commission Work Session Adjourned at 8:45 PM

Respectfully submitted,

John Hoatson, Town Clerk

# Town of Upper Marlboro

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

## Public Hearing Annexation Phase II & Phase III

November 30, 2021 – 6:03 p.m.

This meeting was conducted via Zoom Video Conference

### Call to Order

- Meeting was brought to order at 6:03 p.m.
- **Roll Call:** – President Linda Pennoyer; Commissioner Janice Duckett; Commissioner/Treasurer Sarah Franklin
- **Staff present:** Kyle Snyder/Town Administrator; UMPD Chief Burse; William Morgan/Director of Finance; Superintendent Darnell Bond/Public Works; John Hoatson / Town Clerk
- **Attending:** Angie Rodgers, DCAO Economic Development, County Executive Office, Robert Claggett Sanders, Resident
- Pledge of Allegiance

### Business:

#### **Business:**

#### **1) Annexation Resolution 01-2021 & Background**

#### **Town Clerk John Hoatson read Annexation Resolution 01-2021**

**AN ANNEXATION RESOLUTION** of the Board of Commissioners of the Town of Upper Marlboro (the “Town”) pursuant to § 4-401 *et seq.* of the Local Government Article of the Annotated Code of Maryland for the purpose of annexing certain parcels, lots and rights-of-way of real property located in two (2) distinct and separate annexation areas with each area adjoining and contiguous to the Town including the second annexation area to be annexed since the Town was incorporated to be referred to as the “Second (2<sup>nd</sup>) Annexation Area” consisting in the aggregate of approximately 258 acres, and located west and south of the current municipal corporate territory of the Town and further described as a portion of Ritchie Marlboro Road right-of-way intersecting the Pennsylvania Avenue (MD 4) right-of-way west of Town and the lands north of said Pennsylvania Avenue right-of-way and east of Ritchie Marlboro Road including Federal Springs Park and the lands south of the Federal Spring Branch of the Patuxent River extending east to where said Branch becomes the northern corporate limits of the existing Town of Upper Marlboro and extending east and south of the Town including and along the north side of the Pennsylvania Avenue (MD 4) right-of-way to the existing corporate limits bounded to the east by the Show Place Arena, MD Route 4 right-of-way, the Water Street (MD 717) right-of-way and the existing corporate limits of the Town near the Western Branch of the Patuxent River, as further described in more detail in the metes and bounds description found below in Section 2 of this Resolution and the map exhibit referenced hereinbelow; and including the third

annexation area to be annexed since the Town was incorporated to be referred to as the “Third (3<sup>rd</sup>) Annexation Area” consisting in the aggregate of approximately 246 acres, located east and north of the current municipal corporate territory of the Town and further described as the lands east of the existing corporate limits consisting of the Western Branch of the Patuxent River near the Federal Spring Branch where the Collington Branch crosses MD 725 (Marlboro Pike) and MD 202 (Largo Road) including lands along the east and west of MD 202 (Largo Road), north of Marlboro Pike (MD 725) proceeding to the Wurtz and Weeks Tract Resubdivision near Perseus Way (Undeveloped) and Largo Road (MD 202) and lands known as the Wurtz and Weems Tract east to the Pope’s Creek Branch Railroad right-of-way, and including, but not limited to, lands along either side (North & South) of Marlboro Pike (MD 725) east to the intersection of Crain Highway (US 301) including but not limited to the Marlboro Tobacco Market Subdivision, the Marlboro Shell Subdivision (McDonald’s Restaurant & Dash In Food Store), the Agricultural Fair Association Subdivision and lands near the intersection of Crain Highway (US 301) and Peerless Avenue, as further described in more detail in the metes and bounds description found below in Section 2 of this Resolution and the map exhibit referenced hereinbelow; and providing for the terms and conditions of the annexation to the Town of Upper Marlboro; and amending the Charter of the Town of Upper Marlboro for the purposes of including the annexed property within the legal descriptions and plats depicting the corporate limits of the Town; and generally all matters related to said annexation and annexation areas.

- **Public Comment**

**Angie Rodgers, DCAO Economic Development** – County are opposed to several elements of the annexation plan because under state law, the annexation property is to be contiguous and adjoining. There is a significant piece of property which is neither. A lot to reconcile about who will provide essential services. County is hoping it can be the beginning of a dialogue between the Town of Upper Marlboro and the County.

**Robert Claggett Sanders, Resident** – One of 8 family members who own a farm of 109 acres which is part of the second annexation area. It is still farmed and family have no plans for development. About 5 acres is already included in the Town. Town proposes to include the entire farm in the 2<sup>nd</sup> annexation. Family does not want 109 acres of the farm included in the plan. Want the farm to be excluded from the annexation plan.

**Kevin Best, Town Attorney** asked President Pennoyer to solicit anyone virtual or in person to submit written comments to be added to the record.

**Motion was made by Commissioner Franklin to close the Public Hearing. It was seconded by Commissioner Duckett. Vote 3-3.**

**President Pennoyer then announced the results of the vote.**

**The Board of Town Commissioners then addressed the following items.**

- **Annexation Resolution 01-2021 (Board Vote)**



**President Pennoyer then asked if anyone wanted to make a motion to approve Annexation Resolution 01-2021.**

**Commissioner Duckett made a motion to approve Annexation Resolution 01-2021 and it was seconded by Commissioner Franklin.**

**Town Attorney than asked if President Pennoyer would ask if there was any discussion.**

**President Pennoyer than asked if there was any discussion at this point.**

**President Pennoyer than stated that Annexation could be put on hold 30 to 60 days to address the issues set forth by the County and Mr. Sanders.**

**Commissioner Franklin then made a motion to table the vote on Annexation Resolution 01-2021 for 30 days. It was seconded by Commissioner Duckett. Vote 3-3.**

**Action Item:**

**Annexation Resolution 01-2021 will be on hold for 30 days.**

**Town of Upper Marlboro will speak to the County and Mr. Sanders regarding comments provided during public comment.**

- **Emergency Ordinance 2021-05: Pocket Park Purchase (Board Vote )**

**Town Clerk John Hoatson read Emergency Ordinance 2021-05 Pocket Park Purchase.**

**Motion was made by Commissioner Franklin to approve Emergency Ordinance 2021-05 Pocket Park Purchase. It was seconded by Commissioner Duckett. Vote 3-3.**

- **Proposal To Go Into Closed Session**

**Proposal to go into closed session to consult with Town Attorney about appointing new members to the Board of Supervisors of Elections.**

**Commissioner Franklin made a motion to go into closed session. It was seconded by Commissioner Duckett. Vote 3-3.**

**Board of Commissioners then went into Closed Session at 6:30 PM**

Respectfully submitted,

John Hoatson, Town Clerk



# Town of Upper Marlboro

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## Town of Upper Marlboro November 2021 Treasurer Report July 2021 – June 2022

### REVENUE

BUDGET CODE	DESCRIPTION	ACTUAL	APPROVED BUDGET
	<b>Fines, Licenses &amp; Permits</b>		
6154	Franchise Fee	\$ 11,500.96	\$ 13,000.00
6280	Trader's License Fees	\$ -	\$ 500.00
6350	Town Permits	\$ -	\$ 1,700.00
6351	Food Trucks	\$ -	\$ 1,000.00
6352	Business License	\$ 14,130.73	\$ 10,000.00
6354	Room Rental	\$ -	\$ 669.00
6355	Parking Meters	\$ 68,542.57	\$ 174,000.00
6381	Parking Fines/Penalties	\$ 14,327.70	\$ 35,000.00
6383	Red Light Camera	\$ -	\$ -
6550	Pub/Edu/Govt Broadcasting	\$ 2,266.31	\$ 5,000.00
	<b>TOTAL</b>	<b>\$ 110,768.27</b>	<b>\$ 240,869.00</b>

### **Intergovernmental**

6240	Financial Corporation Tax	\$ 9,144.52	\$ 9,145.00
6260	Highway User Fee	\$ 17,799.97	\$ 27,725.00
6310	Disposal Fee Rebate	\$ 519.00	\$ 1,750.00
	<b>TOTAL</b>	<b>\$ 27,463.49</b>	<b>\$ 38,620.00</b>

### **Miscellaneous Revenue**

6390	Interest Earnings	\$ -	\$ 2,500.00
6392	Sale of Property	\$ -	\$ 1,000.00
6394	Town Hall Services	\$ -	\$ 250.00
6396	Special Events/Donations	\$ -	\$ 2,500.00
6396	Other	\$ 1,453.85	\$ 1,000.00
	<b>TOTAL</b>	<b>\$ 1,453.85</b>	<b>\$ 7,250.00</b>

**Janice Duckett**  
Commissioner

**Sarah Franklin**  
Commissioner/Treasurer

**Linda Pennoyer**  
Commissioner/President



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## Taxes

6101	Commercial	\$	111,911.96	\$	189,541.00
6102	Non-Commercial	\$	175,566.38	\$	171,698.00
6103	Delinquent - RE	\$	-	\$	5,000.00
6104	BPPT - FY2022	\$	59,385.85	\$	35,555.00
6105	Public Utilities	\$	292,057.35	\$	700,999.00
6106	Income Taxes	\$	129,285.86	\$	315,000.00
	<b>TOTAL</b>	\$	<b>768,215.95</b>	\$	<b>1,417,793.00</b>

	<b>Total Revenue</b>	\$	<b>907,901.56</b>	\$	<b>1,704,532.00</b>
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## EXPENDITURES

### GENERAL GOVERNMENT

	<b>Administrative Salary &amp; Wages</b>	\$	<b>103,873.38</b>	\$	<b>257,279.00</b>
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	<b>Payroll Deductions &amp; Benefits</b>				
8124	Employer Tax	\$	21,647.08	\$	59,000.00
8125	Pension Benefits	\$	45,211.89	\$	60,000.00
8126	Medical Employee Benefits	\$	26,141.97	\$	110,000.00
8128	Life Insurance	\$	-	\$	6,800.00
	<b>TOTAL</b>	\$	<b>93,000.94</b>	\$	<b>235,800.00</b>

### Professional Services

8073	Accounting Services	\$	6,000.00	\$	18,000.00
8074	Auditing Services	\$	20,000.00	\$	20,000.00
8075	Payroll Processing (TPA)	\$	1,852.92	\$	5,000.00
8110	Town Attorney & Legal	\$	19,543.88	\$	55,000.00
8115	IT Support & Equipment	\$	4,531.27	\$	10,000.00
8205	Media Relations	\$	12,000.00	\$	18,000.00
8206	Government Relations	\$	15,300.00	\$	36,000.00
8207	Human Resource Services	\$	4,975.00	\$	12,000.00
8208	Planning Firm	\$	18,868.00	\$	-
	<b>TOTAL</b>	\$	<b>103,071.07</b>	\$	<b>174,000.00</b>

**Janice Duckett**  
Commissioner

**Sarah Franklin**  
Commissioner/Treasurer

**Linda Pennoyer**  
Commissioner/President



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## Insurance & Benefits

8120	General Liability	\$	14,065.00	\$	15,000.00
8121	Bonds	\$	-	\$	500.00
8122	Workers Compensation	\$	19,489.62	\$	15,500.00
8123	Insurance Claims	\$	-	\$	5,000.00
	<b>TOTAL</b>	\$	<b>33,554.62</b>	\$	<b>36,000.00</b>

## Operating

8077	Public Notices	\$	1,240.00	\$	1,500.00
8080	Bank Charges	\$	17,856.13	\$	20,000.00
8086	Trainings & Memberships	\$	2,569.01	\$	5,000.00
8090	Postage	\$	748.73	\$	3,000.00
8092	Printing	\$	6,030.97	\$	7,500.00
8130	General Supplies	\$	19,638.42	\$	10,000.00
8131	Ofc Equipment R&M	\$	674.78	\$	1,000.00
8160	Town Hall Office Phones	\$	2,609.69	\$	5,000.00
8161	Mobile Phones	\$	823.86	\$	4,000.00
8162	Town Elections	\$	2,056.37	\$	1,200.00
8165	Town Hall Utilities	\$	7,395.99	\$	11,000.00
8175	Town Hall Repair & Maintenance	\$	6,688.75	\$	10,000.00
8200	Other	\$	1,926.06	\$	2,000.00
	<b>Total</b>	\$	<b>70,258.76</b>	\$	<b>81,200.00</b>

	<b>General Government Total</b>	\$	<b>403,758.77</b>	\$	<b>784,279.00</b>
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## PUBLIC SAFETY

	<b>Public Safety Salary &amp; Wages</b>	\$	<b>96,779.56</b>	\$	<b>401,620.00</b>
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## Public Safety Operating

8273	Uniforms	\$	934.02	\$	2,000.00
8274	Weapons & Duty Equipment	\$	2,718.93	\$	5,000.00
8275	Training & Memberships	\$	1,465.51	\$	1,500.00
8277	Substance Testing/Pre-Employment	\$	2,084.50	\$	1,000.00
8280	Supplies	\$	356.09	\$	3,000.00
8281	Mobile Devices	\$	1,128.65	\$	5,000.00
8282	Association Dues	\$	-	\$	750.00
8300	Vehicle Repairs	\$	-	\$	2,500.00
8301	Vehicle Maintenance	\$	-	\$	4,000.00

**Janice Duckett**  
Commissioner

**Sarah Franklin**  
Commissioner/Treasurer

**Linda Pennoyer**  
Commissioner/President



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8302	Vehicle Fuel	\$	-	\$	5,000.00
8320	Other	\$	-	\$	1,500.00
	<b>TOTAL</b>	\$	<b>8,687.70</b>	\$	<b>31,250.00</b>

6530.2022.03	<b>GOCCP State Aid</b>	\$	<b>1,384.24</b>	\$	<b>16,400.00</b>
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8330	<b>Debt Service</b>	\$	-	\$	<b>32,525.00</b>
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	<b>Public Safety Total</b>	\$	<b>105,467.26</b>	\$	<b>481,795.00</b>
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## PUBLIC WORKS

	<b>Salary &amp; Wages</b>	\$	<b>70,965.81</b>	\$	<b>225,500.00</b>
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## Public Works Operating

8375	Uniforms	\$	-	\$	750.00
8377	Training & Memberships	\$	75.00	\$	500.00
8380	Other	\$	309.47	\$	1,500.00
8390	Streets Maintenance	\$	948.31	\$	4,000.00
8391	Weather Related Expenses	\$	-	\$	2,500.00
8400	Streetlight Electricity	\$	7,909.27	\$	21,500.00
8405	Vehicle Repairs	\$	-	\$	3,000.00
8410	Vehicle Maintenance	\$	-	\$	3,500.00
8415	Vehicle Fuel	\$	-	\$	4,000.00
8488	PWF Utilities	\$	753.33	\$	3,500.00
8490	Mobile Phones	\$	186.87	\$	2,500.00
8176	Maintenance & Repairs	\$	1,012.79	\$	6,200.00
8491	Beautification	\$	-	\$	2,500.00
8492	Small Tools & Equipment	\$	4,919.86	\$	2,500.00
8493	Septic Tank	\$	300.00	\$	1,200.00
8545	Mosquito Control	\$	-	\$	1,400.00
	<b>TOTAL</b>	\$	<b>16,414.90</b>	\$	<b>61,050.00</b>

6530.2022.06	<b>State Street Scape</b>	\$	-	\$	<b>20,000.00</b>
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## Refuse Collection

8546	Residential Waste Collection	\$	18,578.09	\$	41,124.00
8547	Residential Recycle Collection	\$	4,108.50	\$	9,834.00

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8548	Bulk & Yard Waste	\$ 1,323.26	\$ 3,600.00
	<b>TOTAL</b>	<b>\$ 24,009.85</b>	<b>\$ 54,558.00</b>

	<b>Public Works Total</b>	<b>\$ 111,390.56</b>	<b>\$ 361,108.00</b>
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	<b>Total Expenses</b>	<b>\$ 620,616.59</b>	<b>\$ 1,627,182.00</b>
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	<b>Net Operating Income</b>	<b>\$ 287,284.97</b>	<b>\$ 0.00</b>
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## OTHER FUND BALANCES

	REVENUE/TRANSFER	EXPENSES	APPROVED BUDGET
Police State Aid	\$ 5,035.75	\$ 1,042.06	\$ 16,400.00
Community Open Space	\$ -	\$ 6,894.77	\$ 130,000.00
Other Grants	\$ 21,389.35	\$ -	\$ 70,000.00
ARP - American Recovery Fund	\$ 331,539.82	\$ 29,073.28	\$ 281,246.00
Committee Expenses	\$ -	\$ -	\$ 17,750.00
Replenish Reserve Transfer	\$ -	\$ -	\$ -
Capital Improvement Projects	\$ -	\$ 36,471.00	\$ 66,000.00

<b>TOTALS</b>	<b>\$ 357,964.92</b>	<b>\$ 73,481.11</b>	<b>\$ 581,396.00</b>
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## COMMITTEE BREAKDOWN

	TRANSFER TO...	EXPENSES	APPROVED BUDGET
Events	\$ 2,164.23	\$ 2,164.23	\$ 7,000.00
CERT Team	\$ 94.99	\$ 94.99	\$ 750.00
Historical Committee	\$ 39.99	\$ 39.99	\$ 750.00
Arts Council	\$ 2,748.41	\$ 2,748.41	\$ 750.00
Green Team	\$ -	\$ -	\$ 750.00
TOUM Events	\$ 462.00	\$ 462.00	\$ 7,750.00
<b>TOTALS</b>	<b>\$ 5,509.62</b>	<b>\$ 5,509.62</b>	<b>\$ 17,750.00</b>

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Commissioner

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## Key Monthly Items

1. ARPA
2. Business License – 2<sup>nd</sup> Round
3. Other Updates

## BALANCE SHEET

<b>Bank Accounts</b>	
<b>Operating Checking</b>	95,814.61
<b>Petty Cash</b>	300.00
<b>Payroll Account</b>	35,068.06
<b>M&amp;T Checking</b>	83,506.20
<b>ARP Fund</b>	331,539.82
<b>Disbursement Acct</b>	0.00
<b>MLGIP</b>	215,489.57
<b>Total Bank Accounts</b>	<b>\$ 761,718.26</b>

**Janice Duckett**  
Commissioner

**Sarah Franklin**  
Commissioner/Treasurer

**Linda Pennoyer**  
Commissioner/President



## Town of Upper Marlboro Police Department

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

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### **Monthly Town Police Department Report** For the Month of November 2021

#### **Incidents Reported in Town:**

Break-in call 2	Commercial Alarm 11	Fight Call 1
Domestic Call 1	Check on Welfare 5	Hit & Run Call 1
911 Disconnect Call 2	Assist Fire/EMS 1	Theft Call 1
Vehicle Accident 3	Miscellaneous Report 1	Disorderly Call 6
Residential Alarm 1	Fraud Call 2	Trespassing Call 1
Gunshots Call 1	Hold-up Alarm 1	

Chief Burse participated in the Prince George's Chiefs Association meeting.

Chief Burse and Cpl. Brooks conducted high visibility patrols throughout the Town.

Chief Burse provided security for the Elections of the Board of Commissioners at Town Hall.

Chief Burse participated in a virtual Regional Law Enforcement Council meeting with State Officials.

Chief Burse attended a training class by Dr. Gilmartin on Emotional Survival for Law Enforcement Officers.

Chief Burse attended a training class by Dr. Gordon Graham on Risk Management for Law Enforcement.

Code Officer Stewart attended a Defensive Driving Course in Takoma Park.

Chief Burse participated in the States Attorney's Office Carjacking Task Force meeting.

Chief Burse participated in the District 2 Coffee Club Meeting.

The Town Hall Electric Vehicle Charging Stations are installed and are being used to charge the Code Car.





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**Date:** Wednesday, December 8, 2021

**Subject:** Public Works' Status Report

**RE:** November 2021 – Monthly Status Report

## Public Works Related

- PWC put out Veteran's Day signage ahead of the holiday.
- Large amounts of debris were removed from a residential property in Town.
- PWD submitted suggestions for ARPA influx for PW needs.

## Maintenance and Beautification

- Four Bradford pear trees were removed from TH parking lot. Stumps were ground after MissUtility contact.
- PWC tested light poles on the pedestrian mall ahead of wrapping poles with lights for the Town's Tree lighting Ceremony (Dec).
- Remaining Begonias Removed from TH after first frost of the season.
- Dump body truck 003 had tire issues corrected.
- Space Heaters and Christmas tree assembled ahead of Tree Lighting Ceremony.
- Began TH lighting with completion of roof line.

## Street and Sidewalk

- In ground runoff channel drain put in at rear of TH, MissUtility had to clear area for trenching before final completion in December.
- Service Request for out traffic light at Main/Elm St intersection corrected.
- Pothole on Main St in front of Main St Coffee and Treats patched by PW.

## Weather Related Activities

- Main salt spreader inspected by Kohler Equipment, determined to have multiple issues that sidelined it for use on a spare vehicle. New salt spreader ordered, install date mid December.

## Refuse Accumulations

- Bulk day accumulations for solid wastes (Landfill) are 4.37 tons. Bulk day accumulations for yard waste collections are 17.86 tons. We had no dump body rentals for the month.

Sincerely,

Darnell F. Bond III, *Public Works Director*

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**Janice Duckett**  
Commissioner

**Sarah Franklin**  
Commissioner/Treasurer

**Linda Pennoyer**  
Commissioner/President



# Town of Upper Marlboro

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**THE TOWN OF UPPER MARLBORO, MARYLAND JOINT DECLARATION  
OF A LOCAL STATE OF EMERGENCY (TOWN EMERGENCY ORDER NO. DOE 2021-03)  
AND RESOLUTION (NO. 2021-27) OF THE TOWN BOARD OF COMMISSIONERS OF THE  
TOWN OF UPPER MARLBORO EXTENDING THE LOCAL STATE OF EMERGENCY  
INITIALLY ISSUED ON MARCH 25, 2020 THROUGH JANUARY 31<sup>st</sup>, 2022**

**WHEREAS**, the Governor, as of March 5, 2020 and thereafter, has issued orders initially declaring a state of emergency and catastrophic health emergency for the epidemic known as COVID-19; and

**WHEREAS**, in accordance with Emergency Ordinance 2020-04 (Emergency Operations), the President of the Town may declare a Local State of Emergency for a 30-day period; and

**WHEREAS**, an initial Emergency Declaration was declared on March 25, 2020, with multiple extensions approved by the Board of Town Commissioners thereafter; and

**WHEREAS**, an Order of the Governor of the State of Maryland Number 20-09-01-01 issued September 1, 2020, specifically authorized political subdivisions to issue more restrictive orders than issued by the Governor including requiring any businesses, organizations, establishments, or facilities to close or modify their operations; and/or requiring individuals to remain indoors or to refrain from congregating; and

**WHEREAS**, the Mayor of the Town of Upper Marlboro issued a proclamation further declaring a local emergency on March 1, 2021 and ordering the Town offices and Municipal Building to continue to be closed to the public except for (i) police operations, (ii) conduct a municipal election, (iii) allow entry to Town Hall for individuals to conduct Town business with social distancing and masking requirements, (iv) to allow organized municipal health and exercise classes on certain days; and

**WHEREAS**, while the Governor is authorized to issue emergency orders, so too may the local executives of the counties and municipalities, including the Mayor of Upper Marlboro, as well as the county health officers; and

**WHEREAS**, Co. Executive Order No. 18-2021, issued on August 5, 2021, requires all persons over the age of five to wear a face covering indoors as a mitigation measure in all public places; and

**WHEREAS**, on August 18, 2021, Executive Order No. 19-2021 imposed certain reporting and testing requirements on County employees, volunteers and contractors; and

**WHEREAS**, on September 30, 2021, Co. Executive Order No. 21-2021 expanded the face covering requirement to all persons over the age of two; thereby, Prince George's County has expanded its indoor mask mandate to include children ages 2-5, and now, residents and visitors over the age of 2 are required to wear masks in all indoor public venues and businesses in Prince George's County, and

similar to past mandates, exceptions exist for eating and drinking, or those with a bona fide disability that prevents mask wearing; and

**WHEREAS**, on October 4, 2021, Co. Executive Order No. 22-2021 amended Executive Order No. 19-2021 to further implement the vaccination and testing requirements for county employees, volunteers, and contractors; and

**WHEREAS**, as required by Section 5 of Emergency Ordinance 2020-04 upon issuing any emergency proclamation, the President does hereby find the following:

- (i) That conditions of peril to the safety of persons and property continue to exist within said Town, caused by the COVID-19 epidemic; and
- (ii) That the President believes it is in the best interest of public safety and the protection of property that the exercise of certain rights be temporarily limited and that the conditions of this Order is designed to provide the least necessary restriction on those rights; and

**WHEREAS**, the President does hereby further find that it is in the best interest of public safety and the protection of property that the exercise of certain rights be temporarily limited and that the conditions of this Order is designed to provide the least necessary restriction on those rights.

**NOW THEREFORE**, be it resolved that on this 9th day of November 2021, President Linda Pennoyer of the Board of Commissioners for the Town of Upper Marlboro, hereby declares:

1. As of 5:00 p.m. a State of Local Emergency continues to exist within the boundaries of the Town of Upper Marlboro because of ongoing concerns about the possible spread of the Coronavirus (COVID-19).
2. That during the existence of said local and/or State emergency the Town shall observe the same rules and restrictions as the County, as adopted by reference herein below, except for any modifications to same found in this Joint Order and Resolution.
3. The Town of Upper Marlboro and its residents, businesses and visitors will follow the directives of the Prince George's County Executive, Co. Executive Order No. 21-2021, dated Sept. 30, 2021 whereby the indoor mask mandate shall include children ages 2-5, and residents and visitors over the age of 2 are required to wear masks in all indoor public venues and businesses in Prince George's County, and similar to past mandates, exceptions exist for eating and drinking, or those with a bona fide disability that prevents mask wearing, or as otherwise directed by either the County Executive via an executive order or the county governing body via a subsequent Council Resolution, or the Board of Town Commissioners of Upper Marlboro.
4. The State of Local Emergency shall extend through January 31<sup>st</sup>, 2022, unless terminated or modified earlier.
5. All Town-owned buildings and facilities are to remain closed to the public until the cancellation of this State of Local Emergency, or the Board of Town Commissioners approving a reopening plan drafted by the Town Administrator and security upgrades. The reopening plan may include authorization for Town Hall meeting room rentals to resume as well.

6. The Town shall follow the COVID-19 Response Policy and Directive for Town personnel and visitors to Town facilities, and the Town Response Plan for Courthouse Reopening, each hereby attached hereto and incorporated by reference herein, until the cancellation of this declaration. All prior Town emergency orders issued remain in effect except as modified by this Order. The Town shall follow the County Mask Mandate.
7. During this State of Local Emergency, the President and Board of Town Commissioners shared responsibilities include but are not limited to taking actions authorized by the Town Charter, Town Ordinances, and State and Local Executive or Health Officer Orders issued to protect the public's health, safety, and welfare.

BE IT FURTHER RESOLVED, by the Board of Commissioners for The Town of Upper Marlboro, sitting in regular session on this \_\_\_\_ day of November 2021, that the Town Board of Commissioners agrees that the COVID-19 pandemic continues to endanger the Town, and hereby approves, ratifies, and authorizes this Order and the extension of the Local State of Emergency to remain in effect and to extend through January 31st, 2022, unless terminated or modified earlier.

ATTEST:

THE TOWN OF UPPER MARLBORO

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
, President

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

\_\_\_\_\_  
Sarah Franklin, Commissioner

\_\_\_\_\_  
Janice Duckett, Commissioner

#### CERTIFICATION

I, the undersigned, hereby certify that I am the Town Clerk of the Town of Upper Marlboro and that the Board of Town Commissioners of the Town of Upper Marlboro at a public meeting at which a quorum was present adopted this Joint Declaration of a Local State of Emergency (Town Emergency Order No. DOE 2021-\_\_) and Resolution (No. 2021-\_\_ RES), and that said Joint Resolution and Order 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 \_\_\_\_\_, 2021.

\_\_\_\_\_  
John Hoatson, Town Clerk

## **The Town of Upper Marlboro**

RESOLUTION: 2021-28  
SESSION: Regular Town Meeting  
DATED: December 14<sup>th</sup>, 2021

### **A RESOLUTION AND EMERGENCY ORDER OF THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO DECLARING A VACANCY IN OFFICE, CALLING A SPECIAL ELECTION TO BE HELD ON JANUARY 25, 2022; AND SUPPLEMENTING OR MODIFYING CERTAIN SAFEGUARDS, PRECAUTIONS AND REQUIREMENTS UNDER THE LOCAL STATE OF EMERGENCY ORDER INITIALLY ISSUED BY THE MAYOR ON MARCH 25, 2020, AS AMENDED OR EXTENDED.**

**WHEREAS**, in accordance with Emergency Ordinance 2020-04 (Emergency Operations), the President/Mayor may declare a Local State of Emergency for a 30-day period and the Board is authorized to ratify, extend, or modify said order; and

**WHEREAS**, preceding or contemporaneous with this Resolution, the Board of Commissioners is proceeding to approve a new Joint Declaration of a Local State of Emergency (Town Emergency Order No. DOE 2021-03) and Resolution (No. 2021-26) to extend the local state of emergency initially issued on March 25, 2020, through January 31, 2021; and

**WHEREAS**, at the November 9<sup>th</sup>, 2021, Regular Town Meeting, President/Town Commissioner Linda Pennoyer announced her intention to decline to take the oath of office on December 13<sup>th</sup>, 2021, and assume an additional term of office as a re-elected commissioner; and

**WHEREAS**, pursuant to a letter of resignation as tendered and dated November 23<sup>rd</sup>, 2021, Commissioner Pennoyer stipulated that while she was elected in the November 2<sup>nd</sup>, 2021, General Town Election, she would decline to take the oath of office on December 13, 2021, (attached hereto as Exhibit A and incorporated by reference herein); and

**WHEREAS**, according to Section 82-32 of the Charter, in case of a vacancy on the Board of Commissioners for any reason, the Board of Supervisors of Elections shall, pursuant to the provisions of Section 82-29, conduct a special election to elect some qualified person to fill such vacancy for the unexpired term, provided, however, any vacancy which occurs within 61 days of the next general election as provided for in Section 82-27 [held the first Tuesday in November in odd numbered years] shall remain vacant until said general election; and

**WHEREAS**, according to Section 82-29 of the Charter, all special Town elections shall be conducted by the Board of Supervisors of Elections in the same manner and with the same personnel, as far as practicable, as regular Town elections, and in the event a special election is required pursuant to Section 82-32, the said special election shall be held not less than thirty (30) days and not more than forty-five (45) days after the vacancy is created, and the newly elected Commissioner shall take office on the second Monday of the month [Feb. 14, 2022] following the special election; and

**WHEREAS**, pursuant to Section 4-108 of the LG Art. of Md. Ann. Code, a qualified voter may vote in a municipal election by absentee ballot, and municipality shall provide a procedure to vote by absentee ballot, but the municipality may not require an individual to provide a reason that the individual will be unable to vote in person on election day in order to vote by absentee ballot, and a municipality may use any method to enable absentee voters to vote, including using any facilities to transmit and receive applications for absentee ballots; and

**WHEREAS**, Ordinance 2001-2 enacted on October 9, 2001, provides for the conduct of voter registration, maintenance of registration records, conduct of elections, certification of election results and absentee ballots, except that certain provisions governing absentee ballots now are superseded by State Law; and

**WHEREAS**, according to Section 82-23 of the Charter, the Board of Supervisors of Elections shall give at least two weeks' notice of every registration day and every election by an advertisement published in a newspaper of general circulation in the Town.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED**, by the Board of Commissioners for The Town of Upper Marlboro, sitting in regular session this \_\_\_\_\_ day of \_\_\_\_\_, 2021, that the Town Board of Commissioners acknowledges and accepts the above-referenced resignation or notice of intent, and hereby declares a vacancy on the Board as of Tuesday, December 14<sup>th</sup>, 2021, and with the acknowledgement and concurrence of the President, hereby orders a Special Election to be held on Tuesday, January 25<sup>th</sup>, 2022, with the below emergency measures, actions or precautions to be put in place to protect voters, poll workers and other Town personnel and their families from the novel Coronavirus (COVID-19):

Modified Election Procedures or Precautions in Response to COVID-19:

1. Limit of 10 persons in voting room/conference room at a time (including up to five election judges),
2. Voters will enter one door and exit a different door,
3. 6-foot social distancing and masks will be required within the polling place,
4. Voters will be screened via temperature checks prior to entering Town Hall,
5. Any otherwise qualified voter whose screening at the polls exceeds acceptable guidelines, in order to protect the public and staff, will be offered or may be required by the Chairman of the Board of Election Supervisors or his or her designee to use a provisional or emergency absentee ballot for which to vote,
6. Hand sanitizer will be made available at every voting booth and station to include measures for sanitizing voting equipment and other surfaces, such as pens and tables, and, paper towels, hand sanitizer, tissue to be made available, and
7. Elections judges and voting booths will be protected by plexiglass shields as deemed by the Board of Election Supervisors to be practicable and effective.

**AND BE IT FURTHER RESOLVED AND ORDERED**, by the Board of Commissioners for The Town of Upper Marlboro hereby finds and declares that Commissioner Pennoyer has sufficiently made known and manifested her intent not to qualify for the Office of Commissioner for the Town of Upper Marlboro by taking the oath of office and she therefore has expressed her intent to reject the office for which she was elected in November of 2021, resulting in a vacancy in office to be filled by

special election in accordance with the Town Charter.

**AND BE IT FURTHER RESOLVED AND ORDERED**, by the Board of Commissioners for The Town of Upper Marlboro that written statements of candidacy and nominating petitions shall be filed with one of the Supervisors of Elections on or before the second Monday in January of 2022 (Jan. 10, 2022).

**AND BE IT FURTHER RESOLVED AND ORDERED**, by the Board of Commissioners for The Town of Upper Marlboro that this Resolution shall modify and extend, as applicable, any prior existing proclamation or order of the President until such time that the present health emergency is declared terminated.

**AND BE IT FURTHER RESOLVED AND ORDERED**, by the Board of Commissioners for The Town of Upper Marlboro that the President is hereby authorized to sign this Resolution on behalf of the full Board.

ATTEST:

THE TOWN OF UPPER MARLBORO

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
, President

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

[EXHIBIT A- Commissioner Pennoyer Letter of Resignation]

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 Order, and that said Resolution and Order 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 \_\_\_\_\_, 2021.

\_\_\_\_\_  
John Hoatson, Clerk

## **RESIDENTIAL STREET SERVICE AND RIGHT OF ENTRY AGREEMENT**

between The Town of Upper Marlboro (the “Town”)  
and the Marlborough Towne Homeowners Association, Inc. (the “HOA”)

### **RECITALS**

**WHEREAS**, the Board of Commissioners placed a motion in its journal of minutes and an unsigned document entitled “Memorandum of Understanding” on December 9, 1986 purporting to agree to provide certain municipal services to the HOA including the following: (1) trash collection, (2) snow removal along main thoroughfares and ingress and egress to parking areas, and (3) supplying electricity for street lights but not maintaining street lights; and

**WHEREAS**, a letter re: Marlborough Towne dated October 1, 1985 from the Upper Marlboro Town Attorney to the Veteran’s Administration stated that certain offsite improvements consisting of paved roads, and road drains would be installed by the Town at no cost to the purchasers, and upon completion and acceptance by the Town, the roads and maintenance would become the responsibility of the Town; and

**WHEREAS**, the HOA is a residential apartment development in the Town abutting Old Marlboro Pike (MD 725) as depicted by plats (No.’s 119-12 & 119-13) recorded in 1984 in the land records for Prince George’s County, and is governed under its bylaws and declaration, and is incorporated under the laws of Maryland as a nonstock corporation known as Marlborough Towne Homeowners Association, Inc., which is currently registered and in good standing with the State of Maryland; and

**WHEREAS**, the main avenue into the HOA is known as Marlborough Drive (SHA Route No. 0055), which is a municipal street, but the remaining roadways within the community named (i) Marlborough Place, (ii) Marlborough Terrace, (iii) Marlborough Grove, (iv) Marlborough Lane, and (v) Marlborough Circle are private roadways owned by the HOA; and

**WHEREAS**, the HOA meets the definition of a private community as found in Section 5-301 of the LG Article of Md. Ann. Code, and the above-mentioned private ways further meet the definition of a roadway under said section; and

**WHEREAS**, pursuant to Section 5-301 of the LG Article “Residential Street Service” means: (1) removing snow, ice, or other obstructions from roadways; (2) lighting roadways and maintaining the lighting equipment; (3) collecting leaves, recyclable materials, or garbage along roadways; or (4) maintaining roadways. and

**WHEREAS**, Section 5-302 authorizes a municipal governing body to provide residential street services by making an agreement with a private community pursuant to Section 5-302 of the LG Article of Md. Ann. Code; and

**WHEREAS**, Section 5-302 further provides that instead of providing a residential street service, the Town may provide a reimbursement to the private community of an amount not to exceed the cost that the municipality would incur to provide a residential street service; and



**WHEREAS**, the Town is willing to enter the HOA property including the private streets of the HOA for the purposes recited herein, subject to the terms and conditions of this Agreement and further subject to any applicable ordinances or regulations of the Town.

**NOW THEREFORE**, in consideration of the mutual covenants, conditions and agreements contained herein, the sufficiency of which are hereby duly acknowledged, the parties hereto agree as follows:

#### Section 1 Overview and Term:

This agreement between the Town of Upper Marlboro and the Marlborough Towne Homeowners Association, Inc. (HOA) outlines the duties and responsibilities of the Town of Upper Marlboro to the HOA and the Town residents living within the HOA. This agreement supersedes and replaces the initial Memorandum of Understanding adopted on December 9th, 1986. The term of this Agreement shall be for a term of 10 years beginning on the date of execution and shall automatically renew for equal ten-year periods thereafter. This Agreement may be terminated by either the Board of Town Commissioners or the HOA upon 90 days with written notice served upon an officer of the HOA or its resident agent, or the mayor in the case of the HOA.

#### Section 2 Refuse Collection:

The Town of Upper Marlboro shall provide weekly collection of residential refuse, residential recycling, yard waste, and bulk trash. HOA residents shall place their refuse out for collection in accordance with Town ordinances along the curb in front of their property by 7 a.m. on the respective day listed below:

- Residential Refuse: Collected every Monday
- Bulk Trash: Collected every Monday/Thursday
- Yard Waste: Collected every Monday
- Residential Recycling: Collected every Thursday

The Town shall issue each residential property within the HOA a Town-owned recycling container. This container shall not be removed from the residential properties. The property owners are responsible for providing their own 36 to 64-gallon trash cans unless the Town begins issuing out these as well.

#### Section 3: Police Department

The Town of Upper Marlboro Police Department, with the assistance of the Prince George's County Police Department, and any other mutual-aid agencies, shall provide patrol and emergency response to the HOA and its members or residents. The HOA agrees to allow the Town's police to enter and patrol its private streets, parking areas, common areas and driveways.

**Parking Enforcement:** The Town of Upper Marlboro Police shall enforce parking restrictions along all public roadways within the HOA, that are Town and State violations. The HOA may use a vendor to regulate HOA parking violations within the HOA. The HOA agrees to allow and permit the public to use the HOA's private streets for travel purposes. Nothing in this Agreement shall be interpreted to include parking enforcement along private streets or roadways or in the private parking spaces regulated pursuant to the HOA's recorded declaration, as amended, and bylaws;

however, the Town's police department may otherwise enforce the Maryland Vehicle Law and Town traffic ordinances along all public or private streets or roadways provided the public continues to freely enjoy the right of ingress and egress or general use of said travel ways similar to other public streets that are under the jurisdiction of the Town.

#### Section 4: Code Enforcement

Any HOA regulations cannot supersede or supplant the Town of Upper Marlboro's and Prince George's County's property standards and regulations, but in some ways, said HOA regulations or covenants may complement, fill in gaps uncovered by the local codes, or may be stricter than local ordinances. The Town of Upper Marlboro cannot enforce any HOA regulations or covenants as they are private contractual provisions enforceable under the civil law as a contractual matter by the parties to the recorded declaration.

Rental Properties: All rental properties shall be properly permitted or licensed by the County and/or Town. The HOA agrees to alert the Town to any rental properties to its knowledge which may be operating illegally within the community.

#### Section 5: Roadway & Right of Way Maintenance

The Town of Upper Marlboro shall maintain the entirety of Marlborough Drive (SHA Route No. 0055), including snow removal and maintenance of the roadway's sidewalks and curbs. The Town shall not maintain any walkways that extend beyond the sidewalk located with the Town public right-of-way.

Street Signs- The Town of Upper Marlboro shall install and maintain all street name signs, and all traffic regulatory signs and traffic control devices within the HOA along streets under the Town's jurisdiction. The HOA shall install and maintain all other signage.

Streetlights- The Town of Upper Marlboro shall own, maintain, and provide electricity for the streetlights within the HOA that are located in the public rights-of-way or along private streets or parking areas.

#### Section 6: Right of Entry

The HOA shall permit Town employees and contractors to enter HOA property as needed in order to fulfill their duties as described in this agreement. This right of entry does not apply to private residential property located within the HOA.

The Board of Directors of the HOA does hereby grant and give freely and without coercion, the nonexclusive, right of access and entry to said HOA property in the Town to the Town's officials, agencies, agents, employees, contractors, and subcontractors, for the purpose of removing and clearing any or all residential refuse, bulk trash and yard waste (hereinafter collectively referred to as "refuse"), and snow or ice from the common areas and property of the Town pursuant to the Town's existing refuse collection and snow removal contracts and any applicable ordinances.

#### Section 7: Recreation

If the Town should be asked to maintain any recreational property or amenities within/on HOA properties for public use, a separate agreement shall be put in place.

Trail Development: The Town of Upper Marlboro will work using best efforts with the HOA Board and Maryland National Capital Park and Planning Commission to apply for grants, to design, and install and maintain a connector trail between Marlborough Circle and the School House Pond trail for both the HOA residents and general public.

#### Section 8: Additional Assistance

Grants: The Town of Upper Marlboro may assist the HOA with the application and management of grants with the consent of the Board of Town Commissioners, as long as the grants benefit the overall quality of life of Town residents.

The HOA Board may request the presence of Town Department heads at their HOA Board meetings to discuss matters related to that respective Department by coordinating with the Mayor and/or Town Administrator.

The HOA and the Town may enter into a future agreement and any necessary recorded instruments in which the Town may assume responsibility and ownership of the travel lanes of Marlborough Lane, Marlborough Grove, Marlborough Terrace, and Marlborough Circle.

The Town will allow the HOA Board to review any proposed design and other changes to signs, streetlights, or any other infrastructure to be installed by the Town.

Emergency Assistance: The Town of Upper Marlboro will make its best effort to support the HOA in the event of an emergency (e.g., natural disasters, weather events, civil disturbances, etc.)

#### Section 9: Indemnification and Insurance

The HOA shall assume and bear and indemnify the Town against all loss or damage which the Town or its employees, officials or property (but not its contractor(s)) may suffer on account of any accident caused by or in any way growing out of the construction, maintenance and operation of the private street or ways, whether negligence of employees or officials of the Town contributes to accident or not, but not including gross negligence, and the Town shall assume and bear and indemnify the HOA against any injury to the private street caused by operation of its vehicles.

The HOA shall not indemnify any contractor(s) or independent contractor(s) engaged by the Town to perform the residential street services detailed in this Agreement (hereinafter collectively referred to as the “Town’s Contractor”). The HOA shall retain its rights to pursue legal action against the Town’s Contractor including, but not limited to, causes of actions pertaining to negligence, gross negligence, and willful misconduct. The Town shall ensure that the Town’s Contractor shall carry and maintain, throughout the life of this Agreement general liability insurance of the following amounts: (i) Personal injury liability insurance with a limit of \$1,000,000 for each occurrence and \$2,000,000 aggregate, where insurance aggregate apply; (ii) property damage liability insurance with limits of \$1,000,000 for each occurrence and \$1,000,000 aggregate, where aggregate applies.

The HOA further agrees to carry and maintain, throughout the life of this Agreement and for a period of three (3) years thereafter, adequate general liability and regular liability insurance of at least \$500,000 coverage for its common areas, including the private streets, and shall further add

the Town as an Additional Insured on its applicable insurance policies and provide proof thereof to the Town.

Nothing contained in this Section is intended to be a waiver or estoppel of the municipality or its insurer to rely upon the limitations, defenses, and immunities contained within the Local Government Tort Claims Act (Sec. 5-301 et seq. of C&J Proceed. Art., Md. Ann. Code).

Section 10: Applicable Law

This Agreement shall be interpreted in accordance with the laws of the State of Maryland. Any suit to enforce the terms hereof or for damages or other relief for the breach or threatened breach hereof shall be brought exclusively in the courts of the State of Maryland for Prince George's County and the HOA expressly consents to the jurisdiction thereof and waives any right it may otherwise have to bring such action in or transfer or remove such action to the courts of any other jurisdiction.

Section 11: Severability; Entire Agreement

If any section, subsection, paragraph, sentence, clause, or word contained in this agreement shall be declared invalid for any reason, such decision shall not affect the remaining portion of this agreement, which shall remain in full force and effect and to this end the provisions of the agreement are hereby declared to be severable. This Agreement contains the entire understanding of the HOA and the Town, and any additions or modifications hereto may only be made in writing and duly executed.

IN WITNESS WHEREOF, on the date hereinabove set forth, the authorized signatories below have executed this Agreement on behalf of parties named herein in two duplicate originals, any one of which shall be adequate proof of this Agreement without locating or accounting for the other.

WITNESS:

MARLBOROUGH TOWNE HOMEOWNERS  
ASSOCIATION, INC.

\_\_\_\_\_  
Name:

By: \_\_\_\_\_  
Print Name:  
President

THE TOWN OF UPPER MARLBORO

\_\_\_\_\_  
Name:

By: \_\_\_\_\_  
, Mayor

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

ORDINANCE: 2021-06  
SESSION: Regular Town Meeting  
INTRODUCED: November 23, 2021

**AN ORDINANCE OF THE TOWN OF UPPER MARLBORO** AMENDING ORDINANCE 2018-02 ADOPTED AND AMENDED HEREIN FOR THE PURPOSE OF ESTABLISHING AND AUTHORIZING THE USE OF SPEED MONITORING SYSTEMS IN THE TOWN OF UPPER MARLBORO BY ADOPTING PROVISIONS GOVERNING SPEED MONITORING SYSTEMS, IN ORDER TO AUTHORIZE THE IMPLEMENTATION OF SUCH SYSTEMS IN DESIGNATED SCHOOL ZONES AND RESIDENTIAL DISTRICTS AS PLACES WHERE SUCH SYSTEMS MAY BE DEPLOYED TO REGULATE TRAFFIC, BY RATIFYING THE PENALTY FOR A SPEED LIMIT VIOLATION RECORDED BY SAID SYSTEMS, AND THE MEANS FOR PROCESSING CITATIONS FOR SPEED LIMIT VIOLATIONS RECORDED BY A SPEED MONITORING OR RED LIGHT SYSTEM; BY DEFINING RESIDENTIAL DISTRICTS; BY RE-AUTHORIZING THE TOWN TO USE AND ENFORCE CITATIONS ISSUED BY A SPEED MONITORING SYSTEM OR A RED-LIGHT ENFORCEMENT SYSTEM AND THE PENALTIES RELATED THERETO; MANDATING A CERTAIN PERIOD OF TIME DURING WHICH VIOLATIONS MAY BE ENFORCED USING A SPEED ENFORCEMENT SYSTEM AND RED-LIGHT ENFORCEMENT SYSTEM; BY REQUIRING THE TOWN TO COMPLY WITH CERTAIN STATE LAW FOR USE OF THESE SYSTEMS; BY DEFINING CERTAIN TERMS; BY REQUIRING CERTAIN REPORTS TO BE FILED; AND GENERALLY RELATING TO THE REGULATION AND CONTROL OF VEHICLES AND TRAFFIC AND THE USE OF TECHNOLOGY TO REGULATE TRAFFIC AND IMPROVE PUBLIC SAFETY IN THE TOWN.

WHEREAS, the Board of Commissioners finds that driving in excess of posted speed limits, and failing to stop at red lights is a major cause of accidents, injuries and death; and

WHEREAS, traditional enforcement of red light violations, and posted speed limits in the vicinity of schools, homes and school areas requires that law enforcement enter traffic and stop a motorist in order to cite that motorist as a violator; however, traffic volume and safety considerations limits the number of violators apprehended to a fraction of those in violation of posted speed limits or traffic control signal, and risks injury to the law enforcement officers, pedestrians and public, especially in the vicinity of schools and residential areas; and

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CAPITALS : Indicate matter to be added to existing law (Ord. 2018-02)  
[Brackets] : Indicate matter to be deleted from existing law (Ord. 2018-02)  
Asterisks \* \* \* : Indicate that text is retained from existing law but omitted herein.

WHEREAS, traffic studies indicate that the presence of speed cameras and red-light cameras has contributed to as much as an 80% - 90% decrease in the number of drivers running red lights, and exceeding the speed limit by 12 miles per hour or more in the vicinity of schools; and

WHEREAS, these “Safety for Students,” “Red-Light Enforcement” and similar programs are hereby created or ratified by the Commissioners of the Town of Upper Marlboro, Maryland with a goal to increase safety for the motoring public as well as for residents, students, parents, and teaching staff around schools and homes with the use of automated speed enforcement; and

WHEREAS, Title 21 of the Transportation Article of the Maryland Annotated Code (hereinafter, the “Code”), authorizes and empowers the Commissioners of the Town of Upper Marlboro, Maryland (hereinafter, the “Board of Commissioners”) to implement and use a speed monitoring system, and Red-light photo enforcement systems that are consistent with the requirements of Title 21, Subtitles 2 and 8 of the Transportation Article of the Code on a public highway;

WHEREAS, Maryland Annotated Code, Transportation Article, §21-803.1 allows School Zones and Areas, as defined herein, to be established within a one-half mile radius of any accredited public, parochial or private learning institution for one or more grades kindergarten through 12; and

WHEREAS, The Board of Commissioners for the Town of Upper Marlboro previously approved Ordinance 2018-02 (Automated Traffic Enforcement) which shall remain in effect except as amended hereinbelow; and

WHEREAS, upon due consideration of the comments of the public and staff and in furtherance of the public health, safety and welfare, the Board of Commissioners finds that it is in the best interest of the public health, safety and welfare of the citizens of the Town of Upper Marlboro, Maryland to adopt and establish school and residential zones and authorize the use of speed monitoring systems within school zones and residential districts, and a red-light photo enforcement program; and

WHEREAS, the Board of Commissioners requires that appropriate signage shall be erected in accordance with the manual for and the specifications for a uniform system of traffic control devices adopted by the State Highway Administration before activating an unmanned stationary speed monitoring system, if not already in place, at each School Zone and Residential District and publish the location of the unmanned stationary speed monitoring system on the Town of Upper Marlboro Website, and in a newspaper of record, as required by law; and

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CAPITALS	:	Indicate matter to be added to existing law (Ord. 2018-02)
[Brackets]	:	Indicate matter to be deleted from existing law (Ord. 2018-02)
Asterisks * * *	:	Indicate that text is retained from existing law but omitted herein.

WHEREAS, the Board finds that speed monitoring systems include a law enforcement officer handheld and triggered, IACP approved, laser based digital imaging enforcement system (a.k.a. a handheld speed safety camera) capable of capturing high resolution images and videos of vehicles violating preset speed limits may be used in a roadway segment designated as a residential district or school zone of up to half-mile radius of a school for any grades kindergarten through grade 12 where school-related activity occurs, including travel by students to or from school on foot or by bicycle; or the dropping off or picking up of students by school buses or other vehicles on any County, Municipal, or State Road, and that no additional signage is necessary if utilizing the above mentioned devices; and

WHEREAS, as prescribed by law, reasonable notice of the use of Speed Monitoring Systems shall be provided through advertisement in a newspaper of general circulation in Upper Marlboro and the Town's website at least fifteen (30) days prior to the activation of an unmanned speed monitoring system in a School Zone for the first time or a red-light photo enforcement program; and.

WHEREAS, §21-809 was amended by the State Legislature to be effective in October, 2021, to authorize municipalities in Prince George's County to further place speed cameras on highways in residential districts with a maximum posted speed limit of 35 miles per hour, as was previously authorized for Montgomery County, Maryland.

**NOW, THEREFORE**, the Board of Commissioners of the Town of Upper Marlboro, State of Maryland, does ordain and re-enact Ordinance 2018-02, as changed or amended herein below:

#### Section 1: Speed Monitoring Systems

(A) In this section, the following words have the meanings indicated.

(1) OWNER — The registered owner of a motor vehicle or a lessee of a motor vehicle under a lease of six months or more, except that "owner" does not include:

(a) A motor vehicle rental or leasing company; or

(b) A holder of a special registration plate issued under Md. Code Ann., Transp. Art., Title 13, Subtitle 9, Part III.

(2) DEPARTMENT — The Upper Marlboro Police Department.

(3) ERRONEOUS VIOLATION — A potential violation submitted by a speed monitoring system contractor as defined in the Transportation Article of the Annotated Code of Maryland, § 21-809(a)(3).

(4) PROGRAM ADMINISTRATOR — A Town employee or representative designated by the Chief of Police to oversee the contract with the speed monitoring system contractor.

(5) RESIDENTIAL DISTRICT—AN AREA THAT:

(A) IS NOT A BUSINESS DISTRICT; AND

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(B) ADJOINS AND INCLUDES A HIGHWAY WHERE THE PROPERTY ALONG THE HIGHWAY, FOR A DISTANCE OF AT LEAST 300 FEET, IS IMPROVED MAINLY WITH RESIDENCES OR RESIDENCES AND BUILDINGS USED FOR BUSINESS; AND

(C) HAS A SPEED LIMIT ESTABLISHED USING GENERALLY ACCEPTED TRAFFIC ENGINEERING PRACTICES.

(6) SCHOOL ZONE — A designated roadway segment with a posted speed limit of at least 20 miles per hour and located within up to a half-mile radius of a school for any of grades kindergarten through grade 12 where school-related activity occurs as further defined in the Transportation Article of the Annotated Code of Maryland, § 21-809(a)(7).

(7) RECORDED IMAGE — An image recorded by a speed-monitoring system on a photograph, a microphotograph, an electronic image, a videotape, or any other medium, and showing:

(a) The rear of a motor vehicle;

(b) At least two time-stamped images of the motor vehicle that include the same stationary object near the motor vehicle; and

(c) On at least one image or portion of tape, a clear and legible identification of the entire registration plate number of the motor vehicle.

(8) SPEED-MONITORING SYSTEM — A device with one or more motor vehicle sensors producing recorded images of motor vehicles traveling at speeds at least 12 miles per hour above the posted speed limit.

(9) SPEED-MONITORING SYSTEM OPERATOR — A representative of the Department or a designated person that operates a speed monitoring system.

(B) Notice.

(1) The Board of Commissioners, by ordinance or resolution, following reasonable notice to the public and a public hearing, may establish a school zone OR RESIDENTIAL DISTRICT on any road under the Town's jurisdiction or with permission of the county or State Highway Administration on any county or state road within 1/2 mile of a school OR IN A RESIDENTIAL DISTRICT and, for any school zone OR RESIDENTIAL DISTRICT so established, shall set a maximum speed limit, as permitted by law, provided that the designation of such school zone OR RESIDENTIAL DISTRICT and the maximum speed limit set for such zone shall not become effective until the Town installs signs designating the school zone OR RESIDENTIAL DISTRICT and indicating the maximum speed limit applicable in the school zone OR RESIDENTIAL DISTRICT located in the Town of Upper Marlboro.

(2) The Town may install or erect traffic control devices in the designated school zone OR RESIDENTIAL DISTRICT in addition to the signs required by Subsection (B)(1) and (3), including timed flashing warning lights and including a speed monitoring system as defined in Subsection (A) of this section.

(3) If the Town moves or places a mobile or stationary speed monitoring system to or at a location where a speed monitoring system had not previously been moved or placed, the Town may not issue a citation for a violation recorded by that speed monitoring system:

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- (a) Until signage is installed in accordance with Subsection (C); and
- (b) For at least the first 15 calendar days after the signage is installed.

(C) Before activating a speed-monitoring system, the President or their designee shall:

(1) Publish notice of the location of the speed-monitoring system on the Town's website and in a newspaper of general circulation in the Town; and

(2) Ensure that each sign that designates a school zone OR RESIDENTIAL DISTRICT is proximate to a sign that indicates that speed-monitoring systems are in use in the school zone OR RESIDENTIAL DISTRICT and is in accordance with the Manual for and the specifications for a uniform system of traffic control devices adopted by the State Highway Administration.

(D) A speed-monitoring system in a school zone may operate only Monday through Friday between 6:00 a.m. and 8:00 p.m.

(E) The designated ombudsman.

(1) The President shall designate an official or employee to investigate and respond to questions or concerns about the speed monitoring system program.

(a) The local designee or ombudsman shall review a citation generated by a speed monitoring system if the person who received the citation requests review before the deadline for contesting liability under this section.

(b) If said designee determines that the citation is an erroneous violation, the designee shall void the citation.

(c) If said designee determines that a person did not receive notice of a citation issued under this section due to an administrative error, the designee may resend the citation in accordance with Subsection (I) of this section or void the citation.

(d) Should said designee take any action described under this subsection, he or she shall notify the speed monitoring system contractor and/or the motor vehicle administration of the action for the purpose of rescinding any administrative penalties or fees that may have been imposed under this section.

(2) The designee may not be employed by the speed monitoring system contractor or have been involved in any review of a speed monitoring system citation, other than a review of a citation under this Subsection [~~(N) of this section~~].

(3) On receipt of a written question or concern from a person, the local designee shall provide a written answer or response to the person within a reasonable time.

(4) The designee or the Town Clerk shall make any written questions or concerns received under this subsection, and any subsequent written answers or responses, available for public inspection.

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## Section 2: Traffic Control Signal Monitoring Systems

(A) The use of traffic control signal monitoring systems also known as red light cameras for traffic control are authorized at locations within the Town as determined by the Chief of Police subject to approval by the Board. The red-light camera locations shall include, but not be limited to, the traffic signals at the intersections indicated in Section 6 of this Ordinance.

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## Section 3: Speed Monitoring System Penalties; Use of Revenue

(A) A civil penalty in the amount of \$40 per violation is hereby established for speed monitoring system violations, subject to an additional late fee if not paid within thirty (30) days after the issuance of the citation. The penalty shall be paid to the Town of Upper Marlboro, and all unpaid violations shall be forwarded for collections actions, except that, in a contested case before the District Court of Maryland, the penalty shall be collected by the District Court in accordance with §7-302(a) of the Courts and Judicial Proceedings Article of the Maryland Annotated Code and §21-809 of the Transportation Article of the Maryland Annotated Code and distributed in accordance with §12-118 of the Transportation Article of the Maryland Annotated Code, as any of the foregoing may be amended from time to time.

(B) Revenue received by the Town from this “Safety for Students” OR OTHER SUCH program shall first be used to recover the costs of implementing and administering the “Safety for Students” OR SUCH OTHER program. Any remaining balance shall be used for public safety purposes as permitted by State law and as set forth in the annual budget adopted by the Board of Commissioners.

## Section 4: Red-Light Enforcement Penalties

A civil penalty in the amount of \$70 per violation is hereby established for traffic control signal monitoring system or red-light camera violations. The penalty shall be paid to the Town of Upper Marlboro, and all unpaid violations shall be forwarded for collections actions, except that, in a contested case before the District Court of Maryland, the penalty shall be collected by the District Court in accordance with §7-302(a) of the Courts and Judicial Proceedings Article of the Maryland Annotated Code and §21-809 of the Transportation Article of the Maryland Annotated Code and distributed in accordance with §12-118 of the Transportation Article of the Maryland Annotated Code, as any of the foregoing may be amended from time to time.

## Section 5: Administrative fees; Referral for collection

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(A) In addition to any fees as established elsewhere in this Ordinance, the Board of Commissioners hereby imposes and may collect administrative fees related to the implementation of a program of speed enforcement using speed monitoring systems in school zones, RESIDENTIAL DISTRICTS or red-light cameras within the Town of Upper Marlboro including a late fee of \$40 which shall be assessed for any fines paid more than 30 days from the date of issuance of a speed camera or red-light citation.

(B) Where any fees or fines are assessed or imposed in accordance with this Ordinance, and where such fees or fines are unpaid and outstanding for 30 or more days, the Town, in its sole and absolute discretion and to the extent permitted by law, may refer such debt to a collection agency or an attorney for collection. For all accounts referred to a collection agency or an attorney for collection, such accounts shall be subject to a collection fee not to exceed two times the outstanding debt or the total sum indebted to the Town, whichever is greater. The Town may alternatively or further elect to file a civil suit against the debtor to recover such outstanding and unpaid fees or fines.

Section 6: Designation of School Zones; RESIDENTIAL DISTRICTS and Red-Light Camera Intersections

(A) The Board of Commissioners for the Town of Upper Marlboro, Maryland, shall designate certain roadways to be designated a RESIDENTIAL DISTRICT OR A School Zone further defined as a designated roadway segment of up to a half-mile radius from of a school for any grades kindergarten through grade 12 where school-related activity occurs, including travel by students to or from school on foot or by bicycle, or the dropping off or picking up of students by school buses or other vehicles on any County, Municipal, or State Road, and further approves and authorizes the use of mobile red light camera systems provided for red light camera enforcement at signalized intersections within the municipality.

(B) The initial roadways designated as a School Zone are as follows: (1) School Lane from Old Crain Highway To Wilson Lane, And (2) Maryland Route 725 (Old Marlboro Pike) from Marlborough Drive To Elm Street.

(C) The initial intersection(s) designated for deployment of traffic control signal monitoring system(s) are as follows: (1) Main and Water Streets, and (2) Main Street and Governor Oden Bowie Drive.

(D). THE TOWN BOARD OF COMMISSIONERS MAY FURTHER ESTABLISH AND DESIGNATE OR REMOVE DESIGNATIONS OF SCHOOL ZONES, RESIDENTIAL DISTRICTS AND RED-LIGHT CAMERA INTERSECTIONS BY RESOLUTION.

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AND BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that said Board may set the fines, penalties, and fees associated with violating this Ordinance from time to time by resolution.

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 this Ordinance shall become effective at the expiration of twenty (20) calendar days following approval by the Board of Commissioners.

AND BE IT FURTHER ORDAINED AND ENACTED, 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 \_\_\_\_\_, 2021.

Attest:

THE TOWN OF UPPER MARLBORO  
BOARD OF COMMISSIONERS

\_\_\_\_\_  
John Hoatson, Town Clerk

\_\_\_\_\_  
\_\_\_\_\_, President

\_\_\_\_\_  
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[Brackets] : Indicate matter to be deleted from existing law (Ord. 2018-02)  
Asterisks \* \* \* : Indicate that text is retained from existing law but omitted herein.

Fiscal Year 2022				
Plan Item	Debit	Credit	Balance	Notes
<i>Total Amount Deposited</i>		\$ 331,540		
Marlboro Food Bank	\$ 5,000		\$ 331,540	
Marlboro VFD	\$ 15,000		\$ 316,540	
Town Staff Hazard/Premium Pay	\$ 15,000		\$ 301,540	
General Government	\$ 25,000		\$ 276,540	Codification & Online Government Systems
Public Safety	\$ 25,000		\$ 251,540	Police Officer Equipment Purchase
Public Works	\$ 25,000		\$ 226,540	Equipment & Tool Purchase
Recycling Bin Purchase	\$ 25,000		\$ 201,540	
FIP Program Supplement	\$ 20,000		\$ 181,540	
COVID & Emergency Supplies	\$ 5,000		\$ 176,540	Build a stockpile of emergency supplies.
Loss of Revenue Reimbursement	\$ 10,000		\$ 166,540	Reimburse for lost parking revenue
Town Hall Security Upgrade	\$ 50,000		\$ 116,540	
Community Playground	\$ 30,000		\$ 86,540	To supplement or offset cost of Phase 1
Events Coord or Redevelopment Firm	\$ 15,000		\$ 71,540	
Roadway Improvement/Repaving	\$ 50,000		\$ 21,540	To supplement or offset cost of paving
Rental & Utility Assistance	\$ 15,000		\$ 6,540	
<b>FY22 Totals</b>	<b>\$ 330,000</b>	<b>\$ 331,540</b>	<b>\$ 1,540</b>	

Fiscal Year 2023				
Plan Item	Debit	Credit	Balance	Notes
<i>Carry Forward Balance</i>		\$ 1,540		
<i>Total Amount Deposited</i>		\$ 331,540		
Events Coordinator	\$ 15,000		\$ 318,080	
Marlboro VFD	\$ 15,000		\$ 303,080	
Community Playground	\$ 30,000		\$ 273,080	To supplement or offset cost of Phase 2
Marlboro Food Bank	\$ 5,000		\$ 268,080	
Downtown Beautification	\$ 15,000		\$ 253,080	Landscaping and décor along Main St
Economic Development Coord or firm	\$ 30,000		\$ 223,080	
COVID & Emergency Supplies	\$ 5,000		\$ 218,080	
FIP Program Supplement	\$ 10,000		\$ 208,080	
Loss of Revenue Reimbursement	\$ 100,000		\$ 108,080	Reimburse for lost parking revenue
<b>FY23 Totals</b>	<b>\$ 225,000</b>	<b>\$ 333,080</b>	<b>\$ 108,080</b>	

Fiscal Year 2024				
Plan Item	Debit	Credit	Balance	Notes
<i>Carry Forward Balance</i>		\$ 108,080		
Downtown Beautification	\$ 13,080			Landscaping and décor along Main St
Economic Development Coord.	\$ 15,000			
Marlboro Food Bank	\$ 5,000			
Economic Development Coord.	\$ 15,000			
Loss of Revenue Reimbursement	\$ 50,000			Reimburse for lost parking revenue
FIP Program Supplement	\$ 10,000			
<b>FY23 Totals</b>	<b>\$ 108,080</b>	<b>\$ 108,080</b>	<b>\$ (0)</b>	



# Town of Upper Marlboro

## Job Descriptions

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**Position Title:** Recreational/Events Coordinator

**Department:** General Government

**Direct Report:** Town Administrator

### **Classification Description Summary**

Under the general supervision of the Town Administrator, the Recreation/Events Coordinator will be responsible for community recreation, project coordination, daily administrative duties, scheduling fields/facilities and amenities for events, contracting, strategic planning, and coordinating different Town Committees and groups to safely organize, plan, promote, and execute events and recreation initiatives within the Town of Upper Marlboro.

### **Essential Functions**

*The following duties are typical for this classification. Incumbents may not perform all of the listed duties and/or may be required to perform additional or different duties from those set forth below to address business needs and changing business practices.*

- Organizes special events including logistical set-up, volunteer coordination, and event/recreation promotion.
- Develops and monitoring event timelines and ensure deadlines are met.
- Coordinates fundraising efforts, including soliciting donations, sponsorships, and prizes for events.
- Attend Town Committee meetings as needed and serve as the staff liaison to the Town Events Committee.
- Work with other entities (government, non-profits, businesses, ect) to coordinate and promote different events happening within the Town.
- Initiate and/or participate in all efforts to publicize events and recreational promotions.
- Write and review website content and develop suggested layouts and outlines.
- Assist the Town Clerk's office with adding events to website and other Town media including calendar maintenance.
- Obtain proper road closure and event permits as needed.
- Coordinate with M-NCPPC on partnerships and equipment rental requests.
- Attend monthly Board of Commissioners meetings to report on event and promotion activities.

### **Minimum Qualifications**

*Any combination of education and experience that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:*

- Handles stress effectively without interfering with performance.
- Organize, set priorities, and exercise sound independent judgement within area of responsibility.
- Operate a computer, using word processing, spreadsheet, database software, and other standard office equipment.
- Communicate clearly and effectively, both orally and in writing.

- Able to keep office records and to prepare accurate reports from file sources.
- General knowledge of current office practices and procedures and knowledge of the operation of standard.
- Familiarity with social media and other methods of promotion.
- Bilingual/Spanish Speaking preferred but not required.

### **Education/Training**

- High School Diploma or GED equivalency required.
- Associate degree or bachelor's degree is preferred but not required.

### **Experience**

- 2-3 year of event planning experience.
- Broad base understanding on issues material to organizational programs, processes, and influences.

### **Physical Demands and Working Environment**

*The conditions herein are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential job functions.*

#### *Environment*

Work is performed primarily in a standard office environment and remotely during both normal office hours and after hours, weekends, and holidays as needed. Indoor and outdoor event environments.

#### *Physical*

Primary functions require sufficient physical ability and mobility to work in an outdoor event setting; to stand or sit for prolonged periods of time; to occasionally stoop, bend, kneel, crouch, reach, and twist; to lift min. of 20 lbs., carry, push, and/or pull light to moderate amounts of weight; to operate office equipment requiring repetitive hand movement and fine coordination including use of a computer keyboard; to travel to other locations using various modes of private and commercial transportation; and to verbally communicate to exchange information. Long intervals of walking at a time during events.



# Town of Upper Marlboro

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www.uppermarlboromd.gov

## **NOTICE OF CLOSED SESSION**

Tuesday, December 14, 2021, Virtual Meeting  
Preceding The December Regular Town Meeting

Under General Provisions Article 3-305(b)(14)\_\_\_\_ "Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process."

The Board of Commissioners propose to go into Closed Session on Tuesday, December 14, 2021 at 6:30 PM, preceding the December Regular Town Meeting to discuss security contracts.