

# Town of Upper Marlboro

14211 School Lane • Upper Marlboro, Maryland 20772

## REGULAR TOWN MEETING

January 11, 2022– 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://uppermarlboromd-gov.zoom.us/j/86232216019?pwd=UnlNeW10anNGRGJHZ013M2EzMDBJUT09>  
Meeting ID: 862 3221 6019; Passcode 772302; Dial-in only: 301-715-8592

### Public Hearing

All Town residents are invited to attend a Public Hearing to provide public comment on Resolution 2022-02 Designation of Residential Speed Area along Old Crain Hwy & MD725

**6:30 PM**

### NOTICE OF CLOSED SESSION

Tuesday, January 11, 2022, Virtual Meeting,  
Preceding The January 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, January 11, 2022 at 6:30 PM, preceding the January Regular Town Meeting to discuss awarding road engineering contract.

### REGULAR TOWN MEETING AGENDA:

**7:00 PM Call to Order**

- Roll Call
- Pledge of Allegiance
- Consent to the Agenda
- January 11, 2022 Closed Session Summary

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

- Approval of the December 7, 2021, Special Town Meeting minutes
- Approval of the December 14, 2021, Regular Town Meeting minutes
- Approval of the December 28, 2021, Special Town Meeting minutes
- Approval of the December 28, 2021, Board Work Session minutes
- Finance Report & Approval of the Treasurer's Report, as of December 31, 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)*

- Resolution 2022-01 Check Signing Authorization (Board Vote)
- Resolution 2022-02 Designation of Residential Speed Area along Old Crain Hwy & MD725 (Public Hearing & Board Vote)
- Resolution 2022-03 Awarding Road Engineering Firm Contract (Board Vote)
- Resolution 2022-04 Town Meeting Regulation (Introduction)
- Town Vaccine Policy (Board Approval)
- Town Event Calendar (Board Approval)
- Mural Artist Selection (Board Approval)
- Board Priorities (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*

**Sarah Franklin**  
President

**Janice Duckett**  
Commissioner/Treasurer

**Thomas Hanchett**  
Commissioner

**Karen Lott**  
Commissioner

## 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

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## **ACTION REPORT – SPECIAL TOWN MEETING December 7, 2021 6:30 PM**

**Call to order 6:32 PM**

### **Roll Call:**

**President Linda Pennoyer  
Commissioner Sarah Franklin  
Commissioner Janice Duckett (late)  
Town Administrator Kyle Snyder  
Police Chief David Burse (Absent)  
Public Works Superintendent Darnell Bond  
Finance / HR Director William Morgan (Absent)  
Town Attorney Kevin Best  
Town Clerk John Hoatson**

### **Attendees:**

**Joe Hourcle'  
Evelyn Stephens  
John Summerlot  
Patti Callicott**

- **President's Statement from the November 30, 2021 Closed Session**

**President Pennoyer read the Closed Session Summary from the November 30, 2021 Closed Session.**

### **Business:**

- 1. Resolution 2021-26 Resolution of the Board of Commissioners for the Town of Upper Marlboro to appoint two new supervisors of elections in accordance with the Town Charter (Board Vote)**

**Town Clerk John Hoatson read Resolution 2021-26 Appointing two new supervisors of elections in accordance with the Town Charter.**

**Town Attorney Kevin Best stated that oaths of office can be administered publicly or private.**

**Motion was made by President Pennoyer to move forward with the vote on Resolution 2021 – 26. Vote 2-2**

**When Commissioner Duckett joined the meeting, it was discussed to ratify the vote so all Commissioners can sign the legislation.**

**Commissioner Franklin made a motion to ratify Resolution 2021-26. It was seconded by President Pennoyer. Vote 3-3.**

**Resolution 2021-26 passed.**

**2. Swearing-In of Board of Supervisors of Elections: Patti Callicott, & John Summerlot**

**President Pennoyer then performed the swearing-in of John Summerlot and Patti Callicott.**

**3. Proposal To Go Into Closed Session**

**President Pennoyer asked if there was a motion to go into closed session. Motion was made by Commissioner Franklin and seconded by Commissioner Duckett. Vote 3-3.**

**NOTICE OF CLOSED SESSION  
Tuesday, December 7, 2021,  
Following The Special Town Meeting**

According to the Annotated Code of Maryland, the Board of Commissioners of the Town of Upper Marlboro, Maryland have the statutory authority to close a session under general provisions article 3-305b for the reasons of subsection: (7)\_\_\_ "To consult with counsel to obtain legal advice".

The Board of Town Commissioners propose to go into Closed Session to discuss Annexation Phase II & Phase III.

**Board of Commissioners went into Closed Session at 6.25 PM**

# Town of Upper Marlboro

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## **ACTION REPORT - REGULAR TOWN MEETING**

December 14, 2021 – 7:00 PM

**Call to order 7:05 PM**

**Roll Call:**

**President Sarah Franklin**

**Commissioner / Treasurer Janice Duckett**

**Commissioner Thomas Hanchett**

**Commissioner Karen Lott**

**Town Administrator Kyle Snyder**

**Police Chief David Burse**

**Public Works Superintendent Darnell Bond**

**Finance / HR Director William Morgan**

**Town Clerk John Hoatson**

**Attendees:**

**Brian Callicott - TUMHC**

**Joe Hourcle' – Board of Elections**

**Ray Feldmann – Feldmann Communications**

**Monica Williams – Marlborough Towne HOA**

**Ivan Lanier – Greenwill Consulting**

**Lesley Feliz – Greenwill Consulting**

**Jacob Moore – Greenwill Consulting**

**Darrellyne Strothers – Green Team / Arts Council**

**President Franklin provided the statement from the Tuesday, December 14, 2021 Closed Session. Topic of discussion was security contracts for Town Hall.**

## **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**

**Motion was made by President Franklin and seconded by Commissioner Duckett. Vote 4-4 Franklin, Duckett, Hanchett, Lott**

## **Reports**

- **Department Reports – Public Safety, Public Works, Finance and Clerk’s Office**

### **Public Safety Report –**

#### **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.

### **Public Works –**

#### **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.

### **Finance Department –**

**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>

**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>

**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>
<b>PUBLIC SAFETY</b>			
	<b>Public Safety Salary &amp; Wages</b>	<b>\$ 96,779.56</b>	<b>\$ 401,620.00</b>

**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

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

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>
	<b>Total Expenses</b>	<b>\$ 620,616.59</b>	<b>\$ 1,627,182.00</b>
	<b>Net Operating Income</b>	<b>\$ 287,284.97</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	\$ 2,164.23	\$ 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>

**Key Monthly Items**

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

**BALANCE SHEET**

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

## **Committee Reports —**

### **Greenwill Consulting**

**Ivan Lanier, CEO of Greenwill Consulting introduced his team. Greenwill has been working 5 to 6 years with the Town. Been the eyes and ears with federal, state and local officials.**

**Legislative session is coming up. Session will start on January 12, 2022 until April 11, 2022.**

**Introduced Leslie Feliz, Executive Assistant.**

### **Historical Committee**

**Brian Callicott presented about the TUMHC. Quarterly meeting was held in November and they did discuss the Susan Pearl, (Historical Archivist for PG County) request to do filming on Valley Lane.**

**December meeting has been canceled due to the holidays.**

**Tree lighting on December 4, 2021, was successful for the Historical Committee. They spoke to several people regarding the history of the Town of Upper Marlboro. Got a few email addresses to add new members to the committee.**

### **Events Committee**

**Tree lighting event was successful. Event Committee wants to plan a Town-wide events calendar. Organizational meeting will be held on January 6, 2022 to plan out the calendar to get it published. Please submit in writing your event requests.**

### **Sustainable Communities**

**No Report Provided**

## **Arts Council**

**Arts Council has officially announced two artists for the murals on Main Street:**

**Eric Ricks will design the mural at 5311 Water Street.**

**LaToya Peoples will design the mural at 14707 Main Street.**

**Now Arts Council needs to apply for funding of the murals for installation.**

**Next meeting of the Arts Council will be on January 7, 2022 at 7:00 PM. Information can be found on the Town website.**

**Arts Council is looking for volunteers.**

## **Green Team**

**Plan to have the 1<sup>st</sup> farmers market for Marlboro Day and then a weekly event.**

**Looking for volunteers.**

## **CERT**

**CERT did not have a monthly meeting. CERT did participate in an activity with Anne Arundel County CERT.**

**CERT also helped with the Happy Leaf Art Festival.**

## **Commissioner Reports –**

**President Franklin: President Franklin advised that everyone was sworn-in on December 13, 2021. They then met and went into closed session, and it was determined that Sarah Franklin would serve as President & Commissioner Duckett would be Treasurer. They then went into open session and voted to make it official. Welcomed new Commissioners. Looking forward to working with the new Commissioners.**

## **Commissioner Duckett**

Happy to have the new Commissioners on the Board and looking forward to working with them.

## **Commissioner Hanchett**

Just learning the ropes.

## **Commissioner Lott**

Thanked everyone for the warm welcome and looking forward to working with everyone.

## **Business**

### **1. Resolution 2021-27: To Authorize DOE 2021-03 (Board Vote)**

Continuing Resolution - 3<sup>rd</sup> extension. Town has been under it since March, 2020.

**Commissioner Duckett made a motion to approve Resolution 2021-27: To Authorize DOE 2021-03. Seconded by Commissioner Lott. Vote 4-4 Franklin, Duckett, Hanchett, Lott**

### **2. Resolution 2021-28: Declaration of Board Vacancy & Selection of Special Election Date (Board Vote)**

Resolution needs to be passed to set the date for the special election to fill the seat vacated by Commissioner Pennoyer. Proposed date is Tuesday, January 25, 2022.

Joe Hourcle', Board of Supervisor of Elections requested that two things be modified with the Resolution. Would like people to enter and then be screened for temperature checks. That allows them to be heard from the voting room. If for any reason they fail the screening, they should vote supplemental or through absentee ballot.

Joe Hourcle' also inquired regarding the date and if the Board of Supervisors of Elections have been notified.

Town Administrator Kyle Snyder stated it could be voted on pending approval of the date with the Board of Supervisors of Elections and modifying with the requests from Joe Hourcle'.

**Commissioner Duckett made a motion to approve Resolution 2021-28: Declaration of Board Vacancy & Selection of Special Election Date pending approval of the date with the Board of Supervisors of Elections and modifying with the requests from Joe Hourcle' one of the Board of Supervisor of Election Officials. It was seconded by Commissioner Lott. Vote 4-4 Franklin, Duckett, Hanchett, Lott**

**3. Approval of Marlborough Towne HOA Agreement (Board Approval)**

**This is an agreement and not a resolution. It updates a 40 year old agreement between the Town of Upper Marlboro and the Marlborough Towne HOA.**

**Monica Williams, HOA President thanked the Board of Commissioners for rolling the agreement out for them.**

**Commissioner Duckett made a motion to approve the Marlborough Towne HOA Agreement. It was seconded by Commissioner Hanchett. Vote 4-4 Franklin, Duckett, Hanchett, Lott**

**4. Ordinance 2021-06 Residential Speed (Board Vote)**

**Introduced back on November 23, 2021. Ordinance approves the speed zones for the speed monitoring program. These have been approved by the State of Maryland.**

**President Franklin made a motion to approve Ordinance 2021-06 Residential Speed. It was seconded by Commissioner Duckett. Vote 4-4 Franklin, Duckett, Hanchett, Lott**

**5. Resolution 2021-29 Designation of Residential Speed Areas Old Crain Hwy & Old Marlboro Pike (Board Vote)**

**Table resolution because final version has not come back from Town Attorney. Will be reviewed at the December Work Session.**

**6. Approval of ARPA Funding Plan (Board Approval)**

**Community must have some input as to what is happening with the ARPA funds.**

**This is not set in stone. It can be changed or altered.**

**This approval helps to guide staff with some projects moving forward.**

**Commissioner Duckett made a motion to approve the ARPA Funding Plan. It was seconded by Commissioner Hanchett. Vote 4-4 Franklin, Duckett, Hanchett, Lott**

## **7. Awarding Town Hall Security Contract (Board Approval)**

Using ARPA Funds set aside to cover three different items. This is federal tax dollars and not local.

**President Franklin made a motion that the Town not exceed \$50,000.00 and go with Baltimore Fire Protection and Equipment to upgrade Town Hall Security and monitoring contract not to exceed 24 months and to authorize the Chief of Police to make certain security purchases. It was seconded by Commissioner Duckett and Lott. Vote 4-4 Franklin, Duckett, Hanchett, Lott**

## **8. Approval of the Events Coordinator Position (Board Approval)**

Using ARPA funds to fund this position. Only funding the position from January until the end of the year. Person would coordinate blood drives, vaccine drives and safe outdoor events.

Person would help with Marlboro Day and help all committees with events.

**Commissioner Duckett made a motion to approve the Events Coordinator position for the Town of Upper Marlboro. It was seconded by President Franklin. Vote 4-4 Franklin, Duckett, Hanchett, Lott**

## **Administrative Updates**

### **Legislation, Projects and Initiatives**

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

### **General Commissioner & Staff items:**

**President Franklin did another thank you and welcome. President Franklin thanked Mayor Pennoyer for her service to the Town of Upper Marlboro.**

**Commissioner Hanchett thanked everyone for the warm welcome.**

### **Public Comment**

**Joe Hourcle' wanted to let people know the Town of Upper Marlboro Library is open.**

**Library is funded through the County. Library has a small scanner. Would be nice to have a copier at the library.**

**Residents can use the printer and fax machine at Town Hall**

**Need more people to complain about the resources at the library.**

**Action Item: Library resource discussion needs to be added to the December Work Session.**

**Question was asked about redevelopment of downtown. President Franklin stated that the vision plan is still in process. A redevelopment firm may also be consulted to help with the process.**

**Commissioner Franklin made a motion to adjourn the meeting. It was seconded by Karen Lott. Vote 4-4 Franklin, Duckett, Hanchett, Lott.**

**Meeting adjourned at 8:30 PM**

# Town of Upper Marlboro

14211 School Lane • Upper Marlboro, Maryland 20772

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## **ACTION REPORT – SPECIAL TOWN MEETING December 28, 2021 6:30 PM**

**Call to order 6:32 PM**

### **Roll Call:**

**President Sarah Franklin  
Commissioner Janice Duckett  
Commissioner Thomas Hanchett  
Commissioner Karen Lott  
Town Administrator Kyle Snyder  
Police Chief David Burse  
Town Clerk John Hoatson (Absent)  
Town Attorney, Kevin Best**

**Consent to the Agenda – 4-4, Franklin, Duckett, Hanchett, Lott**

### **Business:**

**1) Annexation Resolution 01-2021: A Resolution of the Board to move forward with the 2<sup>nd</sup> & 3<sup>rd</sup> annexations of the Town of Upper Marlboro. (Board Vote)**

**Town Administrator Kyle Snyder read the Annexation Resolution No 01-2021 into the record.**

### **Updates since the last reading:**

- **Signature lines have been updated to reflect new Commissioners.**
- **Section 10 added severability clause.**
- **Schedule is amended to reflect 30 days.**

**THE TOWN OF UPPER MARLBORO, MARYLAND  
Annexation Resolution No. 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:**

**Zoom Chat – No one signed up**

**Phone – Fraser Henderson – 14507 Elm Street –**

**Wanted to request if the vote moves forward that the time period be extended from 45 days to 90 days to prepare petition for referendum.**

**Robert Sanders – requested that the Commissioners identify a complete and detailed description of conditions and circumstances that apply to the residents and property in the area annexed.**

**Sasser Family does plan to file a petition for referendum.**

**Public Comment period was closed by President Franklin.**

**Town Attorney Kevin Best stated that Annexation Resolution 01-2021 is legally sufficient.**

**President Franklin made a motion to adopt Annexation Resolution 01-2021 as amended and updated since the introduction on November 30, 2021.**

**Second: Commissioner Janice Duckett**

**No comment from other Commissioners**

**President Franklin made a comment regarding the Annexation.**

**Town Administrator Kyle Snyder performed a roll call vote of the Board of Town Commissioner.**

**President Sarah Franklin: Aye**

**Commissioner Janice Duckett: Aye**

**Commissioner Karen Lott: Aye**

**Commissioner Thomas Hanchett: Aye**

**Vote 4-4**

**Annexation Resolution 01-2021 Passed.**

**Following the Vote, the meeting was adjourned at 6:48 PM**

# Town of Upper Marlboro

14211 School Lane • Upper Marlboro, Maryland 20772

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## ACTION REPORT - WORK SESSION

December 28, 2021 – 7:00 p.m.

**Call to order at 7:02 PM**

### Roll Call:

**President Sarah Franklin**  
**Commissioner Janice Duckett**  
**Commissioner Thomas Hanchett**  
**Commissioner Karen Lott**  
**Town Administrator Kyle Snyder**  
**Police Chief David Burse**  
**Public Works Superintendent Darnell Bond**  
**Finance / HR Director William Morgan**  
**Town Clerk John Hoatson (Absent)**

### Attendees:

### Business

#### 1) 2021/2022 Board Priorities (Board Discussion)

Safety and modern roadways will stay on the list and be an ongoing goal.

Pedestrian element to the safety and modern roadway plan.

Use of the old school across from post office (vendor, little shops).

Rail / trail idea: food truck idea and benches by the pond.

Recreation activities for youth.

Library has very little parking and needs more.

Community building as a goal – 2022 events.

Business development is essential in the Town. Façade improvements.

**Action Item:** William Morgan will follow-up with Darrelynn Strother to see if her home business is eligible for the Façade Improvement Grant.

**2) 2022 Town Event Calendar (Board Discussion)**

January 6, 2022 Events Committee is having a year round event planning meeting.

Meeting can be a board gathering or a special work session if all commissioners plan to attend meeting on January 6, 2021.

Calendar will be presented from the Events Committee to the Board of Commissioners who will vote on the final calendar. It will then be published by the Town on website and social media.

January	22 <sup>nd</sup> Volunteer Appreciation Event (Town)
February	
March	
April	9 <sup>th</sup> Poetry Event (Arts Council)
May	14 <sup>th</sup> Marlboro Day 18 <sup>th</sup> & 25 <sup>th</sup> Farmer's Market (Green Team) 30 <sup>th</sup> Memorial Day (Town)
June	11 <sup>th</sup> Movie Night 1 <sup>st</sup> , 8 <sup>th</sup> , 15 <sup>th</sup> , 22 <sup>nd</sup> , 29 <sup>th</sup> Farmer's Market (Green Team)
July	9 <sup>th</sup> Movie Night 6 <sup>th</sup> , 13 <sup>th</sup> , 20 <sup>th</sup> , 27 <sup>th</sup> Farmer's Market (Green Team)
August	13 <sup>th</sup> Movie Night ? National Night Out (support CSA23 Event) 3 <sup>rd</sup> , 10 <sup>th</sup> , 17 <sup>th</sup> , 24 <sup>th</sup> , 31 <sup>st</sup> Farmer's Market (Green Team) ? <u>Cruzin'</u> on Main (Ledo's/MVFD Event)
September	10 <sup>th</sup> Movie Night ? Crain Highway Memorial Centennial (Historic Committee) 7 <sup>th</sup> , 14 <sup>th</sup> , 21 <sup>st</sup> , 28 <sup>th</sup> Farmer's Market (Green Team)
October	1 <sup>st</sup> National Faith in Blue (Public Safety) 5 <sup>th</sup> , 12 <sup>th</sup> , 19 <sup>th</sup> , 16 <sup>th</sup> Farmer's Market (Green Team) 29 <sup>th</sup> Trunk-or-Treat
November	11 <sup>th</sup> Veteran's Day (Town?)
December	3 <sup>rd</sup> Holiday Event

Additional Events that I don't know the month for:

**Action Item:** Permit process needs to be reviewed.

**3) Resolution 2022-01 Check Signing Authorization (Board Discussion)**

Signers on the bank accounts need to be updated. The following names will be added.

Commissioner Duckett as Treasurer,

Sarah Franklin, President

Thomas Hanchett, Commissioner

Kyle Snyder, Town Administrator

**Action Item:** Will be voted on at the January Town Meeting, January 11, 2022.

**4) FY2022 Mid-Year Budget Adjustment (Board Discussion)**

Few line items that need to be adjusted. With the new commissioners, salaries need to be adjusted.

Business Licenses has been adjusted.

Parking meters was reduced. Small set back with in person hearing at the courthouse.

Action Items: Will be voted on at the February Town Meeting. Further discussion will take place at the January Work Session.

**5) Resolution 2022-02 Designation of Residential Speed Areas Old Crain Hwy & Old Marlboro Pike (Board Discussion)**

Currently speed zone goes from Spring Branch Drive to Elm Street.

Should go from Spring Branch Drive out to Route 202. This will avoid having to amend the zone in the future.

It will be broken into 3 zones.

Need another resolution for red lights for 202 and Marlboro Pike. Trying to get answers from State Highway.

Action Items: Work with Kevin Best, Town Attorney to get the zones created so the severability still applies. Speak with Kevin about another Resolution for red lights for 202 and Marlboro Pike.

**6) Town Meeting Dates & Resolution 2022-03 Meeting Protocol (Board Discussion)**

Question was asked about the 8:00 PM Organizational Meeting. Time has been in the Charter since it was written.

3:00 minutes is standard for public comment.

Everyone is going to need to sign up to speak.

John Hoatson, Town Clerk is looking into meeting software systems for local government.

Commissioner Duckett likes the idea of turning off the chat feature in Zoom. Side chats are very distracting.

Discussion was held to switch the dates of the Work Session and Town Meetings. Work Session would be held 2<sup>nd</sup> Tuesday followed by the Town Meeting 4<sup>th</sup> Tuesday. Moving meeting dates and times could be included in the resolution. Change would take place in March.

Action Item: For next meeting, try webinar feature in Zoom with chat feature turned off.

## 7) Road Engineering Firm RFP Discussion (Board Discussion)

3 RFPs were submitted to the Town. Kim Engineering, Mead and Hunt and CB3 Consulting Services.

Walked with Mead and Hunt and provided a lot of detail.

CB3 Consulting has done work previously for the Town.

School Lane is 60% of the budget. Old Mill Road is a repave

Spring Branch Drive is fix curbs and repave.

Board may need to prioritize fixing the roads. ½ budget may go into engineering.

Mead and Hunt is recommended by MDOT. Big price gap between the companies.

Sonar truck should be used. Might help with the problem of sink holes in the Town.

**Action Item:** Closed Session will be held before the January Town Meeting to discuss the Road Engineering RFP.

## 8) Town Vaccine Policy (Board Discussion)

By January 31, 2022 all Town staff has to be vaccinated.

This policy does not require booster shots. (Connect to CDC guidelines)

Some municipalities are moving forward aggressively with vaccination policies.

Any future job announcements must state the vaccination policy.

**Action Item:** Vaccination policy will be voted on at the January Town Meeting on January 11, 2022.

**Board of Commission Work Session Adjourned at 9:55 PM**



# Town of Upper Marlboro Police Department

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

David A. Burse  
Chief of Police

## Monthly Town Police Department Report For the Month of December 2021

### Incidents Reported in Town:

Property Damage 1	Commercial Alarm 10	Traffic Complaint 1
Domestic Call 1	Check on Welfare 4	Hit & Run Call 1
Domestic Standby 1	Warrant Service 1	Theft Call 1
Vehicle Accident 3	Hold-up Alarm 2	Disorderly Call 1
Suspicious Person 2		

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, Sgt. Irby and Code Officer Stewart participated in the Christmas Tree Lighting on Main St.

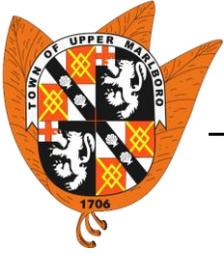
Chief Burse participated in a virtual Holiday Threat Call meeting with the Department of Homeland Security.

Chief Burse, Mayor Franklin and the Town Board of Commissioners participated in the Swearing-in of Officer Sherron Johnson.

Chief Burse participated in the Criminal Justice Coordinating Council Meeting with Judge Adams.

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

Corporal Brooks participated with the City of Hyattsville Police Department in their annual Shop with A Cop.



# Town of Upper Marlboro

Town Hall, 14211 School Lane  
Upper Marlboro, MD 20772

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

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

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

**Date:** Friday, January 7, 2022

**Subject:** Public Works' Status Report

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

## Public Works Related

- PWD, Crewmember Sheckels, and Crew Lead Gibson set-up and maintained the Town's Tree lighting Ceremony.
- PWD had a prep meeting with a few colleagues from other municipalities to plan for what was supposed to be our first wintry weather event.
- PW still actively hunting for a low mileage used heavy duty pick-up truck.
- PW worked traffic control for an accident at Main Street and Old Marlboro Pike which closed lane for roughly 45 minutes.

## Maintenance and Beautification

- Truck 216 went to Kohler equipment to have new salt spreader installed.
- Old salt spreader hangar system was sured up to receive old salt spreader and test fitted to Truck 003 for feasibility of potential use.
- PWC installed shelving units, indoor and outdoor pod lighting, and wall tie ins to PW cargo trailer in preparation for next events season.
- Rep from Long Fence provided incorrect quote to fix downed section of PW fencing. Currently awaiting updated quote.
- PWC fixed a few downed or non-working parking meters around Town.

## Street and Sidewalk

- PWD met with TA Snyder to review Street Engineering RFP's.
- Light pole 7 on Marlborough Grove in the Townhomes was dug up, sleeved, and re-erected after being hit by motorist.
- PWC set up cones to serve as pedestrian walkway on Water Street sieve of Valerio building construction.

## Weather Related Activities

- PWD monitored weather reports and reserve materials ahead of incoming large scale winter weather event.

## Refuse Accumulations

- Bulk day accumulations for solid wastes (Landfill) are 3.33 tons. Bulk day accumulations for yard waste collections are 9.44 tons. We had no dump body rentals for the month.

Sincerely,

Darnell F. Bond III, *Public Works Director*

**Sarah Franklin**  
**President**

[sfranklin@uppermarlboromd.gov](mailto:sfranklin@uppermarlboromd.gov)

**Janice Duckett**  
**Commissioner / Treasurer**  
[jduckett@uppermarlboromd.gov](mailto:jduckett@uppermarlboromd.gov)

**Thomas Hanchett**  
**Commissioner**  
[thanchett@uppermarlboromd.gov](mailto:thanchett@uppermarlboromd.gov)

**Karen Lott**  
**Commissioner**  
[klott@uppermarlboromd.gov](mailto:klott@uppermarlboromd.gov)

**Vacant**  
**Commissioner**  
[info@uppermarlboromd.gov](mailto:info@uppermarlboromd.gov)



# Town of Upper Marlboro

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

**Janice Duckett**  
Treasurer

**Karen Lott**  
Commissioner

**Sarah Franklin**  
President

**Thomas Hanchett**  
Commissioner

**Vacant**  
Commissioner

## 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	\$ 660.00	\$ 1,700.00
6351	Food Trucks	\$ -	\$ 1,000.00
6352	Business License	\$ 18,630.73	\$ 10,000.00
6354	Room Rental	\$ -	\$ 669.00
6355	Parking Meters	\$ 85,912.82	\$ 174,000.00
6381	Parking Fines/Penalties	\$ 17,478.90	\$ 35,000.00
6383	Red Light Camera	\$ -	\$ -
6550	Pub/Edu/Govt Broadcasting	\$ 2,266.31	\$ 5,000.00
	<b>TOTAL</b>	<b>\$ 136,449.72</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	\$ 1,038.00	\$ 1,750.00
	<b>TOTAL</b>	<b>\$ 27,982.49</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	\$ 1,463.49	\$ 1,000.00
	<b>TOTAL</b>	<b>\$ 1,463.49</b>	<b>\$ 7,250.00</b>

**Taxes**

6101	Commercial	\$ 124,030.01	\$ 189,541.00
6102	Non-Commercial	\$ 165,978.20	\$ 171,698.00
6103	Delinquent - RE	\$ -	\$ 5,000.00
6104	BPPT - FY2022	\$ 60,271.84	\$ 35,555.00
6105	Public Utilities	\$ 534,332.40	\$ 700,999.00
6106	Income Taxes	\$ 129,285.86	\$ 315,000.00
	<b>TOTAL</b>	<b>\$ 1,013,898.31</b>	<b>\$ 1,417,793.00</b>

	<b>Total Revenue</b>	<b>\$ 1,179,794.01</b>	<b>\$ 1,704,532.00</b>
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**EXPENDITURES**

**GENERAL GOVERNMENT**

	<b>Administrative Salary &amp; Wages</b>	<b>\$ 130,527.68</b>	<b>\$ 257,279.00</b>
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	<b>Payroll Deductions &amp; Benefits</b>		
8124	Employer Tax	\$ 28,218.42	\$ 59,000.00
8125	Pension Benefits	\$ 64,800.83	\$ 60,000.00
8126	Medical Employee Benefits	\$ 45,211.89	\$ 110,000.00
8128	Life Insurance	\$ -	\$ 6,800.00
	<b>TOTAL</b>	<b>\$ 138,231.14</b>	<b>\$ 235,800.00</b>

**Professional Services**

8073	Accounting Services	\$ 7,500.00	\$ 18,000.00
8074	Auditing Services	\$ 20,000.00	\$ 20,000.00
8075	Payroll Processing (TPA)	\$ 2,158.01	\$ 5,000.00
8110	Town Attorney & Legal	\$ 25,807.88	\$ 55,000.00
8115	IT Support & Equipment	\$ 5,441.65	\$ 10,000.00
8205	Media Relations	\$ 12,000.00	\$ 18,000.00
8206	Government Relations	\$ 21,600.00	\$ 36,000.00
8207	Human Resource Services	\$ 5,970.00	\$ 12,000.00
8208	Planning Firm	\$ 25,213.57	\$ -
	<b>TOTAL</b>	<b>\$ 125,691.11</b>	<b>\$ 174,000.00</b>

**Insurance & Benefits**

8120	General Liability	\$ 14,141.00	\$ 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>33,630.62</b>	\$	<b>36,000.00</b>

### Operating

8077	Public Notices	\$	1,240.00	\$	1,500.00
8080	Bank Charges	\$	22,284.13	\$	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	\$	24,482.79	\$	10,000.00
8131	Ofc Equipment R&M	\$	674.78	\$	1,000.00
8160	Town Hall Office Phones	\$	3,115.30	\$	5,000.00
8161	Mobile Devices	\$	1,119.04	\$	4,000.00
8162	Town Elections	\$	2,056.37	\$	1,200.00
8165	Town Hall Utilities	\$	8,733.26	\$	11,000.00
8175	Town Hall Repair & Maintenance	\$	7,231.75	\$	10,000.00
8200	Other	\$	1,926.06	\$	2,000.00
	<b>Total</b>	\$	<b>82,212.19</b>	\$	<b>81,200.00</b>

	<b>General Government Total</b>	\$	<b>510,292.74</b>	\$	<b>784,279.00</b>
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### PUBLIC SAFETY

	<b>Public Safety Salary &amp; Wages</b>	\$	<b>130,972.49</b>	\$	<b>401,620.00</b>
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### Public Safety Operating

8273	Uniforms	\$	1,703.59	\$	2,000.00
8274	Weapons & Duty Equipment	\$	3,888.93	\$	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	\$	363.09	\$	3,000.00
8281	Mobile Devices	\$	1,589.47	\$	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>11,095.09</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>16,262.46</b>	\$	<b>32,525.00</b>
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	<b>Public Safety Total</b>	\$	<b>159,714.28</b>	\$	<b>481,795.00</b>
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### PUBLIC WORKS

	<b>Salary &amp; Wages</b>	\$	<b>95,565.48</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	\$ 5,169.31	\$ 4,000.00
8391	Weather Related Expenses	\$ -	\$ 2,500.00
8400	Streetlight Electricity	\$ 10,692.98	\$ 21,500.00
8405	Vehicle Repairs	\$ -	\$ 3,000.00
8410	Vehicle Maintenance	\$ 1,144.80	\$ 3,500.00
8415	Vehicle Fuel	\$ -	\$ 4,000.00
8488	PWF Utilities	\$ 753.33	\$ 3,500.00
8490	Mobile Phones	\$ 233.56	\$ 2,500.00
8176	Maintenance & Repairs	\$ 1,012.79	\$ 6,200.00
8491	Beautification	\$ -	\$ 2,500.00
8492	Small Tools & Equipment	\$ 5,188.68	\$ 2,500.00
8493	Septic Tank	\$ 600.00	\$ 1,200.00
8545	Mosquito Control	\$ -	\$ 1,400.00
	<b>TOTAL</b>	<b>\$ 25,179.92</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	\$ 22,028.09	\$ 41,124.00
8547	Residential Recycle Collection	\$ 4,933.50	\$ 9,834.00
8548	Bulk & Yard Waste	\$ 2,428.41	\$ 3,600.00
	<b>TOTAL</b>	<b>\$ 29,390.00</b>	<b>\$ 54,558.00</b>

	<b>Public Works Total</b>	<b>\$ 150,135.40</b>	<b>\$ 361,108.00</b>
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	<b>Total Expenses</b>	<b>\$ 820,142.42</b>	<b>\$ 1,627,182.00</b>
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	<b>Net Operating Income</b>	<b>\$ 359,651.59</b>	<b>\$ 0.00</b>
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**OTHER FUND BALANCES**

	<b>REVENUE/TRANSFER</b>	<b>EXPENSES</b>	<b>APPROVED BUDGET</b>
<b>Police State Aid</b>	\$ 5,035.75	\$ 1,042.06	\$ 16,400.00
<b>Community Open Space</b>	\$ -	\$ 6,894.77	\$ 130,000.00
<b>Other Grants</b>	\$ 21,389.35	\$ -	\$ 70,000.00
<b>ARP - American Recovery Fund</b>	\$ 331,539.82	\$ 29,073.28	\$ 281,246.00
<b>Committee Expenses</b>	\$ -	\$ -	\$ 17,750.00
<b>Replenish Reserve Transfer</b>	\$ -	\$ -	\$ -
<b>Capital Improvement Projects</b>	\$ -	\$ 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
<b>Events</b>	\$ 2,269.68	\$ 2,269.68	\$ 7,000.00
<b>CERT Team</b>	\$ -	\$ -	\$ 750.00
<b>Historical Committee</b>	\$ 94.99	\$ 94.99	\$ 750.00
<b>Arts Council</b>	\$ 2,748.41	\$ 2,748.41	\$ 750.00
<b>Green Team</b>	\$ -	\$ -	\$ 750.00
<b>TOUM Events</b>	\$ 462.00	\$ 462.00	\$ 7,750.00
<b>TOTALS</b>	<b>\$ 5,575.08</b>	<b>\$ 5,575.08</b>	<b>\$ 17,750.00</b>

### Key Monthly Items

1. ARPA
2. Capital Improvement Projects
3. Other Updates

## BALANCE SHEET

<b>Bank Accounts</b>	
<b>Operating Checking</b>	74,918.66
<b>Petty Cash</b>	300.00
<b>Payroll Account</b>	4,204.57
<b>M&amp;T Checking</b>	99,308.43
<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>\$ 725,761.05</b>

## The Town of Upper Marlboro

RESOLUTION: 2022-01

SESSION: Regular Town Meeting

DATED: January 14<sup>th</sup>, 2020

**A RESOLUTION FOR THE PURPOSE OF DESIGNATING THOSE PERSONS IN ADDITION TO THE TREASURER WHO SHALL BE AUTHORIZED TO SIGN CHECKS, CERTIFICATES OF DEPOSIT AND OTHER BANK INSTRUMENTS ISSUED ON BEHALF OF THE TOWN WHEN THE NEED ARISES AND THE TREASURER IS UNAVAILABLE, AND ESTABLISHING THE DOLLAR AMOUNT ABOVE WHICH ALL CHECKS MADE PAYABLE BY THE TOWN SHALL BE ISSUED AND SIGNED BY THE TREASURER AND PRESIDENT OR TWO (2) OTHER PERSONS DESIGNATED HEREIN OF WHICH AT LEAST ONE (1) IS TO BE A COMMISSIONER.**

**WHEREAS**, Charter Section 82-46 of The Town of Upper Marlboro, as amended by Charter Amendment Resolution 01-2012 effective October 31, 2012, requires that all checks issued in payment of salaries or other municipal obligations shall be issued and signed by the Treasurer, and that the Board of Commissioners may further authorize persons other than the Treasurer when the need arises and the Treasurer is unavailable to sign checks issued by the Town, and furthermore, the Board shall establish a dollar amount above which all checks must be co-signed by the Treasurer and President, or in their absence, two (2) other designated persons of which at least one (1) shall be a commissioner; and

**WHEREAS**, the Town Commissioners wish to carry out the intent of said Charter Section 82-46 by naming the designated persons to sign checks when the need arises, and the Treasurer is unavailable and establish the dollar amount above which checks require two authorized signatures.

**WHEREAS**, the Town Election conducted on November 2nd, 2021 has resulted in a change in the members of the Board of Town Commissioners, specifically the Commissioner designated and named in Resolution 2020-20 as an authorized alternate signer of checks in the absence of the President, and/or, the Treasurer.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners for The Town of Upper Marlboro, sitting in regular session this \_\_\_\_\_ day of \_\_\_\_\_, 2021, that Commissioner Janice Duckett, who is the duly appointed Treasurer, is authorized to sign any forms, contracts, or agreement on behalf of the Town for the establishment of safety deposit boxes and general banking and financial services for the Town, to include checking and savings accounts, CDs, money market accounts and other similar financial and investment instruments, and to perform all general activities associated therewith to, including serving as the required signatory or authorized individual on all checks, deposits, withdrawals and fund transfers as needed and in accordance with the Town's Charter and fiscal policies, and be it

**FURTHER RESOLVED**, that President Sarah Franklin shall serve as substitute or additional signatory on all checks, deposits, withdrawals and fund transfers in the event there is a need and the Treasurer is unavailable, provided that all checks above \$5,000.00 made payable by the Town shall be issued and co-signed by the Treasurer and President, and if either or both or their unavailability or incapacities, the following two (2) other designated persons shall so serve of which at least one (1) is a commissioner: 1.) Commissioner Thomas Hanchett, and 2.) Town Administrator Kyle Snyder, and be it

**FURTHER RESOLVED**, that this Resolution will supersede Resolution 2020-20 immediately upon the date of its passage, and be it

**FURTHER RESOLVED**, that any financial institution doing business with the Town is hereby authorized to honor, receive, certify, or pay all checks, CDs or other instruments signed by persons as authorized by the Town Charter and this Resolution, and be it

**FURTHER RESOLVED**, that the foregoing Resolution and designation of persons authorized to sign checks or other instruments pursuant hereto, shall remain in full force and effect until written notice of its amendment, modification or repeal, shall have been received by the Town's banks or financial institutions and that receipt of such notice shall not affect any action taken by a financial institution prior thereto, and be it

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

ATTEST:

THE TOWN OF UPPER MARLBORO

\_\_\_\_\_  
Clerk: John Hoatson

\_\_\_\_\_  
Sarah Franklin, President

Date: January 11th, 2022

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

\_\_\_\_\_  
Thomas Hanchett, Commissioner

\_\_\_\_\_  
Karen Lott, Commissioner

\_\_\_\_\_  
Vacant, Commissioner

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

RESOLUTION: 2022-02

SESSION: Regular/Special Town Meeting

DATED: January 11<sup>th</sup>, 2022

**A RESOLUTION OF THE TOWN BOARD OF COMMISSIONERS DESIGNATING RESIDENTIAL DISTRICTS ALONG CERTAIN SEGMENTS OF OLD CRAIN HIGHWAY AND OLD MARLBORO PIKE (MD-725) FOR THE DEPLOYMENT OF SPEED MONITORING SYSTEMS WITHIN THE CORPORATE LIMITS OF THE TOWN OF UPPER MARLBORO**

**WHEREAS**, Title 21 of the Transportation Article of the Maryland Annotated Code (hereinafter, the “Maryland 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 (“SMS”) that is consistent with the requirements of Title 21, Subtitle 8 of the Transportation Article of the Code on a public highway; and

**WHEREAS**, on May 30, 2021, the General Assembly of Maryland enacted HB 619 (Ch. 447 of the 2021 Laws of Md.) authorizing, in addition to designated school zones, the placement of speed monitoring systems (also known as speed cameras) in Prince George’s County on highways in residential districts with a maximum posted speed limit of 35 miles per hour to be effective on October 1, 2021; and

**WHEREAS**, The Board of Commissioners for the Town of Upper Marlboro previously approved Ordinance 2018-02 (Automated Traffic Enforcement) which was amended by Ordinance 2021-06; and

**WHEREAS**, Ordinance 2021-06 further authorized the Board to designate by ordinance or resolution certain roadways to be designated as Residential Districts in addition to those designated as School Zones; and

**WHEREAS**, consistent with State law, Section 1 of Ordinance 2021-06 defines a residential district as an area that: (a) is not a business district; and (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; and

**WHEREAS**, the Board finds that it will enhance the health, safety, and welfare of the Town’s residents and visitors to designate the substantially same two "school zone" sites initially designated in 2018 as Residential Speed Zones; and

**WHEREAS**, Maryland Code, Transportation Article, §21-809(b)(1)(i) requires that a speed monitoring system may not be used in a local jurisdiction unless its use is authorized by the governing body of the local jurisdiction by local law enacted after reasonable notice and a public hearing; and

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

**WHEREAS**, Section 6(B) of Ordinance 2018-02 originally designated a school zone along Maryland Route 725 (Old Marlboro Pike) from Marlborough Drive to Elm Street; and

**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**, the Board of Commissioners further finds that the speed limit on Old Marlboro Pike in the proposed residential area is 25 MPH and that the Upper Marlboro Police Department conducted a traffic study on seven separate school days using a radar device between April 1, 2018 and May 13, 2018 and recorded a total sum of 219,608 vehicle trips or an average of 31,373 vehicle trips per day; and

**WHEREAS**, the Board of Commissioners further finds that said traffic analysis indicates that the number of speed violations by motor vehicle drivers for the subject period were 165,200 (23,600 per day average) or an average of 74% of all passing vehicles exceeded the posted speed limit at an average speed of 38 MPH; and

**WHEREAS**, the Board of Commissioners further finds that the highest speeds recorded during the subject study period exceeded 70 MPH on each of the seven monitored school days and the highest speed recorded was 90 MPH on May 6, 2018; and

**WHEREAS**, the Board of Commissioners further finds that traffic studies indicate that the presence of speed cameras has contributed to as much as an 80% - 90% decrease in the number of drivers exceeding the speed limit by 12 miles per hour or more in the vicinity of school facilities; and

**WHEREAS**, the Chief of Police has advised that Speed Monitoring Systems in the below designated districts or zones will advance public safety if they are strategically placed in designated areas to advance the safety of the motoring public and pedestrians; and

**WHEREAS**, upon due consideration of the testimony and comments of the public, experts and staff received at a duly convened public hearing and/or placed into the journal for review, and in furtherance of the public health, safety and welfare, the Board of Commissioners finds that it is in the best interest of the citizens of the Town of Upper Marlboro, Maryland and sojourners thereto to adopt and establish certain residential districts or zones and authorize the use of speed monitoring systems within designated residential districts or zones; 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 Residential District Zone 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.

## The Town of Upper Marlboro

### Board of Commissioners

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Town of Upper Marlboro, that the following Residential District, and SMS Boundary and Location Plan for Old Crain Highway and Old Marlboro Pike are hereby approved, adopted and established according to applicable statutes and ordinances referenced in the recitals above and incorporated herein by reference, and the provisions stated herein below describing the boundary of the applicable Residential Districts and the proposed location of speed monitoring systems:

- A. The Proposed Boundary of the Applicable Residential Districts: This Resolution establishes and designates Residential Districts that specifically include (i) Old Marlboro Pike (MD 725) from Spring Branch Drive to Elm Street, (ii) Old Crain Highway (Rt. No. CO 1212) from Church Street to Pennsylvania Avenue (MD Rt. 4), and (iii) Marlboro Pike (MD 725) between Governor Oden Bowie Drive and Largo Road (MD 202). See Exhibit A (1, 2 & 3), attached hereto and incorporated by reference herein.
- B. The Proposed Location of the Speed Monitoring Systems: The entire segment or segments of roadway designated as a Residential District are depicted on a map attached herein as Exhibit A. The Upper Marlboro Police Department will operate a camera system using a hand-held device, mounted on a mobile trailer, on a pole, or in a fixed cabinet. The systems will monitor traffic in both directions. If placed on a mobile trailer, the camera system may be further mounted on a single pole attached to the trailer and may require no power, data, or traffic signal connections. The trailer, pole or fixed camera cabinet will be installed in the unimproved portion of the right-of-way as shown on Exhibit A, attached hereto and incorporated by reference herein. The speed monitoring devices shall be initially deployed within said corporate boundaries along a segment or segments of the above-referenced Residential Districts, as designated herein above, which are rights-of-way owned and maintained by the State, the County, the Town or another public entity. The Town shall obtain the appropriate permissions or permits from other public entities having jurisdiction over the applicable roadway.
- C. Signage: The current posted speed limit along the relevant segments of Old Marlboro Pike (MD 724) and Old Crain Highway (Rt. No. CO 1212) is 25 MPH. The Town shall ensure that additional signs will be posted designating the Residential Districts and indicating that a speed monitoring system is in use in the designated Residential Districts. The signs will be installed using existing or standard wooden poles installed in accordance with the Maryland Manual on Uniform Traffic Control Devices. The signs will be placed in such a manner as not to interfere with existing traffic control devices or infrastructure. The Town shall be responsible for the cost of placing and maintaining signs and other traffic control devices applicable to the residential Districts established by this Resolution.

**AND BE IT FURTHER RESOLVED** that this Resolution definitely establishes, designates or supersedes any Residential Districts or School Zones as defined and previously designated in Ord. 2021-06 or any subsequent resolution passed pursuant thereto within the corporate limits of the Town of Upper Marlboro and any conflict between this Resolution and any previous ordinance or resolution regarding said districts or zones shall be controlled by the provisions of this Resolution.

**AND BE IT FURTHER RESOLVED** that as prescribed by law, reasonable notice of the

**The Town of Upper Marlboro**

**Board of Commissioners**

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 Residential District for the first time.

**AND BE IT FURTHER RESOLVED** that the President shall be authorized to sign this Resolution on behalf of the Board.

**AND BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

**INTRODUCED AND PASSED** by the Board of Commissioners of the Town of Upper Marlboro, Maryland after a Public Hearing was conducted at a Meeting held on January \_\_, 2022.

ATTEST:

THE TOWN OF UPPER MARLBORO

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Sarah Franklin, President

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

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

\_\_\_\_\_  
Thomas Hanchett, Commissioner

\_\_\_\_\_  
Karen Lott, Commissioner

\_\_\_\_\_  
Vacant, Commissioner

CERTIFICATION

I, the undersigned, hereby certify that I am the Town Clerk of the Town of Upper Marlboro and that the Board of Town Commissioners of the Town of Upper Marlboro at a public meeting at which a quorum was present adopted this Resolution and 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 \_\_\_\_\_, 2022.

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

# Town of Upper Marlboro Residential Speed Districts

## Old Marlboro Pike (MD 725) from Spring Branch Drive to Elm Street

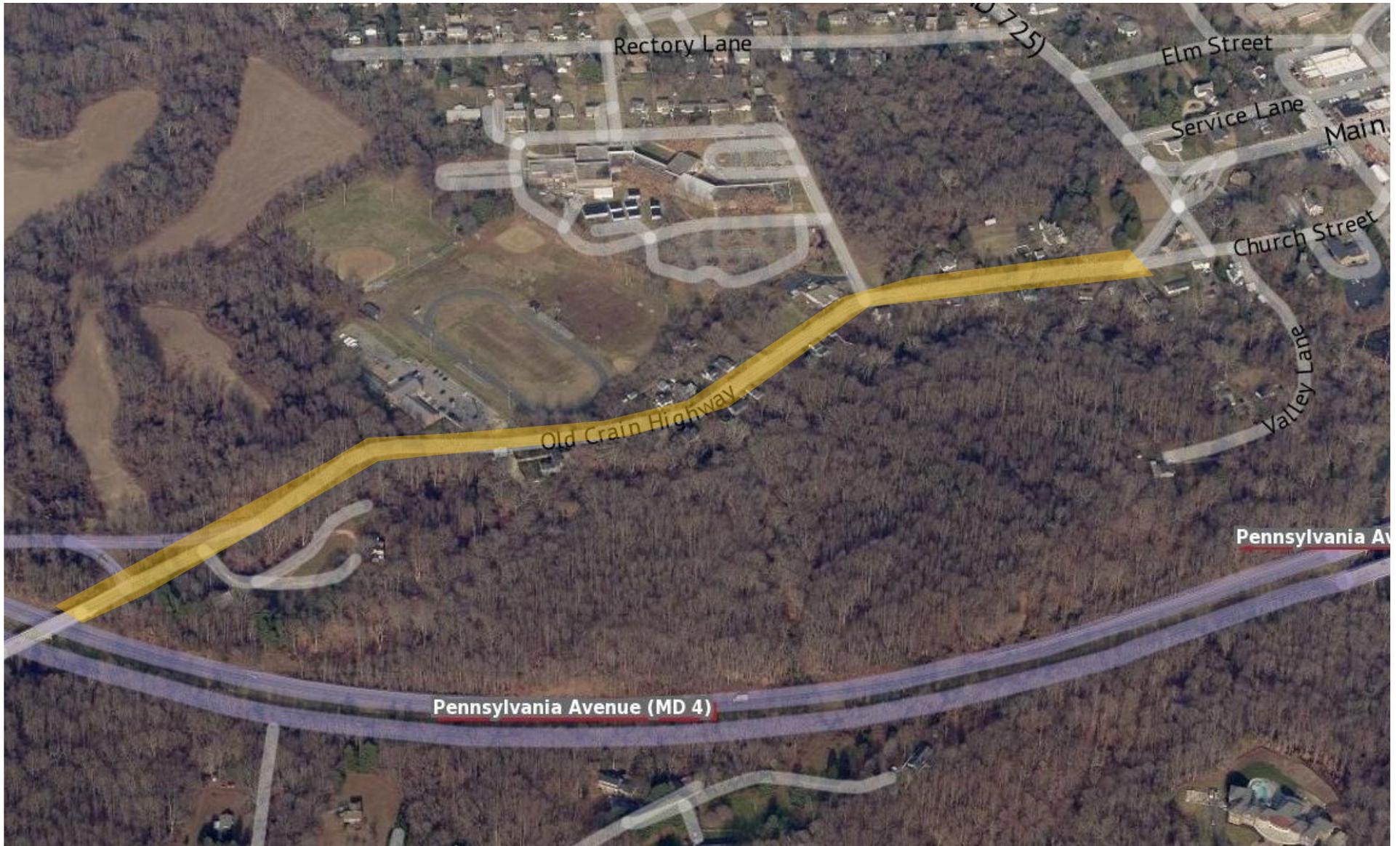


### Legend

-  Outlines Residential Speed District

**Town of Upper Marlboro  
Residential Speed Districts**

**Old Crain Highway (Rt. No. CO 1212) from Church Street to  
Pennsylvania Avenue (MD Rt. 4)**



**Legend**

-  Outlines Residential Speed District

**Town of Upper Marlboro  
Residential Speed Districts**

**Marlboro Pike (MD 725) between Governor Oden Bowie Drive and  
Largo Road (MD 202)**



**Legend**

-  Outlines Residential Speed District

## The Town of Upper Marlboro

RESOLUTION: 2022-03  
SESSION: Regular Town Meeting  
DATED: January 11<sup>th</sup>, 2022

A RESOLUTION OF THE TOWN BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO TO AWARD A CONTRACT TO PROVIDE ROADWAY ENGINEERING SERVICES.

**WHEREAS**, pursuant to Town’s Charter Section 82–56. (Purchasing and Contracts) all expenditures for contracts and purchases with an anticipated cost of more than ten thousand dollars (\$10,000) shall be subject to competitive sealed bidding unless the Board, by unanimous vote of the full Board, finds another method of procurement to be more advantageous; and

**WHEREAS**, the Board of Town Commissioners believes that the Town is in need of a professional road engineering firm to assist the Town with designing and planning Town road replacement; and

**WHEREAS**, the Board of Town Commissioners released RFP #UM 2021-03 and published it for at least 15 days to seek interested applicants from Thursday October 14<sup>th</sup>, 2021, through Friday November 19<sup>th</sup>, 2021; and

**WHEREAS**, the Board of Town Commissioners waived the formal request for bids process and alternatively released RFP #UM 2021-03 soliciting proposals, and thereby published said request for proposals for at least 15 days to seek interested applicants during the period of from Thursday October 14<sup>th</sup>, 2021, through Friday November 19<sup>th</sup>, 2021; and

**WHEREAS**, the Town Board of Commissioners hereby finds that sufficient funds have been appropriated and that XXXXXXXXXX is a responsible offeror whose proposal is the most advantageous to the Town taking into consideration price and the evaluation factors set forth in the request for proposals.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners for The Town of Upper Marlboro, sitting in regular session this \_\_\_\_\_ day of \_\_\_\_\_, 2022, that the Town Board of Commissioners hereby authorizes the Town to enter into a contract with XXXXXXXXXX attached hereto and incorporated by reference herein.

ATTEST:

THE TOWN OF UPPER MARLBORO

\_\_\_\_\_  
Clerk: John Hoatson

\_\_\_\_\_  
Sarah Franklin, President

Date: January 11th, 2022

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

\_\_\_\_\_  
Thomas Hanchett, Commissioner

\_\_\_\_\_  
Karen Lott, Commissioner

\_\_\_\_\_  
Vacant, Commissioner

CERTIFICATION

I, the undersigned, hereby certify that I am the Town Clerk of the Town of Upper Marlboro and that the Board of Town Commissioners of the Town of Upper Marlboro at a public meeting at which a quorum was present adopted this Resolution, and that said Resolution is in full force and effect and has not been amended or repealed.

In witness whereof, I have hereunto set my hand and seal of the municipal corporation, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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

## The Town of Upper Marlboro

RESOLUTION: 2022-04  
SESSION: Regular Town Meeting  
INTRODUCED: January 11<sup>th</sup>, 2022

ADOPTED:

### **A RESOLUTION FOR THE ADOPTION OF NEW RULES OF ORDER AND REGULATIONS FOR PUBLIC MEETINGS OF THE BOARD OF COMMISSIONERS FOR THE TOWN OF UPPER MARLBORO.**

**WHEREAS**, the Board of Commissioners for the Town of Upper Marlboro (the “Board”) must meet and follow the Open Meetings Requirements (Subtitle 3) of the Open Meetings Act (Title 3) found in the Maryland Annotated Code, General Provisions Article, and the Town Charter; and

**WHEREAS**, in addition to the entire Charter, the Board is also specifically governed pertaining to meetings by the Town Charter, Sections 82-6 (Meetings of Board), 82-7 (Board to be the Judge of Qualifications of it [its] Members), 82-8 (Quorum), and 82-9 (Procedure of Board); and

**WHEREAS**, pursuant to said Section 82-9 of the Charter, the Board shall determine its own rules of order of business, and further pursuant to Section 82-13 of the Charter, the President shall preside at all meetings of the Board in accordance with the accepted rules of parliamentary procedure, except that [hethey](#) may vote on any questions before the Board; and

**WHEREAS**, pursuant to Section 82-6 of the Charter, the residents of the Town shall have a reasonable opportunity to be heard at any regular meeting in regard to any municipal question; and

**WHEREAS**, pursuant to Section 82-3 of the Charter, all legislative powers of the Town shall be vested in a Board of Commissioners consisting of ~~three~~[five](#) Commissioners who shall be elected ~~ands~~ [therein](#) after provided and who shall hold office for a term of two years and until the succeeding Board takes office; and

**WHEREAS**, the Board intends to repeal and re-adopt its rules for the conduct of meetings as stated ~~hereinbelow~~[herein below](#); and

**WHEREAS**, the Board of Commissioners further finds that the following rules of order for the conduct of meetings and regulations for public meetings regarding observation of or participation in said meetings should be adopted as stated herein below.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of the Town of Upper Marlboro hereby approves, adopts and authorizes the following rules of procedure for the conduct of meetings and regulations for public meetings:

## **ARTICLE 1. AUTHORITY, APPLICABILITY, & AMENDMENT**

1.1	Authority	4
1.2	Applicability	4
1.3	Amendment	4
1.4	Recession and Suspension of Rules	4

## **ARTICLE 2. GENERAL RULES OF PROCEDURES & POLICIES**

2.1	Meetings Shall be Public; Open Meetings	4
2.1	Maryland Open Meetings Act	5
2.2	Regular Meetings	5
2.3	Work Sessions	6
2.4	Special Meetings	6
2.5	Emergency Meetings	6
2.6	Closed Sessions	6
2.7	Recessed Meetings	7
2.8	Information Meetings	7
2.9	Public Hearings	7
2.10	Roll Call and Attendance	7
2.11	Quorum	7
2.12	Loss of Quorum	8
2.13	Conflict of Interest	8
2.14	Presiding Officer	8
2.15	Place of Meeting	9
2.16	Notice of Meeting	9
2.17	Conduct of Meetings	9
2.18	Dissents and Protests	9
2.19	Courtesy, Decorum, Conduct & Order	10
2.20	Board May Discipline its Own Members	12
2.21	Motions	12
2.22	Other Procedural Motions	13
2.23	Rules of Discussion of Pending Questions	14

## **ARTICLE 3. VOTING**

3.1	Voting Rules	14
3.2	Voting Disqualification	14
3.3	Tie Votes in Filling Vacancy	15

**ARTICLE 4. MINUTES & RECORD KEEPING**

4.1 Minutes of Meetings	15
4.2 Record of Meetings	15

**ARTICLE 5. SUSPENSION & AMENDMENT OF RULES**

5.1 Suspension of Rules	16
5.2 Enforcement of Rules & Procedures	16

**ARTICLE 6. THE AGENDA**

6.1 Agenda	16
6.2 Order of Business	17

**ARTICLE 7. WORK SESSION POLICIES & PROCEDURES**

7.1 Purpose	18
7.2 Agenda	18
7.3 Documents and Exhibits Presented	18
7.4 Technical Questions	18
7.5 Audience Comments or Questions	18

**ARTICLE 8. GENERAL**

8.1 Commissioner Requests	18
8.2 Commissioner Requests for Funding	19
8.3 Use of Staff Resources	19

**ARTICLE 9. PUBLIC STATEMENTS BY COMMISSIONERS**

9.1 Representation or Position by the Board or President	19
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*[Remainder of page intentionally left blank.]*

## **ARTICLE 1. AUTHORITY, APPLICABILITY, & AMENDMENT**

### **1.1 Authority.**

Section 82-9 of the Town Charter of the Town of Upper Marlboro, Maryland, grants the Board of Commissioners (the “Board”) the right to determine its own rules of procedure, and the following rules are enumerated under and by authority of said provision.

### **1.2 Applicability; Robert’s Rules.**

The rules of procedure adopted by the Board are applicable to Town Board of Commissioners meetings. Should these rules be silent or inapplicable on a matter of procedure then the latest edition of Robert’s Rules shall control.

### **1.3 Amendment.**

These rules may be amended, or new rules adopted, by a majority vote of the members of the Board present.

### **1.4 Recession and Suspension of Rules.**

A motion to suspend these rules and procedures may be brought pursuant to a majority vote of the members of the Board present.

## **ARTICLE 2. GENERAL RULES OF PROCEDURES & POLICES**

### **2.1 Meetings Shall be Public; Open Meetings.**

A. A meeting occurs when a quorum of the Board convenes to consider or transact public business. Pursuant to Section 82-8 of the Town Charter, a quorum is a majority of the Board’s elected membership, or ~~twethree~~ (32) commissioners. However, no ordinance shall be approved, nor any other substantive action taken unless the measure or action is approved by at least ~~threetwo~~ (32) commissioners.

B. All meetings of the Board shall be governed by the Maryland Open Meetings Act and shall ordinarily be public, and notices thereof shall be posted as provided under the Maryland Open Meetings Act, General Provisions Article, Title 3, Annotated Code of Maryland, Section 3-302, stating that except in the case of an emergency meeting, notice of all meetings shall be given at least 24 hours in advance. Nothing in this section precludes the body from meeting in closed session as outlined in the Maryland Open Meetings Act. The information required in 3-306 of the Open Meetings Act as to notice to the public of the time, vote, persons present and topics discussed shall be appended to the minutes of the next public meeting.

C. Maryland Open Meetings Act. *The Maryland Open Meetings Act, Chapter 3-A-The right to "attend" a meeting, Section 3- 303(a) provides, "[w]henver a public body meets in open session, the general public is entitled to attend."* This means that members of the public may come to a meeting and observe it and not necessarily speak at the meeting unless the Charter or the meeting rules state otherwise. This includes any motion being considered to close a meeting, where the Act does not permit the public generally to be entitled to speak (*City of New Carrollton v Rogers*, 287 Md 56, 72 (1980) (While the Act does not afford the public any right to participate in the meetings, it does assure the public the right to observe the deliberative process and the making of decisions by the public body at open meetings). So, unless the public body is governed by laws that require the particular body to receive public comment, the decision of whether to allow members of the public to speak is up to the public body. Pursuant to Section 82-6 of the Charter, the residents of the Town shall have a reasonable opportunity to be heard at any regular meeting in regard to any municipal question, but that right is during the designated period. Ordinarily, the management of the public comment period is up to the presiding officer. See, e.g. 9 OMCB Opinions 232, 233 (2015) (stating that the Act does not regulate the presiding officer's decisions on whether to allow a member of the public to speak). Complaints about the manner in which a presiding officer conducts a public comment period thus do not state Open Meetings Act violations. 8 OMCB Opinions 84, 85 (2012).

## 2.2 Regular Meetings.

~~A. Regular meetings. From the Charter: "The newly elected Board shall meet at 8:00 p.m. on the first Monday of December following its election for the purpose of organization, including electing a President and appointing a Treasurer, after which the Board shall meet regularly at such times as may be prescribed by its rules but not less frequently than once each month. Special meetings may be called upon the request of the President or a majority of the members of the Board. All meetings of the Board shall be open to the public, except that the Board may, by majority vote, meet in closed session for any purpose then authorized by State law; and, the residents of the Town shall have a reasonable opportunity to be heard at any regular meeting in regard to any municipal question."~~

~~AB. Regular Town Meetings: Starting in March 2022, the Board of Town Commissioners will hold their Town Meetings on the 4<sup>th</sup> Tuesday of the Month. of the Board of Town Commissioners are held on the 2nd Tuesday of each month at 7:00 p.m. at the Town Hall. Regular Town Meetings are open to the public and time is provided on the agenda for public comment.~~

~~BC. The Board also conducts Work Sessions, which are open to public observation only,~~

~~but participation is at the discretion of the Board. Board Work Sessions are conducted on the 4th Tuesday of each month at 7:00 p.m. Occasionally, the Board will call a Special Meeting, or, an Emergency Meeting should a timely business item need immediate action.~~

### **2.3 Work Sessions.**

A. Purpose. The Board may call and hold work sessions for the purpose of conducting a detailed and thorough exploration of matters that may properly come before the Board. *The work session is a meeting subject to the Open meetings Act. However, the formal adoption or passage of Ordinances, Charter Amendments, Annexation Resolutions, Budget Amendments, other legislation or formal (written) resolutions, should not be done at a work session, unless the rules are suspended.*

B. The Board conducts Work Sessions, which are open to public observation only, but participation is at the discretion of the Board. Starting in March 2022, Regular Work Sessions will be held on the 2<sup>nd</sup> Tuesday of the month. ~~Board Work Sessions are conducted on the 4th Tuesday of each month at 7:00 p.m.~~ Work Sessions, like special or emergency sessions, are not regular meetings and no opportunity need be provided under Section 82-6 of the Charter for citizens to speak unless at the Board's discretion. See also Maryland Open Meetings Act, Chapter 3-A- The Right to "attend" a meeting, Section 3-303(a).

### **2.4 Special Meetings.**

Occasionally, the Board will call a Special Meeting, or, an Emergency Meeting should a timely business item need immediate action. Special meetings may be called upon the request of the President or a majority of the members of the Board.

### **2.5 Emergency Meetings.**

A. In case of an emergency or urgent public necessity, which shall be expressed in the meeting notice, it shall be sufficient if members receive, and notice is posted two (2) hours before the meeting is convened. Notice shall be provided also to the media, as applicable should any member of the media regularly attend Town meetings, and the public by electronic or website notification.

B. An emergency meeting is a type of special meeting. An emergency ordinance may be introduced and passed at any public meeting of the Board provided the rules allow it or are properly waived.

### **2.6 Closed Sessions.**

The Board may close a meeting to the public by a vote in open session under the circumstances, conditions, and for reasons set forth in the Maryland Open Meetings Act, Closing a Meeting - Section 3-305-306 (c). Notice of Closed Sessions shall be given as

required by law. Closed sessions also encompass executive or administrative sessions of the governing body or joint meetings with staff. An executive or administrative session may be convened and closed to discuss the implementation of existing law, or policy or the discussion of pre-decisional administrative matters only and may not delve into policy or legislative or administrative rule making.

## **2.7 Recessed Meetings.**

No meeting shall be recessed for a longer period of time than until the next regular meeting except when required information has not been received, or, in the case of work sessions or special meetings, to a date certain by motion agreed to by the Board.

## **2.8 Information Meetings.**

The Board may hold information meetings to present information to, and obtain feedback from, residents of the Town. The Board will determine the rules governing presentations at such meetings. Information meetings are similar to public hearings but are not mandated by law.

## **2.9 Public Hearings.**

This section is only used when a statutorily required public hearing is part of the order of business. The President/Mayor shall first request staff comments. The Mayor shall open the public hearing and receive citizen input in the following order: proponents, then opponents. While the public hearing is open, the Commissioners may ask questions of the speakers, but may not deliberate or argue with the public on the matter at hand. Those speaking at a public hearing are required to follow the rules established herein for citizen comments. Upon conclusion of citizen comments, the President may close the public hearing. The Board may deliberate or take action on the matter at hand upon the closing of the public hearing, provided the closure is permitted by the Maryland Open Meetings Act.

## **2.10 Roll Call and Attendance.**

- A. A majority of the members of the Board then in office shall constitute a quorum.
- B. Before the Board proceeds with the business before it, the Town Clerk shall conduct a roll-call and note the members present for the minutes. The late arrival of members shall be entered into the minutes.
- C. Except when participating by telephone, ~~or video conference~~ conference (with cameras on), members must be physically or virtually present at the Board's chamber ~~to vote~~. Proxy or absentee voting is not permitted. Participation by telephone or video conference ~~is~~ is permitted provided ~~a meeting is physically conducted at the designated public meeting place and being properly advertised in the agenda.~~

## 2.11 Quorum.

A. Majority of the members elected to the Board shall constitute a quorum to do business, but a lesser number may adjourn from time to time and compel the attendance of absent members in such manner and under such penalties as may be prescribed by Town legislation, ordinance or rule.

B. The affirmative vote of a majority of the members elected to the Board shall be necessary to adopt any ordinance, or approve any other action taken except that a vote to adjourn, or decide a procedural matter, or regarding the attendance of absent members, may be adopted by a majority of the members present.

C. No member shall be excused from voting except as required by law or on matters involving the consideration of ~~his or her~~their own ethical conduct or conflict of interest.

D. Three (3) Commissioners consist of a quorum.

~~D.E.~~ If conducting a virtual meeting or blended meeting, the at least three Commissioners (a quorum) on the call shall have their video on and faces visible to the public.

## 2.12 Loss of a Quorum.

A. Once a meeting has been properly convened with the presence of a quorum and the number of persons necessary to constitute a quorum is no longer present, the President or Presiding Officer shall declare the meeting recessed until a quorum is reestablished. A member of the Board has a duty to attend all meetings called unless there is good cause to be absent.

B. Upon reestablishment of the quorum, the Board shall resume consideration of the matter before it at the time of the recess.

C. If, in the opinion of the President or Presiding Officer, a quorum cannot be obtained within a reasonable period of time; the President or Presiding Officer shall declare the meeting adjourned until the next scheduled meeting.

D. At that next meeting, after taking up the usual preliminary matters, the Board shall resume its consideration of the matter that was before it when it previously adjourned. This shall not prevent any Board member from moving to table, defer, postpone, or make any other appropriate motion with respect to any pending matter.

## 2.13 Conflict of Interest.

A. A Board member prevented from voting by a conflict of interest shall file a ~~conflict of interest~~conflict-of-interest statement with the Town Clerk as soon as possible after the posting of an agenda which contains a conflict; unless a prior conflict of interest statement has already been filed with the Town Clerk.

B. A Board member prevented from voting by a conflict shall step down from the dais and take a seat in the audience, shall not vote on the matter, shall not participate in discussions regarding the matter or attempt to influence the Board's deliberation of the matter in any way, and shall not attend Closed Sessions regarding the matter. Definitions and examples of conflicts or potential conflicts of interest may be found in the Town of Upper Marlboro Public Ethics Ordinance (Ord. 2016-04), as amended.

#### **2.14 Presiding Officer.**

A. The President/Mayor shall serve as the Presiding Officer for all meetings of the Board. In the absence of the President, the senior Commissioner by time in office shall serve as the Presiding Officer. In the absence of a senior Commissioner, the clerk to the board shall call the meeting to order if a quorum of the Board is present and the first order of business shall be for the Board to elect by majority vote, a temporary Presiding Officer from the members seated and in attendance. The temporary Presiding Officer shall serve in such capacity until the meeting is adjourned.

#### **2.15 Place of Meeting.**

All meetings of the Board, unless otherwise determined, shall be held at the Town of Upper Marlboro Town Hall, Board of Commissioners' Chambers. In addition to the customary forms of notification, the notice of change in meeting place shall be prominently posted on the door or other prominent place at the regularly scheduled meeting place. The Town may also conduct virtual or blended (virtual & in-person) as needed, with links to join ~~virtually~~virtually included on the agenda.

#### **2.16 Notice of the Meeting.**

Written notice of all public meetings of the Board shall be posted on the bulletin board or other customary place at Town Hall, and posted on the Town's website and ~~Cable-Channel~~and social media outlets, if any. The notice will show the date, time, place and topic(s) of such meetings and shall include a proposed agenda and, if applicable, a notice that portions of the meeting may be closed.

#### **2.17 Conduct of Meetings.**

Commissioners shall be recognized by the Presiding Officer before speaking. Other persons at the meeting of the Board may speak when called upon ~~or authorized~~invitedor invited.

#### **2.18 Dissents and Protests.**

Any member shall have the right to express dissent from or protest against any ordinance, resolution, or act of the Board and have the reason therefor entered into the minutes. Such dissent or protest may be filed in writing, if couched in respectful language, and presented to the Clerk no later than the next regular meeting following the date of passage of the

ordinance or other legislation.

## **2.19 Courtesy, Decorum, Conduct and Order.**

These rules of order are meant to promote an atmosphere of courtesy and decorum appropriate for the efficient discussion of business. It is the responsibility of the President/Mayor (and members of the Board) to maintain that atmosphere of courtesy and decorum. The Mayor should always ensure that debate and discussion focus on the item and the policy in question, not on the personalities of the participants of the discussion. Debate on policy is healthy; debate on personalities is not. In order to assist in the creation and maintenance of that atmosphere the following rules shall govern all meetings.

- A. Before a Board member, staff member or an audience member may speak, they must first be recognized by the Mayor. Upon recognition the person requesting to speak shall hold the floor and shall make their point clearly and succinctly. Public comments will be limited to three (3) minutes or as determined by the presiding official. Persons making inappropriate, disrespectful and/or, personal attacks, overly redundant or slanderous remarks may be barred by the Mayor from further comment before the Board during the meeting. Audience members who wish to speak during an agenda must first sign-up on the sign-in sheet and submit it to the Town Clerk. The Mayor has the right to cut a speaker off if the discussion becomes too personal, too loud, too crude, inappropriate, disrespectful, redundant, or slanderous. The Maryland Open Meetings Act-Section 3-303 allows for the presiding officer or public body to remove an individual from a meeting if the Presiding Officer determines the behavior of the individual is disrupting an open session.
- B. If a person fails to request to speak before speaking, the Mayor shall rule them “out of order” and remind them that they do not have the floor. While the Board of Commissioners is in session, all members must preserve order and decorum. A person shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of any Board meeting, whether a Regular meeting, Special meeting or a work session, nor disturb any other person while speaking or refuse to obey the orders of the Mayor or Presiding Officer. Members of the Commission should not leave their seats during a meeting without first obtaining permission of the Mayor, or making a motion to recess.
- C. Every person desiring to speak shall address the entire body and shall not single out a member of the Board, the audience or a staff member and shall confine themselves to the items on the agenda, avoiding all personal attacks and indecorous language.
- D. With a “call for orders of the day,” this is simply another way of saying, “let's

return to the agenda.” If a Board member believes the discussion has strayed from the agenda, this motion may be raised. The motion does not require a vote. If the Presiding Officer discovers that the discussion has strayed from the agenda, he or she simply returns to the business of the day.

- E. A member indulging in any language or conduct unbecoming a Commissioner shall be called to order by the Presiding Officer and, in such case; the offending member shall lose the floor and shall not proceed without the approval of a majority of the members present. The Board may, by majority vote, expel a member from a meeting for disorderly conduct or violation of Board rules. A member of the staff or the public can likewise be expelled by order of the Mayor subject to review by the Board. The Mayor may be expelled if a motion is made by a Commissioner and approved by a majority of the Board. The Board would then choose a temporary presiding officer to continue the meeting.-
- F. Members shall not raise personnel matters pertaining to alleged improper performance or conduct of any Town employee(s) or Board appointee(s) at a public open meeting. Any concerns about conduct or performance of any Town employee(s) or appointee(s) shall be brought to the attention of the Town’s Director of Finance & Human Resources, or a Closed Session of the Commission may be requested to discuss the personnel matter.
- G. Members of the Board acting in their capacity as Commissioners shall not take positions on either national or foreign political issues that do not affect the Town.
- H. Demonstration or Disorder Amongst Bystanders - If any confusion, demonstration or disorder arises in the Board Chambers, the Presiding Officer may, upon his or her initiative or upon the request of any member, enforce order. If the offending person(s) be a spectator, such person(s) may be ejected from the Chambers. If any member of the Board shall object to the ruling of the presiding officer, such member shall have the right to appeal to the body.
- I. Members of Staff - The ~~Chief Operating Officer, Chief of Staff~~ Town Administrator and Town Clerk shall have the right to take part in the discussion of all matters coming before the Board, and other members of staff shall be entitled to take part in discussions of the Board relating to their respective offices.
- J. Members of the public may speak for three (3) minutes, during Public Comment

Time, at Regular Town meetings of the Board of Commissioners according to procedures established by the Board.

1. A sign-up sheet will be placed on the side table in the room for people to sign-in if they wish to speak. They will be called to speak at the podium in the order in which they were signed-in. If the meeting is held virtually, the public will be able to “raise their hand” or chat with the Town Clerk to sign up to speak.
2. Each speaker is limited to one presentation per agenda item allowing for public comment per meeting and a maximum timed limit of three (3) minutes unless another limit is established.
3. If the subject matter does not pertain to Town business the Mayor shall advise the individual and/or make recommendations as to how they may get the issue addressed.
4. Citizens speaking on agenda items shall restrict their comments to the subject matter listed.
5. Citizens speaking on non-agenda items shall only speak on matters pertaining to Town business or issues which the Board would have the authority to act upon if brought forth as an agenda item.
6. The Board may not act upon or discuss any issue brought forth as a non-agenda item; except to: Make a statement of specific factual information given in response to the inquiry, or a recitation of existing policy in response to the inquiry.
7. Proper respect, decorum, and conduct shall prevail at all times. Impertinent, slanderous, or personal attacks are strictly prohibited and violators may be removed from the Commission chambers.
8. No placards, banners or signs may be displayed in the Board chambers or Town Hall. Exhibits relating to a presentation are acceptable.
9. Arguing, intimidation or other disruptive behavior is prohibited. Discussion and/or debate are acceptable only on items specifically listed

on the agenda, or that are municipal issues.

## **2.20 Board May Discipline its Own Members.**

A. In the event a Board member violates the Charter, an ordinance, these rules or any other law or regulation of the Town or acts in a manner that causes embarrassment or disgrace to the Town of Upper Marlboro, the Town Board of Commissioners by majority vote of its members may discipline the offending member.

B. Such action may only take place after an executive session is held to discuss the offense. The offending member shall be present at the executive session to answer any questions asked by members of the Board of Commissioners or make other statements as he or she may desire to make in his or her defense. If the offending member refuses to attend the executive session, the remaining members of the body may proceed in his or her absence.

C. The outcome of the executive session may be as follows and shall be made publicly in open session in accordance with the Maryland Open Meetings Act:

1. *No Action.* The Board chooses to take no action.
2. *Private Censure* – The Board may choose to privately censure the offending member, leaving their individual or collective comments to the offending member left in the confines of the closed session.
3. *Public Censure* – The Board may choose to publicly censure the offending member through a written or oral resolution passed by majority vote and entered into the public record. The public censure may include a separate written letter of censure that will be considered to be a public record and placed in the member’s personnel record along with any formal resolution.

D. Town elected officials alleged or found to be in violation of the Town’s Public Ethics Ordinance may, in addition to or in lieu of receiving a censure under these rules, be further subject to the enforcement procedures and penalties of the ethics ordinance.

## **2.21 Motions – when reduced to writing.**

~~Every motion or proposition shall be reduced to writing on the call of any member, and should a motion be made and seconded, shall be deemed in possession of the body and shall be read by the Town Clerk before debate and may be withdrawn at any time previous to the vote being taken.~~

Any member of the Board may call for a motion that has been made and seconded to be written down and read by the Town Clerk before debate.

## **2.22 Other Procedural Motions.**

1. *Motion to Adjourn* – This motion, if passed, requires the Board to immediately adjourn to its next regularly scheduled meetings. This motion requires a simple majority.
2. *Motion to Recess* – This motion, if passed, requires the body to immediately take a recess. Normally the Mayor will determine the length of the recess which could last for a few minutes to several hours. It requires a simple majority vote.
3. *Motion to Table* – This motion, if passed, requires discussion of the agenda item to be halted immediately, and the agenda to be placed on hold. The motion may contain a specific time to bring the item up again, or it may not specify a time. If no time is specified, the item shall be placed on the agenda at the following Town Board of Commissioners meeting.
4. *Motion to Remove from the Table* – This motion, if passed, allows the Board to remove an item previously placed on hold. A vote in favor of removing an item from the table must be made before the body can take action on an item that was tabled.
5. *Withdraw a Motion* – During the debate and discussion of a motion, the original maker of the motion on the floor, at any time, may interrupt the speaker to withdraw his or her motion. The motion is immediately deemed withdrawn and discussion on the motion shall cease. Board members are free to make the same motion or another motion.

## **2.23 Rules of Discussion of pending questions.**

After the previous question has been seconded and the main questions ordered, the member who has introduced, or the staff member who has reported on the matter under consideration, shall have ample time to discuss the proposition pending, at the close of which the vote shall be taken.

## **ARTICLE 3. VOTING**

### **3.1 Voting Rules.**

A. When a question is put, every Board member present shall vote either in the affirmative or a negative, or abstain if there is a conflict of interest on the matter being voted on before the Board of Commissioners. Any member shall be entitled to abstain so long as such member gives a reason for abstaining and such reason falls within one of the following:

1. When the vote would or could be considered improper pursuant to the Town Public Ethics Ordinance.
2. When the vote could or may show bias for or against a person, organization or business that the member has a close personal relationship with thus reflecting poorly on the member and office such member holds.
3. When any member has a direct financial gain or personal gain from the outcome of the vote.

B. Except when determined by the body to vote using another method, all voting shall be made by voice vote. All votes will be taken by a “roll call” by the Town Clerk and shall be stated as a “yea” or “nay.” A record of the “yeas” and “nays” shall be entered upon the minutes of the proceedings of the Board.

D. Prior to a Board vote, the President/Mayor shall go down the list of the Commissioner’s names to check individually if there are any comments, questions, or concerns, prior to the vote.

### 3.2 Voting Disqualification.

A. A member shall not vote upon any matter on which the member is disqualified due to a conflict of interest, or any quasi-judicial action regarding that in which the member is biased.

B. A member shall openly state an abstention due to a conflict of interest or bias.

C. A member who is abstaining due to a financial conflict of interest shall publicly identify the financial interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required.

~~D.~~ As to any other conflict of interest, the member's determination may be accompanied by an oral or written disclosure **of the conflict of interest.**

~~D.~~  
~~E.~~

~~F.~~ A member who is disqualified by a conflict of interest in any matter shall not remain on the dais during the discussion and shall not vote on that matter. ~~However, the member may remain on the dais for Consent Calendar items if the member states the abstention from the vote due to the described conflict of interest before the Consent Calendar is voted on in one motion.~~

E.

### 3.3 Tie Votes in Filling Vacancy.

In the case of a vacancy under Section 82-32 of the Town Charter in the office of President and the remaining ~~four~~<sup>two</sup> elected members of the Board cannot agree on a successor to temporarily fill the office of President, then the Board member receiving the highest number of votes in the most recent general election shall become the Interim President/Mayor until the vacancy can be filled by a majority after a special election.

## **ARTICLE 4. MINUTES & RECORD KEEPING**

### **4.1 Minutes of Meetings.**

Minutes of regular meetings, special meetings, public hearings, public meetings, and work sessions shall be made available to the Public by the Town Clerk. However, *minutes shall not be available until approved by the Board in a regular meeting.* Approved minutes are also posted on the Town's website. Minutes of closed sessions of the body held in accordance with applicable state law *shall not be open to public inspection, shall be approved in closed session, and shall remain sealed until the body votes to disclose them which should be reviewed and decided on a periodic basis or as otherwise agreed upon by the Board.*

### **4.2 Record of Meetings.**

The Town Clerk or designee shall be responsible for minutes of each Regular or Special Meeting and Work Session of the Board of Town Commissioners and for maintaining the official record, which shall include all Board actions. Minutes shall include:

- A. All motions made, the name of the motion maker and second, the method and outcome of the votes taken, names of guests and their affiliation; and
- B. Copies of resolutions, new or revised ordinances or other actions approved by the Town Board of Commissioners.
- C. All ordinances, charter amendment resolutions, and annexation resolutions shall have their titles and sequential numbers read into the record.

## **ARTICLE 5. SUSPENSION & AMENDMENT OF RULES**

### **5.1 Suspension of Rules.**

Any provisions of these rules not governed or controlled by federal, or state law, or the Town Charter or ordinances may be temporarily suspended by a majority vote of all elected members of the Town Board of Commissioners and may be amended in a similar fashion if such amendment was introduced at the previous regular meeting of the Town Board and shall have received preliminary approval of the Town Board at such meeting.

### **5.2 Enforcement of Rules and Procedures.**

The following provisions may be used to enforce the good order of the meeting. The action may be taken by the President/Mayor under his or her own action, or upon a motion to enforce by any Board member.

- A. *Warning* – The President/Mayor may order any person (Board member, staff member or audience member) in violation of these rules to be silent.
- B. *Removal* – If, after receiving a warning from the Mayor or presiding officer, the person continues to disturb the good order of the meeting, the Mayor or presiding officer may order the person to leave the meeting. If the person does not leave the room, the President/Mayor may have the individual removed by the Police.
- C. *Motion to Enforce* – Any Board member may move to require the Mayor to enforce these rules and the affirmative vote of a simple majority of the body shall require the President/Mayor to do so. A motion to enforce is an allowable interruption and is not debatable. "Failure of the Mayor to comply will result in the Board selecting a new presiding officer and direct staff to have the Mayor removed from the meeting."

## ARTICLE 6. THE AGENDA

### 6.1 Agenda.

- A. The agenda shall outline the established order of business.
- B. The President shall include on the agenda any item at the request of any member of the Board, provided that the member shall have furnished to the Town Clerk a description of the item in time for inclusion with the printed agenda within 3-5 days prior to the meeting.
- C. At least ~~twoten~~ ten days before each regular meeting, the Town Clerk shall provide each member of the Board a copy of the agenda for the forthcoming meeting, together with copies of all ordinances, resolutions, and background material of matters to be considered at the meeting.
- D. Under Section 3-302(c) of the Maryland Open Meetings Act found in the General Provisions Article of the Maryland Code, the ability to observe does not mean that the public body must provide to the audience copies of the documents being reviewed by the members. However, the public must be given a grasp of what is being discussed and acted upon at the meeting. The Md. Open Meetings Compliance Board has advised that an oral summary or general description of the documents in question will ordinarily serve this purpose.
- E. Copies of the agenda shall be posted on the Town website and on the bulletin board in the Town Hall at least one business day prior to each regular meeting. A reasonable number of copies of the agenda shall be available to the public at the

Board meeting or earlier upon request, as available.

- F. All meeting agendas and amendments to the agenda shall be approved by the Town Board of Commissioners at the beginning of the meeting. Items on the agenda can be reordered by the Board during the scheduled meeting.
- G. Items of routine business that generally require no discussion by the body may be placed on a Consent Agenda of a Regular Meeting. Any member of the Board may remove an item from the Consent Agenda and place it under Action Items.
- H. All meeting agenda and amendments shall be approved the Board at the beginning of the meeting. Items on the agenda can be approved by the Board during the scheduled meeting.
- I. Agendas for Regular Meetings and Work Sessions shall be published at least ~~one~~<sup>3-</sup>~~five~~? business day prior to the meeting. Agendas for special or emergency meetings may be published as far in advance as reasonably practicable.

## 6.2 Order of Business.

The Town's governing body shall observe the following order of business at Town regular or special meetings subject to amendment at the subject meeting:

- I. Call to Order
- II. ~~Opening Prayer (non-denominational) or moment of silence~~
- III. ~~\_\_\_~~ Pledge of Allegiance
- III-IV. ~~Consent to the Agenda~~
- IV-V. ~~Approval of Minutes/~~ Financial Reports ~~Agenda~~
- V-VI. ~~Staff Reports~~ Public Comments
- VI-VII. ~~Commissioner Reports~~
- VII-VIII. ~~Staff Reports~~
- VIII. ~~Unfinished Business~~
- IX. ~~Financial Business~~
- X. ~~New~~ Business
- XI. Administrative Updates
- X-XII. Public Comment
- XI-XIII. Adjournment

## ARTICLE 7. WORK SESSION POLICIES & PROCEDURES

### 7.1 Purpose.

The President or Board may call and hold work sessions for the purpose of conducting a detailed and thorough exploration of matters that may properly come before the Town

Board of Commissioners. *The work session is a meeting subject to the Open meetings Act. However, the formal adoption or passage of Ordinances, Charter Amendments, Annexation Resolutions, Budget Ordinance Amendments, and other legislation or resolutions, should not be done at a work session.* The following rules shall prevail for the call and conduct of work session meetings.

## **7.2 Agenda.**

Only a limited number of matters shall be considered by the Board during a work session, and sufficient time for consideration of such matters shall be provided. An abbreviated agenda order shall be used for all work session agendas.

## **7.3 Documents and Exhibits to be Presented.**

When possible, staff shall make available to the Board all documents, proposed legislation, policies, contracts, exhibits, maps, plans, architectural drawings, specifications, correspondence or other similar documents at least ~~48 hours~~seven days before the beginning of the session.

## **7.4 Technical or Legal Questions.**

All questions of a technical or legal nature, which require a detailed explanation for understanding, may be considered in a work session. The Commissioners may, through the President, request the attendance of such staff members, the Town Attorney or outside experts as may be required to answer such questions. A work session or portion thereof, like any other public meeting, may be closed to confer with legal counsel, staff or other experts as permitted by the Maryland Open Meetings Act.

## **7.5 Audience Comments or Questions.**

Audience comments or questions will not be considered at a work session.

# **ARTICLE 8. GENERAL COMMISSIONER REQUESTS**

## **8.1 Commissioner Requests.**

Commissioner requests that deal with policy issues and Commissioner requests that may be construed as direction or orders shall be directed to the President or ~~their~~her designee, except for general inquiries or questions involving constituent services, in which case the Commissioners may go to the ~~Chief of Staff, Chief Operating Officer, Chief of Police or Superintendent of Public Works provided such subordinate contact is reported to the Chief Operating Officer.~~Town Administrator, unless opposed by a majority of the Board.

## **8.2 Commissioner Requests for Funding.**

Commissioner requests requiring funding must go through the President, ~~and~~ Treasurer, ~~and~~ Director of Finance. The President ~~or his or her designee~~, and Treasurer shall respond

in a timely manner.

**8.3 Use of Staff Resources.**

A request for use of staff time, other than standard requests for information from department heads, by a Commissioner must be made through the ~~Chief Operating Officer~~ Town Administrator unless already approved by the Board of Commissioners.

**ARTICLE 9. PUBLIC STATEMENTS BY COMMISSIONERS**

**9.1 Representation or position by the Board or President.**

When the individual Commissioners give a public statement in their elected capacity on an issue affecting the Town, the Board member shall first identify the adopted position of the Town Board of Commissioners with respect to that subject, if any. Thereafter, the elected official may provide a statement of personal opinion or comment (including a minority or opposing viewpoint), provided the Board member expressly acknowledges that such statements do not represent the position of the Town. Notwithstanding anything in this Article to the contrary, the President/Mayor as the Chief Executive Officer shall be the principal spokesperson for the Town on any municipal matter and pursuant to the Charter may reserve the paramount right and prerogative of speaking exclusively on behalf of the Town pertaining to the administration of the day-to-day affairs of the Town and the faithful execution of all laws and policies of the Town.

**AND BE IT FURTHER RESOLVED** that this Resolution shall take effect upon its passage.

ATTEST:

THE TOWN OF UPPER MARLBORO  
BOARD OF COMMISSIONERS



# Town of Upper Marlboro

Town Hall, 14211 School Lane  
info@uppermarlboromd.gov  
Upper Marlboro, MD 20772  
[www.uppermarlboromd.gov](http://www.uppermarlboromd.gov)

Tel: (301) 627-6905  
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## Town Staff Vaccination Policy

### Purpose

The Town of Upper Marlboro (the Town) endeavors to provide and maintain a workplace that is free of all known health hazards. In light of the COVID-19 public health emergency, the Town is implementing this policy as a measure of safeguarding the health of our employees; the residents and guests that Town staff exists to serve; and the community at large from COVID-19, as it has been advised by the Centers for Disease Control and Prevention, and demonstrated by public health statistics, that the spread and ultimate effect of COVID-19 is substantially reduced among individuals receiving vaccinations.

### Scope

The Board of Town Commissioners for the Town of Upper Marlboro requires all employees (including regular full-time and part-time, and temporary) to receive complete doses of one of the three COVID-19 vaccinations currently approved for use by the Food and Drug Administration (“FDA”) by no later than January 31<sup>st</sup>, 2022. These include vaccinations developed Pfizer, Inc.; Moderna, Inc.; or Johnson and Johnson. Currently three approved vaccinations have received emergency use authorization from the FDA to combat the spread of COVID-19. Partially vaccinated employees may be allowed to remain employed with the Town past the January 31<sup>st</sup>, 2022, date until they are fully vaccinated under the following conditions:

1. Employees will be required to wear KN-95 face masks at all times while on Town property, and while dispensing the duties of their jobs.
2. Employees will be required to maintain social distance (at least six feet from all other individuals whenever possible) while on Town property, and while dispensing the duties of their jobs.
3. After January 31<sup>st</sup>, 2022, employees will be required to provide the Human Resources Office with proof of a negative COVID-19 test every Monday by 9:00 a.m., or at another weekly interval approved by the unvaccinated employee’s immediate supervisor and department head. Results must include proof that the test was administered no more than two days prior to the time that it is presented to the Human Resources Office. Any associated costs for the tests will be the responsibility of the employee.
4. Employees will not be permitted to attend in-person training events or participate in other job-related activities involving travel.
5. Employees will not be eligible to receive additional sick leave for any COVID-19 related absences for themselves or for the care of others.
6. Employees will not be eligible for promotion.
7. Employees who remain unvaccinated beyond February 28<sup>th</sup>, 2022, may be subject to termination of employment.

**Booster Shots:**

Once a booster shot is fully approved by the FDA, all Town staff are highly encouraged to receive an approved booster shot. The Board of Commissioners may consider incentives for staff who receive the booster shot. Staff shall be required to get the booster once the CDC considers “fully vaccinated” to include having a booster shot.

**New Hires:**

Any staff hired after the effective date of this policy shall be fully vaccinated prior to their official start date.

The Town of Upper Marlboro is committed to the safety and welfare of all staff, the public and visitors to Town facilities. We look forward to returning to life pre-COVID and being able to reopen our facilities to all staff and visitors.

Vaccines are a critical method of controlling the spread of COVID. As such, all staff who may have contact with the public or other essential staff as part of their daily job responsibilities will be required to receive both doses of the COVID-19 vaccination, or a single dose of Johnson & Johnson.

Staff shall submit documentation of receiving the vaccine to Human Resources or electronically to [wmorgan@UpperMarlboroMD.gov](mailto:wmorgan@UpperMarlboroMD.gov).



# Town of Upper Marlboro

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To: Board of Town Commissioners  
From: Sarah Franklin, President & Events Committee Liaison  
Date: Friday January 7<sup>th</sup>, 2022  
Re: 2022 Town of Upper Marlboro Community Events Calendar

Commissioners,

All dates here are finalized dates for the Town's planned calendar year 2022 community events. Generally based on the Event's Committee's policy of keeping events on the Second Saturday of the month. (This was decided as a marketing technique to allow people to think of the second Saturday as the day there will be Town Events)

January	22 <sup>nd</sup> Volunteer Appreciation Event (Town)
February	
March	
April	9 <sup>th</sup> Poetry Event (Arts Council)
May	14 <sup>th</sup> Marlboro Day 18 <sup>th</sup> & 25 <sup>th</sup> Farmer's Market (Green Team) 30 <sup>th</sup> Memorial Day (Town)
June	11 <sup>th</sup> Movie Night 1 <sup>st</sup> , 8 <sup>th</sup> , 15 <sup>th</sup> , 22 <sup>nd</sup> , 29 <sup>th</sup> Farmer's Market (Green Team)
July	9 <sup>th</sup> Movie Night 6 <sup>th</sup> , 13 <sup>th</sup> , 20 <sup>th</sup> , 27 <sup>th</sup> Farmer's Market (Green Team)
August	13 <sup>th</sup> Movie Night ? National Night Out (support CSA23 Event) 3 <sup>rd</sup> , 10 <sup>th</sup> , 17 <sup>th</sup> , 24 <sup>th</sup> , 31 <sup>st</sup> Farmer's Market (Green Team) 27 <sup>th</sup> Cruzin' on Main Car Show (Ledo's/MVFD Event)
September	10 <sup>th</sup> Movie Night 7 <sup>th</sup> , 14 <sup>th</sup> , 21 <sup>st</sup> , 28 <sup>th</sup> Farmer's Market (Green Team) 30 <sup>th</sup> Old Crain Highway Memorial Centennial (Historic Committee)
October	1 <sup>st</sup> National Faith in Blue (Public Safety) 8 <sup>th</sup> Happy Leaf Arts Festival (Arts Council) 5 <sup>th</sup> , 12 <sup>th</sup> , 19 <sup>th</sup> , 16 <sup>th</sup> Farmer's Market (Green Team) 29 <sup>th</sup> Trunk-or-Treat
November	11 <sup>th</sup> Veteran's Day (Town?)
December	3 <sup>rd</sup> Holiday Event

# memo

## Upper Marlboro Arts Council

To: Board of Town Commissioners, Town of Upper Marlboro  
From: Ronnie Humbertson, Member, Upper Marlboro Arts Council  
CC: Kyle Snyder, Town Administrator; John Hoatson, Town Clerk  
Date: Monday, January 3, 2022  
Re: Murals on Main Street Project- Final Artist Recommendation

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The Town of Upper Marlboro (Town) received a planning grant from the Maryland State Art Council to identify two (2) mural artists or artist's teams for a new mural project. The Town asked the Upper Marlboro Arts Council (UMAC) to help develop the project and release a call to identify artists who would activate two site locations with murals on Main Street. The two site locations identified by the Town are **14707 Main Street (China Taste) and 5311 Water Street**.

UMAC developed the *Murals on Main Street Project* and released a call to professional Maryland artists or artist teams to submit a design proposal for consideration. Each site had a theme: 1) *History of Upper Marlboro* at 14707 Main Street and 2) open to *Artist Expression* at 5311 Water Street. The project was developed to facilitate the following goals: *Provide the Town of Upper Marlboro residents and visitors with an enriched environment on Main Street through two murals; Contribute to an inviting community space with engaging public art to promote communal activities and walkability in the neighborhood; and reflect and celebrate the diversity of the Upper Marlboro community.*

UMAC reviewed all submissions to the call for artists and identified six (6) semi-finalists to submit a design proposal for the mural project- five (5) of the semi-finalists submitted a final proposal. UMAC and the Town released two community surveys, wherein the semi-finalists received written feedback on ideas for advancing their proposals. Afterward, the community voted on the final designs submitted by the artists and provided feedback.

This memo serves as the official notification and final recommendation to the Board of Town Commissioners for the two (2) artists selected for the Main Street Mural project. UMAC will move forward with the Town to help submit the *Public Art Across Maryland New Artworks Grant* from the Maryland States Arts Councils once approved by the board. Once the Town receives a funding award for the project(s), UMAC will provide project management assistance with the Town regarding the installation of the murals in 2022.

Please review the attached documents for an overview of the recommended artists design proposal and the voting results from the Town survey of the final proposals.

### **Site 1: 14707 Main Street, Artist LaToya Peoples**

For LaToya Peoples' mural design, the images of children were an option or placeholder in the artist's proposal. The artist is open to change based on community feedback. To better reflect Upper Marlboro's diverse population, UMAC recommends the artist revise her design to show a greater diversity of race and age.

### **Site 2: 5311 Water Street, Artist Eric B. Ricks**

UMAC recommends the mural design as submitted by the artist and does not recommend any changes.

Attached: LaToya Peoples' proposal; Eric B. Ricks' proposal; Community voting data.

Artist: LaToya Peoples- Baltimore, MD

<http://www.latoypeoples.com>

Site Location: 14707 Main Street, Upper Marlboro

### Mural Design-



### Mural Proposal-

The mural design I have envisioned is filled with symbolism meant to capture both the history and spirit of Upper Marlboro. I was inspired to include both literal and figurative imagery that is true to the narrative that emerged from my research.

In the background, is a visual timeline of the evolving landscape of Upper Marlboro, from the pre-colonial raw landscape where Indigenous peoples thrived (Piscataway land map superimposed). Historical landmarks from the bustling port city of colonial times and its contemporary status as a bastion of prosperity and wealth.

In the foreground, there are portraits of four children, (the children seen in my design are placeholders, for models from the community) who represent the hope and future of Upper Marlboro. They each hold in their hands plants/flowers that reference and represent Upper Marlboro's history; past, present, and future. The first child holds corn/maize, which honors the origin story of the Piscataway people who grew the crop alongside beans and squash, tended to largely by the women of those tribes, who nourished generations from the land. The second child holds fresh and dried leaves of tobacco and the tobacco flower, a plant whose influence on Upper Marlboro is rich and complex. The third child holds a willow oak tree, the County Tree of PG which is a nod to both the growth experienced here throughout the years but also the history of the Black experience in Upper Marlboro and the transition and ongoing development the community continues to embark on. Finally, a fourth child looks forward to the future, holding the PG County official flower, the Daffodil, one of the first flowers to bloom in spring and symbol for rebirth. She also holds a peony, a symbol of prosperity and the unlimited possibilities that lie within this community.

Alternate Idea: In lieu of children, portraits of people of varied generations (modeled after Upper Marlboro community members or prominent people).

**Mural Budget- Total project cost \$18, 040**

- Exterior Primer Exterior Acrylic
- Montana Gold Spray Paint' Anti-Graffiti Coating
- Artist Fee
- Installation, Artist Assistants, Boom/Scissor Lift rental, Paint, Sundries, Insurance
- 802 Sq Ft x \$10 per Sq Foot

**Previous Murals by LaToya Peoples-**



LaToya Peoples, *Immortal Spirit of Community*, 2021



LaToya Peoples, *Give Them Their Flowers*, 2021





LaToya Peoples, *Our Hope*, 2019



LaToya Peoples, *Unlocking imagination*, 2018

Artist: Eric B. Ricks- Germantown, MD

<http://www.phoenixart.design>

Site Location: 5311 Water Street, Upper Marlboro

### Mural Design-



### Mural Proposal-

My proposed mural design celebrates natural splendor in Prince George's County and the Upper Marlboro community by highlighting the beauty of the local natural heritage. Before sitting to compose this design, I took the time to explore, experience and absorb the beauty of upper Marlboro. I discovered across the street from the county administration building a 12- acre pond and surrounding park land called School House Pond. This beautiful man-made lake surrounded by historic buildings like the Darnall's Chance House Museum and the William Beane's home and gravesite was my inspiration for this project. All the photographic references in this design were photographed during my explorations and highlight the local wildlife. The children are Maryland residents who I staged and photographed for this project. The mural design features a geometric background pattern and a three-dimensional geometric shape at the top left that represents the biodiversity richness and complexity of our wetlands. Two double chested cormorants perch on a limb in front of a lotus flower as the little girl presents a turtle that she's just discovered, her brother sits behind her in the lake, takes a break from his violin to enjoy the butterfly in front of him and the bird on his leg checks out the little turtle in his sister hand. There's a dragonfly sitting on the boy's bow as he shows off his Maryland pride on his t-shirt. Next to the girl's leg is a double bubble, which is a symbolic reminder of how precious and fleeting these beautiful moments are.

*"You must live in the present, launch yourself on every wave, find your eternity in each moment. Fools stand under Islands of opportunities, and I look towards another land. There is no other land; there is no other life but this."*

Henry David Thoreau

### Mural Budget- Total project cost \$18,464

- Lift rental- \$2,400.00
- Power wash- \$350.00
- Base wall primer- \$275
- Mural paint and painting supply -\$1,400
- Mural isolation coating- \$316

- Golden acrylics UV varnish and anti-graffiti coating- \$838
- Varnish solvent- \$285
- Per diem- \$600
- Assistant fee- \$3,000
- Artist fee- \$9,000

**Previous Murals by Eric B. Ricks-**



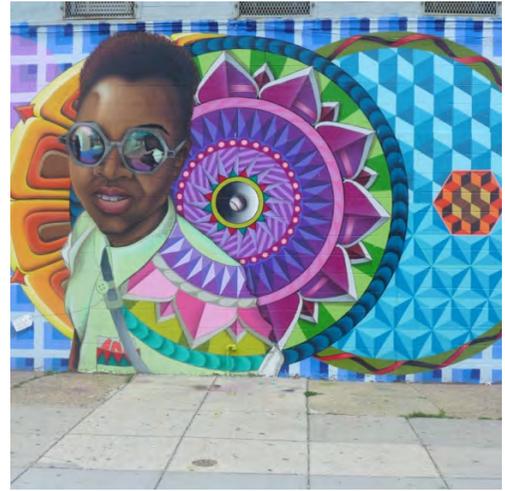
Eric B. Ricks, *Nourishing and Flourishing with Delight (Maya Angelou)*, 2019



Eric B. Ricks, *With patience and persistence dreams become reality*, 2019



Eric B. Ricks, *Love Supreme*, 2017



Eric B. Ricks, *Bird Song*, 2016

# Q1 Please vote below by clicking on your favorite proposal.

Answered: 285 Skipped: 23



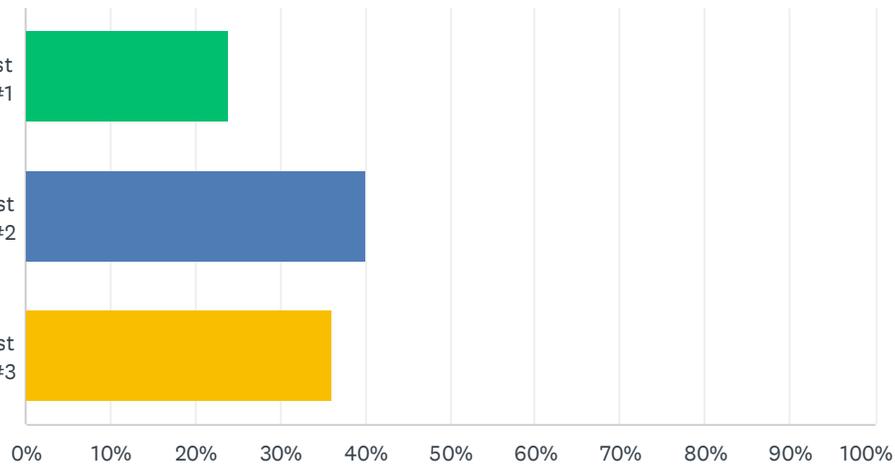
Artist Proposal #1



Artist Proposal #2



Artist Proposal #3



ANSWER CHOICES	RESPONSES	
Artist Proposal #1	23.86%	68
Artist Proposal #2	40.00%	114
Artist Proposal #3	36.14%	103
TOTAL		285

### Q3 Please vote below by clicking on your favorite proposal.

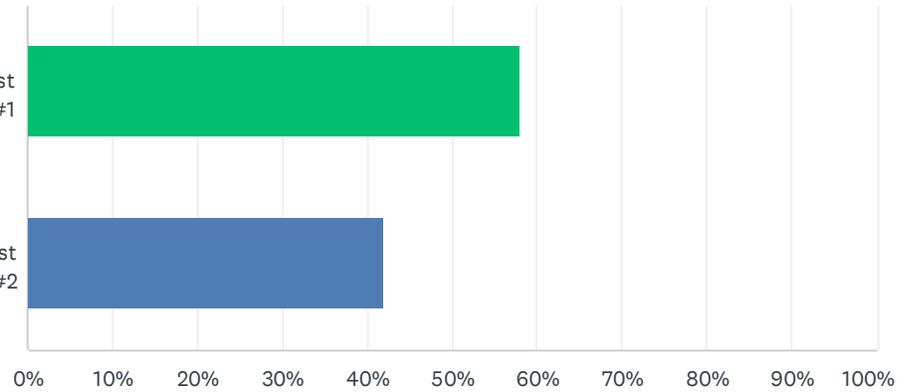
Answered: 241 Skipped: 67



Artist Proposal #1



Artist Proposal #2



ANSWER CHOICES	RESPONSES	
Artist Proposal #1	58.09%	140
Artist Proposal #2	41.91%	101
TOTAL		241



# Town of Upper Marlboro

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## Board Priorities

### 2022/2023 Board of Town Commissioner Priorities:

1. Flooding mitigation and safety. The Commission wishes to ensure the safety of residents, property, and travel during storm events.
2. Safe and modern roadways. The Commission wishes to see the Town's roadways paved, modernized, and connected for safe travel for vehicles, bikes, and pedestrians. The commission seeks to improve safety for all, and particularly our youngest residents.
3. Increased recreation opportunities. The Commission wishes to strengthen the Upper Marlboro Community with more recreation opportunities for residents creating connections and new spaces and events to serve as places for the community to meet.
4. Economic Development. The Commission wishes to focus on supporting area businesses and investing in our Downtown development.