

Town of Upper Marlboro

14211 School Lane • Upper Marlboro, Maryland 20772

Board of Town Commissioners

WORK SESSION

September 28, 2021 – 7:00 p.m.

AGENDA

This meeting will be conducted via Zoom Video Teleconference. As the Town Hall remains closed to the general public at this time, interested citizens may participate by video:

<https://uppermarlboromd.gov.zoom.us/j/89116943163?pwd=cENibjFjUWRIWINOR3ptaFIFbXFudz09>

Video Meeting ID: 891 1694 3163, Passcode: 934143 or,

Audio Dial-in only: 301 715 8592 *Participants must sign-in with the Clerk*

Work Sessions are open to public observation, however,
public participation is at the discretion of the Board

6:30 PM - In-Person Swearing-In of new Town Police Officer Joseph Brooks

***Residents Encouraged to Attend Ceremony At Town Hall**

7:00 PM - Roll Call

Pledge of Allegiance

Business

1. Red light & Speed (Presentation)
2. Town Attorney RFP Submissions (Board Discussion)
3. Town Roadway Survey & Design RFP (Board Discussion)
4. Draft Marlborough Town HOA Agreement (Board Discussion)
5. Town Job Descriptions (Board Discussion)
6. FY22 Police Vehicle Lease Agreement (Board Discussion)
7. Administrative & Staff Items

Closed Session

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: (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, September 28, 2021 following the Board Work Session to discuss contracts.

*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*

Janice Duckett
Commissioner

Sarah Franklin
Commissioner/Treasurer

Linda Pennoyer
Commissioner/President



Town of Upper Marlboro

Town Hall, 14211 School Lane
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Tel: (301) 627-6905
Fax: (301) 627-2080

info@uppermarlboromd.gov
www.uppermarlboromd.gov

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

MEMORANDUM

To: Board of Town Commissioners
From: Kyle Snyder, Town Administrator
Date: Monday September 20th, 2021
Re: RFP # UM 2021-02 Town Attorney Submissions Overview

Commissioners,

The Town of Upper Marlboro has received two submissions to. As you are aware, this RFP was advertised on Town website & social media, and State-wide on the MML page on multiple occasions. Below is a quick overview of the proposals received by the Town, placed in order that the proposals were received. As per the Board's preference, the identities of the firms are removed to allow for a bias free discussion.

Submissions Overview:

Firm	Current Municipal Clients	Scope of Services Responses	Pricing
Firm 1	3 in Washington County & 1 in Pennsylvania.	All responses were satisfactory to staff.	Option 1: \$54,000 annual retainer paid monthly at \$4,500 *with exemptions billed at an addition \$225h/hr Option 2: \$250/hr. +misc. expenses
Firm 2	6 in Prince George's County	All responses were satisfactory to staff.	\$180/Hr. +misc. expenses
Firm 3	None provided	Did not address all RFP guidelines	\$345/Hr. Attorney \$220/Hr. Paralegal

Next steps would be for Town Staff to send the Commissioners copies of the proposals for review, schedule interview if the Board wishes, and schedule a closed session for the Commissioners to discuss the contract proposals further prior to awarding the contract.



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Request for Proposals Town Roadway Engineering Survey RFP # UM 2021-03

Project Overview: The Town of Upper Marlboro owns and maintains 2.3 miles of roadways within its Town limits. Over the past few decades, the Town has improved several roadways but lacks a comprehensive road replacement schedule and budgeting plan. The Town is seeking a firm to conduct a survey of the conditions of all of the Town's roadways to create a road replacement schedule, and to provide construction designs and plans for the redesign and repaving of certain roads to begin construction in Spring 2022.

Scope of Project:

- Meet with Town staff and elected officials on several occasions to review the needs and goals of the project, the consultant will conduct a detailed survey of all existing Town roadways.
- Survey all 2.3 miles of Town roadways and create a comprehensive road replacement schedule and budgeting plan for the Town.
- Draft construction plans and other documents to place project plans for Town for School Lane, Church Street, Spring Branch Drive, and Old Mill Road for the Town to place out to bid for construction to begin in Spring 2022.
- Survey, inspect and provide repaving estimates for Marlborough Lane, Marlborough Circle, Marlboro Terrace, Marlborough Court, and Marlborough Grove. These roadways are currently owned by an HOA, with a possibility of them being turned over to the Town.

Deadline: Responses to this RFP are to be submitted by **Friday November 19th, 2021**, at 5pm. By Mail: Town of Upper Marlboro P.O. Box 280 Upper Marlboro MD 20773. By Email: Info@UpperMarlboroMD.gov. In-Person: Upper Marlboro Town Hall 14211 School Lane Upper Marlboro MD 20772.

Confidentiality Vendors must treat all documents and information provided by the Town including this RFP, as confidential. The Town will treat all proposals received, and the information contained therein, as confidential until a negotiated contract is executed, or all proposals are rejected.

Public Statement No vendor shall make any public statement in relation to this RFP without prior written consent from the Town.

General Conditions The following general conditions apply:

- The Town may not necessarily accept the lowest cost proposal but will strive to select the best and most responsive proposal.
- The Town may cancel this RFP or amend its contents at any time prior to acceptance of a proposal.
- If no proposal is acceptable, then the Town may either re-issue the request for proposal or negotiate with one or more vendors for a satisfactory offer.

- The award of a proposal shall not be deemed final unless and until a contract is successfully negotiated and approved by Town.

Insurance: It is desirable that respondents carry insurance in the approximate amounts set forth below. Responders who carry lower limits should state so in their responses to the proposal (bid response).

- Workers' Compensation (as required by State of Maryland law)
- Comprehensive General Liability Limits: \$500,000 per occurrence for Bodily Injury \$500,000 per occurrence for Property Damage \$1,000,000 aggregate
- Automobile Liability: Limits: \$500, 000 per person \$500,000 per occurrence \$500,000 per occurrence for property damage
- Selected respondent will be required to submit a policy endorsement naming the Town of Upper Marlboro, Maryland, as an additional insured.

Budget: The budget for this RFP should not exceed \$40,000.

Rejection Of Submissions: The Town reserves the right to do the following: reject any or all submissions, waive informalities and irregularities in the submissions received, and accept any portion of any submission if deemed in the best interest of the Town.

Incurring Cost: The Town is not liable for any cost incurred by entities prior to executing a contract or purchase order.

Point of Contact: Kyle Snyder, Town Administrator, can be reached at 301-627-6905 or ksnyder@UpperMarlboroMD.gov with any questions.

Town-Owned Roadway Overview:

Roadway Name	Length	Sidewalks	Notes
CEMETERY LA	0.130	No	No improvements needed.
CHURCH ST	0.210	Yes	
ELM ST	0.150	Yes	Reengineered & resurfaced in 2017
MARLBOROUGH DR	0.140	Yes	Resurfaced in 2012
OLD MARLBORO PIKE	0.030	No	
OLD MILL RD	0.190	Needed	Priority Project
PRATT ST	0.090	Yes	
RECTORY LA	0.370	Needed	
SCHOOL LA	0.150	Needed	Priority Project
SERVICE LA	0.130	No	
SPRING BRANCH DR	0.440	No	Priority Project
TRINITY LA	0.030	No	
VALLEY LA	0.070	No	
WILSON LA	0.070	Needed	Priority Project
ST #1	0.050	No	No improvements needed.
NO NAME	0.050	No	No improvements needed.
Total:	2.3 Miles		

Thank you for your interest in this Request for Proposals from the Town of Upper Marlboro.



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MEMORANDUM

To: Board of Town Commissioners

From: Kyle Snyder, Town Administrator

Date: Thursday September 23rd, 2021

Re: Town Service Agreement with Marlborough Towne Homeowners Association Inc.

Commissioners,

The first draft of the updated agreement between the Town of Upper Marlboro and the Marlborough Towne Homeowners Association Inc. is attached. This draft has been forwarded to the HOA for their comments and has not yet been before the Town Attorney.

I believe it covers most of what was discussed and set up for future “sub” agreements for other projects coming in the future (trails, parks, grants, ect).

The one major item for consideration is the potential turning over of the travel lanes of the HOA parking areas (Marlborough Lane, Marlborough Circle, Marlborough Grove, and Marlborough Terrace) to the Town to replace and maintain. It is recommended that it should be discussed after the Engineering firm selected to survey the Town roadways has a chance to survey these roadways (by early Spring 2021) and provide the Town with a replacement/maintenance cost estimate for the Commissioners to consider.

I expect both the Town Attorney and the HOA Board will have edits to this first draft.

Town Services Agreement
between the Town of Upper Marlboro
and the Marlborough Towne Home Owners Association Inc.

Section 1 Overview:

This agreement between the Town of Upper Marlboro and the Marlborough Towne Home Owners Association Inc. (HOA) outlines the duties and responsibilities of the Town of Upper Marlboro to the Town residents living within the HOA. This agreement supersedes and replaces the initial Memorandum of Understanding adopted on December 9th, 1986.

Section 2 Refuse Collection:

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

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

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

Section 3: Police Department

The Town of Upper Marlboro Police Department, with the assistance of the Prince Georges County Police Department, and any other mutual-aid agencies, shall provide patrol and emergency response to the HOA.

Parking Enforcement: The Town of Upper Marlboro Police shall enforce parking restrictions along the entirety of along Marlborough Drive. The HOA may use a vendor to regulate parking issues in off-street parking spaces.

Section 4: Code Enforcement

Any HOA regulations cannot supersede Town of Upper Marlboro and Prince George's County property standards and regulations. The Town of Upper Marlboro cannot enforce any HOA regulations that are not compatible with any existing Town or County regulations. f

Rental Properties: All rental properties shall be properly permitted by the County and/or Town. The HOA agrees to alert to alert the Town to any rental properties

Section 5: Roadway & Right of Way Maintenance

The Town of Upper Marlboro shall maintain the entirety of Marlborough Drive, including snow removal and maintenance of the roadway's sidewalks and curbs. The Town shall not maintain any walkways that extend beyond the sidewalk.

Street Signs- The Town of Upper Marlboro shall install and maintain all street name signs, and all traffic regulatory signs within the HOA. The HOA shall install and maintain all other signage.

Streetlights- The Town of Upper Marlboro shall maintain and provide electricity for the street lights within the HOA.

Section 6: Right of Entry

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

Section 7: Recreation

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

Trail Development: The Town of Upper Marlboro will work with the HOA Board and Maryland National Capitol Parks & Planning to apply for grants, design, and install and maintain a connector trail between Marlborough Circle and the School House Pond trail.

Section 8: Additional Assistance

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

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

The HOA and the Town may enter into a future agreement in which the Town assumes responsibility and ownership of the travel lanes of the parking areas within the HOA.

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

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

Section 9: Severability

If any section, subsection, paragraph, sentence, clause, or word contained in this agreement shall be declared invalid for any reason, such decision shall not affect the remaining portion of this agreement, which shall remain in full force and effect and to this end the provisions of the agreement are hereby declared to be severable.



Town of Upper Marlboro Police Department

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

Date: September 22, 2021

To: Board of Town Commissioners

From: David A. Burse, Chief of Police

Reference: Purchase of New Police Vehicles

Commissioners,

The purpose of this memorandum is to solicit the approval of the purchase of two new vehicles for the Upper Marlboro Police Department. As you know, we are rebuilding the Police Department. To successfully accomplish this goal, we need adequate and functioning vehicles for the current and new officers joining the Department. The new patrol cars will also allow the Police Department to participate with other law enforcement agencies across the County and State in different parades, festivals, and police-related activities.

The cost of two new vehicles is approximately \$65,000 each for a total cost of \$130,000. This amount DOES include the total cost to outfit the vehicles with lights, graphics, radio, and computer. The loan will be repaid over 4 years on a semi-annual payment basis. This will allow the Town to spread the payments out over time versus expending one lump sum payment.

Janice Duckett
Commissioner

Sarah Franklin
Commissioner/Treasurer

Linda Pennoyer
Commissioner/President



203 E. PARK AVENUE, LIBERTYVILLE, ILLINOIS 60048



847-247-0771



847-247-0772



www.taxexemptleasing.com

September 24, 2021

VIA E-MAIL: wmorgan@uppermarlboromd.gov

William Morgan, Finance Consultant
Town of Upper Marlboro
14211 School Lane
Upper Marlboro, MD 20772

Dear Will,

I am pleased to provide the following quote for the Town of Upper Marlboro for the financing of two (2) Police Vehicles and Equipment. This quote is valid for 14 days and is subject to credit review and proper documentation.

Equipment Cost (Approximate):	\$130,000.00		
Down Payment:	\$0.00		
Financed Amount:	\$130,000.00		
Payment Frequency:	Semi-Annual, in arrears (first payment due six months from lease date)		
Term:	<u>3-years</u>	<u>4-years</u>	<u>5-years</u>
Rate*:	3.36%	3.36%	3.36%
Number of Payments:	Three (3)	Four (4)	Five (5)
Payment*:	\$22,958.35	\$17,502.37	\$14,231.20
Factor^:	.17660	.13463	.10947

* Rate and payment assume that the Customer is a tax-exempt entity and the purchase of the equipment falls within the type of equipment allowed as tax-exempt under the I.R.S. Code. In the event this purchase is not exempt, the rate and payments will be adjusted accordingly. Further, it is assumed that the transaction will be "bank-qualified" and that the customer will not issue more than \$10 million in tax-exempt leases or bonds in the current calendar year. ^ Factor is based on quoted rates. If the equipment cost changes or a down payment is made, the new payment amount can be calculated by multiplying the new financed amount by the rate factor.

Note: If the equipment will require a "build-out period", the financed amount will be placed into an escrow account at lease signing and funds disbursed as instructed by the customer.

Attached is an application that must be completed in order to proceed with the credit process. In addition, we will need copies of the Town's last 2-years of audited financial statements and a copy of the current interim financial statement. Also, we need dealer and equipment information. Once these items are gathered, please fax the information to 847-247-0772 or e-mail to lynnet@taxexemptleasing.com.

I appreciate this opportunity and look forward to working with you. Please let me know if I can answer any questions. I can be reached at 847-247-0771, ext. 3.

Kind Regards,

Lynne Towle
Account Executive



Credit Application

203 E. Park Avenue, Libertyville, IL 60048 • Phone: 866-EXEMPT-1 • Fax: 866-2-FAX-APP

CUSTOMER INFORMATION

Legal Name of Customer: _____ Federal ID# _____ - _____

Physical Address: _____

City: _____ County: _____ State: _____ Zip: _____ Website: _____

Mailing Address (If different than above): _____

Contact Name & Title: _____ E-Mail: _____

Phone #: _____ Ext: _____ Fax #: _____ Cell Phone #: _____

TRANSACTION INFORMATION

Equipment Description: _____

New or Used?: _____ Anticipated Delivery Date: _____

Equipment Cost: \$ _____ Down Payment: \$ _____

From what fund is the down payment originating? _____

Trade-In: \$ _____ Financed Amount: \$ _____

From what fund will the lease payments originate? _____

Is the equipment replacing existing equipment? Yes No If "Yes", how old is the existing equipment? _____

For what purpose is the equipment being purchased? _____

Where will the equipment be located? _____

LEASE INFORMATION

Requested Lease Term: _____ years

Payment Frequency: _____ Monthly _____ Quarterly _____ Semi-Annual _____ Annual _____ Arrears or _____ Advance

FINANCIAL INFORMATION

Has the Customer issued or does the Customer intend to issue more than \$10,000,000 in tax-exempt leases or bonds in the current calendar year (January 1 – December 31)? _____ Yes _____ No

Please attach a copy of the following information for review:

1. Complete copy of audited financial statement from last two fiscal years
2. Copy of current interim financial statement (since last audit)
3. Equipment quote

Has the requested lease transaction been included in the current budget? _____ Yes _____ No

Has the Customer ever had an incident of non-appropriation or failed to complete any lease, loan, or borrowing obligation?

_____ Yes _____ No If "Yes", please provide details: _____

To whom this application is made, or any credit bureau or other investigative agency employed by such person, is hereby authorized to investigate any references or information herein listed or statements or other data obtained from me or from any other person pertaining to the credit and financial responsibility of the customer listed on this application.

Authorized Signature: _____ Title: _____ Date: _____

**Please forward the completed application and required financial info via
E-Mail (application@taxexemptleasing.com) or Fax (866-2-FAX APP (866-232-9277))**



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NOTICE OF CLOSED SESSION BOARD OF COMMISSIONERS CLOSED SESSION

Tuesday, September 28, 2021

Virtual Meeting

Following The Work Session of The Board of Commissioners

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The Board of Commissioners propose to go into Closed Session on Tuesday, September 28, 2021 following the Board Work Session to discuss contracts.