

Town of Upper Marlboro

REGULAR TOWN MEETING

April 12, 2016

Approved Minutes

Call to Order

The meeting was called to order at 7:30 p.m.

Roll Call: James Storey, President of the Board of Town Commissioners
Nancy Clagett, Commissioner / Treasurer
Linda Pennoyer, Commissioner

Staff present: M. David Williams, Town Clerk/Administrator

Also present: Ben Robertson/RDA, and various citizens and interested parties.

Pledge of Allegiance

Approval of Meeting Minutes & Financial Reports

The Town Meeting minutes from March 8, 2016 and the Work Session minutes from March 22, 2016 were acknowledged by the Board as reviewed. President Storey asked for consent to the Agenda. Approval was granted by all Commissioners present. Commissioner Clagett made a separate motion to approve each set of minutes, Commissioner Pennoyer seconded both motions. All minutes from March's Town Meeting and Work Session were unanimously approved.

Commissioner Clagett reviewed highlights of the Treasurer's Report as of March 31, 2016. With 75% being the benchmark for 9 months into FY2016, Commissioner Clagett noted line item 6394 was higher due to income received for the surplused police cruiser, and that 6530.01 indicated only 18.7 percent of the Façade Improvement Program grant has been used to date. President Storey added that he had spoken with the Comptroller of the State about expected tax revenues in the wake of its recent audit, and that the Town should expect to reach its \$400K budgeted amount (line item 6230.00) for FY2016.

The Treasurer also noted line item 8280.04 (police computer software & staff training) was high and that an adjustment will be made to the year-end Detailed Budget. She added that line item 8391.00 was also high as the Town has not yet received reimbursement from FEMA for winter event "Jonas", and, under "Investments" she reported the latest CD renewal replaced an old rate of 0.35 percent with a new 24-month rate of 1.41 percent at SONA Bank. Commissioner Pennoyer motioned to approve the Treasurer's Report, President Storey seconded. The Treasurer's Report as of March 31, 2016 was unanimously approved.

Reports

Staff/Committees: For the record, the Clerk delivered a response to an assertion made at the March Town Meeting that the minutes of the February Town Meeting had been falsified. Mr. Williams stated, "For the record, as the Town Clerk for the Town of Upper Marlboro, I attest that the minutes from the March 8, 2016 Regular Town Meeting (that were unanimously approved by all members of the Board) are an accurate account of the Board proceedings. I would like to remind participating citizens that all Board meetings are recorded. The recordings are a part of the official Town records, and that the minutes become a permanent record in the Maryland State Archives. This incident now requires my response, at this particular time, as now, a permanent record of my reply is needed in order to set the record straight and to protect the Town's reputation."

Sustainable Communities Workgroup (SCW) Chair, Steve Sonnett, reported that just about all downtown businesses have been contacted and invited to participate in the Façade Improvement Program (FIP). He noted the Town has received two separate FIP grants (FY15 & FY16) and each \$35K grant is active for a 2-year period. He added that the SCW has made some progress with the SHA and other agencies about traffic light upgrades to the intersection at Main and Water Streets. Also, previous delays with the downtown sidewalk upgrades have been addressed, and that all the sidewalks will be ADA compliant.

Historical Committee Chair, Patti Skews said the TUMHC would be sampling "Morsels On Main Street" menu options at their next meeting on April 16th starting at 12 noon.

Commissioner Clagett: Reported that the Crain Highway Monument will not be repointed until sometime in April 2017, and that the Cahn Memorial will be replanted and the brick will be augmented to make it more welcoming. She noted that after attending two meetings concerning the insurance programs for the Town and its employees, she announced she would like to develop a Wellness Program for the employees in the near future and invite Town residents to participate in health and wellness activities that a larger meeting facility could accommodate.

Commissioner Pennoyer: Reported that she toured the Town with resident Wanda Leonard to distribute flyers for the Town's first CERT Meeting on April 16, 2016. She also participated in the Schoolhouse Pond clean-up on April 6th. She added she also attended a County Economic Development Corporation breakfast meeting noting that the Town needs to address all the empty buildings in Town. Also attended the Community Service Area 23 Leadership Council meeting who organize our area National Night Out.

President Storey: President Storey delivered updates on the following topics: 1) Swore in Stan Madero as the Town's new Reserve Officer today; 2) Announced tentative promotion of Officer Calvin Washington to Sergeant; 3) Sixteen people have signed up for the Town's first CERT meeting; 4) The PEPCO tree replanting program has resumed and is going well; 5) An M.O.U. for shared parking with the Board of Education has been finalized and will go back to the BoE for final signatures; 6) Will be attending a FEMA meeting concerning operations reimbursements related to winter storm Jonas tomorrow; 7) Submissions for the Town Flag Design & Slogan campaign will be posted online tomorrow to begin gathering feedback from citizens; and, 8) Still working at securing guest speakers and color guard for the annual Memorial Day Ceremony at Town Hall scheduled for May 30, 2016 at 10 a.m.

Business

Resolution 2016-02: Meeting Conduct: The President read aloud a letter written by Town Attorney Kevin Best, responding to a residents' objections to the current Board of Town Commissioners procedures and challenging the legality of their positions and their legislative acts to date. He then introduced Resolution 2016-02 (to adopt rules of order and regulations for public meetings), and read aloud selected highlights from Section II Rules of Order and Section III Citizen Input. Commissioner Pennoyer objected stating she felt enactment of formal Robert's Rules of Order was not necessary for a Town of this size. She also expressed concerns about not receiving a copy of said letter and possible other documents. The President stated that no documents had intentionally been withheld from Board members, and a back-and-forth discussion ensued concerning the management of proceedings over the last three months. Commissioner Clagett motioned to approve Resolution 2016-02 to which President Storey seconded the motion. With two in favor and one abstention, Resolution 2016-02 was adopted by a majority vote of the Board.

Resolution 2016-03: Ratifying Prior Acts: The President introduced Resolution 2016-02 (approving and ratifying and the election and appointment of Board members), and read aloud the three authorizations numerically listed at the end of the resolution. Commissioner Clagett motioned to approve Resolution 2016-03, President Storey seconded the motion. With two in favor and one opposed, Resolution 2016-03 was adopted by a majority vote of the Board.

Town Hall Addition & Renovation Project: The President welcomed project Civil Engineer Mr. Ben Robertson (from RDA) to the meeting, and then announced that Mr. Fran McLellan has offered his services as Project Manager/Owner Representative for the project. He then read aloud his contract proposal. It was noted that the proposal estimates a rate of \$70 per hour (or \$840 per month) and that Mr. McLellan will periodically provide estimates of construction costs to date. The President asked for approval to enter into the contract. With no one in opposition the contract was unanimously approved. Proposals from three architects that were recently interviewed by members of the Board were reviewed and discussed. The President presented samples of work from Glen Stephens/SAA, Nicola Hain/AIA and Thomas Reinecker/AIA noting that all three were qualified and capable of completing the project at a reasonable expense. After reviewing the proposals, the President suggested that the Board choose the proposal from Nicola Hain Architect. Commissioner Clagett moved that the Board proceed and approve the contract with Nicola Hain. With two voting for and one against, the motion to proceed with the Nicola Hain Architect contract was approved by a majority vote of the Board.

Elm Street Repaving & Sidewalk Project: Two proposals for the project were discussed and reviewed. First proposal from RDA Engineers & CB3 Consulting Services totaled \$51,300, the second from Joyce Engineering came in at \$55,200. It was noted that the property owner at 14508 Elm Street had requested that something be done about the lack of a curb for the sidewalk back in 2008. The President acknowledged that problem was the main purpose of this project, and then asked for a motion to approve the contract proposal from RDA. Commissioner Clagett motioned to approve the RDA & CB3 contract, Commissioner Pennoyer seconded. Approval to enter into the contract was unanimous.

Parking Revenue: The President explained the reasons and need for the Town to consider enhancing sources of revenue for the Town. As rates for parking fines and parking meter hours of operation and locations have remained unchanged for a substantially long time, he presented options that would help the Town balance out rising operating costs and anticipated less than average tax revenues. Several ideas presented for changes include: 1) Upgrading the Church Street Parking Lot to include long-term daily parking (8-hour limit); 2) Extending hours of operation of metered street parking spaces; and, 3) Raising parking fees and fines to more closely align with current County rate(s) for fees and fines. He noted the enhancements could bring the Town an extra \$10-12K a year, and then he opened the floor for public input. Some concern was expressed about possible increase in vagrancy, speeding traffic and more trash on Church Street, plus, other concern was raised about the Town's ability to fully enforce the enhancements. The President replied that the lot would not be in operation in the evening hours and that Town Police are favorable of the fee and fine increases for parking. He invited those with concerns to contact him during the workweek to discuss possible remedies and solutions to those concerns.

June Town Meeting: The regularly scheduled June 14 Town Meeting was moved to June 7 in order to meet Charter requirements for passage of the annual Town Operating Budget Ordinance.

Town Flag & Slogan Campaign: The Deputy Clerk has posted Flag Design & Slogan submissions and created a citizen survey -via "SuveyMonkey" to collect votes for the winning design.

General/Administration issues: A resident asked if there were requirements for business signage in the downtown to which the SCW Chair replied that proper signage is a component of the Workgroup's tasks. He said currently the relationship with business and property owners is through the Façade Improvement Program and that circle is growing as the projects continue. He added that he felt the Town was going forward in the right direction and applauded the new Board's efforts to push through with Town beautification and renovation projects.

Other questions and discussion concerned property standards and codification, update for water connection plans at the Public Works Facility, and a request to paint the Church Street curb yellow at the Bank of America. The President replied that codification was being organized by new Town staff. Past-President Steve Sonnett, replied that the WSSC had requested a new easement in order to proceed with water hook-up plans for the Facility, adding that the Town sent an easement proposal to WSSC but hasn't heard back yet.

Public Comment

The resident who Town Counsel replied to concerning the validity of the last Town Election process, thanked Mr. Best for his reply letter and expressed concern about the Board's efforts to suppress public comment.

Adjournment

Commissioner Clagett Pennoyer made a motion to adjourn, Commissioner Clagett seconded the motion. With no one in opposition, the meeting was adjourned at 9:09 p.m.

Respectfully submitted,



M. David Williams
Town Clerk/Administrator

