

# Town of Upper Marlboro

14211 School Lane • Upper Marlboro, Maryland 20772

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## REGULAR TOWN MEETING

May 12, 2020 – 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, interested citizens may participate by video (*please sign-in with the Clerk*): <https://us02web.zoom.us/j/88244103630> Meeting ID: 882 4410 3630 Dial-in only: 301-715-8592

#### Call to Order

- Roll Call
- Pledge of Allegiance / Consent to the Agenda

#### Closed Session Statements

- April 28, 2020 Board Work Session, and, the May 6, 2020 Special Board Work Session

#### Approval of Meeting Minutes & Financial Reports

- Approval of the April 14, 2020 Regular Town Meeting minutes
- Approval of the April 28, 2020 Board Work Session minutes
- Approval of the Treasurer's Report as of April 30, 2020.

#### Reports

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

#### Business

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

- 1) Ordinance 2020-03 Personnel Systems Standards: (Board vote)
- 2) Ordinance 2020-05 Town Operating Budget for FY2021: (introduction)
- 3) Ordinance 2020-06 Establish Rates for FY2021 Tax Levy: (introduction)
- 4) Resolution 2020-11 Awarding RFP #UM 2020-03 Town Solar Installation: (Board vote)
- 5) RFP #UM 2020-05 Government Relations Firm: (Board approval)

#### Administrative Updates

- 6) Legislation, Projects and Initiatives
- 7) 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*

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**Kai Bernal-LeClaire**  
Commissioner/Treasurer

**Wanda Leonard**  
Commissioner

**Linda Pennoyer**  
Commissioner/President

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

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

## III. Citizen Input

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

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

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

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

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

# Town of Upper Marlboro

## REGULAR TOWN MEETING

April 14, 2020 • 7:00 p.m.

unApproved Minutes

### Call to Order

The meeting was called to order at 7:05 p.m. using Zoom Teleconferencing platform.

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

Staff present: M. David Williams/Town Clerk; Kyle Snyder/Chief of Staff; UMPD Chief Burse; William Morgan/Director of Finance; and, Public Works Superintendent Darnell Bond.

Also present: TUMHC Chair Patti Skews; TUMHC Archivist Brian Callicott; SCW Chair Evelyn Stephens; EC Chair Jeremy Gunnoe; Ray Feldman/Feldman Communications Strategies LLC; Kevin J. Best Esq./Town Attorney, plus, various citizens and interested parties.

### Pledge of Allegiance

### Consent to the Agenda

The President received unanimous consent to the Agenda.

### Approval of Meeting Minutes & Financial Reports

Commissioner Bernal-LeClaire motioned to approve the Regular Town Meeting minutes from March 10, 2020, the Board Work Session minutes from March 24, 2020, and the Treasurer's Report as of March 31, 2020. Commissioner Leonard seconded. All Board minutes from March's Town Meeting and Work Session, plus, the March Treasurer's Report were unanimously accepted and approved as presented.

### Reports

#### Departments/Committees:

- Chief Burse delivered the UMPD report for the month of March 2020, a copy was provided in the Board Meeting Packet. He added that 12 Code Violation letters were sent to residential properties.
- Superintendent Bond delivered the Public Works reports for March 2020, a copy was provided in the Board Meeting Packet. It was noted the Town Hall had been "deep" cleaned and disinfected.
- Director of Finance Morgan reviewed highlights of the March Treasurer's Report, plus a spreadsheet detailing projected revenues for the FY2021 Budget. He noted the COVID-19 shutdown of Parking Enforcement operations has made for an estimated loss of \$500 per day in parking meter revenues. Also, tax revenues are coming in late, most likely due to filing deadline extensions.
- Clerk Williams reported that after reviewing the status of flagged parking citations, he believes the Town should realize roughly \$1K per month from registration renewals over the next 3-4 months.
- TUMHC Chair Skews reported that the Committee has had to cancel and/or postpone several planned events but said new Walking Tour brochures have been printed. She added that they also sent out notice of the Town's 150<sup>th</sup> Anniversary of Incorporation. President Pennoyer noted the HPC has the TUMHC's grant request for Virtual Walking Tours on the agenda for their next meeting.
- EC Chair Gunnoe reported that the Marlboro Day Festival was cancelled for 2020 but will now plan for May 2021. He noted that the Summer Movie events start June 27<sup>th</sup> and that Trunk-or-Treat will be held on Halloween this year. He added that a Community Shred Event is also being looked in to.

- SCW Chair Stephens reported they received another F.I.P. project application which both the SCW and the State have approved. She noted this will use up and close-out the funding provided from the FY2019 grant, enabling a new application opportunity for the Town to submit for the FY2021 grant cycle. She added that the Town’s designation as a “Sustainable Community” has been renewed.
- CERT President Leonard reported the UM CERT held a virtual meeting for 25 attendees. She added the group will be meeting every 2 weeks in efforts to look after member’s well-being during the pandemic.

Commissioners:

- Commissioner Bernal-LeClaire: Announced he has been working remotely with Board and Staff members on the recent emergency legislation, and various Town projects and issues at hand.
- Commissioner Leonard: Had nothing to report at this time.
- President Pennoyer: Reported she has been taking part in many teleconferences with County, State, and Emergency Management agencies in efforts to keep-up on the pandemic’s developments. She noted updated COVID-19 information on the Town’s website. She requested that residents check-in with their neighbors and help the Town make sure everyone is safe and well informed.

**Business**

- 1.) Ordinance 2020-03 Personnel System Standards: The President asked this be tabled to allow further Board discussion. Commissioner Bernal-LeClaire motioned to extend the Charter’s timeframe to pass an introduced ordinance an additional 60 days. Commissioner Leonard seconded. The President asked for a vote to be called to enter into the record as such: President Pennoyer (yea); Commissioner Leonard (yea); Commissioner Bernal-LeClaire (yea). It was noted that Board discussion on personnel matters will continue at a future closed work session.
- 2.) Resolution 2020-09 Main Street Maryland Affiliate Program: CoS Snyder gave an overview of the program noting that affiliation with the program enables COVID-19 relief funding for the Town that would normally not be available to populations under 1,000. After the Clerk read aloud the Resolution introduction, Commissioner Bernal-LeClaire motioned to approve Resolution 2020-09 as presented. Commissioner Leonard seconded. The motion was approved unanimously.
- 3.) Maryland Manager Circuit Rider Program Support: The President explained how the partnership with Morningside would enable the municipalities to share a professional grant writer and asked for Board approval to allow Town Staff to proceed with the initial application process. Commissioner Bernal-LeClaire motioned to approve the partnership program. Commissioner Leonard seconded. With no one opposed, the motion to approve was unanimously passed.
- 4.) Resolution 2020-10 Media Relations / RFP #UM 2020-01 Award: The Clerk read aloud the Resolution’s introduction. Attorney Best confirmed that the Resolution and contract had been reviewed for legal sufficiency. Commissioner Leonard motioned to approve Resolution 2020-10. Commissioner Bernal-LeClaire seconded. With all in favor, approval was unanimous.
- 5.) Resolution 2020-11 Town Solar Installation / RFP #UM 2020-03 Award: It was noted that the project had no immanent deadlines and would require an estimated \$4K match up front to proceed. After discussion, the Board decided to postpone a Board vote until the next Town Meeting. Commissioner Leonard motioned to postpone the passage of Resolution 2020-11. Commissioner Bernal-LeClaire seconded. The motion was passed unanimously.
- 6.) FY2021 Budget Process: Finance Director Morgan said he has met with Departments Heads on their needs, adding that employee compensation numbers are also being finalized. He noted other legislation was also being prepared for setting the Tax Levy and Business License rates. The Board discussed the financial implications of the COVID-19 crisis into the new fiscal year and concurred efforts will be made to reduce budget totals in light of that. It was noted by Attorney Best that there may have been a possible loosening of the State’s Constant Yield Tax Rate procedures (in the past week) but will follow up on that communication to confirm.

- 7.) Town response to COVID-19: The President announced that the Town is following the State on its response measures taken to address the pandemic (i.e., facemasks, social distancing, etc.) It was noted the Town has procured more facemasks for its Staff and elected officials and is tracking all COVID related expenses to submit for compensation. Two residents that are prepared to make the facemasks were identified. Attorney Best said some County, State and Municipality powers can be in conflict, for example, the Town Police cannot enforce the County's order on wearing masks in public arenas like public transit and grocery, but can enforce the Governor's order(s). The ability to enforce the penalty provisions of the County's Order(s) is dependent upon the municipality's alignment of the same directives in their Declaration. It was noted how difficult it was for Staff and Legal Counsel to locate County Order 2020-06 online.

### **Administrative Updates**

- 8.) Legislation, Projects and Initiatives: CoS Snyder stated that most projects were put on hold by the powers that be during the COVID crisis, but did say the HPC Virtual Walking Tour Grant and the Town Playground Project were both moving ahead at this time. He noted the playground project vendor will be working with the TUMHC soon on historical design elements and are still on-track for completion in November. He added more details on the Playground Project will be featured in the next *Landings* newsletter.

Attorney Best added that the oral argument on the Town's Petition for Judicial Review concerning the historical designation(s) of the OMES structures was still set for July 1<sup>st</sup> at this time.

- 9.) General Commissioner & Staff items: There were no further issues or items of interest offered up to the Board at this time.

### **Public Comment**

There was no public comment offered at this time.

### **Adjournment**

The meeting was adjourned at 8:19 p.m.

Respectfully submitted,

M. David Williams  
Town Clerk/Administrator

# Town of Upper Marlboro

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## Work Session Minutes

April 28, 2020 - 7:00 p.m.

unApproved

### Call to Order

- Meeting was brought to order at 7:09 p.m. using Zoom Teleconference platform.
- Roll Call – President Linda Pennoyer; Commissioner Wanda Leonard; Commissioner Kai Bernal-LeClaire; Town Clerk M. David Williams. Also present: Chief of Staff Kyle Snyder; UMPD Chief David Burse; Director of Finance William Morgan; and, Ray Feldmann/Feldmann Communications Strategies LLC.
- Pledge of Allegiance

### Business

- 1) Ordinance 2020-03 Personnel System Standards: The Clerk read aloud the introduction for Ordinance 2020-03. The full Board concurred to hold any further discussion until they enter in to closed session later tonight.
- 2) Draft Ordinance 2020-XX Salary Ordinance: The full Board again agreed to hold off on any discussions on this item until they enter in to closed session.
- 3) Town Business License Program: It was noted some Town businesses had asked what they receive in turn for payment of the license fee. Finance Director Morgan provided an overview of payments and non-payments to date. The Board discussed invoice and notice mailings, deadlines, collection procedures/municipal infractions, fee amount(s), payment plans, Lottery provision issues, refuse collection costs, the low rate of business's involvement with Town events, and the County's new requirements for business recycling. Staff to research best practices that have been successfully implemented by other municipalities.
- 4) Draft Ordinance 2020-05 Town Operating Budget for FY2021: Finance Director Morgan reviewed a redrafted detailed budget for FY2021, noting many numbers will change before the final because of the uncertainties caused from the pandemic. Discussion included: Existing/future projects and contracts; Grant status/matching requirements; New line items added for Public Works and Public Safety equipment; Preparation for further Annexation needs; Staffing needs; Reserve transfers; and, general efforts to bring operating budget down closer to \$1M. It was noted further discussion will continue in the closed session.
- 5) RFP #UM 2020-04 Accounting Firms/submissions: Finance Director Morgan stated he would like to speak further with some of the submitting vendors before making recommendations, but, did give a brief overview of his first take of the 5 applicants. It was noted that the auditing costs would be in addition to the Accounting Firm contract costs. Commissioner/Treasurer Bernal-LeClaire will join Mr. Morgan in meetings with applicants.
- 6) Resolution 2020-12 State of Local Emergency Declaration/extension: The Clerk read aloud the Resolution's introduction, highlighting the extended date of the order until June 5, 2020. The Clerk noted a minor edit to the header. Commissioner Bernal-LeClaire motioned to approve the Resolution as amended, to which Commissioner Leonard seconded. With all in favor, Resolution 2020-12 Local State of Emergency Extension was approved unanimously.
- 7) Petition for Judicial Review/OMES: The full Board again agreed to hold off on any discussions on this item until they enter in to closed session.

- 8) General Commissioner & Administrative Staff items: A draft 3-page Town Policy/Directive for daily operations in light of the COVID-19 crisis, was included in the Board Meeting Packet for review. Mr. Snyder noted a check-in procedure for employees and the public-at-large entering the Town Hall and Public Works Facility, that features a sign-in log/station that requires temperature scanning (in & out), hand sanitizer use, facemasks, etc.

Mr. Snyder noted that the Greenwill Consulting contract is up for renewal and an RFP will be presented to the Board for review at the May Town Meeting. He added the Town has just received a \$100K deposit from the State for the Town Playground Project.

### **Closed Session**

The President announced that the Board would now close the meeting under General Provisions Article 3-305(b) of the Maryland Code. She noted the specific statutory authority to close the session is found in the General Provisions Art., Section 3-305, Subsection (b), Paragraph (1), and, Section 3-305, Subsection (b), Paragraph (8). She added that the topics and purposes of this closed meeting are to seek consultant's advice on particular legal matters and to preserve attorney-client privilege, and, to discuss, and preserve confidentiality of, information concerning personnel structure.

Seeing no further comment or discussion presented to the Board, the President called for a motion to go in to closed session. Commissioner Bernal-LeClaire motioned to proceed with the closed session. Commissioner Leonard seconded. With all members of the full Board voting 'yea', the motion to close was passed.

### **Adjournment**

The President thanked all who attended the Board Work Session and asked all but the elected officials to exit the Zoom Teleconference at this time. The meeting was adjourned at 8:39 p.m.

Respectfully submitted,

M. David Williams  
Town Clerk/Administrator



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## Town of Upper Marlboro Budget vs. Actuals July 2019 – April 2020

	Actual	Budget	% of Budget
<b>Revenue</b>			
Fines, Licenses, Permits	\$235,915.24	\$339,935.00	69%
Grants	\$141,801.40	\$550,829.00	26%
Intergovernmental	\$20,143.20	\$41,315.00	49%
Other Revenue	\$370,524.90	\$341,432.00	108%
Taxes	\$777,099.09	\$852,209.00	91%
<b>Total Revenue</b>	<b>\$1,545,483.83</b>	<b>\$2,125,720.00</b>	<b>73%</b>
<b>Expenses</b>			
General Government	\$894,435.34	\$1,186,517.00	75%
Public Safety	\$251,600.51	\$560,122.00	45%
Public Works	\$218,899.96	\$379,081.00	58%
<b>Total Expenses</b>	<b>\$1,364,935.81</b>	<b>\$2,125,720.00</b>	<b>64%</b>
<b>Committee Overview</b>			
Historical Committee	\$306.46	\$1,500.00	20%
CERT Team	\$238.45	\$1,500.00	16%
Events Committee	\$5,974.84	\$12,500.00	48%



# Town of Upper Marlboro

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## MONTHLY NARRATIVE

Due to the global pandemic the Town continues to see financial losses in revenue. There are expense incurred due to COVID-19 and revenues being lost from the closure of businesses and an increasing amount of unemployment's.

1. Ending April in the **RED**
2. COVID-19 Expenses
3. FY2021 Budget woes

## Town of Upper Marlboro

### Profit & Loss

April 2020

#### REVENUE

FINES, LICENSES, PERMITS	\$2,133.45
GRANTS	\$100,00.00
INTERGOVERNMENTAL	\$0.00
OTHER REVENUE	\$270,957.73
TAXES	\$752.09
<b>TOTAL REVENUE</b>	<b>\$373,843.27</b>

#### EXPENSES

GENERAL GOVERNMENT	\$54,221.16
PUBLIC SAFETY	\$18,662.61
PUBLIC WORKS	\$14,427.37
<b>TOTAL EXPENSES</b>	<b>\$87,311.14</b>



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## Town of Upper Marlboro Balance Sheet As of April 30, 2020

	<u>Total</u>
<b>Cash on Hand and in Banks</b>	
1000 PGFSB Operating Checking	394,948.60
1001 Petty Cash	300.00
1010 PGFSB Payroll Account	0.00
1040 M&T Checking	14,519.91
1068 SONA Bank CD 8641	0.00
1117 Old Line Bank	102,941.08
1122 Congressional Bank CD 5756	212,310.55
1140 MLGIP	1,998.10
<b>Total Cash on Hand and in Banks</b>	<u><b>\$ 727,018.24</b></u>
	<u> </u>
	<u> </u>



# Town of Upper Marlboro Police Department

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

## Monthly Town Police Department Report For the Month of April 2020

### Incidents Reported in Town:

House Alarm 1	Traffic Complaint 1	Suspicious Vehicle 1
Theft from Auto 1	Theft Report 1	Death Report 1
Unknown Trouble 1	Disorderly Report 1	

### Last Month Incidents:

Warrant Service 1	Unknown Trouble 2	Suspicious Person 2
House Alarm 1	Business Alarm 1	Accident Report 1
Fraud Report 1		

Chief Burse participated in several conference calls with the Prince George's Chiefs Association discussing issues related to the COVID-19 virus.

Chief Burse and Sgt. Irby assisted the County Police with the identification of a suspect wanted for shoplifting.

Chief Burse participated in several conference calls with Prince George's County Office of Emergency Management related to COVID-19.

Chief Burse participated in several conference calls with Maryland State Police and members of the Governor's Office related to COVID-19.

Chief Burse, Sgt. Irby, and Cpl. deBarros conducted high visibility patrols throughout the Town during the Stay at Home Order.

Chief Burse coordinated the deep cleaning of Town Hall, Public Works, and six Town vehicles.

Chief Burse was able to obtain a gallon and a half of hand sanitizer that was donated by a business.

Chief Burse spoke with the Board members for Marlborough Towne HOA.

Chief Burse obtained Personal Protective Equipment protective body suits for the officers.

**Kai Bernal-LeClaire**  
Commissioner/Treasurer

**Wanda Leonard**  
Commissioner

**Linda Pennoyer**  
Commissioner/President



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

**Date:** Thursday, May 7, 2020

**Subject:** Public Works' Status Report

**RE:** April 2020 – Monthly Status Report

**Capital Improvements** – Town Hall, Public Works, and all Town owned vehicles were deep cleaned and disinfected to limit exposure to possible Covid-19 symptoms. Public Works employees moved to a one person per truck restriction.

**Maintenance and Beautification** –Aeration, Seeding and Fertilization was wrapped up in early April. Two-week site cut intervals were maintained to allow seeds to continue to mature (two week cut intervals will come to an end in early May). Cummins Power was on site to inspect and service the generator for Town Hall. Generator was given a clean bill of health.

**Street and Sidewalk Repairs** – Weeds on Main and Water Streets were cut and sprayed with herbicide, but due to the frequency of rain, was rendered ineffective. We look forward to re-treating in May, in addition to moving this task forward town wide. Water main on Spring Branch Drive was fixed, and full-width paving was laid.

**Trainings** – PW team was familiarized with daily logging and use of an infrared thermometer.

**Weather Related Activities** – April had three high-wind events that resulted in a small amount of limbs, and one tree to be removed from Town property.

**Refuse Accumulations** – Bulk day accumulations for solid wastes (Landfill) are 5.2 tons. Bulk day accumulations for yard waste collections are 6.77 tons.

Sincerely,

Darnell F. Bond III  
*Public Works Superintendent*

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**Kai Bernal-LeClaire**  
Commissioner/Treasurer

**Wanda Leonard**  
Commissioner

**Linda Pennoyer**  
Commissioner/President

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

ORDINANCE: 2020-03  
SESSION: Regular Town Meeting  
INTRODUCED: March 10, 2020  
DATE ENACTED: May 12, 2020

**AN ORDINANCE TO ESTABLISH A PERSONNEL SYSTEM WITH CERTAIN GUIDELINES,  
PAYGRADES, SALARIES, STANDARDS, AND PROCEDURES FOR THE EMPLOYEES OF  
THE TOWN OF UPPER MARLBORO.**

**WHEREAS**, Section 82–59 of the Town Charter (authority to employ personnel) states that the Town shall have the power to employ such officers and employees as it deems necessary to execute the powers and duties provided by this Charter or state law and to operate the Town government; and

**WHEREAS**, Section 82–60 of the Town Charter (compensation of employees) states that the compensation of all officers and employees of the Town shall be set from time to time by an ordinance; and

**WHEREAS**, Section 82-15 of the Town Charter states the President, with the approval of the Board, shall appoint the heads of all offices, departments, and agencies of the Town government as established by this Charter or by ordinance, and all office, department, and agency heads shall serve at the pleasure of the President, and all subordinate officers and employees of the offices, departments, and agencies of the town government shall be appointed and removed by the president, in accordance with rules and regulations in any merit system which may be adopted by the Board; and

**WHEREAS**, the Board finds that a merit system is a personnel system created “...to secure the appointment of persons, after examination, suitable and qualified for the positions or offices to which they are applicants, and, second, when after appointment, their efficiency and worth are shown to exist, to place their removal beyond the control of the appointing power, who might, for political, ..., or other insufficient reasons, be disposed to remove them, and to appoint unsuitable and inefficient persons as their successors to the injury and detriment of the public...” *Lilly v. Jones*, 158 Md. 260, 148 A. 434 (1930).

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

**Section 1. Declaration of Policy**

- A. This personnel or merit system is established for all present and future employees of the Town, and shall provide the means to recruit, select, develop, advance, and maintain an effective and responsive work force on the basis of relative ability, knowledge requirements of the citizens of the Town.

- B. All personnel actions shall be taken without regard to race, sex, religion, national origin, or political affiliation and shall be based on merit and performance.

## **Section 2. Scope and Intent**

- A. The classifications, definitions, policies and procedures outlined in this ordinance apply to all regular Town staff positions. Regular Town staff positions include all Town positions, including offices, except the following: elected officials, the Board of Supervisors of Elections, independent contractors, persons employed on projects of limited duration, unpaid volunteers (including interns and Town committee members), and other persons appointed to serve without pay.
- B. All employees who have served less than six (6) months, and all new employees of the Town except police, will serve a probationary period of six (6) months. Police employees will serve a probationary period of one year. The probationary period may be extended for cause by the Town.
- C. This Ordinance shall be read in conjunction with any employee handbook as duly approved by the Board, and this Ordinance shall control or supersede any conflicting provision in said handbook.
- D. Unless a valid employment contract approved unanimously by the full Board states otherwise, nothing in this Ordinance shall be deemed to modify or alter the Town's at-will employment relationship with any employee. This subsection shall apply prospectively and shall not apply to any valid employment contracts approved prior to the effective date of this Ordinance.

## **Section 3. Regular Town Staff Positions**

The annual operating budget shall fund the appointed offices and positions listed below. No other regular Town staff positions or appointed offices may be included or authorized in the annual operating budget unless approved within the budget ordinance or an amendment thereto or by an amendment to this Ordinance. In addition to the Town Charter and any previously enacted ordinances in effect, the supervisory positions and named departments or heads thereof enumerated below are considered to be created and duly authorized by law or otherwise ratified by this Ordinance as existing in conformance with Subsection 82-15(b) of the Town Charter. The paygrades referenced in this Section are further described in Section 7, below.

- A. Positions within the Town General Government Department:
- Town Administrator (Supervisory) (Paygrade 6-7)
  - Director of Finance & Human Resources (Paygrade 5-6)
  - Town Clerk (Supervisory) (Paygrade 4-6)
  - Deputy Town Clerk (Paygrade 1-3)
- B. Positions within the Town's Public Safety Department:
- Chief of Police (Supervisory) (Paygrade 6-8)
  - Sergeant (Paygrade 4-6)
  - Corporal (Paygrade 3-5)
  - Three (3) Patrol Officers (Paygrade 2-4)
  - Code Enforcement Officer (Paygrade 1-3)

- Police Clerk (Paygrade 1-3)
- C. Positions within the Town's Public Works Department:
  - Superintendent of Public Works (Supervisory) (Paygrade 3-5)
  - Three (3) Crewmembers (Paygrade 1-3)

#### **Section 4. Hiring of Town Employees**

- A. **Positions Requiring Board Approval:** Hiring for any regular Town staff position that entails the head of any office, department, or agency of the Town government as established by the Charter or by ordinance requires approval by majority vote of the Board of Commissioners, as required by the Charter. The President shall give the Board notice of the hiring of any non-regular position as listed in Section 2.A at least one week prior to the start date of the non-regular employee.
- B. **The process for hiring regular Town staff positions that does not include the head of any office, department, or agency of the Town government is as follows:**
  - (1) Any opening for a regular Town Staff position should be advertised for at least thirty (30) days on a publicly accessible job-posting website, the Town website, and all Town social media sites. The position advertisement must include, at a minimum, the education and experience requirements for the position, the major responsibilities for the position as outlined in the Position Description, the salary range for the position, required documents to be submitted for an application, and the closing date for applications. All applications must be reviewed and ranked by at least the cognizant department head and one Commissioner (or at least a Commissioner and the President in the case of a department-head position). Rankings shall be made without regard to race, sex, religion, national origin, or political affiliation
  - (2) If no applications meet the minimum education and experience requirements for the position, the position must be re-advertised for at least fourteen (14) days. If three or more applicants meet the education and experience requirements for the position, then at least the top three qualified applicants must be interviewed within thirty (30) days of the closing of the position advertisement. If less than three (3) applicants meet the education and experience requirements, then all qualified applicants should be interviewed. Interviews must be conducted by at least one Commissioner and the cognizant department head.
  - (3) After conducting interviews, the interviewers must select an interviewee within 30 days of the last interview. Once the individual selected has been notified of selection and accepted the position, the Director of Finance & Human Resources will verify any educational or other certifications by promptly obtaining an official transcript or other certification directly from the educational institution or other certifying authority. The Director of Finance & Human Resources must also ensure that all selected candidates undergo criminal background checks and drug screening procedures prior to starting employment.

#### **Section 5. Political Activities**

- A. No regular Town staff employee shall hold an elected office or more than more than one (1)

appointed office; however, nothing herein shall prevent an officer from holding an *ex officio* office or position.

- B. No official or employee of the Town shall solicit any contributions or service for any political purpose from any Town employee.
- C. Nothing herein contained shall affect the right of any employee to hold membership in the support of a political party, to vote as he/she chooses, to express himself publicly or privately on all political subjects and candidates, to maintain political neutrality, and to actively participate in political meetings. Such activities must be engaged in as a private citizen and on the employee's own time.

**Section 6. Unlawful Acts**

- A. No person shall make any false statements with regard to any test, certification, or appointment made under any provisions of this Ordinance, or in any manner commit or attempt to commit any fraud preventing the impartial execution of this Ordinance and policies.
- B. No person shall, directly or indirectly, give, render, pay, offer, solicit, or accept any money, service, or other valuable consideration for any appointment or employment under this Ordinance, or furnish to any person any special privileged information for the purpose of affecting the rights or prospects of any person with respect to employment with the Town.

**Section 7. Compensation.**

- A. The Board of Commissioners shall set the compensation of all regular Town staff positions by including a pay chart with the annual budget ordinance enacted in conjunction with the annual operating budget, in accordance with this Section. The pay chart will include eight (8) paygrades, with ten (10) steps in each paygrade as outlined below:

Paygrade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step10
1	base	base +3%	base +6%	base +9%	base +12%	base +15%	base +18%	base +21%	base +24%	base +27%
2	base	base +3%	base +6%	base +9%	base +12%	base +15%	base +18%	base +21%	base +24%	base +27%
3	base	base +3%	base +6%	base +9%	base +12%	base +15%	base +18%	base +21%	base +24%	base +27%
4	base	base +3%	base +6%	base +9%	base +12%	base +15%	base +18%	base +21%	base +24%	base +27%
5	base	base +3%	base +6%	base +9%	base +12%	base +15%	base +18%	base +21%	base +24%	base +27%
6	base	base +3%	base +6%	base +9%	base +12%	base +15%	base +18%	base +21%	base +24%	base +27%
7	base	base +3%	base +6%	base +9%	base +12%	base +15%	base +18%	base +21%	base +24%	base +27%
8	base	base +3%	base +6%	base +9%	base +12%	base +15%	base +18%	base +21%	base +24%	base +27%

- B. The annual base pay (Step 1) for Fiscal Year 2021 for each paygrade is as follows: Paygrade 1: \$32,000; Paygrade 2: \$35,000; Paygrade 3: \$39,000; Paygrade 4: \$44,000; Paygrade 5: \$50,000; Paygrade 6: \$57,000; Paygrade 7: \$65,000; and Paygrade 8: \$74,000. The complete Fiscal Year 2021 pay chart will be included in the Fiscal Year 2021 Budget Ordinance.
- C. Each fiscal year, the pay chart will be updated and included in the annual budget ordinance, beginning in Fiscal Year 2022, to include a cost of living adjustment (COLA) for all paygrades and steps. The Town COLA for each fiscal year will be equal to the total pay increase received at the beginning of the same calendar year by United States Government General-Schedule (GS) civilian employees in the Washington-Baltimore-Arlington-DC-MD-VA-WV-PA Locality Pay Area. If said GS total pay increase is less than 1%, the Town COLA will be 1% for that fiscal year. If said GS total pay increase exceeds 3%, the Town COLA will be 3% for that fiscal year.
- D. Part-time employees will be paid by the hour, at an hourly rate (equal to 1/2000 of the annual rate), as a full-time employee with the same position. Part-time employees will have the same minimum and maximum salaries, eligibility for step and paygrade increases, and annual pay increases as their full-time counterparts for computing their hourly rate.
- E. Employee pay will increase by one step after completing a period of satisfactory service (in a particular paygrade and step) with the Town as follows: Increasing one step after one year of satisfactory service in steps 1 through 3, increasing one step after two years of satisfactory service in steps 4 through 6, and increasing one step after 3 years of satisfactory service in steps 7 through 9. Thus, an employee would take 18 total years to move from step 1 to step 10 within a paygrade. Employee pay will increase by one paygrade (for positions that have multiple paygrades) after 2 years of satisfactory service in a paygrade. They will be placed in the higher paygrade at one step lower than their step in their current paygrade (For example, an employee in paygrade 5, step 3 would be placed in paygrade 6 step 2. If any employee becomes eligible for a paygrade increase and a step increase at the same time, they only receive the step increase (for example, an employee that began employment in paygrade 3, step 4 would be eligible for both a paygrade increase and a step increase upon two years of employment, so they would receive a promotion to paygrade 4, step 2).
- F. Town employees shall receive compensation only as outlined in this Section, and any other financial compensation including a pay increase, bonus, or incentive pay must be approved by a majority of the Board of Commissioners as appropriated in the annual budget ordinance and approved by the detailed budget document.
- G. Upon the approval of the Town's annual budget ordinance, each employee shall be issued a letter signed by the President and Treasurer stating the employee's annual salary, paygrade, step, and COLA increase for the upcoming fiscal year. A copy of this letter shall also be placed in the employee's personnel file. Employees will also receive such a letter when they receive a paygrade or step increase.

**Section 8. Penalties**

Violation of any provision of this Ordinance may result in disciplinary action on the part of the Board of Commissioners up to and including dismissal.

**Section 9. Town Employee Handbook**

The Board of Commissioners shall set further personnel policies and procedures through approval of the Town Employee Handbook. The handbook shall be reviewed annually and updated at least every three (3) years by Resolution.

**Section 10. Position Descriptions and Organization Chart**

The Board of Commissioners shall set, by Ordinance or written resolution, position descriptions for all regular town staff that include major duties, minimum education and experience requirements, minimum and maximum pay in accordance with the pay chart in Section 7, as well as, the organizational chain(s) of reporting and responsibilities, including supervisory and/or oversight responsibilities, for each position by separate Ordinance or written resolution adopted from time to time.

**Section 11. Severability**

Should any part of this Ordinance be held invalid, all remaining parts shall remain in effect.

**AND BE IT FURTHER ENACTED AND ORDAINED** by the Board of Commissioners of the Town of Upper Marlboro, Maryland that pursuant to the Town Charter, this Ordinance shall be posted in the Town office and a fair summary of it shall be published once in a newspaper of general circulation in the Town and effective 20 days after passage by the Board.

AYES: \_\_\_\_\_

NAYES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**INTRODUCED** in a public session of the Board of Commissioners on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**ORDAINED, APPROVED AND** finally passed by the Board of Commissioners of the Town of Upper Marlboro, Maryland on this \_\_\_\_\_ day of \_\_\_\_\_, 2020, by:

Attest:

THE TOWN OF UPPER MARLBORO  
BOARD OF COMMISSIONERS

\_\_\_\_\_  
Linda Pennoyer, President

\_\_\_\_\_  
Wanda Leonard, Commissioner

\_\_\_\_\_  
M. David Williams, Town Clerk

\_\_\_\_\_  
Kai Bernal-LeClaire, Commissioner

Reviewed and Approved for Legal Sufficiency

\_\_\_\_\_  
Kevin J. Best, Esq.

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

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

ORDINANCE: 2020-05  
SESSION: Regular Town Meeting  
INTRODUCED: May 12, 2020  
DATE ENACTED: \_\_\_\_\_

AN ORDINANCE relating to adopting and approving the budget for the fiscal year 2021 and to establish certain procedures for reviewing and amending same, as more particularly set forth herein.

WHEREAS, the legislative body of every incorporated municipality in this State pursuant to the Local Government (“LG”) Article, § 5-205 of the Annotated Code of Maryland (“State Code”) is delegated express ordinance making powers to expend municipal funds for any purpose deemed to be public and which affects the safety, health, and general welfare of the municipality and its occupants; and

WHEREAS, every municipal legislative body is further expressly delegated ordinance making powers pursuant to said section of the State Code to expend municipal funds provided that any funds not appropriated at the time of the annual levy, shall not be expended, nor shall any funds appropriated be expended for any purpose other than that for which appropriated, except by a two-thirds vote of all members elected to said legislative body; and

WHEREAS, the Town of Upper Marlboro for fiscal year 2021 is exempt from the notice and hearing requirements of the Maryland Constant Yield Tax Rate Law (Code, Tax-Property Art., Section 6-308); and

WHEREAS, the Charter of the Town of Upper Marlboro (“Charter”) prescribes that the President of the Board of Commissioners (“President”) at least thirty days before the beginning of the fiscal year shall submit a budget to the Board of Commissioners (“Board”); and

WHEREAS, the fiscal year for each municipal corporation in the State of Maryland is mandated by Code, LG Article, Section 16-101, and Charter, Section 82-39 to begin on July 1 of a calendar year and end on June 30 of the next calendar year; and

WHEREAS, Charter, Section 82-40 further prescribes that the budget shall provide a complete financial plan for the budget year and shall contain estimates of anticipated revenues and proposed expenditures for the coming year; and

WHEREAS, Charter, Section 82-41 prescribes that before adopting the budget the Board may hold a public hearing thereon upon such notice as may be deemed appropriate and that the Board may increase, decrease or eliminate any item in the budget and may add new items thereto; and

WHEREAS, Charter, Section 82-41 further prescribes that the budget shall be adopted in the form of an ordinance, and that a favorable vote of at least a majority of the total elected membership of the Board shall be necessary for adoption; and

WHEREAS, Charter, Section 82-11 mandates that except in cases of emergency, no ordinance shall be passed at the same meeting at which it is introduced and that at any regular or special meeting of the Board held not less than six nor more than sixty days after the meeting at which the ordinance was introduced, it shall be passed, or passed as amended, or rejected, or its consideration deferred to some specified future date; and

WHEREAS, Charter, Section 82-11 further mandates that each ordinance shall be posted in the Town office, and each ordinance or a fair summary thereof, shall be published at least once, in a newspaper of general circulation in the Town; and

WHEREAS, Charter, Section 82-42 prescribes that no public money may be expended without having been appropriated by the Board, and that from the effective date of the budget, the several amounts stated therein as proposed expenditures shall be and become appropriated to the several objects and purposes named therein; and

WHEREAS, Charter, Section 82-43 prescribes that any transfer of funds between major appropriations for different purposes by the President must be approved by the Board before becoming effective; and

WHEREAS, Charter, Section 82-44 proscribes any expenditures or contracts to expend money or to incur any monetary liability in excess of the amounts appropriated for or transferred to a particular general classification of expenditure in the budget, and

WHEREAS, Charter, Section 82-48 mandates that prior to June 30<sup>th</sup> in each and every year the Board shall determine the tax rates for the ensuing fiscal year, which determination shall constitute the tax levy for such year.

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

**Section 1.** The Fiscal Year 2021 Budget Ordinance (“FY2021 Budget Ordinance”) shall be divided into the following major anticipated revenue funds or groups having the estimated amounts as indicated below:

<u>REVENUE SOURCE</u>	<u>BUDGET AMOUNT</u>
Taxes	\$860,000.00
Intergovernmental	\$36,145.00
Fines, License and Permits	\$362,849.00
Other	\$15,000.00
Grants	\$192,317.00
From Designated Funds	\$238,500.00
<b>Total Revenues</b>	<b>\$1,705,311.00*</b>

**Section 2.** The total of the anticipated revenues and any estimated fund balance available for expenditure during the fiscal year within each of the aforesaid categories of the FY2021 Budget Ordinance shall equal or exceed the total of the proposed expenditures within the following general classifications of expenditures as set forth in the appropriations with the amounts as indicated below:

<u>EXPENDITURES</u>	<u>BUDGET AMOUNT</u>
General Government	\$836,655.00
Public Safety	\$532,350.00
Public Works Department	\$336,306.00
<b>Total Expenditures</b>	<b>\$1,705,311.00</b>

**Section 3.** Notwithstanding this budget ordinance, the FY2021 Budget shall be presented and discussed in further detail by enumerating additional sub-categories or detailed items pertaining to either revenues or expenditures as deemed necessary and expedient by the President and/or the Board (the “Detailed Budget”). Although not considered incorporated by reference or formally part of this FY2021 Budget Ordinance, the Detailed Budget, unless subsequently modified by the President, with approval of the Board as set forth in Section 4 below, shall reflect the various items discussed therein and shall remain substantially uniform throughout the fiscal year having essentially the same format and items as presented to the Board at the Town meeting wherein the FY2021 Budget was approved.

**Section 4.** All budget amendments transferring monies between general classification of expenditure or appropriations as reflected in this FY2021 Budget Ordinance shall be submitted to the Board for approval, from time to time, by ordinance. Budget changes or amendments occurring within certain specified sub-categories or the various detailed items not reflected herein but shown in the Detailed Budget shall be approved from time to time by the President subject to review and approval by the Board as recorded in the journal of its proceedings.

AND BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that the levies for Fiscal Year 2021 for the Town of Upper Marlboro shall be liens from and after July 1, 2020 and shall be due and payable as specified in Title 14 of the Tax Property Article of the Code, as amended, and Charter Section

82-50; and that all tax rates currently in effect, as or to be established by Ordinance 2020-06, shall remain so unless changed at a future date by the Board of Commissioners; and

BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that it hereby finally sets, ratifies and establishes the compensation of all regular Town staff positions via this annual budget ordinance enacted herein, in accordance with the pay chart below:

Paygrade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
<b>1</b>	32,000	32,960	33,920	34,880	35,840	36,800	37,760	38,720	39,680	40,640
<b>2</b>	35,000	36,050	37,100	38,150	39,200	40,250	41,300	42,350	43,400	44,450
<b>3</b>	39,000	40,170	41,340	42,510	43,680	44,850	46,020	47,190	48,360	49,530
<b>4</b>	44,000	45,320	46,640	47,960	49,280	50,600	51,920	53,240	54,560	55,880
<b>5</b>	50,000	51,500	53,000	54,500	56,000	57,500	59,000	60,500	62,000	63,500
<b>6</b>	57,000	58,710	60,420	62,130	63,840	65,550	67,260	68,970	70,680	72,390
<b>7</b>	65,000	66,950	68,900	70,850	72,800	74,750	76,700	78,650	80,600	82,550
<b>8</b>	74,000	76,220	78,440	80,660	82,880	85,100	87,320	89,540	91,760	93,980

AND BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that this ordinance shall become effective at the expiration of twenty (20) calendar days following approval by the Board of Commissioners; and

BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that this ordinance shall be posted in the Town Hall office, and this FY 2021 Budget Ordinance or a fair summary of it shall be published once in a newspaper of general circulation in the Town.

AYES: \_\_\_\_\_ NAYES: \_\_\_\_\_ ABSENT: \_\_\_\_\_

**ORDAINED, APPROVED AND** finally passed by the Board of Commissioners of the Town of Upper Marlboro, Maryland on this \_\_\_\_\_ day of \_\_\_\_\_, 2020, by:

Attest:

THE TOWN OF UPPER MARLBORO  
BOARD OF COMMISSIONERS

\_\_\_\_\_  
Linda Pennoyer, President

\_\_\_\_\_  
Kai Bernal-LeClaire, Commissioner

\_\_\_\_\_  
M. David Williams, Town Clerk

\_\_\_\_\_  
Wanda Leonard, Commissioner

Reviewed and Approved for Legal Sufficiency

\_\_\_\_\_ Date: \_\_\_\_\_  
Kevin J Best, Town Attorney

**Town of Upper Marlboro  
FY2020 Condensed Budget  
July 2020 - June 2021**

**Income**

**Revenue**

**Fines, Licenses & Permits**

6154 Franchise Fee	\$	16,000.00
6280 Trader's License Fees	\$	1,000.00
6350 Permits/Rentals	\$	15,500.00
6355 Parking Meters	\$	301,849.00
6381 Parking Fines/Penalties	\$	25,000.00
6550 Pub/Edu/Govt Broadcasting	\$	3,500.00
<b>Total Fines, Licenses, Permits</b>	<b>\$</b>	<b>362,849.00</b>

**Grants**

**6530 Grants**

6530.2020-01 FIP	\$	50,000.00
6530.2020-02 Conservation Energy Grant	\$	25,000.00
6530.2020-03 State Police Aid	\$	17,317.00
6530.2020-04 Community Open Space Grant	\$	100,000.00
<b>Total 6530 Grants</b>	<b>\$</b>	<b>192,317.00</b>

**Intergovernmental**

6240 Financial Corporation Tax	\$	9,145.00
6260 Highway User Fee	\$	25,000.00
6310 Disposal Fee Rebate	\$	2,000.00
<b>Total Intergovernmental</b>	<b>\$</b>	<b>36,145.00</b>

**Other**

6390 Interest Earnings	\$	5,000.00
6392 Sale of Property	\$	1,500.00
6394 Miscellaneous Revenue	\$	6,500.00
6396 Special Events/Donations	\$	2,500.00

**Taxes**

6100 Real Estate Taxes	\$	275,000.00
6101 Personal Property Taxes	\$	390,000.00
6230 Income Taxes	\$	195,000.00
<b>Total Taxes</b>	<b>\$</b>	<b>860,000.00</b>

<b>Total Revenue</b>	<b>\$</b>	<b>1,466,811.00</b>
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**Capital Improvement**

<b>9000 Capital Improvement</b>	
9000.2020-01 State Bond Bill	\$ 175,000.00
9000.2020-02 Transfer of Reserve	\$ 63,500.00
<b>Total Capital Improvement</b>	<b>\$ 238,500.00</b>
<b>Total Income</b>	<b>\$ 1,705,311.00</b>
<b>Expenses</b>	
<b>8000 General Government</b>	
8030 Salaries - Commissioners	\$ 11,400.00
8035 Salaries	\$ 272,205.00
8073 Accounting	\$ 20,000.00
8074 Audit	\$ 20,000.00
8075 Payroll Processing	\$ 4,500.00
8077 Public Notices	\$ 1,800.00
8080 Bank Charges	\$ 20,000.00
8086 Staff Development & Training	\$ 2,500.00
8090 Postage	\$ 1,200.00
8092 Printing	\$ 7,500.00
8095 Community Events & Receptions	\$ 13,000.00
8110 Legal	\$ 45,000.00
8115 Computer Software & Support	\$ 8,200.00
8120 Insurance	\$ 12,000.00
8130 Supplies	\$ 5,000.00
8131 Ofc Equipment R&M	\$ 1,000.00
8160 Telephone	\$ 6,500.00
8165 Utilities	\$ 12,000.00
8175 Public Property Maintenance	\$ 7,500.00
8180 Grants & Awards	
8180.01 FIP	\$ 50,000.00
8180.02 Park Conservation Grant	\$ 25,000.00
8180.03 Community Open Space Grant	\$ 100,000.00
<b>Total 8180 Grants &amp; Awards</b>	<b>\$ 175,000.00</b>
8185 Historical Committee	\$ 750.00
8191 CERT	\$ 1,000.00
8200 Other	\$ 2,500.00
8205 Consulting Fees	\$ 46,000.00
8210 Payroll Tax Expenses	\$ 80,100.00
<b>9001 Capital Improvement</b>	
9000.01 Town Hall Upgrades	\$ -
9000.02 Match Monies	\$ -

9000.2020-01 Parcel Acquisition	\$	30,000.00
9000.2020-02 Construction & Maintenance	\$	-
9000.05 Annexation	\$	30,000.00
<b>Total 8230 Capital Improvement</b>	<b>\$</b>	<b>60,000.00</b>
<b>Total 8000 General Government</b>	<b>\$</b>	<b>836,655.00</b>

#### 8250 Public Safety

8260 Salaries	\$	404,000.00
8261 Overtime	\$	2,000.00
8273 Uniforms	\$	2,000.00
8274 Weapons & Duty Equipment	\$	3,500.00
8275 Staff Training	\$	300.00
8277 Substance Testing/Pre Employment	\$	750.00
8280 Supplies	\$	5,000.00
8281 Association Dues	\$	750.00
8282 PS Insurance	\$	5,000.00
8290 Payroll Tax Expenses	\$	58,550.00
8300 Vehicle Repairs	\$	3,000.00
8301 Vehicle Maintenance	\$	5,000.00
8302 Vehicle Fuel	\$	7,500.00
8320 Other	\$	2,000.00

#### 8330 Capital Improvement

8330.01 Technology	\$	-
8330.02 Vehicles	\$	-
8330.03 Debt Service (FY2020)	\$	33,000.00
<b>Total 8330 Capital Improvement</b>	<b>\$</b>	<b>33,000.00</b>

<b>Total 8250 Public Safety</b>	<b>\$</b>	<b>532,350.00</b>
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#### 8350 Public Works

8360 Salaries	\$	175,120.00
8361 Overtime	\$	2,500.00
8370 Payroll Tax Expenses	\$	38,900.00
8375 Uniforms	\$	750.00
8377 Dues	\$	250.00
8380 Other	\$	750.00
8383 PW Insurance	\$	6,500.00
8390 Streets Maintenance	\$	4,000.00
8391 Weather Related Expenses	\$	2,500.00

<b>8400 Highway Lighting</b>	\$	21,500.00
<b>8405 Vehicle Repairs</b>	\$	2,250.00
<b>8410 Vehicle Maintenance</b>	\$	2,250.00
<b>8415 Vehicle Fuel</b>	\$	5,000.00
<b>8487 Substance Testing</b>	\$	-
<b>8490 Utilities</b>	\$	3,500.00
<b>8491 PWF-Maint/Repairs/Beautificatio</b>	\$	18,000.00
<b>8493 Portajohn</b>	\$	1,200.00
<b>8545 Sanitation</b>	\$	56,336.00
<b>8550 Capital Improvement</b>		
<b>8550.01 Annexation Upgrades</b>	\$	-
<b>8550.02 Seasonal Upgrades</b>	\$	-
<b>8550.03 Energy Conservation</b>	\$	25,000.00
<b>Total 8550 Capital Improvement</b>	<b>\$</b>	<b>25,000.00</b>
<b>Total 8350 Public Works</b>	<b>\$</b>	<b>336,306.00</b>
<b>Total Expenses</b>	<b>\$</b>	<b>1,705,311.00</b>
<b>Net Operating Income</b>	<b>\$</b>	<b>-</b>

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

ORDINANCE: 2020-06  
SESSION: Regular Town Meeting  
INTRODUCED: May 12, 2020  
DATE ENACTED: \_\_\_\_\_

**AN ORDINANCE TO ESTABLISH TAX RATES FOR THE FISCAL YEAR 2021 TAX LEVY**

**WHEREAS**, the Town of Upper Marlboro (the “Town”) is a municipal corporation of the State of Maryland expressly authorized by Maryland Code Annotated, Local Government (“LG”) Art., § 5-205(b)(1) to expend any municipal funds for any purpose deemed to be public and to affect the safety, health and general welfare of the municipality and its occupants; and

**WHEREAS**, the Charter of the Town of Upper Marlboro (the “Town Charter”), Section 82–16(2)(v) (Finances), states that the Board shall have the power to pass ordinances not contrary to the laws and Constitution of this State in order to levy, assess, and collect ad valorem property taxes; to expend municipal funds for any public purpose; to have general management and control of the finances of the Town; and

**WHEREAS**, the Town Charter, Section 82–47 (Taxable Property) states all real property and all tangible personal property within the corporate limits of the Town, or personal property which may have a situs there by reason of the residence of the owner therein, shall be subject to taxation for municipal purposes, and the assessment used shall be the same as that for State and County taxes; and

**WHEREAS**, the Town Charter, Section 82–48 (Tax Levy) states that on or before the thirtieth day of June in each and every year, the Board shall determine the tax rate for the ensuing fiscal year, which determination shall constitute the tax levy for such year; and

**WHEREAS**, pursuant to Ordinance 2018-08, effective for the tax year beginning July 1, 2019, and for each tax year thereafter unless altered by a subsequent enactment of the Board of Commissioners, the classifications of property subject to municipal taxation, with respect to those properties, businesses or utilities located within the municipal boundaries of the Town of Upper Marlboro, shall be as follows: (i) commercial real property, (ii) noncommercial real property, (iii) business personal property, and (iv) public utility property; and

**WHEREAS**, the Town Charter, Section 82-11 mandates that except in cases of emergency, no ordinance shall be passed at the same meeting at which it is introduced and that at any regular or special meeting of the Board held not less than six nor more than sixty days after the meeting at which the ordinance was introduced, it shall be passed, or passed as amended, or rejected, or its consideration deferred to some specified future date; and

**WHEREAS**, said Section 82-11 further mandates that each ordinance shall be posted in the Town office, and each ordinance or a fair summary thereof, shall be published at least once, in a newspaper of general circulation in the Town; and

**WHEREAS**, pursuant to Section 82-39 *et seq.* of the Town Charter, the Board of Town Commissioners plans to approve a separate annual budget ordinance consistent with this Ordinance.

**NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO, STATE OF MARYLAND, DOES ORDAIN AND ENACT AS FOLLOWS:**

That the tax rates for Fiscal Year 2021 for all real, personal and other property which is subject to taxation by the Town of Upper Marlboro are hereby established, levied and approved to be as follows:

Residential Real Property	\$ 0.24 per \$100.00 of assessed valuation;
Commercial Real Property	\$ 0.52 per \$100.00 of assessed valuation;
Business Personal Property	\$ 0.45 per \$100.00 of assessed valuation;
Public Utility Property	\$ 0.75 per \$100.00 of assessed valuation;

**AND BE IT FURTHER ENACTED AND ORDAINED** by the Board of Commissioners of the Town of Upper Marlboro, Maryland that the tax levy for Fiscal Year 2021 for the Town of Upper Marlboro and all other taxes, liens and/or fees prescribed herein shall remain as approved to be incorporated and adopted within the FY 2021 Budget Ordinance 2020-05.

**AND BE IT FURTHER ENACTED AND ORDAINED** by the Board of Commissioners of the Town of Upper Marlboro, Maryland that pursuant to the Town Charter this Ordinance shall be posted in the Town office and a fair summary of it shall be published once in a newspaper of general circulation in the Town and effective 20 days after passage by the Board.

AYES: \_\_\_\_\_

NAYES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**INTRODUCED** in a public session of the Board of Commissioners on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**ORDAINED, APPROVED AND** finally passed by the Board of Commissioners of the Town of Upper Marlboro, Maryland on this \_\_\_\_\_ day of \_\_\_\_\_, 2020, by:

Attest:

THE TOWN OF UPPER MARLBORO  
BOARD OF COMMISSIONERS

\_\_\_\_\_  
Linda Pennoyer, President

\_\_\_\_\_  
Kai Bernal-LeClaire, Commissioner

\_\_\_\_\_  
M. David Williams, Town Clerk

\_\_\_\_\_  
Wanda Leonard, Commissioner

Reviewed and Approved for Legal Sufficiency

\_\_\_\_\_  
Kevin J Best, Town Attorney

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

## **The Town of Upper Marlboro**

RESOLUTION: 2020-11  
SESSION: Regular Town Meeting  
DATED: April 14, 2020

A RESOLUTION OF THE TOWN BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO TO AWARD A CONTRACT TO INSTALL SOLAR PANELS ON THE ROOF OF TOWN HALL.

**WHEREAS**, the Board of Commissioners for the Town of Upper Marlboro has authority pursuant to §§82-83 and 82-84 of the Town Charter to construct, operate, and maintain any buildings and structures it deems necessary for the operation of the Town government, and to do whatever may be necessary to protect Town property and to keep the same in good condition; and

**WHEREAS**, the Town has submitted an application to the Maryland Energy Administration Smart Energy Communities (“MSEC”), which supports local governments as they adopt smart-energy policies and commit to them for the long term, and the Town was accepted into the program and the Town’s proposal to install solar panels on the roof of Town Hall was also accepted; and

**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 released RFP 2020-02 and published it for at least 15 days to seek interested applicants from February 19, 2020, through March 6, 2020; and

**WHEREAS**, the Board of Town Commissioners waived the formal request for bids process and alternatively released RFP #UM 2020-02 soliciting proposals, and thereby published said request for proposals for at least 15 days to seek interested applicants during the period of February 19, 2020 through March 6, 2020; and

**WHEREAS**, the Town Board of Commissioners hereby finds that sufficient funds have been appropriated and that \_\_\_\_\_XXXXXXXX\_\_\_\_\_ 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 \_\_\_\_\_, 2020, that the Town Board of Commissioners hereby authorize the President to award the contract to

\_\_\_\_\_XXXXXXXX\_\_\_\_\_ for the amount of \$XX,XXX and to execute the relevant contract documents.

ATTEST:

THE TOWN OF UPPER MARLBORO

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Linda Pennoyer, President

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

\_\_\_\_\_  
Wanda M. Leonard, Commissioner

\_\_\_\_\_  
Kai Bernal-LeClaire, 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 \_\_\_\_\_, 2020.

\_\_\_\_\_  
M. David Williams, Town Clerk



# 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

## Request for Proposals

### Town of Upper Marlboro Government Relations Firm

RFP # UM 2020-05

**Project Overview:** The Town of Upper Marlboro is seeking proposals from firms to assist and guide the Town with intergovernmental relations on the State and County Level. This firm should have a solid understanding of the organization and dynamics of both the State of Maryland government and its elected officials, as well as Prince George's County government and its elected officials.

**Scope of Work:** Qualified applicants should be able to provide the below services to the Town:

- To advocate for the Town of Upper Marlboro during Maryland Legislative Sessions
- Strengthening partnerships with Local and State governments.
- Implementation of strategy for overall effective representation and growth within the State of Maryland and Prince George's County.
- Educating the members of the Maryland General Assembly and Prince Georges County Government of the Town's goals and initiatives.
- Provide frequent updates to staff and Town elected officials.
- Monitoring of both State and County Legislation pertaining to the Town or its initiatives.
- Developing lobbying strategies relating to economic development and revenue generation.
- Attend in-person meeting or conference calls as needed.
- General influential support

**Level of Experience:** Applicant firms must have the following experience:

- Extensive experience working with elected officials for the State of Maryland and Prince George's County.
- Experience working at least five (5) Maryland Legislative Sessions
- Extensive experience working with a small/medium municipality.
- Ability to manage multiple issues and priorities on deadline.
- Individual or firm must have a thorough understanding of local, state, and/or federal government operations, including the legislative process.
- Individual or firm must have prior experience working within the Washington, DC region, including Prince George's County.
- Individual or firm must be able to work independently, but also thrive as part of a fully functional team

**Budget:** The annual budget for this service shall not exceed \$36,000.

**Deadline:** Responses to this RFP are to be submitted by **Tuesday May 26th, 2020** at 9pm. By Mail: Town of Upper Marlboro P.O. Box 280 Upper Marlboro MD 20773. By Email: [Info@UpperMarlboroMD.gov](mailto:Info@UpperMarlboroMD.gov). In-Person: Upper Marlboro Town Hall 14211 School Lane Upper Marlboro MD 20772.

**Selection Process and Criteria:** This RFP is for a 24-month contract with the Town, with the option for renewal beginning July 1<sup>st</sup>, 2020. Town Elected Officials will participate in the process of selecting the appropriate firm. Proposals will be evaluated based on:

1. The firm's understanding of effective government relations needs for municipal governments
2. The firm's availability to render services to the Town every month
4. Three references (with link) for past public relations experience with government organizations.
5. Budget, to be broken down into a monthly retainer fee.

**Overview of the Town:** Settled around 1695 and named after the first Duke of Marlborough, the Town of Upper Marlboro is among the oldest of the surviving Southern Maryland towns dating back to colonial times. It was established as a port town for tobacco shipments in 1706, when the Western Branch of the Patuxent River was still navigable. It has been the county seat of Prince George's County since 1721.

The Town is governed by three elected Town Commissioners, one of which serves as the President/Mayor who are elected every two years. The Town government maintains a Police Department, Public Works Department, and Town Administration Department, along with several volunteer committees. Though the Town's resident population is around 700, the Town's downtown historic Main Street is home to one of the largest Courthouses in the State, which attracts over 1.5 million visitors per year.

The Town of Upper Marlboro is growing in size, economically, and in community outreach. This past year the Town successfully completed phase 1 of its annexation plan which grew the Town's landmass for the first time in its over 300-year history. The Town's continued growth through annexation plays an important role in influencing the economic growth, environmental protection, quality of life, and municipal fiscal well-being of the Upper Marlboro community. The Town is also working to revitalize its historic downtown Main Street through streetscape initiatives, upgrades to its parking infrastructure, and attracting new small businesses to fill any commercial storefront vacancies. Communication and community outreach have been a large focus of the Town over the past few years, with the introduction of new community events including successfully resurrecting Marlboro Day in 2018. The Town also maintains a strong social media and web presence to stay engaged with its residents.

**Point of Contact:** Kyle Snyder, Chief of Staff, can be reached at 301-627-6905 or [ksnyder@UpperMarlboroMD.gov](mailto:ksnyder@UpperMarlboroMD.gov) with any questions.

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