

Town of Upper Marlboro

REGULAR TOWN MEETING

September 15, 2020 • 7:00 p.m.

Approved Minutes

This meeting was conducted via Zoom Video Conference: <https://us02web.zoom.us/j/85999615701>
Meeting ID: 859 9961 5701; Dial-in only: 301-715-8592.

Call to Order

The meeting was called to order at 7:01 p.m.

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

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

Also present: Town Attorney Kevin J. Best; SCW Chair Evelyn Stephens; UM CERT President Alonzo Joy; Ray Feldman/Feldman Communications Strategies LLC; Ivan Lanier, Jacob Moore and Tia Ortiz/Greenwill Consulting Group LLC; Joseph Hourclé/Board of Supervisors of Elections; plus, various citizens and interested parties.

Pledge of Allegiance

Closed Session Statement

President Pennoyer read aloud the closing statement from the August 25, 2020 Closed Session:

The August 25, 2020 Board Work Session: The meeting was closed to the public in accordance with the procedures found in the General Provisions Article, §3-305(b) of the Maryland Code. The topics and purposes of this closed meeting were to conduct a General Government Operations and personnel overview, and to preserve confidentiality of information concerning personnel structure, and the selection of the Town Treasurer.

The specific statutory authorities to close the session are found in the General Provisions Art., Section 3-305, Subsection (b), Paragraph (1). Persons noted present for closed meeting discussions: President Linda Pennoyer; Commissioner Sarah Franklin; and Commissioner Janice Duckett.

President Pennoyer noted that Commissioner-elect Duckett had been sworn-in yesterday and is now a voting member of the Board. The President then nominated Commissioner Sarah Franklin to be appointed as Town Treasurer, to which Commissioner Franklin accepted. Commissioner Duckett then motioned to approve the appointment and the President seconded. The motion was approved unanimously. It was noted Commissioner Franklin will be sworn-in at a later date.

Board Approval of Election Results for August 10, 2020 2nd Special Election

Clerk Williams read aloud the August 10th, 2020 Town Election results signed and certified by the BoSE to be entered into the record. It was noted that the PGC Board of Elections audited and adjusted the Voter Count, and the Total Ballots Cast downwards by two (2), given 2 voters did not qualify by address.

- Voter count: -66; Total absentee ballots-18; Total ballots cast-84
- Tabulation of votes (*in alphabetical order*): Bryan A. Bontrager-16; Janice Duckett-70; Write-in votes-0.

Commissioner Franklin moved to receive the certified results as presented and amended, and President Pennoyer seconded. With all in favor, the motion was unanimously approved by Board majority.

Approval of Meeting Minutes & Financial Reports

Commissioner Franklin motioned to approve the Regular Town Meeting minutes from August 11, 2020, the Board Work Session minutes from August 25, 2020, and the Treasurer's Report as of August 31, 2020. Commissioner Duckett seconded. All Board minutes from August's Town Meeting and Work Session, plus, the August Treasurer's Report were unanimously accepted and approved as presented.

Reports

Departments/Committees:

- The CEO and staff of Greenwill Consulting Group LLC delivered updates on their work during August and September at the State Capital on behalf of the Town. Mr. Jacob Moore noted that the Town's legislative "asks" were looking good for the upcoming Session in January.
- Chief Burse delivered the UMPD report for the month of August 2020 that was projected on a PowerPoint for the Zoom attendees. He noted 152 Parking Citations had been issued in August as well as several moving violations (on residential streets.) Kudos by the new Commissioners were extended to the UMPD for their excellent community policing and citizen engagement efforts.
- Superintendent Bond delivered the Public Works status report for June 2020 that was also projected on a PowerPoint for the Zoom attendees. Additional discussion addressed aging infrastructure, ground water, and establishing multiple State and County contacts to resolve related issues faster.
- Director of Finance Morgan reviewed highlights of the August's Treasurers Report noting Parking/Fines and Property Tax revenues have experienced a slight uptick. He also noted that the Worker's Compensation Audit preparation is ahead of schedule at this time. The President added that timelines for the implementation and fee structure of the Business Licensing Program will be discussed further at the September Board Work Session.
- Clerk Williams gave a brief overview of the Maryland Municipal League's annual "Municipal Government Works! Month" program, and, announced that the Town had been awarded the MML "Banner Town" designation for the 8th year in a row. The President noted the Town is planning another a Municipal Government Academy again this year, through a virtual-based platform.
- The Historical Committee had no report at this time.
- Commissioner Franklin reported for EC Chair Gunnoe in his absence. At their last meeting, the EC discussed finding a new Secretary, and how to safely conduct a Drive-Thru "Trunk or Treat" event. The EC is also looking into inviting local businesses and companies to donate the Treats, so, as to keep expenses as low as possible. Other upcoming events discussed included a "distanced" Veterans' Day observance/parade, and an outdoor Holiday Tree Lighting & Caroling event at Town Hall.
- SCW Chair Stephens stated the FY2017 F.I.P. funds have been expended as of June 24th, and a final report was drafted during August. She added that the SCW is preparing an application for the next grant cycle (for FY2021) which is due October 15th. The next SCW Meeting is on September 23rd.
- CERT President Alonzo Joy reported that in August, UM CERT members participated in the Town's Shred Event, distributed food at St Margaret's Church, conducted traffic management at COVID Testing Sites, and assisted at several trash clean-up events. He noted that UM CERT members had put in 2,145 man-hours of training and outreach activities during the month of August. He also thanked the Town for the new CERT Trailer and said that photos of it had gotten a tremendous amount of positive feedback through social media. An October 10th Schoolhouse Pond Clean-Up may or may not happen depending on COVID regulations being considered by the Parks & Recreation Department.

Commissioners:

- Commissioner Duckett: Had no report at this time.
- Commissioner Franklin: Announced she has been researching resources for distance-learning opportunities to possibly assist resident parents of school-aged children during the pandemic. She

noted the PTA and the Library System already had some in development and hoped the Town could post helpful links to these resources on the Town website once these resources come to fruition.

- President Pennoyer: Acknowledged that the Town dodged the bullet from the last local rain/flood event given that several other municipalities suffered a lot of damage and property loss. She added that the Town's Annexation Plan(s) are going forward and going well.

Business

- 1.) Resolution 2020-20 Check Signing Authorization: The President noted the Treasurer and herself are named as primary signers and Commissioner Duckett and the Administrator are named as secondary signers (should the primary signers be unavailable.) Clerk Williams then read aloud the Resolution's introduction. Commissioner Franklin motioned to approve Resolution 2020-20. Commissioner Duckett seconded the motion. Approval was unanimous.
- 2.) DOE 04-2020 Extension of State of Emergency: President Pennoyer explained this Board vote was to extend retroactively the declaration of local emergency from September 15, 2020 until December 31, 2020. Commissioner Franklin motioned to approve the extension DOE 04-2020 and Commissioner Duckett seconded. The motion was unanimously approved.
- 3.) OMES Litigation Update: Town Attorney Best congratulated the newly elected officials and delivered an update on the Town's request for judicial review concerning the County's declassification of the OMES and Principal's House as historic sites. After acknowledging that the initial request was filed one year ago, he explained how the Town's case against County Resolutions CR-98 and CR-72 was presented to Judge Cotton on September 11, 2020, claiming the Council failed to provide the "purpose and scope" of the declassification and thus "misapplied standard of review." Unfortunately, the decision from the bench was that the case would not be remanded. Attorney Best then opined that this was unusual and felt the Town still maintains a good position to file a notice of appeal at the State level. He noted the Board would have 30 days from when the order comes out to request a writ.
After discussion, the President said the issue will be further discussed and decided upon in a closed session, as part of, the next Board Work Session on September 22nd.

Administrative Updates

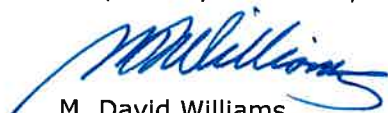
- 4.) Legislation, Projects and Initiatives: Administrator Snyder reviewed a spreadsheet, projected online for the viewing audience, providing updates on current projects with the following sidenotes: 1.) ATHA has a new Executive Director; 2.) Expect the new grant-funded Playground opening in the Spring. Board recently agreed to suspend related non-contractual expenses until a later date; 3.) Mural Project ready for new Arts Council Board; 4.) Have not received back any negative replies from over 200 letters of interest for Annexation mailed out to out-of-town businesses and residents. Details of annexation phases posted on Town website; 5.) The Water Street Bridge project is also coming along; and, 6.) SHA to install flood-zone signs along Route 725 at John Rodgers Blvd, and, at the Marlboro Tire shop as a temporary measure.
- 5.) General Commissioner & Staff Items: No additional issues or items were offered at this time.

Public Comment There were no further comments or citizen input at this time.

Adjournment

The meeting was adjourned at 9:05 p.m.

Respectfully submitted,



M. David Williams
Town Clerk

