



Town of Upper Marlboro

REGULAR TOWN MEETING

14211 School Lane, Upper Marlboro, Maryland, 20772

Tuesday, September 23, 2025 at 7:00 PM

AGENDA

This meeting will be conducted at the Town Hall and online via Zoom Video Teleconference.
<https://uppermarlbormd-gov.zoom.us/j/88605465733?pwd=lbLHGCPRO1PvbEIE5aFV3vn6cUSMhk.1>
Passcode: 218230; Webinar ID: 886 0546 5733; Dial-in only: 301-715-8592

REGULAR TOWN MEETING AGENDA: 7:00 PM

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Review Of Agenda**
5. **Consent Agenda**
 - A. Meeting Minutes
 - B. Financial Report
 - C. Public Safety Report
 - D. Public Works Report
 - E. General Government Report
6. **Business**

Public comment will be taken prior to Business line items (3 minutes per item)

 - A. Charter Amendment Resolution 01-2025: Section 82-32 (Board Vote)
 - B. Emergency Ordinance 2025-05: Recodification (Board Vote)
 - C. Emergency Ordinance 2025-06: Elections (Board Vote)
 - D. Resolution 03-2025: Gen. Gov Job Descriptions (Board Vote)
 - E. Request For Proposal: Janitorial Services (Board Vote)
 - F. BoSoE Appointments (Board Vote)
 - G. Mayor/Vice Mayor Salary (Mayor Franklin)
7. **Administrative Updates**
 - A. Councilmember Reports
8. **Public Comment**

For items not necessarily on the immediate agenda (3 minutes per item)
9. **Preliminary Approval of Next Meeting Agenda**
10. **Adjournment**

PUBLIC COMMENT PROCEDURES

Your Town government appreciates citizen input. To maximize effective resolutions on resident's issues, we encourage Town residents and businesses to contact us at Town Hall weekdays: 9 a.m.–5 p.m., or by written correspondence (or email to info@uppermarlbormd.gov). You are always welcome to schedule an appointment with the President or a Commissioner to discuss municipal problems and quality-of-life issues one-on-one and work together towards a satisfactory solution.

Agendas for meetings are posted on our website and notices of legislative items are also posted on the Town's social media accounts (Facebook, Twitter & Instagram).

Our meetings are open to the public, and we ask that residents who want to comment please follow the rules that have been established by **“RESOLUTION 2022-05: A RESOLUTION FOR THE ADOPTION OF NEW RULES OF ORDER AND REGULATIONS FOR PUBLIC MEETINGS OF THE BOARD OF COMMISSIONERS FOR THE TOWN OF UPPER MARLBORO.”**

Citizen Input:

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

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

When the meeting is held on a virtual platform, please sign-in with your First and last name and raise your hand to comment on an item.

All meetings are subject to closure in accordance with the State Open Meetings Act—House Bill 17.



Town of Upper Marlboro

BOARD OF TOWN COMMISSIONERS WORK SESSION

14211 School Lane, Upper Marlboro, Maryland, 20772

Tuesday, September 09, 2025 at 7:00 PM

MINUTES

This meeting will be conducted online via Zoom Video Teleconference.

<https://uppermarlbormd-gov.zoom.us/j/86847876643?pwd=4GcCOWdb8ADEAdSfg9Akf6lWoNxYBZ.1>

Webinar ID: 868 4787 6643; **Passcode:** 404232; **Audio Dial-in only:** 301 715 8592

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

WORK SESSION AGENDA: 7:00 PM

1. **Call to Order – 7:03 PM**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Review of Agenda**
5. **Business**
 - A. Charter Amendment Resolution 01-2025: Section 82-32 (Board Discussion) **(1:59)**
 - B. Codification (Board Discussion) **(22:56)**
 - C. Elections (Commissioner Hourclé) **(47:38)**
 - D. Request for Proposals (RFPs) (Town Administrator) **(1:08:13)**
 - E. Gen Gov. Job Descriptions (Town Administrator) **(1:17:50)**
6. **Administrative Updates (1:26:55)**
7. **Preliminary Approval of Next Meeting Agenda (1:34:18)**
8. **Adjournment**

Motion was made by Commissioner Lott to adjourn the meeting
Motion was seconded by Commissioner Brooks
Franklin, Aye | Brooks, Aye | Colbert, Aye | Lott, Aye | Hourclé, Aye



Town of Upper Marlboro

BOARD OF TOWN COMMISSIONERS PUBLIC HEARING / REGULAR TOWN MEETING

14211 School Lane, Upper Marlboro, Maryland, 20772

Tuesday, August 26, 2025 at 6:30 PM

MINUTES

This meeting will be conducted at the Town Hall and online via Zoom Video Teleconference.
<https://uppermarlboromd-gov.zoom.us/j/88605465733?pwd=lbLHGCPRO1PvbEIE5aFV3vn6cUSMhk.1>
Passcode: 218230; **Webinar ID:** 886 0546 5733; **Dial-in only:** 301-715-8592

PUBLIC HEARING AGENDA: 6:30 PM

1. Call to Order – 6:33 PM
2. Roll Call
3. Pledge of Allegiance
4. Review of Agenda
5. Public Hearing (3 Minutes Per Speaker)
 - A. **THE TOWN OF UPPER MARLBORO, CHARTER AMENDMENT RESOLUTION NO. 01-2025: SECTION 82-32 (VACANCIES) (1:55)**
A CHARTER AMENDMENT RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO, MARYLAND, AMENDING SECTION 82-32 (VACANCIES), OF THE CHARTER OF THE TOWN OF UPPER MARLBORO TO ALTER THE PROCESS FOR FILLING VACANCIES ON THE BOARD OF COMMISSIONERS, PROVIDING FOR THE FILLING VACANCIES DURING THE FIRST THREE YEARS OF A COMMISSIONER'S TERM BY SPECIAL ELECTION AND FILLING VACANCIES DURING THE FIRST TEN MONTHS OF THE LAST YEAR OF A COMMISSIONER'S TERM BY APPOINTMENT BY THE COMMISSION AND PROVIDING THAT A VACANCY CREATED WITHIN SIXTY (60) DAYS OF A GENERAL ELECTION WILL REMAIN VACANT UNTIL THE ELECTION.
 - B. **THE TOWN OF UPPER MARLBORO, CHARTER AMENDMENT RESOLUTION NO. 03-2025: STATE CHANGES (25:23)**
A CHARTER AMENDMENT RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO, MARYLAND, AMENDING VARIOUS SECTIONS, OF THE CHARTER OF THE TOWN OF UPPER MARLBORO TO MODERNIZE THE CHARTER BY UPDATING STATE LAW REFERENCES, TO USE GENDER NEUTRAL LANGUAGE, AND TO MAKE OTHER NONSUBSTANTIVE AMENDMENTS.
6. Adjournment

REGULAR TOWN MEETING AGENDA: 7:00 PM

7. Call to Order – 7:10 PM
8. Roll Call
9. Review of Agenda (Item E changed to Ordinance 2025-05: Elections)
Motion made by Commissioner Hourclé to change item E to Ordinance 2025-05: Elections
Motion was seconded by Commissioner Lott
Franklin, Aye | Brooks, Nay | Colbert, Aye | Lott, Aye | Hourclé, Aye
10. Consent Agenda (35:00)
 - A. Meeting Minutes
 - B. Financial Report
 - C. Public Safety Report

- D. Public Works Report
- E. General Government Report
- Motion was made by Commissioner Lott to approve the Consent Agenda**
- Motion was seconded by Commissioner Colbert**
- Franklin, Aye | Brooks, Aye | Colbert, Aye | Lott, Aye | Hourclé, Aye**

11. Business

Public comment will be taken prior to Business line items (3 minutes per item)

- A. Charter Amendment Resolution 01-2025: Section 82-32 (Board Vote) **(35:35)**

Motion was made by Commissioner Colbert to approve CAR 01-2025 (motion made at 39:02, motion rescinded at 48:05)

Motion was seconded by Commissioner Brooks

Motion was made by Commissioner Colbert to amend the title of CAR 01-2025 [changing the title to "A charter amendment resolution of the Board of Commissioners of the Town of Upper Marlboro, Maryland, amending section 82-32 (vacancies), of the Charter of the Town of Upper Marlboro to alter the process for filling vacancies on the Board of Commissioners."] (motion made at 39:02, voted on at 1:59:55)

Motion was seconded by Commissioner Brooks

Franklin, Aye | Brooks, Aye | Colbert, Aye | Lott, Aye | Hourclé, Abstain

Motion was made by Commissioner Colbert to amend subsection C of section 82-32 [changing it to read that the successful candidate with the highest votes shall fill the vacant seat] (motion made at 40:40, motion rescinded at on at 47:00)

Motion was seconded by Mayor Franklin

Motion was made by Commissioner Colbert to defer the vote of CAR 01-2025 to the September regular town meeting (motion made at 48:10, voted at on at 50:47)

Motion was seconded by Mayor Franklin

Franklin, Aye | Brooks, Nay | Colbert, Aye | Lott, Aye | Hourclé, Aye

Motion was made by Commissioner Hourclé to review the July 2025 public hearing/regular town meeting minutes (motion made at 49:23, voted at on at 49:42)

Motion was seconded by Mayor Franklin

Franklin, Aye | Brooks, Aye | Colbert, Aye | Lott, Aye | Hourclé, Aye

- B. Charter Amendment Resolution 03-2025: State Changes (Board Vote) **(51:06)**

Motion was made by Commissioner Colbert to approve CAR 03-2025 (motion made at 55:53, voted on at 1:01:00)

Motion was seconded by Mayor Franklin

Franklin, Aye | Brooks, Aye | Colbert, Aye | Lott, Aye | Hourclé, Aye

Motion was made by Commissioner Hourclé to defer the vote of CAR 03-2025 to the September regular town meeting (motion made at 48:10, voted on at 50:47)

Motion was seconded by Mayor Franklin

Franklin, Nay | Brooks, Nay | Colbert, Nay | Lott, Aye | Hourclé, Aye

Motion was made by Mayor Franklin to amend section 10 of CAR 03-2025 [requesting that the state references to sections 2, 3, 4, and 5 be changed to sections 7, 8, and 9] (motion made at 56:10, motion voted at 56:45)

Motion was seconded by Commissioner Colbert

Franklin, Nay | Brooks, Nay | Colbert, Nay | Lott, Aye | Hourclé, Aye

Motion was made by Commissioner Hourclé to amend section 10 of CAR 03-2025 [requesting that that references to return receipts of the mailing referred to in section 5 be changed to return receipts of the mailing referred to in section 9] (motion made at 59:18, motion voted on at 59:35)

Motion was seconded by Mayor Franklin

Franklin, Aye | Brooks, Aye | Colbert, Aye | Lott, Aye | Hourclé, Aye

Motion was made by Commissioner Colbert to amend CAR 03-2025 [ensuring that any previous state references are updated to current state references based on the states changes being adopted] (motion made at 1:00:20, motion voted on at 1:00:38)

Motion was seconded by Mayor Franklin

Franklin, Aye | Brooks, Aye | Colbert, Aye | Lott, Aye | Hourclé, Aye

C. Approval of Gen Gov. Job Descriptions (Board Vote) (1:01:29)

Motion was made by Commissioner Colbert to approve Gen. Gov job descriptions as amended

Motion was seconded by Commissioner Brooks

Franklin, Aye | Brooks, Aye | Colbert, Aye | Lott, Aye | Hourclé, Aye

D. EDW Strategic Plan (Board Vote) (1:25:58)

Motion was made by Commissioner Colbert to approve the EDW Strategic Plan

Motion was seconded by Commissioner Brooks

Franklin, Aye | Brooks, Aye | Colbert, Aye | Lott, Aye | Hourclé, Aye

E. Ordinance 2025-05: Elections (Introduction) (1:34:44)

Motion was made by Commissioner Lott to introduce Ordinance 2025-05 (no second motion, motion died)

12. Administrative Updates (1:55:29)

A. Commissioner Reports

13. Public Comment (2:10:12)

For items not necessarily on the immediate agenda (3 minutes per item)

14. Preliminary Approval of Next Meeting Agenda (2:29:42)

15. Adjournment

Motion was made by Commissioner Lott to adjourn the meeting

Motion was seconded by Commissioner Brooks

Franklin, Aye | Brooks, Aye | Colbert, Aye | Lott, Aye | Hourclé, Aye



Town of Upper Marlboro

Town Hall, 14211 School Lane Tel: (301) 627-6905 info@uppermarlbormd.gov
Upper Marlboro, MD 20772 Fax: (301) 627-2080 www.uppermarlbormd.gov
Mailing address: P.O. Box 280 • Upper Marlboro, MD 20773-0280

Town of Upper Marlboro August 2025 Treasurer's Report Budget vs. Actuals: FY26 August 2025 - June 2026

Key Monthly Items

- 1. Financials year to date through August
- 2. YTD activity reflects a net loss of \$204K, this will change significantly now through January as property tax revenues are collected
- 3. Cash balance is approximately 8 months of operating spending(excludes grant or reimbursable spending
This reflects a strong fund balance position.

Bank Accounts	
1000 Checking Account (Premis) 6968	172,700
1001 Petty Cash	400
1010 Payroll Account (Premis) 6976	4,005
1020 ICS Sweep Account	-
1040 Parking Meter Checking (M&T) 0032	134,590
1045 Speed & Red Light (M&T) 0013	288,557
1140 MLGIP (MM)	1,562,844
Total Bank Accounts	\$ 2,163,096



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Town of Upper Marlboro Aug 2025 Treasurer's Report Budget vs. Actuals: FY26 Budget July 2025 - August 2025

	Total		
	ACTUAL	ADOPTED BUDGET	OVER (UNDER) BUDGET
Income			
Revenue			
4000 Property Taxes	19,036	1,630,050	(1,611,014)
4200 Fines, Licenses, Permits	172,724	1,249,900	(1,077,176)
4300 Intergovernmental	24,484	86,322	(61,838)
4400 Miscellaneous Revenue	2,871	177,061	(174,190)
4500 Grants	-	575,000	(575,000)
Total Revenue	\$ 219,115	\$ 3,718,333	#
Expenses			
5000 General Government	141,795	723,650	(581,855)
6000 Public Safety	155,468	1,427,100	(1,271,632)
7000 Public Works	93,826	816,380	(722,554)
8000 Grants & Awards	3,756	330,000	(326,244)
9000 Capital Outlays	28,692	421,203	(392,511)
Total Expenses	\$ 423,537	\$ 3,718,333	#
NET INCOME	\$ (204,422)	\$ -	\$ (204,422)



David A. Burse
Chief of Police

Town of Upper Marlboro Police Department

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

For ALL Police Calls dial 911 or the Non-Emergency number at 301-352-1200

Police Reports can be obtained In-Person or By Mail for a fee of \$10.00 at the Prince George's County Police Records Division located at 4923 43rd Avenue, 3rd Floor Hyattsville, Maryland 20781. Phone: 301-985-3638

Monthly Town Police Department Report For the Month of August 2025

Incidents Reported in Town:

Assist Call 1	Check Welfare 1	Domestic Call 1
Unknown Trouble 1	Gunshots Call 1	Trespassing Call 3
Traffic Complaint 1	Residential Alarm 2	Hold-Up Alarm 1
Theft Call 1	Loud Music Call 1	Stolen Auto 1
Vehicle Accident 2	911 Disconnect 1	

Total calls responded by: Upper Marlboro Police 6 & Prince George's County Police 12

Chief Burse participated in the Prince George's Chiefs Association meeting.

Sgt. Dawson and Pfc. Anderson conducted high visibility patrols throughout the Town.

Chief Burse participated in the weekly Prince George's County Police Crime meeting.

Chief Burse participated in the weekly Conduent meeting.

Chief Burse participated in the Maryland Chief's Meeting.

Chief Burse, Sgt. Dawson, Cpl. Anderson, and Code Officer UK participated in the National Night Out Event.

Chief Burse attended the Homeland Security Partner meeting with Prince George's County Police.

Cpl. Anderson participated in the Town Community Day Event.



Date: Friday September 19, 2025

Subject: Public Works' Monthly Report

RE: August 2025

Public Works Related

- PWD uploaded and approved bills for PW assigned in Bill.com.
- Payroll processing and review.
- PWD received updated vehicle cameras through Verizon. Waiting for installation date.
- PWD attended events committee meeting to discuss Trunk or Treat.
- PWD scheduled Flagger Certification Training for all PW staff.
- PWD took inventory of the non-working streetlights in Marlborough Towne overnight.
- PWD began discussions with HOA management concerning brush piles within the right-of-way.
- PWD crewmember Stewart, and crew lead Raynor, set up for Community Day at TH.

Maintenance and Beautification

- PWC completed multiple site cuts around Town.
- PWC removed weeds from TH flower beds.
- PWC updated flags, flagpole lighting, and equipment at TH.
- PWC removed brush and overhang from the Church St Parking lot.
- PWC prepared the grounds at TH for the Community Day cookout.
- PWC completed multiple brush pushbacks at Town maintained sites.
- PWC inspected and fixed issues with vehicles ahead of upcoming health Dept inspections for re-licensure.

Street and Sidewalk / Mead & Hunt Update

- PWD monitored Water St bridge water levels and town roads during two rain events.
- PWC performed storm drain checks and clearing of leaves and debris ahead of storms.
- PWC conducted routine litter patrols around Town.
- PWC removed a lot of brush and overhang to the fence line for residents of Old Crain Hwy.
- PWD assisted AMT with maintenance documents for the Splash Pad that had to be hand delivered to DPIE and Land Records office.
- PWC removed brush that was encroaching roadways and signage around Town.

Refuse Accumulations

- There was one dump truck rental for the month.



- PWC made a special dump run to Ritchie Land Reclamation for unacceptable items found along roadways in town collected over the past year.
- Bulk day refuse totals for items to landfill were 5.24 tons.
- Yard waste totals for items to MES were 2.53 tons.

Sincerely,

Darnell F. Bond / Director of Public Works



MEMORANDUM

To: Town Council

From: Clayton A. Anderson, Town Manager

Date: September 23, 2025

Re: 2025 Monthly General Government Report

Below is the update on some of the projects and statistics from the Town of Upper Marlboro General Government has undertaken in August 2025.

Projects Underway	
Reports	<ul style="list-style-type: none">• DHCD Circuit Rider Audit• Opioid Reporting Opioid Relief Fund (ORF)
Community Engagement	<ul style="list-style-type: none">• National Night Out• Community Day• Met with Judge Cotton to discuss food truck program• Met with Employ Prince Georges• Met with the new States Attorney• Landings mailed• Continued to work with downtown business owner• UCAP Housing Resources Fair
Volunteer Committee Participation	<ul style="list-style-type: none">• Community Day Planning• Economic Development Working Group• Met with Board of Supervisors of Elections
Local Legislation	<ul style="list-style-type: none">• Codification• Charter Amendments• Elections ordinance review



Personnel	<ul style="list-style-type: none"> • Job descriptions updated • Town Clerk hired • Working with a new background investigation vendor • Townhall staff met with 457B retirement • Working to complete State Retirement Certification training
Budget/Finances	<ul style="list-style-type: none"> • Met with stop sign camera representative • Main Street Improvement Program Grant (MIP) received • Processed Personal Property Taxes • Processed Business License renewals • Updated Business License records • Mailed Business license renewals • Conference Room Rentals (4) • Notaries (3)
Economic Development	<ul style="list-style-type: none"> • Drafting a use plan for RDA allocation • Worked with DHCD on FIP grant
Administration stats	<ul style="list-style-type: none"> • 8/11-8/29- Staff answered 276 phone calls TM approximately 25 from outside of town hall

Town of Upper Marlboro

CHARTER AMENDMENT RESOLUTION NO. 01-2025

**A CHARTER AMENDMENT RESOLUTION
OF THE ~~BOARD OF COMMISSIONERS~~ COUNCIL¹ OF THE TOWN OF UPPER
MARLBORO, MARYLAND, AMENDING SECTION 82-32 (VACANCIES), OF THE
CHARTER OF THE TOWN OF UPPER MARLBORO TO ALTER THE PROCESS FOR
FILLING VACANCIES ON THE ~~BOARD OF COMMISSIONERS~~ COUNCIL,
~~PROVIDING FOR THE FILLING VACANCIES DURING THE FIRST THREE YEARS~~
~~OF A COMMISSIONER'S TERM BY SPECIAL ELECTION AND FILLING~~
~~VACANCIES DURING THE FIRST TEN MONTHS OF THE LAST YEAR OF A~~
~~COMMISSIONER'S TERM BY APPOINTMENT BY THE COMMISSION AND~~
~~PROVIDING THAT A VACANCY CREATED WITHIN SIXTY (60) DAYS OF A~~
~~GENERAL ELECTION WILL REMAIN VACANT UNTIL THE ELECTION~~**

WHEREAS, Article XI-E, § 4 of the Constitution of Maryland and Local Government Article, §4-301, *et seq.* of the Annotated Code of Maryland, authorize the Council to amend the Charter of the Town of Upper Marlboro and provide the process and procedures for doing so; and

WHEREAS, Town Charter, Sec. 82-32 requires that vacancies on the Town Council be filled by holding a special election, unless the vacancy occurs within sixty-one (61) days of the next general election, in which case the position shall remain vacant until the next general election and further provides that any vacancy in the Office of the Mayor is to be filled by the favorable votes of a majority of the members of the Council; and

WHEREAS, given the time and cost of conducting a special election, especially close to a regular election of the Town, the Council finds that the Town would benefit from creating a process for the appointment of a qualified resident to fill a vacancy in the office of Town Council Member in the event the vacancy occurs less than one year, but not more than sixty (60) days prior

¹ Charter Amendment Resolution No. 02-2025, changed the form of government of the Town to a Council-Manager form of government. The Charter Amendment Resolution became effective September 10, 2025, after introduction of this Charter Amendment Resolution. Accordingly, the change from Board of Commissioners to Town Council is required throughout the document and was made after introduction of the Resolution and before adoption.

to a Town election and to hold a special election only if the vacancy occurs when the remaining term of the Council Member’s seat is more than one year prior to a Town election; and

WHEREAS, the Council finds that the Town would benefit from enacting this Charter amendment to update and clarify the process of filling vacancies on the Council.

Section 1. NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COUNCIL OF THE TOWN OF UPPER MARLBORO, that Section 82-32 (Vacancies) of the Charter of the Town of Upper Marlboro, Maryland, shall be and hereby is repealed and re-enacted with amendments to read as follows:

Registration, Candidates and Elections

* * *

SECTION 82-32 (VACANCIES)

(A) IN THE EVENT A VACANCY OCCURS ON THE TOWN COUNCIL LESS THAN ONE YEAR BUT MORE THAN 60 DAYS PRIOR TO THE NEXT GENERAL ELECTION, THE REMAINING COUNCIL MEMBERS SHALL APPOINT A QUALIFIED RESIDENT TO FILL THE VACANCY. (SEE TOWN CHARTER, § 82-4 (QUALIFICATIONS OF COUNCIL MEMBERS)). THE APPOINTMENT MUST BE MADE WITHIN 45 DAYS OF THE OCCURRENCE OF THE VACANCY AND SHALL CONTINUE UNTIL COUNCIL MEMBERS ARE SWORN INTO OFFICE FOLLOWING THE GENERAL ELECTION. THE VACANCY SHALL BE FILLED BY PUBLIC SOLICITATION OF APPLICATIONS. THE SWEARING-IN OF AN APPOINTEE SHALL TAKE PLACE AT THE EARLIEST AVAILABLE TOWN MEETING AFTER AN APPOINTMENT HAS BEEN MADE. THE SWEARING-IN SHALL MARK THE DATE AT WHICH AN APPOINTEE BECOMES A FULL MEMBER OF THE TOWN COUNCIL WITH ALL ATTENDANT POWERS AND DUTIES.

CAPS : Indicate matter added to existing law.
[[Brackets]] : Indicate matter deleted from law.
*** : Indicate matter retained but not restated in this Resolution
~~Strikethrough~~ : Indicates language deleted from the Resolution after introduction.
Underlining : Indicates language added to the Resolution after introduction.

(1) PUBLIC SOLICITATION OF APPLICATIONS.

(A) APPOINTMENT OF A SUCCESSOR IS MADE BY PUBLIC SOLICITATION OF APPLICATIONS AND THE VACANCY SHALL BE ADVERTISED ON THE TOWN WEBSITE AND BY WAY OF A SPECIAL MAILING AND/OR OTHER SUITABLE MEANS OF PUBLIC OUTREACH WITHIN FIVE (5) BUSINESS DAYS OF THE PUBLIC ANNOUNCEMENT OF THE VACANCY. THE PUBLIC NOTICE SHALL STATE THE DEADLINE FOR SUBMITTING APPLICATIONS AND THE QUALIFICATIONS FOR SERVING ON THE TOWN COUNCIL. ALL APPLICATIONS SHALL HAVE A SUPPORTING PETITION ATTACHED WITH THE SIGNATURES OF AT LEAST TWENTY (20) QUALIFIED VOTERS OF THE TOWN.

(B) AFTER THE DEADLINE FOR SUBMISSIONS HAS PASSED, THE TOWN COUNCIL SHALL SET A DATE FOR INTERVIEWING THE APPLICANTS WHO ARE ELIGIBLE TO SERVE AS A COUNCIL MEMBER. THE INTERVIEWS SHALL BE CONDUCTED INDIVIDUALLY IN EXECUTIVE SESSION, WHICH MAY BE HELD EITHER DURING OR AFTER A REGULARLY SCHEDULED MEETING OR WORK SESSION, OR A SPECIAL MEETING CALLED FOR THIS PURPOSE. SELECTION OF THE PREFERRED CANDIDATE SHALL BE MADE IN EXECUTIVE SESSION AND ANNOUNCED AT THE NEXT TOWN MEETING AND/OR BY OTHER SUITABLE MEANS OF PUBLIC OUTREACH, AS NEEDED.

(B) SPECIAL ELECTION. IN THE EVENT A VACANCY OCCURS ON THE TOWN COUNCIL AND THE REMAINING TERM OF THE VACANT SEAT ON THE TOWN COUNCIL IS MORE THAN ONE YEAR PRIOR TO THE NEXT GENERAL ELECTION, THE BOARD OF ELECTION SUPERVISORS SHALL CALL A SPECIAL ELECTION IN ACCORDANCE WITH TOWN CHARTER, SEC. 82-29 (SPECIAL

CAPS	: Indicate matter added to existing law.
[[Brackets]]	: Indicate matter deleted from law.
***	: Indicate matter retained but not restated in this Resolution
Strikethrough	: Indicates language deleted from the Resolution after introduction.
<u>Underlining</u>	: Indicates language added to the Resolution after introduction.

ELECTIONS). THE SPECIAL ELECTION SHALL NOT BE HELD SOONER THAN 30 DAYS AND NOT LATER THAN 60 DAYS AFTER THE OCCURRENCE OF THE VACANCY. A PUBLIC NOTICE OF THE SPECIAL ELECTION SHALL BE GIVEN AS SOON AS FEASIBLE BY A SPECIAL MAILING AND/OR BY OTHER SUITABLE MEANS OF PUBLIC OUTREACH.

(C) IN THE EVENT A VACANCY OCCURS LESS THAN 60 DAYS PRIOR TO A GENERAL ELECTION, THE VACANT SEAT SHALL REMAIN OPEN AND BE SUBJECT TO THE GENERAL ELECTION. IF THE OPEN SEAT IS NOT SCHEDULED FOR ELECTION IN THE NEXT GENERAL ELECTION, IT SHALL BE ADDED TO THE BALLOT FOR THE REMAINING TERM. THE SUCCESSFUL CANDIDATE WITH THE LOWEST VOTE TOTALS SHALL FILL THE VACANT SEAT.

(D) APPOINTMENT WHEN *MULTIPLE TOWN COUNCIL VACANCIES*.

(1) IN THE EVENT A SECOND TOWN COUNCIL VACANCY OCCURS LESS THAN ONE YEAR PRIOR TO THE NEXT GENERAL ELECTION AND WITHIN THREE MONTHS OF THE FIRST VACANCY, THE TOWN COUNCIL MAY OFFER THE VACANT SEAT TO ANY OF THE OTHER APPLICANTS FOR THE FIRST VACANCY WITHOUT INITIATING A NEW ROUND OF PUBLIC SOLICITATION OF APPLICATIONS.

(2) IF MORE THAN ONE VACANCY OCCURS WITHIN FIVE (5) BUSINESS DAYS OF THE PUBLIC ANNOUNCEMENT OF AN INITIAL TOWN COUNCIL VACANCY, THE COUNCIL SHALL CALL A SPECIAL ELECTION, WHICH SHALL NOT BE HELD SOONER THAN 30 DAYS AND NOT LATER THAN 60 DAYS AFTER THE OCCURRENCE OF THE VACANCY, IN COMPLIANCE WITH TOWN CHARTER, § 82-29.

(E) ANY VACANCY IN THE OFFICE OF THE ~~PRESIDENT~~ MAYOR SHALL BE

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[[Brackets]] : Indicate matter deleted from law.
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FILLED BY THE FAVORABLE VOTES OF A MAJORITY OF THE MEMBERS OF THE COUNCIL. THE RESULTS OF ANY SUCH VOTES SHALL BE RECORDED IN THE MINUTES OF THE BOARD.

Section 2. BE IT FURTHER RESOLVED that the Council finds that in addition to the other procedural charter adoption provisions found in State law, that it has held a public hearing and given at least 21-days’ notice by posting the notice in a public place before adopting this resolution proposing to amend the municipal charter.

Section 3. BE IT FURTHER RESOLVED that this Charter Amendment Resolution is adopted on the aforementioned date, and that upon adoption by the Council of The Town of Upper Marlboro, Maryland a complete and exact copy of this Charter Amendment Resolution shall be posted in the Town Office for a period of at least forty (40) days following the date of its adoption. Additionally, a fair summary of the proposed Amendment shall be published in a newspaper of general circulation in The Town of Upper Marlboro for no less than four (4) times at weekly intervals within the forty (40) days following the adoption of this Charter Amendment Resolution.

Section 4. BE IT FURTHER RESOLVED that the Amendment initiated in this Charter Amendment Resolution shall take effect and shall become and be considered the Charter of The Town of Upper Marlboro, upon the fiftieth day after being so ordained or passed unless on or before the fortieth day after being so adopted and passed a referendum petition meeting the requirements of State law shall be presented to the Council of The Town of Upper Marlboro, Maryland or mailed to it by certified mail, return receipt requested, bearing a postmark from the United States Postal Service.

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Section 5. **BE IT FURTHER RESOLVED** that when the Charter Amendment hereby initiated becomes effective, as provided herein, or following a referendum election, the Town Clerk shall send separately, by certified mail, return receipt requested, to the Department of Legislative Services within 10 days after the charter resolution becomes effective, the following information concerning the Charter Amendment: (i) the complete text of this Charter Amendment Resolution; (ii) the date of the referendum election, if any held with respect thereto; (iii) the number of votes cast for and against this Charter Amendment Resolution by the Council of The Town of Upper Marlboro, Maryland or a referendum election; and (iv) the effective date of the Charter Amendment.

Section 6. **BE IT FURTHER RESOLVED** that the Town Clerk of the Town of Upper Marlboro is specifically instructed to carry out the provisions of Sections 2, 3, 4 and 5 hereof, as evidence of compliance herewith, the Town Clerk shall cause to be affixed to this Charter Amendment Resolution and to the Minutes of the Council Meeting in which it is adopted (i) an appropriate certificate of publication of the newspaper in which the summary of the Charter Amendment Resolution shall have been published and (ii) return receipts of the mailing referred to in Section 5, and shall further complete and execute the Certificate of Effect attached hereto.

INTRODUCED by the Council of the Town of Upper Marlboro, Maryland at a regular meeting on the 23rd day of September, 2025.

PASSED by the Council of the Town of Upper Marlboro, Maryland at a regular meeting on the 23rd day of September, 2025

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ATTEST:

THE COUNCIL OF THE_TOWN OF UPPER
MARLBORO

Sarah Franklin, Mayor

Karen Lott, Council Member

Charles Colbert, Council Member

Derrick Brooks, Council Member

Telaya Bush, Town Clerk

Joseph Hourclé, Council Member

CHARTER RESOLUTION CERTIFICATE

I, Telaya Bush, the duly appointed, and qualified Clerk to the Council of the Town of Upper Marlboro, a municipal corporation of the State of Maryland do hereby certify that (i) the attached copy of the Charter Amendment Resolution 01-2025 is true, correct and complete; (ii) Charter Amendment Resolution 01-2025 was duly adopted by the Council of the Town of Upper Marlboro at a regular meeting held on the 23rd day of September 23, 2025; (iii) said meeting was duly convened and a quorum was present and acting throughout; (iv) Charter Amendment Resolution 01-2025, after having been introduced and fully discussed, was duly adopted, by a majority of Council Members_elected to the body and voting in the affirmative; and (v) Charter Amendment Resolution 01-2025 has not been subsequently amended, modified or repealed and remains in full force and effect as of the date hereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Upper Marlboro this 23rd day of September, 2025.

(SEAL)

Telaya Bush, Town Clerk

- _____
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THE COUNCIL OF THE TOWN OF UPPER MARLBORO

EMERGENCY ORDINANCE: 2025-05
SESSION: Legislative
INTRODUCED: September 23rd, 2025

AN EMERGENCY ORDINANCE OF THE COUNCIL OF THE TOWN OF UPPER MARLBORO REPEALING THE TOWN CODE AND RE-ENACTING IT AS SET FORTH IN ATTACHMENT A HERETO; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; SPECIFYING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE; AND AUTHORIZING THE PUBLICATION AND UPDATING OF THE CODE AND TOWN CHARTER, AS THEY ARE AMENDED

WHEREAS, the Town of Upper Marlboro (“the Town”) is a municipal corporation of the State of Maryland; and

WHEREAS, pursuant to the Md. Code Ann., Local Gov’t, Subtitle 2, “Express Law Making Powers”, the Town Council is authorized to adopt ordinances to, among other things:

- (1) assure the good government of the municipality;
- (2) protect and preserve the municipality's rights, property, and privileges;
- (3) preserve peace and good order;
- (4) secure persons and property from danger and destruction; and
- (5) protect the health, comfort, and convenience of the residents of the municipality; and

WHEREAS, pursuant to Md. Code Ann., Local Gov’t, § 5-205(c)(4) and Town Charter, § 82-16(2)(k) the Town may provide for the codification and publication of its laws, ordinances, resolutions, and regulations; and

WHEREAS, pursuant to the aforementioned authority and additional ordinance-making authority set forth in the Annotated Code of Maryland, the Town has adopted ordinances over the years which, with the assistance of a codification service, it codified via Ordinance 2023-07, adopted on September 26, 2023; and

WHEREAS, upon adoption of Ordinance 2023-07, the codifier brought to the Town’s attention that there were some issues with the codification that should be addressed; and

WHEREAS, the Town Council (“the Council”) desires to address those issues, to update the codification to include all appropriate ordinances adopted between September 26, 2023 and December 17, 2024; and

WHEREAS, it is the Council's intent to adopt the Code of Ordinances of the Town attached hereto as Attachment A, consisting of Part 1, the Town Charter, and Part II, the Code of Ordinances, in place of the Code existing prior to this adoption, with the limited exception set forth herein, and to provide for the continuous publication, updating, and maintenance of the Code of Ordinances and Town Charter; and

WHEREAS, Town Charter, § 82-11 states that "[n]o ordinance shall be passed at the meeting at which it is introduced," except that "[i]n cases of emergency, the provision that an ordinance may not be passed at the meeting at which it is introduced may be suspended by unanimous vote of the Town Council;" and

WHEREAS, emergency ordinances do not have to wait twenty calendar days to become effective; and

WHEREAS, the Council believes it is necessary to expedite the adoption and effective date of this ordinance to ensure that it is enacted in sufficient time for changes to Chapter 8, "Election", to be adopted by separate ordinance and be effective in sufficient time to guide the Town's November 2025 election.

Section 1. **NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE TOWN COUNCIL** that the codification of the general and permanent ordinances contained in the Code entitled "Code of Ordinances of the Town of Upper Marlboro, Maryland," to read as set forth in Attachment A hereto and incorporated herein by this reference, is hereby adopted.

Section 2. **BE IT FURTHER ENACTED AND ORDAINED BY THE TOWN COUNCIL** that all ordinances of a general and permanent nature enacted on or before December 17, 2024, and not included in Attachment A or recognized and continued in force by reference therein, are repealed, saving and excepting all ordinances relating to the topic of personnel, which will be codified as a chapter of the Code at a later date. The repeal provided for in this section shall not revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

Section 3. **BE IT FURTHER ENACTED AND ORDAINED BY THE TOWN COUNCIL** that, unless declared by State law or Town ordinance to be a misdemeanor, each violation of the Code is a municipal infraction punishable unless otherwise stated by a fine of \$5,000.00. Except as otherwise provided, a violation of the Code that is a misdemeanor shall be punished by a fine not to exceed \$5,000.00, imprisonment for not to exceed six months, or both such fine and imprisonment. Except as otherwise provided by law or ordinance: (i) With respect to violations of the Code that are continuous with respect to time, each day that the violation continues is a separate offense; and (ii) With respect to violations of the Code that are not continuous with respect to time, each act constitutes a separate offense. The penalty provided by this section, unless another penalty

is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the town may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

Section 4. **BE IT FURTHER ENACTED AND ORDAINED BY THE TOWN COUNCIL** that additions or amendments to the Code when passed in such form as to indicate the intention to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 5. **BE IT FURTHER ENACTED AND ORDAINED BY THE TOWN COUNCIL** that Ordinances and Charter Amendment Resolutions adopted after the date specified in section 2 hereof remain valid and of full force and effect and those ordinances that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

Section 6. **BE IT FURTHER ENACTED AND ORDAINED BY THE TOWN COUNCIL** that this Ordinance shall be posted in the Town office and this Ordinance, or a fair summary thereof, shall be published at least once on the Town website.

Section 7. **BE IT FURTHER ENACTED AND ORDAINED BY THE TOWN COUNCIL** that if any provision, section or part of a section of this Ordinance shall be held invalid by a court of competent jurisdiction, the remainder of the terms, provisions, covenants and restrictions set forth herein shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

Section 8. **BE IT FURTHER ENACTED AND ORDAINED BY THE TOWN COUNCIL** that due to exigent circumstances and important governmental interests as set forth hereinabove, in order to assist in the conduct of the November 2025 Town election and the dissemination of required materials, the Charter provision requiring that an ordinance may not be passed at the meeting at which it is introduced is hereby suspended by unanimous vote of the Council Members, and that this Emergency Ordinance shall become effective immediately following approval by the Council Members.

INTRODUCED AND ADOPTED in a public session of the Board of Town Council Members on this 23rd day of September, 2025.

THE COUNCIL OF THE TOWN OF UPPER
MARLBORO

Telaya Bush , Town Clerk

Sarah Franklin, Mayor

Derrick Brooks, Council Member

Charles Colbert, Council Member

Karen Lott, Council Member

Joseph Hourclé, Council Member

CERTIFICATION

I hereby certify, as the duly appointed Town Clerk of the Town of Upper Marlboro, Maryland, that on the 23rd day of September 2025, with ____ aye votes and ____ nay votes, Ordinance No. 2025-05 was adopted.

Telaya Bush, Town Clerk

**EMERGENCY ORDINANCE
OF THE COUNCIL OF THE TOWN OF UPPER MARLBORO
AMENDING CHAPTER 8 “ELECTIONS,” OF THE CODE OF ORDINANCES
OF THE TOWN OF UPPER MARLBORO, MARYLAND PUBLISHED BY CIVICPLUS,
LLC IN 2025, TO REFLECT THE CHANGE IN FORM OF THE TOWN GOVERN-
MENT, TO CLARIFY REFERENCES TO THE MARYLAND CONSTITUTION AND
STATE LAW, TO CLARIFY THE APPLICATION OF THE STATE ELECTION LAW
ARTICLE TO TOWN ELECTIONS, TO ENSURE THAT CHAPTER 8 “ELECTIONS”
IS CONSISTENT WITH THE TOWN CHARTER, TO APPROPRIATELY REFER TO
THE BOARD OF SUPERVISORS OF ELECTIONS AND TO THE CHAIR OF THE
BOARD, TO RECOGNIZE THAT TOWN EMPLOYEES MAY BE WORKING ON
ELECTION DAYS AND BE PRESENT AT TOWN HALL, AND OTHER NON-
SUBSTANTIVE CHANGES**

WHEREAS, on September 23, 2025, the Council of the Town of Upper Marlboro adopted Ordinance No. 2025-06, an Emergency Ordinance repealing the Town Code and re-enacting it with amendments, which became effective upon its adoption; and

WHEREAS, the Town Code contains Chapter 8 “Elections,” which the Town Council desires to amend prior to the November, 2025 Town Election to reflect the change in form of the Town government that became effective September 10, 2025, to clarify references to the Maryland Constitution and State law, to clarify the application of the State Election Law Article to Town Elections, to ensure that Chapter 8 “Elections,” is consistent with the Town Charter, to appropriately refer to the Board of Supervisors of Election and to the Chair of the Board, to recognize that Town employees may be working on election days and be present at Town Hall, and other non-substantive changes; and

WHEREAS, Town Charter, § 82-11 states that “[n]o ordinance shall be passed at the meeting at which it is introduced,” except that “[i]n cases of emergency, the provision that an ordinance may not be passed at the meeting at which it is introduced may be suspended by unanimous vote of the Board of Commissioners;” and

WHEREAS, emergency ordinances do not have to wait twenty calendar days to become effective; and

WHEREAS, the Council believes it is necessary to expedite the adoption and effective date of this ordinance to ensure that it is enacted in sufficient time for changes to Chapter 8, “Election”, to be adopted and be effective in sufficient time to guide the Town’s November 2025 election.

Section 1. **NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE COUNCIL OF THE TOWN OF UPPER MARLBORO** that Chapter 8, Elections, of the "Code of Ordinances of the Town of Upper Marlboro, Maryland," published by CivicPlus, LLC in 2025, adopted immediately prior hereto, is amended to read as follows:

Chapter 8

ELECTIONS

ARTICLE I. IN GENERAL

Sec. 8-1. Purpose and authority.

(a) The purpose of this article is to set forth the rules and procedures for electing or selecting the five [town commissioners for the board of commissioners] **COUNCILMEMBERS, THE MAYOR AND VICE MAYOR**, and putting advisory or referendum questions before the voters, as well as to define the roles and responsibilities of the board of supervisors of elections, the town clerk and other employees charged with managing the municipal election and registration processes.

(b) The authority to hold municipal elections is contained in [article] **ARTICLE XI-E** of the [state constitution] **CONSTITUTION OF THE STATE OF MARYLAND** and the Local Government Article of the [State of Maryland] Annotated Code **OF MARYLAND**, as amended from time to time, and certain sections of the Charter. Although the [state elections article] **ELECTION LAW ARTICLE OF THE ANNOTATED CODE OF MARYLAND** is not generally applicable to municipal elections, all town election procedures shall be subject to [the relevant and controlling provisions contained in the] **THOSE PROVISIONS OF THE ELECTION LAW ARTICLE OF THE** Annotated Code of Maryland **THAT SPECIFICALLY APPLY TO MUNICIPALITIES. IN THE EVENT OF A CONFLICT BETWEEN THE STATE ELECTION LAW ARTICLE AND THE TOWN CODE, THE TOWN CODE SHALL GOVERN IF THE STATE LAW DOES NOT SPECIFICALLY APPLY TO MUNICIPALITIES.** (Ord. No. 2023-02, § 1, 3-28-2023)

Sec. 8-2. Applicability.

This article applies to the process of electing and selecting the members of the [board of commissioners for the town] **TOWN COUNCIL, THE MAYOR AND VICE-MAYOR**, [and] the conduct of registration, candidacy for office and elections in general, [and] for the prevention of fraud in connection therewith, and for a recount of ballots in case of doubt or fraud. (Ord. No. 2023-02, § 2, 3-28-2023)

Sec. 8-3. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Absentee voting means voting in a location other than an official polling station using a ballot not typically used in a polling place.

Ballot means the means by which a resident records their vote. It may be an electronic ballot (generated by a voting machine) or a paper ballot (designed by the town clerk or designated employee with approval of the board of supervisors of elections).

Ballot question means non-binding questions the sitting [board of commissioners] COUNCIL may [chose]CHOOSE to incorporate into the ballot to receive advice or input from the town's voters on different topics. Such questions may also include referendum questions mandated by state law.

Board of supervisors of elections is composed of at least three members, with a maximum of five members; who shall be appointed by the [board of commissioners]COUNCIL by the second Tuesday in September in odd years and serve for a term of two years.

County board of elections means the authority for conducting elections in THE county under the state election code, which is generally inapplicable to municipal elections with certain exceptions.

Duly authorized agent means a person at least 18 years of age, who is not a candidate on the ballot, and is designated in writing by a qualified voter as his or her agent in picking up and delivering an absentee ballot.

Election Day means the first Tuesday in November of every odd-numbered year THAT IS NOT A LEGAL HOLIDAY, as established by the Charter.

Election judges means town residents who are otherwise eligible to vote in a town election WHO may be appointed as needed by the board of supervisors of elections to assist with conducting the election. On Election Day members of the board of supervisors of elections shall also be considered to be election judges for the purpose of section 8-8.

Election procedures manual means a reference manual [for the town commissioner and other town elections] containing detailed instructions on preparing and conducting an election as well as standard templates and relevant legal references. Said manual is to be approved and updated from time to time by ordinance. This manual shall have the force of law and is regarded as both substantive rulemaking and interpretive agency guidelines on existing laws and customs pertaining to the conduct of registration, candidacy, and elections and for the prevention of fraud in connection therewith, and

for a recount of ballots in case of doubt or fraud.

Provisional voter means a resident not listed in the voter registration list, whose eligibility to vote must be established after casting a ballot.

Public outreach means a systematic attempt and/or requirement to provide information, notice or services to a targeted group of people, such as posting to the town website or in a newspaper of general circulation.

Qualified voter means an individual authorized under the Charter to vote in elections in the municipality. A qualified voter domiciled in the town may not generally vote in any other jurisdiction of the state using another residence.

Registration means recording one's name and other information on a list of qualified voters. See also *Universal registration* and *Supplemental voter registration list*.

Sample ballot means a facsimile of a ballot used for informational purposes.

Special election means an election held on a date other than a regularly scheduled general election for the purpose of filling a town [commissioner]COUNCIL vacancy or conducting a referendum. A special election shall be held pursuant to the Charter or relevant state law [not less than 30 days and not more than 45 days after the vacancy is created] **AND IN ACCORDANCE WITH THIS CHAPTER.**

Spoiled ballot means a ballot that has been declared invalid by the board of supervisors of elections, is endorsed as such by an election judge and ratified by vote of the board of supervisors of elections and is excluded from the vote count in accordance with this ordinance and criteria detailed in the election procedures manual of the town.

Supplemental voter registration list means a list of voters registered to vote solely in town elections.

Town clerk means a municipal employee and appointed official charged with a set of clerical and other responsibilities, including management of the municipal elections process. Election preparation and management may be carried out by another designated municipal employee unless the town charter states otherwise. Unless another employee or official is designated by written resolution of the [board]COUNCIL, the town clerk shall serve as the municipal corporation liaison to the county board of elections and as clerk to the town board of supervisors of elections. The town clerk may accept documents on behalf of the board of supervisors of elections.

Universal registration means a system of qualifying voters based on residency in the state and its political subdivisions to vote in federal, state, county and municipal elections by registering only once. The town Charter also provides for the maintenance of a supplemental voter registration list for those who wish to register only in town

elections.

Voter authorization card (VAC) means a card provided by the county board of elections or the town board of supervisors of elections in conjunction with the voter registration lists that must be signed before a voter may proceed to cast a vote.

Voter registration list means the official primary voter registration list for the town obtained from the county board of elections and maintained by the state board of elections.

Voting age means at least 18 years of age, per section 82-19 of the Charter.

Voting machine means a mechanical or electronic piece of equipment, including software, used to define ballots; to cast and count votes; to display and report election results; and to maintain an audit trail.

Voting machine vendor means a business that sells or leases voting machines and provides the technical support to operate them.

Write-in vote means the action of a voter permitted by the Charter to write-in the name of a person who is not a declared and certified candidate for town [commissioner]**COUNCIL** on the ballot. (Ord. No. 2023-02, § 3, 3-28-2023)

Sec. 8-4. Voter registration.

(a) Every person who is a citizen of the United States, at least 18 years of age, has resided within the corporate limits of the Town for 30 days next preceding any town election and is registered in accordance with the provisions of section 82-24 of the Town Charter shall be a qualified voter entitled to vote at any or all town elections.

(b) An applicant for town registration on the supplemental voter registration list shall sign a form and verify by oath the following information: full name, address, date of birth, citizenship status, and date of residency in town. When a disabled applicant is unable to come to the town offices or designated place to sign a registration form, a supervisor or the town clerk may visit the disabled applicant at that person's residence to secure the signature. (Ord. No. 2023-02, § 4, 3-28-2023)

Sec. 8-5. Appointment and duties of board of supervisors of elections.

(a) The board of supervisors of elections exercises general supervision of the town elections in accordance with [section 80-20 of] the Charter. The board of supervisors of elections shall be appointed for a two-year term by the mayor with the approval of the [board of town commissioners]**COUNCIL** on or before the second Tuesday in

September in even numbered years, **OR AS SOON THEREAFTER AS IS PRACTICABLE**, or the year before the general town election. The board may be composed of three to five members including any additional member that may be designated to serve as an alternative or substitute member who shall act as a member in the absence of any one of the regularly appointed members.

(b) Members of the board of supervisors of elections shall meet the qualifications stated in section 82-20 of the Charter and may be removed in accordance **WITH** section 82-21 of the Charter.

(c) The board of supervisors of elections shall appoint one of its members as chairperson. Vacancies on the said board of supervisors **OF ELECTIONS** shall be filled by the mayor with the approval of the [board of commissioners]**COUNCIL** for the remainder of the unexpired term as needed. All persons appointed to serve as a supervisor or election judge shall take the oath or affirmation administered by the mayor as found in section 82-85 of the town Charter.

(d) In addition to the duties enumerated in section 82-22 of the town Charter, it shall be the duty of the board to become familiar with relevant state laws, Charter and ordinances and the Election Procedures Manual that guide the electoral process by reading said documents and attending relevant training at the state, county or municipal level; review supplemental voter registration lists and absentee voter lists; prepare the polling station and supervise the election; and tally the votes and report the election results to the sitting [board of commissioners]**TOWN COUNCIL**.

(e) The board of supervisors of elections may also appoint election judges to assist with carrying out an election. All supervisors and election judges shall be qualified voters of the town, and the board of supervisors of elections shall submit the names of all appointed elections judges to the town clerk prior to the election.

(f) The board of supervisors of elections, chairman, and election judges shall be compensated by the Town per election in the below amounts:

- (1) Board of supervisors of elections chair: \$500.00 per election
- (2) Board of supervisors of elections members: \$350.00 per election
- (3) Election judges: \$250.00 per election. [
- (4)]Elections judges who do not work a full day at the polls shall receive a percentage of this pay equal to the percentage of the Election Day that they worked.

(g) [The board of commissioners may modify the above compensation established in this Section by written resolution.] The town clerk shall ensure compensation is issued within seven days after the election date. Expenditures for their compensation and to support the duties of the Board of Supervisors **OF ELECTIONS** shall be determined by the [board of commissioners]**COUNCIL** annually in the budget. (Ord. No. 2023-02, § 5,

3-28-2023)

Sec. 8-6. Preparing for town elections.

Town elections **SHALL** take place [on the second Tuesday in November of every odd- numbered year and] in accordance with the following:

- (1) *Election schedule.* In September prior to the town election, the town clerk shall update the election schedule for publication on the town website in October or other suitable means of public outreach. The schedule shall contain important dates and deadlines related to the election.
- (2) *Registration.*
 - a. No less than six months prior to a town election, the town clerk shall contact the county board of elections and request the development of a plan and schedule to implement universal registration, including a voter registration list and the supporting materials for the town election, pursuant to Ann. Code of Md., Election Law article, § 3-403, as may be amended. The town's supplemental voter registration list shall be finalized by the town clerk [30] **AT CLOSE OF BUSINESS 10** days prior to the election date.
 - b. In accordance with section 82-24 of the Charter, registration with the county board of elections by a voter who resides in the corporate limits of the town and whose address is reflected on the rolls as a town resident shall be deemed registered for the town elections. A person continues to have the choice to register only with the town for its elections and not to register with the county board of elections.
 - c. Persons desiring to register only with the town may register at town hall during normal working hours daily; or upon request, may receive an application by mail. Registration shall be permanent (unless lawfully purged), and no person shall be entitled to vote in town elections unless he is registered to vote with the board of supervisors **OF ELECTIONS** upon the supplemental municipal voter registry maintained by the town at least ten days prior to the election or with the county board of elections in accordance with state law. In accordance with Section 82-23 of the Charter, the board of supervisors of elections shall give at least two weeks' notice of every registration day or the general availability of registering at the town hall in a newspaper of general circulation[as stated in subsection (2)a of this section].
 - d. It shall be the duty of the board of supervisors of elections to keep the registration lists up to date by striking from the lists persons known to have died, to have moved out of the town, or who have become otherwise

disqualified by the board of supervisors **OF ELECTIONS** or the county board of elections. An individual is not qualified to be a registered voter under state law and the Charter if the individual shall have been convicted of a disqualifying crime or be under guardianship for mental disability as provided in Ann. Code of Md., Election Law article, § 3-102(b). The board of supervisors of elections will not enter or maintain on the rolls maintained as town-only rolls any voter registered with the county system.

- (3) *Board of supervisors of elections.* Recruitment of potential members of the board of supervisors of elections may begin in July and August a year prior to the election by publicizing the position in suitable means of public outreach and the town clerk shall ensure that all members of the board of supervisors of elections receive a course of training in their duties. The training shall take place throughout the year prior to an election.
- (4) *Town [commissioner]**COUNCIL MEMBER** candidacy.*
 - a. The town clerk shall provide notice of the filing deadline of an election by suitable means of public outreach no less than 60 days before a general election, and no less than 20 days for a special election, as needed; provide petitions of candidacy and written intent statement forms to residents wishing to file for town [commissioner]**COUNCIL MEMBER** candidacy to be received no later than the second Monday in October of the election year; and receive and review the filed forms.
 - b. The board of supervisors of elections shall prepare said forms for use by candidates in securing nominating signatures as required by section 82-28 of the Charter. Any statements of candidacy or petitions filed with a supervisor shall be promptly transmitted to the clerk.
 - c. A candidate seeking to withdraw must submit to the board of supervisors of elections a written, signed letter clearly stating the candidate's intent to withdraw within three business days after the deadline for filing said forms and the names of all candidates not withdrawn in accordance with this section will remain on the ballot through the election.
 - d. As soon as practical before the deadline for filing of petitions and written intent statement forms, the board of supervisors of elections will meet and review each one. The qualifications of the prospective candidate will be certified in accordance with the Charter. Each signature on the petition will be checked for qualified voter registration. If the petition or statement has any defects or missing information, the chairman, another designated supervisor or the clerk will advise the candidate of the findings. The candidate may withdraw the petition or statement, or correct the defects

and resubmit the form before the filing deadline.

- e. Each candidate may designate up to two observers who may be present in the polling place during the period of the election and thereafter when the ballots are actually being counted and certified provided that the observer has written authorization from the candidate. Upon closing of the polls, the candidate may be one of the observers for the purposes of witnessing the vote count. A police officer may be allowed in the voting or canvassing room for purposes of order. Observers must not disrupt, or interfere with election activities and any observer including a candidate may be asked to leave by the board of supervisors of elections if the observer is deemed to be disruptive or interfering with election activities.
- f. The town clerk shall also advise candidates on all relevant election matters, including the election schedule, candidates' night, campaigning and other questions that may arise.

(5) *Campaign materials and electioneering.*

- a. The town clerk shall inform town [commissioner]**COUNCIL** candidates of the town's campaigning rules. Starting three weeks prior to the election, campaign literature may be distributed, and campaign signs and posters may be displayed on private property, including the town-maintained rights-of-way, with the abutting property owner's permission. No person may canvas, electioneer or post any campaign literature or material in a polling place or within a 100-foot radius from the entrance and exit of the building [closed]**CLOSE** to that part of the building in [in] which voting occurs, nor shall anyone linger, be or remain within said distance of 100 feet of the polls except election officials, **TOWN EMPLOYEES WORKING ON ELECTION DAY, MEMBERS OF THE PUBLIC ENTERING TOWN HALL THROUGH THE FRONT DOOR TO CONDUCT BUSINESS WITH THE TOWN,** and peace officers, unless it [be in approaching]**IT IS TO APPROACH** the polls to vote or in passing along the streets in the usual and orderly manner of travel.
- b. Campaign signs shall:
 - 1. Not be displayed until three weeks prior to the election.
 - 2. Not create a public safety hazard.
 - 3. Be removed within two days after the election.
 - 4. Not be attached to utility poles.
 - 5. [Be]**ONLY BE** displayed on [designated] town [right-of-way]**RIGHTS-OF-WAYS AND AT** locations [determined]**DESIGNATED FOR SUCH PURPOSE** by the town [administrator]**MANAGER** together with the

director of public works and the chief of police in the August prior to each election. In a special election, the locations used in the last general election shall apply.

- (6) *Write-in candidates.* The town clerk shall ensure the ballots provide adequate spaces to permit the voter to write in the names of additional candidates not listed on the ballot. A write-in candidate may win an election if they meet all the qualifications to be elected and serve as a [commissioner]**COUNCIL MEMBER** and receive at least the fifth highest vote count in a general election or the highest vote to fill a vacancy in a special election.
- (7) *Candidates' night.* The town clerk shall arrange for a candidates' night to be held in October prior to a town election. All qualified candidates confirmed at that time may participate in this moderated public forum to introduce themselves, briefly state their platform, if any, and answer questions from residents. A third party group or organization may also assist with this event and preferably act as moderator. A reasonable attempt shall be made to ensure the date and time chosen allows all candidates a reasonable opportunity to participate.
- (8) *Notice of election.* In accordance with section 82-23 of the Charter, the town clerk shall give at least two weeks' notice of every election in a paper of general circulation, [or other suitable form of public outreach,] and physically post the election notice in three public places in the town.
- (9) *Election supplies.* The town clerk shall ensure that all necessary election supplies and materials are on hand on election day, either for voting by paper ballot or by voting machine. (Ord. No. 2023-02, § 6, 3-28-2023)

Sec. 8-7. Absentee ballots.

(a) An eligible voter may vote by absentee ballot in a town election for any reason, pursuant to Ann. Code of Md., Election Law article, § 4-108, as may be amended. Subject to oversight by the board of [elections] supervisors **OF ELECTIONS**, the town clerk shall prepare absentee ballots and an absentee voter list to keep an accurate record of voters who request an absentee ballot.

- (1) *Application.* A registered voter may request an absentee ballot as early as 30 days prior to the election. The request can be made **IN PERSON**, electronically or by mail. Absentee ballots and accompanying envelopes are made available to any eligible voter upon request until the election, including ballots requested in writing by a duly authorized agent. Requests can be made up until the closing of the polls, however all ballots must be submitted prior to the polls being declared closed in order to be counted. Upon issuing an absentee ballot the town

clerk shall cross that person's name off the voter registration list and mark "absentee ballot" next to the name.

(2) *Lost or destroyed absentee ballots.*

- a. No voter who has been issued an absentee ballot for an election shall be authorized to cast their ballot in any manner other than by casting an absentee ballot. Should an absentee ballot be lost or destroyed, without being returned to the town clerk, a second ballot may be issued. The town clerk shall verify that one ballot is being submitted for each absentee voter. If the town clerk finds a voter has cast more than one absentee ballot they shall challenge these ballots. Should the absentee ballot be challenged by the town clerk as to the ballot being cast by the person to whom it was issued or as to the ballot being obtained and returned in accordance with the provisions of this section, the board of supervisors of elections shall determine the validity of any challenged absentee ballot.
- b. When the board of supervisors of elections determines from proof or investigation that any person who has marked and transmitted and absentee ballot has died before election day, such ballot of the deceased voter shall not be counted. However, if prior to the time of such counting and certification of the results, the board of supervisors of elections shall not have determined that the absentee resident who makes a ballot had died before election day, such ballot shall be counted, and the fact that said absentee resident may later be shown to have been actually dead on election day shall not invalidate said ballot or said election after the results have been certified.

(3) *Mailed ballot collection.* A member of the board of supervisors of elections shall go to the board of supervisors of elections post office box at the closing of the polls. If any ballots are found within **THE POST OFFICE BOX** they shall be considered submitted or cast prior to the closing of the polls and shall be counted.

(b) *Qualified agent.* Any registered voter voting by absentee ballot may designate an agent to pick up and deliver an absentee ballot granted that they; are at least 18 years of age, are not a candidate on the ballot, sign an affidavit under penalty of perjury that the ballot was delivered to the voter who submitted the application, marked and placed in an envelope by the voter, or with assistance in the agent's presence without any undue influence; and returned to the town by the agent.

(c) *Late absentee ballots.* Any absentee ballots received after polling has closed will be handled as a spoiled ballot.

(d) *Runoff elections.* An attempt will be made to supply any voter who voted

absentee with a absentee ballot for any runoff election as soon as official copies are available, and the above regulations shall substantially apply to any runoff election.

(e) Storage of absentee ballots. Every absentee voter shall be listed on the absentee voter list that includes name, address, date of issuance of ballot and date of receipt of voted ballot. Voted ballots shall be kept sealed in their envelopes and stored in a secure location to be opened and tallied on election day.

(f) Absentee ballot delivery. On election day, prior to the closing of the polls the town clerk shall deliver the absentee ballots to the place designated by the board of supervisors of elections and shall make an accounting for the purpose of counting absentee ballots as to the number of absentee ballots issued and the number returned. The town clerk shall keep such record of the absentee ballots in a secure place as is kept with other voting records. (Ord. No. 2023-02, § 7, 3-28-2023)

Sec. 8-8. Election Day

On election day all members of the board of supervisors of elections shall be considered election judges as well as being members of the board of supervisors of elections. The preparation for and the conduct of an election day are described in detail in the Election Procedures Manual. The polls [are]**SHALL BE** open [between 8:00 a.m. and 7:00 p.m.] **FOR THOSE HOURS DETERMINED BY THE BOARD OF SUPERVISORS OF ELECTIONS IN ACCORDANCE WITH TOWN CHARTER, § 82-28 CONDUCT OF ELECTIONS.**

- (1) *Preparing the polling station.* The town clerk shall meet the members of the board of supervisors of elections and election judges before polls open [at 8:00 a.m. on Election Day] to prepare the polling station. Preparation of the polling station includes:
 - a. Posting sample ballots and instructions outside and inside the polling station for public view. The sample ballot shall show names of declared candidates and questions, if any.
 - b. Demarcating a 100-foot perimeter around the polling station structure as a "no electioneering" zone. No campaigning by candidates or their supporters will be allowed within this area. Candidates for election may cross this line only to cast their own vote.
 - c. Setting up a voter "check-in" station, including readying of the voter registration lists and voter authorization cards.
 - d. Completing set up of voting booths. If voting machines are used, the **CHAIR OF THE BOARD OF SUPERVISORS OF** elections [chair], with assistance from the voting machine vendor, shall verify that they are ready

for use and counters set to zero. If paper ballots are used, members of the board of supervisors of elections shall ensure that each booth has a pen for marking the ballot.

- e. Setting up ballot boxes if paper ballots are used. Ballot boxes must be empty and ready for use. The town clerk shall keep the ballot box key in secure storage until the polls close.

(2) *Polling station open.*

- a. The board of supervisors of elections supervises the polling station and may assign election judges to their particular stations. Upon opening of the polls, all election judges shall take their assigned stations. At least one member of the board of supervisors of elections shall remain at the polls at all times. At least two election judges shall staff the voter check-in/registration tables. One election judge shall staff the voting booths and one shall staff the ballot boxes, if paper ballots are used. Physically disabled voters shall be assisted in a manner substantially consistent with the relevant provisions found in the Maryland Election Law Article, as may be amended.
- b. The **CHAIR OF THE BOARD OF SUPERVISORS OF** elections [supervisor chair] shall be responsible for provisional voting and ensure that residents, who are not on the voter registration list, are able to cast a provisional ballot. Provisional ballots are set aside for separate tallying. Votes remain provisional until the eligibility of the voter has been established by the county board of elections and the board of [elections] supervisors **OF ELECTIONS**.
- c. The town clerk, **AT THE POLLING STATION**, shall announce the closing of polls five minutes before [7:00 p.m.]**THE CLOSING** on Election Day. Any resident wishing to observe the tallying may remain inside the polling station when the doors are locked. No one shall be permitted to enter or re-enter the polling station while tallying is in progress.

- (3) *Vote count observation and decorum.* After the last voter has voted and the polls have closed, and before the canvassing or counting begins, candidates and members of the public may be permitted to enter the room where the votes will be counted. Once the counting begins, the door to the counting room will be closed and no one will be allowed to enter until the votes have been tallied. Once inside the room, anyone wishing to leave will not be readmitted until the counting has concluded. The use of electronic devices, other than those being used by the board of supervisors of elections for counting **OR OTHER OFFICIAL ACTION OF THE BOARD IN CONNECTION WITH THE ELECTION**, will not be

permitted in the polling room during the counting of the votes. Anyone who violates the restrictions set forth herein may be, at the discretion of the election judges, ejected from the proceedings.

a. If paper ballots are used:

1. The ballot box key shall be returned to the **CHAIR OF THE BOARD OF SUPERVISORS OF** elections [supervisor chair] by the town clerk to open the ballot boxes.
2. The **CHAIR OF THE BOARD OF SUPERVISORS OF** elections [supervisor chair] shall remove ballots from the ballot box and organize them for tallying assisted by other members of the board of supervisors of elections.
3. The **CHAIR OF THE BOARD OF SUPERVISORS OF** elections [chair] shall read out aloud how each ballot was voted, including write-in votes and ballot questions (if any).
4. Two members of the board of supervisors of elections will independently tally the votes cast for each candidate and results of each ballot question.
5. In the case of an irregular or potentially spoiled ballot, the **CHAIR OF THE BOARD OF SUPERVISORS OF** elections [supervisor chair] shall consult with two other members of the board of supervisors of elections to determine if the ballot is valid or spoiled in accordance with criteria detailed in this ordinance and the election procedures manual of the town. If spoiled, the ballot shall be marked "void" and set aside. A designation of a voided ballot shall be ratified by a majority of all supervisors prior to certification and shown to any challenger but shall not leave the hand of the member of the board of supervisors of elections.
6. When all regular ballots are tallied, the **CHAIR OF THE BOARD OF SUPERVISORS OF** elections [supervisor chair] shall open the sealed envelopes with absentee ballots and count them. The absentee ballots shall be added to the tally of regular ballots. The result is compared with the tallied check marks on the county voter registration list and the town supplemental voter list to ensure that the total number of voters agrees with the total number of ballots cast.
7. Provisional votes shall be tallied separately and set aside until the qualification of each provisional voter can be verified.
8. Voted ballots shall be placed in envelopes, sealed and signed across the

seal by three members of the board of supervisors of elections. Said envelopes, marked voter registration list and voter authorization cards shall be kept in a secure place until they are delivered to the county board of elections for certification.

9. Tally sheets shall be verified, signed and dated by the **CHAIR OF THE BOARD OF SUPERVISORS OF** elections [supervisor chair] and members of the board of supervisors of elections. Tally sheets, together with spoiled ballots, those not distributed and not used shall be placed in envelopes, sealed, signed across the seal by at least three members of the board of supervisors of elections and returned to the town clerk.
- b. If voting machines are used:
1. The **CHAIR OF THE BOARD OF SUPERVISORS OF** elections [chair], with two other members of the board of supervisors of elections, shall open the voting machines and unroll the tally sheets.
 2. The machine count shall be verified by at least two members of the board of supervisors of elections. Under the supervision of the **CHAIR OF THE BOARD OF SUPERVISORS OF** elections [chair], members of the board of supervisors of elections shall tally record sheets from each voting machine once the machine votes have been tallied, the **CHAIR OF THE BOARD OF SUPERVISORS OF** elections [chair] shall open the sealed envelopes with absentee ballots and count them. The absentee ballots shall be added to the tally of regular ballots. The result is compared with the tallied check marks on the county voter registration list and the town supplemental voter registration list to ensure that the total number of voters agrees with the total number of ballots cast.
 3. Provisional votes, cast by paper ballot, must be tallied separately, and returned separately to the county board of elections to be certified.
 4. Tally sheets shall be verified against the total count of the signed voter authorization cards, a count of check marks on the county voter registration list, and a count of checks on the town supplemental registration list.
 5. Voting machine tally sheets and absentee ballots shall be placed in envelopes, sealed, and signed across the seal by at least three members of the board of supervisors of elections.
 6. Voting machines shall be locked and sealed and keys placed in a sealed envelope for safekeeping until the voting machines are picked up by

the vendor.

c. Canvassing absentee ballots.

1. The official receiving an absentee ballot shall note date and time of receipt and initial on the front of the envelope. If a date stamp is used, the stamp is endorsed with the initials of the person accepting receipt. The envelope shall not be opened by anyone at time of receipt. The ballots received prior to the closing of the polls will be placed in a locked file. Ballots received at the town office will be delivered to the custody of the town clerk as soon as practicable. The name of the person doing this will be entered in the register described below.
 2. On election day. The board of supervisors of elections will maintain all absentee ballots in a separate, secure file box with the related application materials until the polls close. No absentee ballot received by mail can be counted unless it was [postmarked]RECEIVED no later than election day.
- (4) *Recount and tie votes.* The [board of commissioners]COUNCIL has jurisdiction and power to hear and determine any appeals, to review and correct the actions of the board of supervisors of elections and to order the recanvassing, recounting and re-certification of the results of any election. The board of supervisors of elections may conduct a recount if it discovers or suspects a defect or error in its procedures prior to the deadline for certifying the results in accordance with the Charter. In the case of a tie vote, the [board of commissioners]COUNCIL shall order and provide a run-off election between the tied candidate within 21 days of the initial election.
- (5) *Announcement of election results.* The **CHAIR OF THE BOARD OF SUPERVISORS OF** elections [supervisor chair] shall announce the five candidates receiving the highest number of votes **IN THE 2025 TOWN ELECTION** as [commissioners-elect]COUNCIL MEMBERS-ELECT, **WITH THE THREE CANDIDATES OBTAINING THE HIGHEST VOTES BEING ELECTED FOR A FOUR YEAR TERM AND THE TWO RECEIVING THE NEXT HIGHEST VOTES BEING ELECTED FOR A TWO YEAR TERM. IN THE 2027 ELECTION AND EVERY FOURTH YEAR THEREAFTER, TWO COUNCILMEMBERS WILL BE ELECTED TO SERVE A TERM OF FOUR YEARS. SUCH THAT THE TWO CANDIDATES OBTAINING THE HIGHEST VOTES IN THE 2027 ELECTION SHALL BE CONSIDERED COUNCIL-MEMBERS ELECT. WHILE, COMMENCING WITH THE 2029 TOWN ELECTION AND EVERY FOURTH YEAR THEREAFTER THREE PERSONS SHALL BE ELECTED COUNCIL MEMBERS TO SERVE A TERM OF FOUR YEARS AND BE CONSIDERED COUNCIL MEMBERS ELECT. [or the]THE** candidate in a special election with the highest vote **SHALL BE CONSIDERED A COUNCIL MEMBER ELECT.** The elections supervisor chair shall

also announce the results of any ballot questions.

- (6) *Statement of election results.* After the closing of the polls, the board of supervisors of elections shall determine the vote cast for each candidate or question and shall, no later than 12:00 noon on Thursday immediately following the election, certify the results of the election to the clerk of the town who shall record the results in the minutes of the next [town] meeting of the [board of commissioners]**TOWN COUNCIL**. The [five] candidates for [commissioners]**TOWN COUNCIL** receiving the highest number of votes in a general election **AS SET FORTH IN TOWN CHARTER, SEC. 82-27 AND SUBSECTION A ABOVE**, shall be declared elected.
- (7) *Certifying election results and eligibility to serve.*
- a. After tallying the votes, the voter registration lists, voter authorization cards, and voted ballots, shall be retained by the town for a period of at least six months or in accordance with any approved and applicable records retention schedules.
 - b. The Charter does not confer upon the board of supervisors of elections the power or responsibility for determining whether a successful candidate is qualified to serve, as distinct from initially determining whether a qualified candidate is qualified to stand for election at the time a petition is filed. Section 82-7 of the Charter empowers the [board of commissioners]**COUNCIL** to be the judge of the election and qualification of its members and section 82-25 of the Charter affords any person who feels aggrieved by the actions of the board of supervisors of elections with the right to appeal the action to the [board of commissioners]**TOWN COUNCIL**. Therefore, the board of supervisors of elections certifies elected candidates to the clerk based exclusively upon the votes cast by registered voters qualified to vote, but certification is without prejudice to the jurisdiction of any other appropriate body or court to ascertain the eligibility of the successful candidate to serve in the capacity to which the individual was elected.
(Ord. No. 2023-02, § 8, 3-28-2023)

Sec. 8-9. Ballot questions.

Pursuant to article II of this chapter, the sitting [board of commissioners]**TOWN COUNCIL** may, by resolution or **UPON PETITION OF** the qualified voters, [petition to] add non-binding questions to an election ballot to receive advice or input from the town's voters on different topics. Said resolution should list each question and provide detailed background information and a statement as to why this topic is important. The resolution should be approved no more than 30 days prior to the election date. Ballot

questions shall be included in the sample ballot and posted in a paper of general circulation, or other suitable form of public outreach.(Ord. No. 2023-02, § 9, 3-28-2023)

Sec. 8-10. Additional items, meetings, penalties and disqualifications.

(a) *Assistance to voters.* Any registered voter who requires assistance to vote by reason of blindness, disability, or inability to read the English language or write may be given assistance by a person of the voter's choice, not to include the voter's labor union or employer. Any person rendering assistance pursuant to this subsection shall execute a certification to be included in the instructions.

(b) *Voting secrecy.* The board **OF SUPERVISORS** of elections shall provide an enclosure to vote that ensures secrecy in the marking of the ballots and shall count the ballots only after the close of the polls as scheduled.

(c) *Meetings.* The board **OF SUPERVISORS** of elections may meet at regular intervals and may hold special meetings as may be required and all such meetings shall be publicly advertised and open to the public in accordance with the Maryland Open Meetings Act. The board's internal deliberations are generally governed by Robert's Rules of Order, Revised.

(d) *Disputes and appeals.* Upon appeal of an action of the board of supervisors of elections, the [board of commissioners]**TOWN COUNCIL** will attempt to resolve any disputes over candidate or voter qualifications, voter registration and related matters by hearing at which witnesses may be asked to appear and provided sworn testimony. Affected persons may be advised or accompanied by legal counsel. The [board]**COUNCIL** may also draw upon the investigative unit of the town police for additional information it needs to develop facts for decision.

(e) *Penalties.* Any person who shall violate any of the provisions of this article shall, upon conviction, be sentenced to pay a fine of not more than \$1,000.00 or be sentenced to imprisonment for not more than six months, or both, in the discretion of the court. Any person who:

- (1) Fails to perform any duty required of him or her under the provisions of the Charter, sections 82-19 through 82-35, inclusive, or this article passed thereunder; or
- (2) In any manner, willfully or corruptly violates any of the said provisions of the Charter or any ordinances passed thereunder pertaining to any registration, candidacy, or election; or
- (3) Willfully or corruptly does anything which will or will tend to affect fraudulently any registration, candidacy, or election, shall be deemed guilty of a

misdemeanor, punishable as provided in this section.

(f) *Disqualifications.* Any officer or employee of the Town government who is convicted of a misdemeanor under the provisions of this section shall immediately upon conviction thereof cease to hold such office or employment. (Ord. No. 2023-02, § 10, 3-28-2023)

Secs. 8-11—8-35. Reserved.

ARTICLE II. ADVISORY QUESTIONS

Sec. 8-36. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Advisory question means a ballot question commonly known as a "straw vote" placed on the ballot as a nonbinding vote taken to indicate the relative strength of public opinion and opposing issues or positions. Although nonbinding, an advisory question shall be initiated, pursuant to this article, by the voters essentially using the initiative process or by the legislative body essentially using the referendum process as provided herein.

Initiative means a process that allows citizens to propose new laws (i.e., ordinances) or changes to existing laws and to enact or reject them at the polls. The initiative process for amending the town Charter must follow the procedures set forth in Ann. Code of Md., Local Government article, § 4-305. Any other binding initiative process must be authorized by the town Charter.

Municipal question means an issue or question, relating to, or characteristic of, a municipal corporation, and consisting of subject matter over which the board has authority. The board shall have sole discretion in determining whether an issue is a municipal question.

Petition means a writing signed by a number of registered voters of the town which is required by law to place a question or ordinance on the ballot or demand a recall election, as permitted by Charter or statute. Such petitions for official action must be signed by a specified number of registered voters.

Referendum means a process that allows voters to petition an enactment of a legislative body to a vote of the people. The referendum process for amending the town Charter must follow the procedures set forth in Ann. Code of Md., Local Government

article, § 4-304 et seq. Any other binding referendum process must be authorized by the town Charter. (Ord. No. 2019-08, § 1, 12-10-2019)

Sec. 8-37. Initiated by board; initiated by voters; post-election.

(a) *General.*

- (1) An advisory question may be placed on the ballot at a regular or special town election by petition of the voters or by a vote of the [board]COUNCIL in conformity with the provisions of this section.
- (2) The [board]COUNCIL shall not call a special election for the sole purpose of entertaining or placing an advisory question on the ballot.
- (3) The number of ballot questions at any election shall not exceed seven in number, and shall be succinct, grammatically correct and free of vulgarities or slang.

(b) *Initiated by the [board]COUNCIL.*

- (1) The [board]COUNCIL, upon its own action and without a formal petition, may order by written resolution that an advisory question shall be placed on the ballot at any regular or special town election, provided that the question involves a municipal question.
- (2) Said resolution shall fix the exact language to appear on the ballot and shall be approved at least 15 days before the subject election.

(c) *Initiated by the voters.*

- (1) A proposal to place an advisory question on the ballot at a regular or special municipal election of the town may be presented to the board on a petition signed by at least ten registered voters of the town.
- (2) Said petition signed by at least ten registered voters shall be presented by the individual circulating the petition to the [board]COUNCIL at a regular or special town meeting stating a desire to have the question placed on the ballot at the next election. The [board]COUNCIL may, but need not, call or convene a special session solely to accept a petition under this section. The [board]COUNCIL may summarily reject the petition without further review if it finds that the sole question proposed, or all of the questions proposed within the petition are not deemed to be municipal questions.
- (3) The registered town voters signing said petition shall sign the same as their names appear on the town's election books, and under each signature shall be typed or printed each petitioner's name, and address where said voter is regis-

tered to vote in town elections.

- (4) At the bottom of each page of said petition, the individual circulating the petition shall sign the same and make an affidavit before a notary public that such individual circulated the petition and saw each individual whose names appear thereon sign the same in said individual's presence.
- (5) The town clerk shall transmit the petition to the town board of supervisors of elections, who shall have no more than 30 days after receipt of such a petition to certify the signatures of the registered voters of the town.
- (6) Upon certification of the signatures, the petition shall be presented to the [board of commissioners]**TOWN COUNCIL** for final approval before said election, provided that the question to be so placed on the ballot involves a municipal question and otherwise meets the requirements of this section.
- (7) If finally approved by the [board]**TOWN COUNCIL**, the clerk working in cooperation with the board of supervisors of elections shall cause the question to be placed on the ballot at the next regular municipal election held at least ten days after such approval by the [board]**TOWN COUNCIL**.

(d) *Post-election.* The chairman of the board of supervisors of elections shall certify to the town clerk who shall record the results in the minutes of the [board of commissioner]**TOWN COUNCIL** and announce the results of the vote on the advisory question at the next regular or special meeting of the [board of commissioners]**TOWN COUNCIL**. (Ord. No. 2019-08, § 2, 12-10-2019)

Section 2. **BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE TOWN OF UPPER MARLBORO** that due to exigent circumstances and important governmental interests as set forth hereinabove, in order to assist in the conduct of the November 2025 Town election and the dissemination of required materials, the Charter provision requiring that an ordinance may not be passed at the meeting at which it is introduced is hereby suspended by unanimous vote of the Town Council, and that this Emergency Ordinance shall become effective immediately following approval by the Town Council.

Section 3. **BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE TOWN OF UPPER MARLBORO** that this Ordinance shall be posted in the Town Hall office and this Ordinance, or a fair summary thereof, shall be published at least once on the Town website after passage by the Council.

Section 4. **BE IT FURTHER ENACTED AND ORDAINED BY THE COUNCIL OF THE TOWN OF UPPER MARLBORO** that if any provision, section or part of a section of this Ordinance shall be held invalid by a court of competent jurisdiction, the remainder of the terms, provisions, covenants and restrictions set forth herein shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

INTRODUCED by the Council of the Town of Upper Marlboro, Maryland at a regular meeting on the 23rd day of September, 2025.

PASSED by the Council of the Town of Upper Marlboro, Maryland at a regular meeting on the 23rd day of September, 2025

ATTEST:

THE COUNCIL OF THE TOWN OF
UPPER MARLBORO

Sarah Franklin, Mayor

Karen Lott, Council Member

Charles Colbert, Council Member

Derrick Brooks, Council Member

Telaya Bush, Town Clerk

Joseph Hourcle', Council Member

RESOLUTION: 2025-03

SESSION: Regular Town Meeting

DATED: September 23, 2025

**A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF THE TOWN OF UPPER MARLBORO APPROVING JOB DESCRIPTIONS FOR
THE TOWN MANAGER, THE DEPUTY TOWN MANAGER/TOWN CLERK,
ADMINISTRATIVE ASSISTANT, SPECIAL ASSISTANT, HUMAN RESOURCES
GENERALIST, DIRECTOR OF PUBLIC WORKS, FOREMAN (DEPARTMENT OF
PUBLIC WORKS), CREW LEAD (DEPARTMENT OF PUBLIC WORKS), CREW
MEMBER (DEPARTMENT OF PUBLIC WORKS) AND SUMMER INTERN**

WHEREAS, pursuant to Town Charter, Section 82–59 (Authority to Employ Personnel), the Town has the power to employ such officers and employees as it deems necessary to execute the powers and duties provided by the Charter or State law and to operate the Town government; and

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

WHEREAS, Town Charter, Section 82–61 (Retirement System) provides that the Town has the power to do all things necessary to include its officers and employees, or any of them, within any retirement system or pension system under the terms of which they are admissible, and to pay the employer’s share of the cost of any such retirement or pension system out of the general funds of the Town; and

WHEREAS, the Town of Upper Marlboro Employee Handbook (2022 Edition) provides that the Town strives to have accurate job descriptions for all jobs for the Town and that each job description will include the following sections:

- (1) Job information; and
- (2) Job summary (gives a general overview of the job's purpose); and
- (3) Essential duties and responsibilities; and
- (4) (if applicable) Supervisory responsibilities; and
- (5) Qualifications (includes education and/or experience, language skills, mathematical skills, reasoning ability, and any certification required); and
- (6) Physical demands; and Work environment; and
- (7) Benefits

WHEREAS, the Employee Handbook provides that Town staff will work to prepare a job description when a new job is created for presentation and approval of the Board of Commissioners, as well as periodically review existing job descriptions and update them to ensure that the description is in-line with the needs of the Town for that role; and

WHEREAS, staff prepared and presented job descriptions for various positions with Town government, which have been presented to the Board of Commissioners of the Town of Upper Marlboro for approval; and

WHEREAS, having reviewed all the proposed job descriptions, the Board of Commissioners has determined that it is in the public interest and the best interest of government operations to adopt the proposed job descriptions.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of The Town of Upper Marlboro, Maryland, that the job descriptions attached hereto for the Town Manager, the Deputy Town Manager/Town Clerk, Administrative Assistant, Special Assistant, Human Resources Generalist, Director of Public Works, Foreman (Department of Public Works), Crew Lead (Department of Public Works), Crew Member (Department of Public Works) and Summer Intern attached hereto collectively at Exhibit A are hereby approved.

PASSED by the Board of Council Members of the Town of Upper Marlboro, Maryland at a work session on this 23rd day of September, 2025.

Attest:

THE BOARD OF COMMISSIONERS OF THE TOWN
OF UPPER MARLBORO, MARYLAND

Sarah Franklin, Mayor

Derrick Brooks, Council Member

Charles Colbert, Council Member

Karen Lott, Council Member

Telaya, Bush, Town Clerk

Joseph Hourcle, Council Member

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 23rd day of September, 2025.

Telaya Bush, Town Clerk



Position Title: Administrative Assistant

Department: General Government

Direct Report: Deputy Town Administrator/Town Clerk and Town Administrator

JOB SUMMARY

The Administrative Assistant provides professional administrative support to the Town Administrator, and Deputy Town Administrator/Town Clerk. This role manages daily office operations, coordinates resident and public communications, maintains records, and oversees programs such as parking permits and citations. The position plays a key role in supporting the efficient and effective delivery of municipal services.

ESSENTIAL FUNCTIONS

- Provides administrative assistance to the Town Administrator and Deputy Town Administrator/Town Clerk.
- Respond to requests for information and assistance from town residents and business owners.
- Respond to requests for information and assistance from Town residents, citizens, and business owners via phone, email, and in-person visits.
- Manage the Town's general email inbox.
- Schedule and manage conference room reservations.
- Coordinate and maintain calendar updates.
- Maintain inventory and handle procurement of office supplies for Town Hall.
- Prepare welcome packets for new residents.
- Maintain a record of residents' comments and complaints.
- Process cash receipts on a regular schedule in dual-custody procedures with the town manager, so as to enable deposits several times weekly; process and batch credit card receipts daily.
- Assist with timely door posting of meeting notices and "out of office" signs, as well as News, Alerts, and Official Notices.
- Provide notary services.
- Coordinate office events.
- Oversee the Town's Parking Permit Program, including recordkeeping, billing, and collections.
- Serve as the Town's Ombudsman point of contact for the Speed Camera Program.
- Support the Parking Citation Program, including data entry for new and paid tickets, processing cash and credit card payments, encrypted MVA tag flagging, and traffic court coordination.
- Perform front-desk duties such as answering phones, scheduling bulk refuse pickups and appointments, mail pickup, and verify bank deposits.

- Arrange and facilitate use of alternate public meeting space.
- Maintain accurate identity registrations with intergovernmental and other organizations, including website activity.
- Assist in the coordination of vendors and volunteer activities.
- Manage office equipment needs, including full operational capability and maintenance; facilitate review of upgrades, as needed.
- Administration of Town Hall facility's needs, including regular maintenance, office supply, material orders and credit applications for General Government, Public Safety and Public Works functions.
- Ensure compliance with bulk mail permit requirements.
- Support strategic and developmental planning, both publicly and behind the scenes.

QUALIFICATIONS

Experience:

- Five years of progressively responsible administrative experience in local government that provides a broad base understanding on issues material to organizational programs, processes, and influences.

Education/Training:

- High School Diploma or GED equivalency required.
- An associate degree or bachelor's degree is preferred but not required.

License or Certificate:

- Possession of a valid driver's license.
- Ability to obtain a Notary License.

Physical Demands and Working Environment

The conditions described herein represent those an employee must meet to successfully perform the essential functions of this position. Reasonable accommodations may be made to enable individuals with disabilities to perform these functions.

Environment: Work is performed primarily in a standard office setting at Town Hall.

Physical: Primary functions require sufficient physical ability and mobility to work in an office setting; to stand or sit for prolonged periods of time; to occasionally stoop, bend, kneel, crouch, reach, and twist; to lift, carry, push, and/or pull light to moderate amounts of weight; to operate office equipment requiring repetitive hand movement and fine coordination including use of a computer keyboard; and to verbally communicate to exchange information.

COMPENSATION AND BENEFITS

- Vacation leave, sick leave, bereavement, and parental leave.

- Health, dental, and vision benefits
- Maryland State Retirement System



**Town of Upper Marlboro
Request for Proposals
(RFP) Facilities Cleaning
Contractor RFP #UM-001**

Project Overview

The Town of Upper Marlboro is seeking proposals from qualified firms to provide cleaning services for the Town-owned and operated facilities listed below.

Facilities and Scope of Work per site

1. Town Hall Building

Address: 14211 School Lane, Upper Marlboro, MD

20772 Square Footage: 3,200 Sq ft approx

Service Schedule: Tuesday and Friday

Weekly Services (2x per week):

- Empty wastebaskets; replace liners; recycle materials appropriately.
- Dust and disinfect furniture, desktops, computer equipment, tables, and chairs.
- Vacuum carpets and runners as needed.
- Damp mop all tile floors with anti-bacterial cleanser.
- Clean and polish dispensers, mirrors, sinks, and faucets using sanitary spray.
- Clean countertops.
- Clean and sanitize all telephones.
- Clean entrance doors and door frames as needed.
- Clean light switches as needed.
- Spot clean partitions and walls.
- Remove spots, stains, and splashes from wall areas adjacent to hand basins.
- Scrub toilet and urinal interiors with liquid abrasive; flush after cleaning.
- Clean all plumbing fixtures.
- Refill paper towel and toilet paper dispensers; leave one extra roll in each stall.
- Refill soap dispensers or top off as needed.
- Keep "Janitors Closet" neat and well supplied at all times.
- Sweep floors; clean around walls, toilets, and urinals; wet mop entire floor.
- Dust venetian blinds and clean windowsills.



- Dust all horizontal furniture.
- Dust air vents.
- Dust hanging lights.
- Dust corners of the floor and ceiling area
- Sanitize drinking fountains and door handles.
- Sanitize all high touch surfaces
- Clean and polish door glass, mirrors, interior windows, and glass-topped furniture.
- Remove trash and recycling to appropriate outside receptacles.
- Inspect area, secure all doors and turn off lights (any doors found locked must be re-locked).
- Mandatory Friday cleaning

Bi-Annual Services (2x per year or as needed. To be billed separately per occurrence):

- Wax and buff tile floors.
- Interior and exterior window cleaning.
- Exterior dusting.

Annual Service (1x per year or as needed. To be billed separately per occurrence):

- Carpet shampooing.

Public Works Office Building

Address: 5335 Judges Drive, Upper Marlboro, MD 20772

Square Footage: 900 Sq ft

Service Schedule: Tuesday and Friday, 8:00 AM – 3:00 PM

Weekly Services (Same as Town Hall)



Police Department Office Building

Address: 6409 Crain Highway, Upper Marlboro, MD. 20772

Square footage: 3769

Service Schedule: Tuesday and Friday, 8:00 AM- 3:00 PM

Weekly Services (Same as Town Hall):

Budget

Annual cost for all services must **not exceed \$15,000.00.**

Proposal Submission Deadline

Due Date: TBD

Submit proposals via **one** of the following methods:

- **By Mail:** Town of Upper Marlboro, P.O. Box 280, Upper Marlboro, MD 20773
 - **By Email:** Info@UpperMarlboroMD.gov
 - **In-Person:** Upper Marlboro Town Hall, 14211 School Lane, Upper Marlboro, MD 20772
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Contract Duration: Maximum 3 years two one year renewals possible after 1st year

- **Initial Term:** 1 year
- **Start Date:** 11/15/2025
- **Option for Renewal:** 06/30/2026

Selection Criteria:

Proposals will comply with Section 82-56 of the town

charter and be evaluated based on the following:

- Adequacy of proposed methodology
- Certificate of Good Standing from SDAT
- Skill and experience of key personnel
- Demonstrated company experience
- Adherence to technical and administrative requirements
- References and past performance
- Ability and commitment to meet deadlines
- Proposed cost
- Minority- or women-owned business status preferred
- Business location near Upper Marlboro
- Relevant licenses and insurance to do business in the state of Maryland. (In good standing)
- Other relevant factors

General Conditions:

- The Town reserves the right to reject any or all proposals, to waive informalities and irregularities, and to accept portions of any proposal deemed to be in the Town's best interest.
 - The Town is not responsible for any costs incurred prior to the execution of a contract or purchase order.
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Point of Contact

Darnell Bond
Director of Public Works
Phone: 301-627-6905
Email: dbond@UpperMarlboroMD.gov

Thank you for your interest in working with the Town of Upper Marlboro.
We look forward to receiving your proposal.
