



Town of Upper Marlboro

BOARD OF TOWN COMMISSIONERS SPECIAL TOWN MEETING

14211 School Lane, Upper Marlboro, Maryland, 20772

Tuesday, June 07, 2022 at 7:00 PM

AGENDA

This meeting will be conducted via Zoom Video Teleconference. As the Town Hall remains closed to the public at this time, citizens may participate by video or phone (please sign-in with the Clerk):

<https://uppermarlboromd-gov.zoom.us/j/82995826115>

Webinar ID: 829 9582 6115; **Dial-in only:** 301-715-8592

SPECIAL TOWN MEETING AGENDA: 7:00 PM

- 1. Call to Order**
- 2. Roll Call**
- 3. Pledge of Allegiance**
- 4. Consent to the Agenda**
- 5. Approval of Meeting Minutes**
 - [A.](#) Closed Session Summary May 24, 2022
 - [B.](#) April Board Work Session Minutes April 12, 2022
 - [C.](#) April Regular Town Meeting Minutes April 26, 2022
- 6. Business**

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

 - [A.](#) Ordinance 2022-02 Amend Personnel Ordinance (Board Vote)
 - [B.](#) Ordinance 2022-03 Town Operating Budget For FY 2023 (Board Vote)
 - [C.](#) Ordinance 2022-04 FY 2022 Budget Amendment (Board Vote)
 - [D.](#) Resolution 2022-11 Cut-Off Date For Employee Vacation PTO Carry Over (Board Vote)
 - [E.](#) Town Rebranding Initiative (Board Discussion)
- 7. Public Comment**

For items not necessarily on the immediate agenda (3 minutes per item)
- 8. 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@uppermarlboromd.gov). You are always welcome to schedule an appointment with the President or a Commissioner to discuss municipal problems and quality-of-life issues one-on-one and work together towards a satisfactory solution.

Agendas for meetings are posted on our website and 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 to 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.

CLOSED SESSION SUMMARY SHEET TO BE READ INTO RECORD

Date: May 24, 2022

Time: 8:20 PM

Location: Virtual

Closed Under Annotated Code:

Under General Provisions Article 3-305(b)(8) “To consult with staff, consultants, or other individuals about pending or potential litigation”.

The Board of Commissioners propose to go into Closed Session on Tuesday, May 24, 2022, following the May Regular Town Meeting to discuss annexation litigation and contracts.

Those Who Voted To Go Into Closed Session:

President Franklin, Commissioner Colbert, Commissioner Duckett, Commissioner Hanchett & Commissioner Lott

Unanimous Of Elected Officials In Attendance:

Yes

Those In Attendance;

President Franklin, Commissioner Colbert, Commissioner Duckett, Commissioner Hanchett, Commissioner Lott & Town Administrator Kyle Snyder

Actions Taken: No Votes Were Taken, Please See Relevant Notes:

N/A

Topics Discussed:

Annexation litigation strategy

Relevant Notes: None

Town of Upper Marlboro

14211 School Lane • Upper Marlboro, Maryland 20772

ACTION REPORT - WORK SESSION

April 12, 2022 – 7:00 p.m.

Call to order at 7:05 PM

Roll Call:

**President Sarah Franklin
Commissioner Charles Colbert
Commissioner Janice Duckett*
Commissioner Thomas Hanchett
Commissioner Karen Lott*
Town Administrator Kyle Snyder
Police Chief David Burse
Public Works Director Darnell Bond
Town Clerk John Hoatson**

Everyone Consented to the Agenda for the evening.

Closed Session Summary was read for April 5, 2022, closed at 7:22pm and it was virtual. It was Closed Under General Provisions Article 3-305(b) (7) __ "To consult with counsel to obtain legal advice" ;(8) __ "To consult with Staff, consultants, or other individuals about pending or potential litigation.

The motion was made by President Franklin, second Commissioner Duckett and all five Commissioners voted to go into Closed Session it was unanimous. It was unanimous. Everyone was in attendance. No actions were taken, and they were discussing legal implications regarding annexation referendum verification. The session was adjourned at 8:35pm

Business

- 1) Civil Right Trail Discussion with Anacostia Heritage Area Director and Prince George's County Historian.**

President Franklin welcomed; Meagan Baco who is the Director of Maryland Milestones Heritage area also known as the Anacostia Heritage Area. She has been working with the Town on the Civil Rights Trail for Prince George's County. She talked about the three signs that the Town has coming soon including discussions about some other sites.

Meagan Baco stated that some interesting heritage tourism efforts will begin to include Upper Marlboro in a much more impactful way. When the organization she worked for was founded, it started in the late 1990s when a lot of the towns and communities around Route 1 in Prince George's County came together and wanted to take advantage of a new

program at the time at the State level called the Maryland Heritage Authority.

Since 1997 there are now 13 heritage areas across the State. If you travel over to Western Maryland, you can see the heart of the Civil War Heritage Area or even further the Deep Creek experience and the great work that they do in Western Maryland or Annapolis and the Chesapeake Crossroads Heritage area.

Basically, there is one of her in a lot of the Historic Regions of the State and what that allows is for towns that are within their boundary to participate in, to have access to grant funds of both through her organization at the County level and then also at the State level.

Their grants only go up to \$5,000, but at the State level it is up to \$100,000 for capital projects and that can be for renovating buildings, parks, and trails.

Their funds usually go to small innovative projects, even a single event or a new exhibit. They try to be liaisons in the community and make sure anything related to cultural tourism, historic preservation, public history trails etc., the mandate of the organization is to preserve and promote art, history, culture, and nature; all the good things that are loved about the places that are lived in and visited, they advocate for them.

Their current heritage area is about less than a quarter of all of Prince George's County. Over time, they had to say they could not work on a project because it had to be in the boundary. Also, over time, there has been so much interest, attention, and effort to see if they can expand their boundary.

Simple to say but it must go through State process, and it must be connected through what they call interpretive themes. They cannot add the whole County. They must follow a management plan and interpretive plan and those must be approved at the State level. They are currently going through the process right now, hoping to add quite a bit of new partners, new sites and to really be able to impact across the County. That work started in earnest in 2019. They had a report come out in 2020 and 1/4th is coming later this month which she will be sure to share. She was able to talk to the previous Mayor and Mayor Protemp and then also some of the Towns County Historian and the Commission about a lot of the history about Upper Marlboro.

Before she got to the organization, through the process that the State funded they were able to send some consultants and staff to look at the cultural tourism assets around Upper Marlboro. See below: they would like to connect these through trails and storytelling. This would be the goal that they have across the County but also in Upper Marlboro.

Upper Marlboro

- Historic town walking tour – residential and downtown
- Darnall's Chance
- Mount Calvert Historical and Archaeological Park
- Compton Bassett Historic Home
- Patuxent River Park – Rural Life Museums – Columbia Air Center
- Nottingham School
- St. Thomas Episcopal Church
- Union Memorial Methodist Church
- Billingsley House
- Show Place Arena and Prince George's Equestrian Center
- Watkins Regional Park – Nature Center
- Rosaryville State Park – Mount Airy Mansion
- Merkle State Wildlife Sanctuary and Visitor's Center
- Belt Woods Natural Environment Area (near)
- Cheltenham Wetlands Park (near)
- Visitor services – hotel, restaurants

Provided below is some information about the services that they provide and how it connects to MHA, Maryland Heritage Areas Authority. There is also Maryland Historical Trust grants, Preservation, Maryland grants and she has a background in planning and preservation; she is always happy to hear a potential project that might save or reinvigorate a place.

Potential for Grant Applications

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| <ul style="list-style-type: none"> • ATHA: ▪ education – planning, bus grants ▪ interpretation – exhibits, walking tour brochures, oral histories ▪ event promotion ▪ websites, brochures | <ul style="list-style-type: none"> • MHAA: ▪ educational programs and material ▪ interpretation – exhibits, signage ▪ capital – restoration, new construction, trail construction, seminars, conferences ▪ planning – future use |
|--|---|

Before they expanded the boundary to officially include up or Marlboro they are working on, including at least two, hopefully three civil rights trail signs to Upper Marlboro, and that is a project that is actually funded by the National Park Service and African American Civil Rights Grant Program with funding support from the Maryland Heritage Areas Authority and the reason they were able to bring it to Upper Marlboro, even though, it is outside of their boundary is because they have outside funding not just State funding. They were able to stretch the boundary a little bit. It is still all above board, and it connects. Meagan Baco stated "You know history that I think the more recent history becomes the more difficult it becomes to interpret. No history is easy to interpret."

The three locations that are being discussed for Civil Rights Trail Signs in Upper Marlboro are right outside the County Courthouse.

- 1. Hopefully going to be putting a sign right across from the County Courthouse. (Regarding the racially charged remarks from Judge Bowie at the time about a court case there; the County's NAACP then held a rally there to protest those statements and bring attention to the racism of those statements.)**
- 2. Pocket Park - 14767 Main Street the grassy area across from the locksmith which was a filming location of Black Like Me a book written by John Howard Griffin and then turned into a movie. There is**

controversy about this book, and it will be included in the sign signs will connect.

3. TBD discussing the Civil Rights Era in Prince George's County.

They have been working on the signs for several years and it has been difficult to do the research. They are working on putting signs in the ground in May. They hope the boundary expansion will occur in Spring of 2023 which is a bit of a long process.

President Franklin, they will be discussing further down the road the Town's pool that was filled in rather than segregated and possibly talking about the schools and their desegregation; some of those buildings are in place in the town.

Meagan Baco stated the funding that they have is really for the research and the context research. She believes that moving forward they should be able to add signs to the trail. There is also going to be a compendium website so they can add things on the web.

President Franklin thanked Brian Callicott who has done a ton of the research and worked very closely with Meagan and Maryland Milestones to make things happen.

Commissioner Hanchett asked how their research was done and what was their resources.

Meagan Baco stated at the beginning of the project they had a great relationship and still do with the counties Black History Program. They really led the beginning of the research phase and they relied on some of their own knowledge and the basis that Black History Program in the researchers have about civil rights in Maryland and in Prince George's County. They worked with them to create the list of sites (what is challenging about a sign project is you must have both the story and the site and part of it is balancing; where is it safe, impactful, and meaningful to place a sign and then marry those two things together).

They are working along with Black History Project, a Researcher name Nathan Denny's who worked at the Baltimore Architecture Foundation Also, working with the towns themselves. Example: Bowie has a historic property manager who also has photographs, getting photos from AP Getty Baltimore, Prince George's County Historical Society, Laurel Historical Society and places like that.

A lot of information also from newspapers and Residents of the Grove in Laurel.

Action Item: Continue the discussion and the work. Also update the walking tour to bring the two projects together.

2) Events Calendar/ Policy:

President Franklin said she met with the Town's new events coordinator over some edits she recommended. She went over the calendar event items.

- No poetry event on the 9th but maybe it was a library event.
- May events focused on Marlboro Day.
- The Farmer's Market has been canceled for May and maybe it will happen in June, or it might get pushed to July.
- Memorial Day, a wreath laying. There is a marker at the pond, a bench and there is also the Town Hall building itself is a World War II Memorial. A wreath laying ceremony on the 25th. The family of the Gentleman PFC Curtis, whose marker is done at the pond from the Vietnam War will be joining the town for reception to honor their family member.
- In June movie night, possibly Farmers market. The Historical Committee has Memories and Morsels. The Arts Committee has asked to have an event on June 26th, but the Town is not able to do an event on that day; they will have to pick a different day.
- In July another movie night and farmers markets.
- August movie night and National Night out is done by a community organization in the area, and it is usually held a little outside of Town, we partner with them. Usually over at the parking lot for the Amish Market. There should also be more Farmers Markets.
- In September the Volunteer Fire Department puts on Cruzin on Main and that is something the Town support them with. Another movie night, more Farmers Markets, and the Hundred Year Celebration of the Firehouse; they have an event request in and there is a placeholder, but they will have to submit their request to the board.
- The Town secured the date of October 1st for the Crane Highway Memorial. President Franklin said she is going to be meeting next week with the Highway Administration about how the roads can be closed. The National Faith in Blue which is the Public Safety Department on the 8th. Right now, The Happy Leaf Festival, Farmers Markets may still be going in October and then the 29th will be Trunk or Treat.
- In November, a low-key Veterans event if COVID allows. The Town has not done anything the past few years because they do not want to put our Veterans who may be in sensitive populations in a situation where they might get sick. Signs are put up but hopefully this year will be able to feed them some breakfast or lunch and just appreciate them.
- In December a tree lighting. Commissioner Lott is also looking into the possibility of doing some other event.

Events Policy

President Franklin said this policy comes out of a couple of issues. The first is that there is always the question of when do we call this event for rain? And if we call it for rain, when is the rain date?

At previous events there are questions regarding why did you not or that better? Going forward all t's should be crossed, and i's dotted.

The third issue is the Town is small and has extremely limited staff. We need to make sure that we do not have an event every weekend that our staff needs to be at and then they are not able to get a good work home life balance. Having to put off the work of the town are the reasons for the policy. The trigger for this process is Movie Nights and volunteer feedback over time.

Having Movie night, the next day does not work because the next day would be a Sunday and the next day is a school night and you have less people coming out. Also, people plan for their Sundays. The feedback has been from volunteers is to do it the next weekend, but it cannot continue to be pushed back because it will bump into another event.

Determination of weather cancellations will be made based on notification of vendors for refunds or cancellations without extra charge.

Except for events like Marlboro Day cancellation is 2 weeks out.

Porta Potties are cancelled on Wednesdays.

Commissioner Lott asked for a survey to see what type of things the community would want to see.

Example: Marlboro Day, the Tree Lighting and Trunk or Treat the events committee executes these events and does a lot for them but the Town plans the actual road closures, flow of events, all these kinds of things. It is on the Town to make sure everything is organized.

Unless the Events Committee gets more volunteers first Thursday of the month at 7:00, they probably will not be able to put on multiple events in December.

The commissioners are allowed to participate with the different committees but, when they are on those meetings, they do not have a say.

Any commissioner can go to one of the meetings but, if there are three commissioners on the meeting, they cannot talk.

One other topic related to events that is going to push into the budget is vendor fees. Vendor fees are set by ordinance, and they were set the first year the board brought back Marlboro Day, which means that the Town did not know what was going to happen. The fees were set pretty low - \$50. President Franklin thinks the vendors would pay more and that would help the town fund these events. A discussion regarding a different rate and update that resolution is needed.

Action Item: President Franklin stated we are trying to get all the committees together on zoom links to have control of them which is on her list of things to do because right now we have committees meeting with their own zoom links and we do not have access to them to give commissioners access to the meetings and that is a problem that has to be fixed. President Franklin also said, she is going to have the changes that she and Raina Walker, the new Events Coordinator made today based on her feedback and get those sent out with the packet for the 26th. Then, the commissioners can go back and hopefully get this policy in place before the Town starts having events, including having to make those calls about rain etc.

3) Continuity of Government Planning:

T/A Snyder said continuity government is ensuring the government will continue operations during blows and hits, such as the mayor not being able to be in place anymore or something happens to that position or part of our government.

The big thing is ensuring that there is an automatic chain of command that comes into place. One of the big things are continuity.

Government that we address already is going from 3 to 5 commissioners because the Town was in the very unique predicament of only having one elected official. A case study over the past couple years on government operations.

Going down to one elected official is crazy. You do not have a quorum or anything. The town has gone up to five.

The second biggest one would be the continuity of the office of the mayor of president. A lot of places when you do go to five commissioners they have for example a vice mayor, mayor pro tem or someone like that.

They have some sort of secondary position or in some places where the mayor runs separate from the council and the council has a president of the council or chair. The council that person automatically steps into the office of mayor if anything happens, this is something the board should consider for charter amendment. Is there a second in command?

This person may not have a whole lot of duties unless the mayor does have to step down. Then they will be stepping up into that role right off the bat and there is little down time right now it would have to happen.

The commissioners would have to call special meeting or a regular meeting and elect a new president. Just having someone available to step right into place.

Example: Public Works Department now have a foreman in place; a second command for the Public Works. Director Bond responsibility automatically goes to foreman Brandon Gibson. He has proven himself in

this leadership role. He has been moved up to foreman and he has more supervisory and field experience now.

Looking at the Town's departments and making sure if the department heads are not there, who will be able to step right in.

Action Item: The next department the board has to look at is General Government. Once the Town hires the new bookkeeper, that is when the board can start figuring out who is going to take on those kinds of secondary responsibilities.

4) FY23 Budget – Expenses & Departmental CIP

T/A Synder provided draft II of the Town's budget for fiscal year 2023 that starts on July 1st. There is still not a balanced budget; things were added and moved around. The board is going into close session this evening to look at salaries.

There are not a whole lot of updates to the revenues, but one thing is that the public utility taxes took a hit while they are stepping up the tax rate, the asset value from Pepco has gone down. They have identified equipment that they thought was in Town that is not in Town. That rate and tactical base take about a \$20 million hit which equates to about \$100 \$200,000 in revenue.

The accounting firm mentioned that the Town could step up the plan for the public utility tax rate instead of going only a quarter, maybe going up the \$0.50 skipping a year to help mitigate some of those issues and going up to a \$2 for \$100 that is a value for the utility cost. They said that can make up some of the difference.

As revenues come in over the next couple months, especially income tax to see where those land; year to date later should be able to nail down that number hopefully by early to mid-May to provide some final estimates on that moving forward.

President Franklin said she learned that revenue numbers change as more revenue comes in, suddenly get a better estimate. The write up on revenues that she did will be finalized and will be part of the budget so everyone can understand how they were estimated.

T/A Snyder said general government and staff salaries there is an increase. It goes down a bit because of the elimination of the position of the Director Finance and replacement of the Bookkeeper at about \$30,000 savings.

Some of those savings will be eaten up and going into the accounting firm in HR firm to make up for some of those revenues, but he still anticipates better \$10,000 profiting from eliminating that position.

Finalizing what the duties of bookkeeper and how the accounting fee go up and down.

Part of that other increase in general government staff salaries is the addition of the events coordinator at \$30,000 a year. Half of that salary is funded through the ARPA funds.

The other addition is the Circuit Rider which is 85% grant funded. There are big increases in salaries, but a lot of this is covered through grants.

In this budget we have shifted some of those professional services into the public safety budget or a percentage of them because our state grants are based off the amount of money we spend for public safety. They do not look at the entire budget. They just want to see what the Town is spending on public safety. General government is heavy in a lot of the catch-all expenses. It has a lot of the firms that do a lot of the work for public safety. The HR firm 33% of their workforce is in public safety; employees their servicing, shifting some of those costs over to public safety to more adequately represent the spending that the Town does on the public safety department.

The Town have also added some planning in for future annexation surveys and have shifted the roadway engineering firm to the CIP budget and the planning and economic development firm is in there as well.

President Franklin said, once we have a balanced budget worked out, they will start to look at all the services and see who has been two years without their contract revisited and they will revisit them all.

Operating; not too much changing there. The addition of the dues line item at \$1500; software programs shifted some money, and it is at \$10,000 which is including potentially incorporating a new business licensing that is about \$4,000 a year.

Town committees and events there is a change. The addition of the tree lighting broken out into a separate event. A winter holiday tree lighting has been broken out with all the other town major holidays.

Public Safety - shifted some expenses out of general government or percentage of those general government expenses into public safety where they should be. It was done either by percentage of the building they use or the number of staff that they have. That is how it is calculated out.

Public Works - no new hires proposed right now.

Maintenance and beautification; in FY 2022 it was \$10,000 but, in draft one of this budget which was discussed last week, there was \$20,000 in maintenance beautification and part of that was some benches and just general streetscape downtown.

T/A Snyder said they are going to be speaking with the County Council about tapping into the \$100,000 streetscape grant that they have budgeted, and the County has re-budgeted in their current FY 23 draft budget.

Shifting some of that \$10,000 expense instead of going to that beautification benches and planners and stuff. It has been shifted to holiday decor in the CIP budget because it is a one-time purchase of \$10,000. Anything over \$10,000 purchased is put into the CIP budget.

Mosquito controls gone up very slightly including the increase in the residential trash collection which came up about 6 months ago. It will go into effect in May.

The budget is not balanced it is going to have to be trimmed back to \$130,000. Right now, the Town is running a deficit of \$400,000.

This budget is built on zero red light speed cameras. If it kicks in, items can be shifted around or if some other things open.

President Franklin explained her reasoning for bringing an unbalanced budget before the board. Technically, it is the mayor's budget, she can write a budget and put it in front of the board however, she personally feels that does not help everyone understand what is happening and how things are funded. Her structure of government opinion is that the commissioners should be part of figuring out the budget and that is why it is being done this way. If the commissioners do not appreciate this and want her to bring them a balanced budget, they can express that, and she will comply.

CIP - Couple changes is the addition of the County DPW&T streetscape grant for \$100,000 (for beautifications along Main Street).

For expenses T/A Snyder is going to be working with the playground vendor. The splash pads are going to cost about \$40 to \$50,000 more than anticipated (increase in size). Asking the board for an additional \$10,000 into the 720 to bring up to \$730,000.

Winter holiday décor \$10,000 that was transferred from operating and brought over to the CIP for the holiday Christmas lights, trees and such items. Bit by bit the Town will build up the holiday decorating.

The Ford 650 that the Town was supposed to buy in FY 2022 still has not been assigned a VIN number; this line item may have to be repurposed. There are other places to look and see and make some cuts/delay funding to FY 2024.

The only thing that changed with the cameras is all the line items are condensed to one vehicle lease pay off. Working with Chief Burse to finalize what the red-light camera budget; based off of what some other municipalities do.

President Franklin is not asking the commissioners to balance the budget with her tonight. She said, a budget is a plan, a list of priorities and a list of what is important, and she does not feel that one person should make those decisions when all five of them were elected by the public. She would like to hear from commissioners.

Commissioners Colbert asked do we have any funds from this year that we are anticipating carrying over into next year?

T/A Snyder said we are going to do a budget adjustment at the end of the year, and they will then know the carryover. The ARPA funds are easy to carry over and any leftover operational money technically goes into the towns reserved fund which, can be pulled from. Any surplus money goes back to the banks and then that would be transferred out of the reserves.

Commissioners Colbert asked any potential that the Town is over running anything this year?

T/A Snyder said we are even out overall. The town is come in pretty much on budget. The town will come out pretty balance this fiscal year possible a little over or a little under.

President Franklin said when you look at the Town's reserve, the thing we want to make sure it has 3 months of operating expenses is best practice. If it has more than that, the town may not be in good practice because they are then holding on to people's money when it could be benefiting them.

Commissioners Colbert asked about the facility issue with public works. What kind of estimates or spaces is being looked at to fill in that number.

T/A Snyder said under CIP there is a line item for 132,000 so if we include it or part of it to it so if something comes up the later part of next year, it is something that was discussed but if nothing comes up at all make accommodations Example: Moving Director Bond's office up to Town Hall to elevate some of the pressures.

President Franklin – spoke on the cost possibly do a contingency fund for two months. The Town cannot enter into a lease unless it has more revenue coming in than we are anticipating. This would be contingent upon her ensuring the lease needs to be executed. It must be written carefully.

Director Bond - \$11,000 a month for rent is what he has seen for buildings that he has missed out on.

President Franklin - said that for the capital improvements that cannot be funded right now, is to call them a Fiscal Year 2024 capital improvement because then they would know what they are and they are in the budget.

Public comment from Daralynn Strothers - Printer budget double 7K to 15K, what are we printing?

T/A Snyder – responded, accurate printing of the quarterly Landings Newsletter & some other printing cost. It was budgeted for 75 hundred, but it was being put in other areas. They may be able to make some cuts to that with some of invoices that have come at 9,000 for printing of the Landings.

Public comment from Monica Williams – for other town communications that they receive via US Mail, the Marlborough Town subdivision tend to get two copies because of their mailing address vs the street address. The Post Office recognizes every address within their subdivision as Marlborough Drive but the actual address for the County would be Marlboro Circle, Marlborough Grove, etc., she regularly gets for mailers, example: Marlborough Circle & Marlborough Drive for the same address.

T/A Snyder said they will look at our database to correct this issue.

Action Item: President Franklin would like a response, questions and concerns about the budget. Also, the Town will review the printer budget and mailing issue for the Marlborough Town subdivision.

5) Town of Upper Marlboro Emergency Relief Fund

President Franklin said the Emergency Relief fund which they were approved back in December or January with the ARPA funds and our Town Clerk was able to put it together in lieu of our finance director.

Clerk Hoatson said he is excited to launch Emergency Relief Fund, 15,000 was allotted from ARPA funds to people who might need assistance for mortgage, rental, or utility assistance.

One thing that President Franklin has discovered by working with WSSC is there is a high number of people in the town who have unpaid water bills and so the idea is to have on the Town of Upper Marlboro website an application where one can submit the application.

The individual in need must provide proof of residency within the town. They must provide a statement of the hardship that they are experiencing as well as proof of either mortgage / bill rental, back rental rent and of course bills for your utilities.

Cable will not qualify for any type of rental assistance. It only pertains to water and electric and those essential utilities that are most important. What will happen is that application process will have a closing date.

Once all applications are received, there will be a board of people who will meet that will consist of town staff and board of commissioners. They board and vet each of those applications to find out who needs the assistance and then decisions will be made.

All monies will be paid directly to the mortgage, rental, or utility company. No money will be given out to any of the residents directly but awarded letters will be given to residences. They know that those bills are being paid on their behalf.

The only thing that is needed is for the board of commissioners to determine the cap, how much money they want to allocate for the mortgage rental and utility assistance so that they know what dollar amount is to be set out of that \$15,000. This way the Town can try to help the greater population within the Town and the Town is excited to launch it.

Clerk Hoatson also provided a graphic that will be used on the website and in the packet, there was a the sample application. A hard copy will be made available as well as online so that the board/staff will able to help people to follow those applications and to spread the word.

President Franklin said, there are 86 housing units in the Town that are behind on their water bill and in danger of being shut off. So that is about 25% of our total housing units.

Commissioner Lott said that Salvation Army also has a working program to assist residents. Also partnering with the churches within the Town.

President Franklin said Pepco has a payment plan as well. And for the people the Town does not approve, the Town will be offering them technical assistance with getting into other programs.

Chief Burse asked Clerk Hoatson since he did this program before, to help stop some possible fraud, did he require a W-9 from the landlords? This is a way to stop applicants from collecting money and not paying the actual rent or mortgage. Affirmative: Clerk Hoatson. The main thing is protecting the Town and the money that is being given out.

President Franklin requested remarks from Ms. Monica Williams because she is a President of Marlborough Town HOA which holds 2/3rd of the housing units or maybe 2/3rd of the Town's population and 50% of the Towns housing units.

Monica Williams said she agrees that the utility help will probably go a little bit further and she could see how there would be a lot of residents with large water bills because with WSSC you have to pay probably within maybe 15 to 30 days once you get your quarterly bill. Then, after that you will start getting late fees etc. She believes that utility assistance would help a lot more people than rental assistance.

President Franklin said the utility cap would be 400 and one could only receive one type of assistance

Public Comment: Daralynn Strother's said she likes the 400 idea, but as a person who formally rented and now has a mortgage she knows that

mortgage or past due bills can be thousands of dollars. However, \$400 and it is \$400 less that she would have to pay on whatever the bill is.

Action Item: President Franklin said they will probably approve this on the 26th. It can always be added to or changed.

6) Bookkeeper Job Description:

T/A Synder said the Director of Finance position is being replaced with an Administrative Assistant/Bookkeeper Position to do the day-to-day financial data entry and other duties.

The Town Administrator will work with the accounting firm and the auditing firm to move for the Town's financial day to day policies.

The Administrative Assistant/Bookkeeper will not be responsible for IRS 1099 forms that the accounting firm can generate. They will perform some different data entry work.

Action Item: T/A Synder is working with the accounting firm and Insuraty to finalize this job description. He is hopeful to get it posted by the end of April and someone hired in June for the next budget cycle.

President Franklin said a motion to go into closed session under general provisions article 3-305(b) (1) __ "To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals".

The Board of Commissioners propose to go into Closed Session on Tuesday, April 12, 2022, following the April Board Work Session to discuss salaries.

The motion was so moved by Commissioner Colbert, President Franklin, Commissioner Hanchett and Commissioner Lott.

The motion passes.

President Franklin reminded everyone about the Town's Committees. She said they would love and need to have volunteers on them. If interested contact Town Hall.

Board of Commission Work Session Adjourned at 9:00 PM

Respectfully submitted,

Lucy Wade



Town of Upper Marlboro

APRIL REGULAR TOWN MEETING

14211 School Lane, Upper Marlboro, Maryland, 20772

Tuesday, April 26, 2022 at 7:00 PM

MINUTES

1. Call to Order 7:01 PM

2. Roll Call

President Sarah Franklin

Commissioner Charles Colbert

Commissioner Janice Duckett

Commissioner Thomas Hanchett

Commissioner Karen Lott

Town Administrator, Kyle Snyder

Police Chief, David Burse

Public Works Director, Darnell Bond

3. Pledge of Allegiance

Commissioner Duckett led the Pledge of Allegiance

4. Consent to the Agenda

Motion was made by Commissioner Duckett to Consent to the Agenda. Commissioner Colbert seconded the motion. Vote 4-5 President Franklin had technical issues.

5. Closed Session Summary

A. Closed Session Summary From April 12, 2022

President Franklin read the Closed Session Summary from April 12, 2022.

Under General Provisions Article 3-305(b)(1) __ "To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals".

The Board of Commissioners propose to go into Closed Session on Tuesday, April 12, 2022, following the April Board Work Session to discuss salaries.

Topics Discussed: Annual salary increases and COLA, annexation referendum & personnel for annexation referendum.

6. Approval of Meeting Minutes & Financial Report

Approval of the March 8, 2022 Board Work Session Minutes

Approval of the March 22, 2022 Regular Town Meeting Minutes

Treasurer's Report as of March 31, 2022

Motion was made by Commissioner Duckett and Seconded by President Franklin. Vote 5-5

7. Reports

A. Public Safety Department Report

Chief Burse stated there was an uptick of commercial alarms in the month of March. Everything else is pretty much the same for the month.

B. Public Works Department Report

Darnell Bond stated a couple things to highlight. Transitioned in March to clean all snow equipment. Public Works did obtain a new pick-up truck that is currently on the streets. New recycle bin will be rolled out soon.

C. Finance Department Reports

Kyle Snyder stated the Town is currently operating at an income of \$500,000.00. Going to break even. First ARPA report will be submitted and Bookkeeper position will be advertised. \$15,000.00 check to Fire Department and \$5,000.00 to food bank will be cut out of the ARPA Fund. Looking at new government payment portal.

D. Administrative Department Report

Codification and agenda portal now being handled by Municode Meetings. Old meeting minutes are now in the archive section on the website.

Welcome to Raina Walker, PT Events Coordinator.

Kyle attended the Maryland City Managers Meeting in Ocean City. He will serve as Vice President of the organization next year.

New pocket park has a new address: 14767 Main Street

Graduations are starting up again as well.

Grant Writer position with Town of Morningside: Need to repost the position. No candidates met the requirements for either municipality.

E. Greenwill Consulting Committee Report

Ivan and Leslie provided the report from Greenwill Consulting. Working with the Town the last 5 years.

Working very hard and happy to report that they were able to work with the delegation to obtain money for the Town playground - Splash pad. \$275,000.00 along with \$192,000.00 for the playground.

In November Town has a meeting with Senator Watson and was a great ally of the Town.

Meetings were held during session with Senator Watson and Delegate Landis.'

F. Historical Committee Report

Patti Callicott gave a report. The Maryland House and Garden Pilgrimage will be on April 30, 2022. Not to late to get tickets.

Town will be participating in Marlboro Day on May 14, 2022.

Quarterly will be held on May 21, 2022.

Crain Monument celebration will be on Saturday, October 1, 2022.

Spoke about t-shirts. President Franklin is going to add it to the budget.

G. Events Committee Report

Needs new volunteers. Events Committee working with Town to plan Marlboro Day.

H. Sustainable Communities Committee Report

Evelyn Stephens gave a report. Wednesday, April 27, 2022 is the next meeting date of SCWG.

Town Clerk Hoatson and Evelyn worked on improving the portal.

I. Arts Council Committee Report

Finalizing the mural projects and will have a community art project at Marlboro Day.

J. Green Team Committee Report

Planted at the community garden. More groups assisting with the community garden. Green Team also needs more volunteers.

K. CERT Committee Report

Alonzo Joy gave a report. Looking forward to working on Marlboro Day with the Town. Currently have 10 volunteers.

L. Commissioner Reports

President Franklin working with Maryland Milestones with regards to the Civil Rights Trail.

Currently working on the Vision Plan. A student is going to assist with this process.

Attended the Maryland Mayors Meeting in Annapolis.

Spoke about vultures and towing problems in downtown.

Reminded residents to tie up trash to prevent vultures.

Commissioner Colbert spoke about meeting with Sydney Harrison with County. Hoping great this come out of that conversation.

Represented Town at PGCMA meeting. Climate Change action plan partnership. They are working to green school.

PGCMA will provide a letter of support for this effort.

Mental Health Alliance is looking to partner with municipalities.

United Way also provided updates on what they offer.

Commissioner Duckett provided no update

Commissioner Hanchett provided no update.

Commissioner Lott spoke about the upcoming Downtown Christmas Market planning meeting on Friday, May 20, 2022

8. Business

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

1. Arbor Day Proclamation (Board Approval)

Town Clerk Hoatson read the Arbor Day Proclamation into the record.

Motion was made by President Franklin and seconded by Commissioner Duckett. Vote 5-5

2. Resolution 2022-10 Annexation Referendum Election (Board Vote)

Town Administrator Kyle Snyder gave an overview of Resolution 2022-10. Spoke about the Annexation Referendums: May 18, 2022 Annexation Area 2 May 21, 2022 Annexation Area 3.

Town Clerk Hoatson read Resolution 2022-10 into the record.

Motion was made to approve Resolution 2022-10 by President Franklin and seconded by Commissioner Duckett. Vote 5-5

3. Approval of Library Historic Marker MOU (Board Vote)

Motion was made to approve the Library Historic Marker and seconded by Commissioner Duckett. Vote 5-5

4. Financial Assistance Program (Board Approval)

Town Clerk Hoatson gave an overview of the Financial Assistance Program.

Rental Assistance: \$400.00 Utility Assistance: \$400.00

Money will be paid directly to landlord / utility company.

Motion was made to approve the Town of Upper Marlboro Financial Assistance Program and seconded by Commissioner Duckett. Vote 5-5

5. Ordinance 2022-02 Amend Personnel Ordinance (Introduction / Board Discussion)

Kyle Snyder, Town Administrator gave an overview of Ordinance 2022-02 Amend Personnel Ordinance.

Will come for a board vote on May 24, 2022.

Discussion was had about the Bookkeeper position. Position will be posted starting on Wednesday, April 27, 2022

6. FY2023 Budget Draft 1 (Board Discussion)

President Sarah Franklin & Kyle Snyder, Town Administrator presented FY 2023 Budget Draft. Budget will be voted on at the Special Town Meeting on June 7, 2022.

7. FY2023 Proposed Tax Rate Public Hearing (Board Discussion)

Hearing was advertised and Public Hearing will be held prior to the May Regular Town Meeting on May 24, 2022.

Patti Callicott wanted a special Public Hearing scheduled to address taxes.

9. Administrative Updates

None

10. Public Comment

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

Charles Hall – Gave public comment regarding the vultures.

Patti Callicott – Gave public comment and wants a list of police activity. Wants committee dates and links put on the Town calendar.

Monica Williams – Spoke about the vulture situation as well.

Brian Callicott – Spoke about the vultures and talked about possible solutions to the problem.

11. Adjournment

Motion was made by President Franklin to adjourn the meeting. It was seconded by Commissioner Duckett. Vote 5-5

Meeting adjourned at 8:45 PM.

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

Section 6, Item A.

ORDINANCE: 2022-02
SESSION: Regular Town Meeting
INTRODUCED: May 24, 2022
DATE ENACTED: _____

AN ORDINANCE TO AMEND ORDINANCE 2021-04 TO RE-ESTABLISH AND CHANGE CERTAIN ASPECTS OF A PERSONNEL SYSTEM WITH CERTAIN GUIDELINES, PAYGRADES, SALARIES, STANDARDS, AND PROCEDURES FOR THE EMPLOYEES OF THE TOWN OF UPPER MARLBORO.

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

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

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

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

WHEREAS, the Board previously approved Ordinance 2020-03 on May 12, 2020 to establish a personnel system with certain guidelines, paygrades, salaries, standards, and procedures for the employees of the Town of Upper Marlboro, and amended it on June 8th, 2021, with Ordinance 2021-04, and,

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

Section 1. Declaration of Policy

- A. This personnel or merit system is established for all present and future employees of the Town, and shall provide the means to recruit, select, develop, advance, and maintain an effective and responsive work force on the basis of relative ability, knowledge requirements of the citizens of the Town.
- B. All personnel actions shall be taken without regard to race, sex, religion, national origin, or political affiliation and shall be based on merit and performance.

Section 2. Scope and Intent

- A. The classifications, definitions, policies, and procedures outlined in this ordinance apply to all regular Town staff positions. Regular Town staff positions include all Town positions, including offices, except the following: elected officials, the Board of Supervisors of Elections, independent contractors, persons employed on projects of limited duration, unpaid volunteers (including interns and Town committee members), and other persons appointed to serve without pay.
- B. All employees who have served less than three (3) months, and all new employees of the Town except police, will serve a probationary period of three (3) months. Police employees will serve a probationary period of one (1) year. The probationary period may be extended for cause as defined in the employee handbook by the Town.
- C. This Ordinance shall be read in conjunction with any employee handbook as duly approved by the Board, and this Ordinance shall control or supersede any conflicting provision in said handbook.
- D. ~~Unless a valid employment contract approved unanimously by the full Board states otherwise, Nothing~~ in this Ordinance shall be deemed to modify or alter the Town’s at-will employment relationship with any employee, WITH THE EXCEPTION OF AN EMPLOYMENT CONTRACT APPROVED BY THE BOARD OF COMMISSIONERS. This subsection shall ~~apply prospectively and shall not apply~~ to any valid employment contracts approved prior to the effective date of this Ordinance.
- E. No change to the Town Handbook shall reduce the vacation accruals of any current employee.

Section 3. Regular Town Staff Positions

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

- A. Positions within the Town General Government Department:
 - Town Administrator *Supervisory* (Paygrade 7)
 - Town Clerk *Supervisory* (Paygrade 5)
 - Administrative Assistant *Deputy Clerk & Bookkeeper* (Paygrade 2)
 - EVENTS COORDINATOR (PAYGRADE 3)
 - GRANT MANAGER (CONTRACTED/AGREEMENT)

- B. Positions within the Town’s Public Safety Department:

Please refer to annual budget Ordinance for the pay chart and positions.

- C. Positions within the Town’s Public Works Department:
 - Director of Public Works *Supervisory* (Paygrade7)
 - Forman *Supervisory* (Paygrade 4)
 - CREW LEADER (Paygrade 2)
 - Crewmembers (Paygrade 1)

Section 4. Hiring and Dismissal of Town Employees

- A. **Positions Requiring Board Approval:** Hiring for any regular Town staff position that entails the head of any office, department, or agency of the Town government as established by the Charter or by ordinance requires approval by majority vote of the Board of Commissioners, as required by the Charter. The President shall give the Board notice of the hiring of any non-regular position as listed in Section 2.A at least one week prior to the start date of the non-regular employee. If hiring for a position for which there is no board approved position description the entire board must approve the position description before the position can be advertised.

- B. **The process for hiring regular Town staff positions that does not include the head of any office, department, or agency of the Town government is as follows:**
 - (1) Any opening for a regular Town Staff position should be advertised for at least thirty (30) days on a publicly accessible job-posting website, the Town website, and all Town social

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media sites. The position advertisement must include, at a minimum, the education and experience requirements for the position, the major responsibilities for the position as outlined in the Position Description, the salary range for the position, required documents to be submitted for an application, and the closing date for applications. All applications must be reviewed and ranked by at least the cognizant department head and one Commissioner (or at least a Commissioner and the President in the case of a department-head position). Any commissioner expressing a desire to review and rank applications will notify the president and town administrator. Any commissioner notifying the president and town administrator that they wish to be part of this hiring process shall be incorporated into the process provided that the Md. Open meetings Act is followed when required by law. Rankings shall be made without regard to race, sex, religion, national origin, or political affiliation.

- (2) If no applications meet the minimum education and experience requirements for the position, the position must be re-advertised for at least fourteen (14) days. If three or more applicants meet the education and experience requirements for the position, then at least the top three qualified applicants must be interviewed within thirty (30) days of the closing of the position advertisement. If less than three (3) applicants meet the education and experience requirements, then all qualified applicants should be interviewed. Interviews must be conducted by at least one Commissioner and the cognizant department head. Any commissioner desiring to be present for interviews shall notify the president and town administrator. Any commissioner that has notified the president and town administrator shall be included in the interview process provided that the Md. Open meetings Act is followed when required by law.
- (3) After conducting interviews, the interviewers must select an interviewee within 30 days of the last interview, **SUBJECT TO THE APPROVAL OF THE APPOINTING AUTHORITY**. Once the individual selected has been notified of selection and accepted the position, the ~~Director of Finance & Human Resources~~ TOWN ADMINISTRATOR will ~~OVERSEE THE~~ ~~verify~~ VERIFICATION OF any educational or other certifications by promptly obtaining an official transcript or other certification directly from the educational institution or other certifying authority the TOWN'S HUMAN RESOURCES ("HR") PROFESSIONALS. The ~~Director of Finance & Human Resources~~ TOWN ADMINISTRATOR must also ensure that all selected candidates undergo criminal background checks and drug screening procedures prior to starting employment.
- (4) All efforts will be made to ensure the hiring process is non-discriminatory on the basis of race, sex, religion, national origin, or political affiliation. Outside hiring assistance may be required to ensure current best practices in non-discriminatory hiring practices are followed.

Section 5. Political Activities

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

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appointed office; however, nothing herein shall prevent an officer from holding an office or position. This section shall be further governed by the Maryland anti-hatch act as codified in section 1-303 *et seq.* of the LG Art. of the MD. Ann. Code, and where applicable by the federal Hatch Act codified in 5 U.S.C. §§ 7321–7326.

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

Section 6. Unlawful Acts

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

Section 7. Compensation.

- A. The Board of Commissioners shall set the compensation of all regular Town staff positions by including a pay chart with the annual budget ordinance enacted in conjunction with the annual operating budget, in accordance with this Section. The pay chart will include eight (8) paygrades, with ten (10) steps in each paygrade. They shall be established by adding the COLA to the base every year. Notwithstanding this COLA increase, every two years the paygrade of each employee classification shall be reviewed in comparison to industry standards including consideration of mean, median, and mode for the geographic area and size of the municipality. Each step shall be established as 3% more than the step before it. Therefore step 1 shall be the base salary for the paygrade, step 2 shall be the base salary for that paygrade plus 3% more, continuing to step 10. :
- B. The annual base pay (Step 1) for each Fiscal Year shall be presented in a pay chart and included in that Fiscal Year’s Budget Ordinance.
- C. Each fiscal year, the pay chart will be updated and included in the annual budget ordinance, beginning in Fiscal Year 2022, to include a cost-of-living adjustment (COLA) for all paygrades and steps. The Town COLA for each fiscal year will be equal to the total pay increase received

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at the beginning of the same calendar year by United States Government General (GS) civilian employees in the Washington-Baltimore-Arlington-DC-MD-VA-WV-PA Locality Pay Area. If said GS total pay increase is less than 1%, the Town COLA will be 1% for that fiscal year. If said GS total pay increase exceeds 3%, the Town COLA will be 3% for that fiscal year.

- (1) Part-time employees will be paid by the hour, at an hourly rate (equal to 1/2080 of the annual rate), as a full-time employee with the same position. Part-time employees will have the same minimum and maximum salaries, eligibility for step and paygrade increases, and annual pay increases as their full-time counterparts for computing their hourly rate.
- (2) Employee pay will increase by one step after completing a period of satisfactory service (in a particular paygrade and step) with the Town as follows: Increasing one step after one year of satisfactory service in steps 1 through 3, increasing one step after two years of satisfactory service in steps 4 through 6, and increasing one step after 3 years of satisfactory service in steps 7 through 9. Thus, an employee would take 18 total years to move from step 1 to step 10 within a paygrade.
- (3) Town employees shall receive compensation only as outlined in this Section, and any other financial compensation including a pay increase, bonus, or incentive pay must be approved by a majority of the Board of Commissioners as appropriated in the annual budget ordinance and approved by the detailed budget document.
- (4) Upon the approval of the Town's annual budget ordinance, each employee shall be issued a letter signed by the President and Treasurer stating the employee's annual salary, paygrade, step, and COLA increase for the upcoming fiscal year. A copy of this letter shall also be placed in the employee's personnel file. Employees will also receive such a letter when they receive a paygrade or step increase.
- (5) When a new employee is hired, they should be hired at step 1 of their paygrade. If the employee is experienced, human resources, under the direction of the town administrator, can authorize the employee to be brought on up to step 4 in their paygrade depending on qualifications and/or experience. Board approval is required before bringing an employee on at step 4 or above.

Section 8. Penalties

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

Section 9. Town Employee Handbook

The Board of Commissioners shall set further personnel policies and procedures through approval of the Town Employee Handbook. The handbook shall be reviewed annually and updated at least every

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three (3) years by Resolution.

Section 10. Position Descriptions and Organization Chart

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

Section 11. Severability

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

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

AYES: _____ NAYES: _____ ABSENT: _____

INTRODUCED in a public session of the Board of Commissioners on this _____ day of _____, 2022.

ORDAINED, APPROVED, AND finally passed by the Board of Commissioners of the Town of Upper Marlboro, Maryland on this _____ day of _____, 2022, by:

Attest:

THE TOWN OF UPPER MARLBORO

BOARD OF COMMISSIONERS

Sarah Franklin, President

Janice Duckett, Commissioner

Charles Colbert, Commissioner

Karen Lott, Commissioner

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John Hoatson, Town Clerk

Thomas Hatchett, Commissioner

Reviewed and Approved for Legal Sufficiency

Kevin J. Best, Esq.

Date: _____

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BOARD OF COMMISSIONERS
FOR THE
TOWN OF UPPER MARLBORO

ORDINANCE: 2022-03
SESSION: Regular Town Meeting
INTRODUCED: May 24th, 2022
DATE ENACTED: _____

AN ORDINANCE RELATING TO ADOPTING AND APPROVING THE BUDGET FOR THE FISCAL YEAR 2023 ALONG WITH THE CORRESPONDING TAX LEVIES, AND TO SET FORTH COMPENSATION FOR EMPLOYEES AND OFFICERS, AND TO ESTABLISH CERTAIN PROCEDURES FOR REVIEWING AND AMENDING SAME, AS MORE PARTICULARLY SET FORTH HEREIN.

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

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

WHEREAS, the Town of Upper Marlboro for fiscal year 2023 is exempt from the notice and hearing requirements of the Maryland Constant Yield Tax Rate Law (Code, Tax-Property Art., Section 6-308) for all classes of real property; and

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

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

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

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

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

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

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

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

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

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

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

WHEREAS, the Town Board finds that a Capital Improvement Program (“CIP”) outlines large capital projects and equipment purchases, and their associated project timelines and funding options, and a but for the current charter limitations, a CIP usually would span multiple years and is sometimes associated with the organization’s strategic plan, about three to five years, and which typically is separate from the annual budget, and a capital improvement plan wouldn’t include

smaller, operational expenses that normally appear in an annual budget, but is aligned with the annual budget; therefore, the Board of Commissioners wishes to modify or reorganize the Fiscal Year 2023 Budget Ordinance to reflect a separate CIP Budget that is adopted each year and a Fiscal Year 2023 Town Automated Traffic Enforcement Budget along with the Annual Operating Budget, which together shall provide a complete financial plan for the budget year and shall contain estimates of anticipated revenues and proposed expenditures for the coming year.

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

Fiscal Year 2023 Annual Budget

Part 1: FISCAL YEAR 2023 OPERATING BUDGET

Section 1. The Fiscal Year 2023 Budget Ordinance (“FY2023 Budget Ordinance”) as required by § 82-40 of the Town Charter shall be divided into three (3) major components: (i) the Fiscal Year 2023 Operating Budget, (ii) the Fiscal Year 2023 Capital Improvement Program (“CIP”) Budget, and (iii) Fiscal Year 2023 Town Automated Traffic Enforcement Budget, with the following major anticipated revenue funds or groups of the Operating Budget having the estimated amounts as indicated below:

<u>REVENUE SOURCE</u>	<u>OPERATING BUDGET AMOUNT</u>
Taxes	\$1,399,540
Fines Licenses & Permits	\$190,000
Intergovernmental	\$299,899
Miscellaneous Revenue	\$75,000
Total Revenues	\$1,964,439

Section 2. The total of the anticipated revenues and any estimated fund balance available for expenditure during the fiscal year within each of the aforesaid categories of the Fiscal Year 2023 Operating Budget of the FY2023 Budget Ordinance shall equal or exceed the total of the proposed expenditures within the following general classifications of expenditures as set forth in the appropriations with the amounts as indicated below:

<u>EXPENDITURES</u>	<u>OPERATING BUDGET AMOUNT</u>
General Government	\$815,202
Public Safety	\$568,283
Public Works Department	\$484,344
Transfer to CIP	\$96,610
Total Expenditures	\$1,964,439

Part 2: FISCAL YEAR 2023 CIP BUDGET

Section 3. The Fiscal Year 2023 CIP Budget (“FY2023 CIP Budget”) of the FY2023 Budget Ordinance shall be divided into the following major anticipated revenue funds or groups having the estimated amounts as indicated below:

<u>Revenue Source</u>	<u>CIP Budget Amount</u>
Transfer from Operating	\$96,610
ARPA Transfer	\$85,000
FY21 DNR Grant	\$199,000
FY22 DNR Grant	\$192,000
FY23 Bond Bill	\$275,000
DHCD FIP Grant	\$50,000
County DPW&T Grant	\$100,000
State Streetscape Grant	\$425,000
Total Revenues	\$1,422,610

Section 4. The total of the anticipated revenues and any estimated fund balance available for expenditure during the fiscal year within each of the aforesaid categories of the FY2023 CIP Budget Ordinance shall equal or exceed the total of the proposed expenditures within the following general classifications of expenditures as set forth in the appropriations with the amounts as indicated below:

<u>EXPENDITURES</u>	<u>Budget Amount</u>
Phase 2 & 3 Playground	\$755,075
Resident Assistance	\$15,000
Gen Gov Copier/Printer	\$0
Façade Improvement	\$50,000
FY 22 DPW Vehicle Lease	\$20,000
FY23 DPW Vehicle Lease	\$-
Attenuator Trailer	\$-
Large Tractor/Skid steer	\$-
DPW Facility lease	\$-

FY19 PD Vehicle Lease	\$32,535
FY22 PD Vehicle Lease	\$25,000
Downtown Street Scape	\$100,000
Roadway Design & Survey	\$425,000
Total Expenditures	\$1,422,610

Part 3: FISCAL YEAR 2023 TOWN AUTOMATED TRAFFIC ENFORCEMENT BUDGET

Section 5. The Fiscal Year 2023 Town Automated Traffic Enforcement Budget income is estimated as indicated below:

FY23 Budget

Camera Revenues \$ 80,376

Total \$ 80,376

Section 6. The total of the anticipated revenues and any estimated fund balance available for expenditure during the fiscal year within each of the aforesaid categories of the FY2023 Automated Traffic Enforcement Budget shall equal or exceed the total of the proposed expenditures within the following general classifications of expenditures as set forth in the appropriations with the amounts as indicated below:

Monthly Camera Fees	\$	80,376
Vehicle Lease Pay off	\$	-
Police Trailer Install & Rental	\$	-
Police Officer Salaries	\$	-
Police Equipment & Supplies	\$	-
Police Computer & IT	\$	-
Total	\$	80,376

Section 7. Notwithstanding this budget ordinance, the FY2023 Budget shall be presented and discussed in further detail by enumerating additional sub-categories or detailed items pertaining to either revenues or expenditures as deemed necessary and expedient by the President and/or the Board (the “Detailed Budget”). See Attachment A: Operating Budget Detail, further below. Although not considered incorporated by reference or formally part of this FY2023 Budget Ordinance, the Detailed Budget, unless subsequently modified by the President, with approval of the Board as set forth in Sections 1 & 2 above, shall reflect the various items discussed therein and shall remain substantially uniform throughout the fiscal year having essentially the same format

and items as presented to the Board at the Town meeting wherein the FY2023 Budget was approved.

Section 8. All budget amendments transferring monies between general classifications of expenditure or appropriations as reflected in this FY2023 Budget Ordinance shall be submitted to the Board for approval, from time to time, by ordinance. Budget changes or amendments occurring within certain specified sub-categories or the various detailed items not reflected herein but shown in the Detailed Budget shall be approved from time to time by the President subject to review and approval by the Board as recorded in the journal of its proceedings.

BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that the levy for Fiscal Year 2023 for the Town of Upper Marlboro shall hereby be set at \$0.34 per \$100 of assessed valuation of residential real estate; \$0.53 of assessed valuation for business personal property; \$0.56 of assessed valuation for commercial property; and \$2.20 of assessed valuation for public utility, subject to taxation by the Town of Upper Marlboro for general fund purposes, including debt service purposes; and

BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that it hereby finally sets, ratifies and establishes the compensation of all regular Town staff positions, as prescribed by Section 82-60 of the Town Charter, via this annual budget ordinance enacted herein, in accordance with the pay charts below:

General Government and Public Works										
Paygrade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
1	\$36,420	\$37,520	\$38,610	\$39,700	\$40,800	\$41,890	\$42,980	\$44,070	\$45,170	\$46,260
2	\$40,580	\$41,800	\$43,020	\$44,240	\$45,450	\$46,670	\$47,890	\$49,110	\$50,320	\$51,540
3	\$45,780	\$47,160	\$48,530	\$49,910	\$51,280	\$52,650	\$54,030	\$55,400	\$56,770	\$58,150
4	\$52,020	\$53,590	\$55,150	\$56,710	\$58,270	\$59,830	\$61,390	\$62,950	\$64,510	\$66,070
5	\$59,300	\$61,080	\$62,860	\$64,640	\$66,420	\$68,200	\$69,980	\$71,760	\$73,540	\$75,320
6	\$67,620	\$69,650	\$71,680	\$73,710	\$75,740	\$77,770	\$79,800	\$81,830	\$83,850	\$85,880
7	\$76,990	\$79,300	\$81,610	\$83,920	\$86,230	\$88,540	\$90,850	\$93,160	\$95,470	\$97,780
8	\$87,390	\$90,020	\$92,640	\$95,260	\$97,880	100,500	\$103,130	\$105,750	\$108,370	\$110,990

	Public Safety								
Grade Step	Police Officer	Private First Class	Corporal	Sergeant	Lieutenant	Captain	Parking Authority	Code Compliance	Administrative Assistant
1	\$55,105	\$58,195	\$60,255	\$63,757	\$72,100	\$82,400	\$46,350	\$51,500	\$41,200
2	\$56,758	\$59,941	\$62,063	\$65,670	\$74,263	\$84,872	\$47,741	\$53,045	\$42,436
3	\$58,461	\$61,739	\$63,925	\$67,640	\$76,491	\$87,418	\$49,173	\$54,636	\$43,709
4	\$60,215	\$63,591	\$65,842	\$69,669	\$78,786	\$90,041	\$50,648	\$56,275	\$45,020
5	\$62,021	\$65,499	\$67,818	\$71,759	\$81,149	\$92,742	\$52,167	\$57,964	\$46,371
6	\$63,882	\$67,464	\$69,852	\$73,912	\$83,584	\$95,524	\$53,732	\$59,703	\$47,762
7	\$65,798	\$69,488	\$71,948	\$76,129	\$86,091	\$98,390	\$55,344	\$61,494	\$49,195
8	\$67,772	\$71,573	\$74,106	\$78,413	\$88,674	\$101,342	\$57,005	\$63,339	\$50,671
9	\$69,805	\$73,720	\$76,329	\$80,765	\$91,334	\$104,382	\$58,715	\$65,239	\$52,191
10	\$71,900	\$75,931	\$78,619	\$83,188	\$94,074	\$107,513	\$60,476	\$67,196	\$53,757
11	\$74,057	\$78,209	\$80,978	\$85,684	\$96,896	\$110,739	\$62,291	\$69,212	\$55,369
12	\$76,278	\$80,555	\$83,407	\$88,255	\$99,803	\$114,061	\$64,159	\$71,288	\$57,030
13	\$78,567	\$82,972	\$85,909	\$90,902	\$102,797	\$117,483	\$66,084	\$73,427	\$58,741
14	\$80,924	\$85,461	\$88,486	\$93,629	\$105,881	\$121,007	\$68,067	\$75,629	\$60,504
15	\$83,351	\$88,025	\$91,141	\$96,438	\$109,058	\$124,637	\$70,109	\$77,898	\$62,319

Public Safety Specialty & Incentive Hourly Pay

- Active Field Training Officer: \$4.00 an hour
- Night Shift Differential: \$2.45 an hour

AND BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that the below staffing levels are authorized for each Department:

- General Government: One Town Administrator, one Town Clerk, two Administrative Assistants (Deputy Clerk & Bookkeeper), one part-time Events Coordinator, and one Circuit Rider Grant Manager.
- Public Safety: One Chief of Police, one Sergeant, three Corporals, one Police Officer, and one Code Enforcement Officer.
- Public Works: One Director, one Foreman, one Crew Lead, and two Crew Members.

AND BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that the Chief of Police for the Town of Upper Marlboro Police Department and their designee is charged with overseeing and managing the Town's Automated Traffic Enforcement Budget in accordance with State law, the Town Charter, and this Ordinance; and

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

BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that this ordinance shall be posted in the Town Hall office, and this FY 2023 Budget Ordinance or a fair summary of it shall be published once in a newspaper of general circulation in the Town.

AYES: _____ NAYES: _____ ABSENT: _____

ORDAINED, APPROVED AND finally passed by the Board of Commissioners of the Town of Upper Marlboro, Maryland on this _____ day of _____, 2022, by:

Attest:

THE TOWN OF UPPER MARLBORO
BOARD OF COMMISSIONERS

Sarah Franklin, President

Janice Duckett, Commissioner

Charles Colbert, Commissioner

Karen Lott, Commissioner

John Hoatson, Town Clerk

Thomas Hatchett, Commissioner

Reviewed and Approved for Legal Sufficiency

Kevin J. Best, Town Attorney

Date: _____

Attachment A: Operating Budget Detail**Revenues**

		FY23 Budget
Taxes		
Commercial Real Estate	\$	207,745
Residential Real Estate	\$	211,360
Personal Property	\$	47,435
Public Utilities	\$	588,000
Income Taxes	\$	345,000
Entertainment Tax		
Total	\$	1,399,540

Fines Licenses & Permits

Franchise & Trader's License Fee	\$	13,000
Business Licenses	\$	18,000
Town Permits	\$	1,500
Parking Meter Payments	\$	125,000
Parking Fines & Penalties	\$	30,000
Pub/Edu/Govt Broadcasting	\$	2,500
Total	\$	190,000

Intergovernmental

Financial Corporation Tax	\$	9,000
Highway User Revenue	\$	31,399
Police State Aid	\$	18,000
Refuse Disposal Fee Rebate	\$	1,500
American Rescue Plan	\$	190,000
DHCD Circuit Rider Grant	\$	50,000
Total	\$	299,899

Miscellaneous Revenue

Town Hall Services & Rentals	\$	2,000
Interest Earnings	\$	1,500
Event Revenue	\$	10,000
Withdraw of Reserve Funds	\$	61,500
Total	\$	75,000

Total Revenues	\$	1,964,439
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Town Operating Expenses

General Government Operating Expenses

FY23 Budget

Town Elected Officials

Commissioner #1 Stipend	\$	19,000
President Salary	\$	15,000
Elected Development & Training	\$	3,000
Total	\$	37,000

General Government Staff Salaries

Regular Salaries	\$	329,260
Holiday Bonuses	\$	3,750
Total	\$	333,010

Consultants & Firms

Accounting Services Firm	\$	28,000
Auditing Firm	\$	20,000
Government Relations	\$	36,000
Media Relations	\$	14,400
IT Firm	\$	3,600
Human Resources Services	\$	11,000
Planning/Economic Dev Firm	\$	30,000
Roadway Engineering Firm	\$	-
Annexation Survey, etc.	\$	20,000
Town Attorney & Legal	\$	50,000
Total	\$	213,000

Financial, Benefits, and Payroll

Payroll Processing	\$	5,000
Bank Charges & Processing Fees	\$	10,000
Parking Transaction Fees	\$	10,000
Payroll Taxes	\$	18,370
Maryland State Retirement	\$	37,542
Healthcare Expense	\$	19,000
Town Insurance Policy	\$	6,000
Life Insurance Policy	\$	12,000
Total	\$	117,912

Operating

Town Elections (Supplies & Judges)	\$	-
Staff Development & Training	\$	4,000
Printing	\$	15,000

Postage	\$	2,000
Supplies & Computer Equipment	\$	15,000
Office Telephones & Cell phones	\$	5,000
Town Hall Utilities & Cleaning	\$	12,000
Area Non-Profit Support	\$	20,000
Cable Access Channel	\$	2,500
Software Programs	\$	10,000
Other	\$	2,010
Total	\$	87,510

Town Committees & Events

Historical Committee	\$	1,340
CERT Team	\$	900
Arts Council	\$	-
Green Team	\$	1,800
Events Committee	\$	4,590
Marlboro Day	\$	5,220
Old Crain Hwy Centennial	\$	3,160
Happy Leaf Festival	\$	3,160
Trunk or Treat	\$	1,800
Winter Holiday	\$	1,800
Town Government Events	\$	3,000
Total	\$	26,770

Total Expense Gen Gov	\$	815,202
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Public Safety

FY23 Budget

Public Safety Staff Salaries

Regular Salaries	\$	431,182
Holiday Bonuses	\$	4,500
Total	\$	435,682

Public Safety Operating

Uniforms	\$	4,000
Recruitment/Background	\$	3,000
Duty Equipment	\$	2,000
Training & Development	\$	2,000
Mobile Technology	\$	5,000
Insurance	\$	6,000
Office Supplies	\$	1,000
Computer Software & Support	\$	2,000
Payroll Taxes	\$	18,361
Maryland State Retirement	\$	13,540

Healthcare Expenses	\$	19,000
Vehicle Maintenance & Repairs	\$	7,778
Community Events	\$	1,500
Police Station Utilities & Cleaning	\$	6,000
Police IT Support	\$	3,600
Consultants & Firms	\$	12,600
Other	\$	2,000
Total	\$	109,379

Police State Aid	\$	18,000
Total	\$	18,000

Parking & Code Enforcement

Vehicle Maintenance	\$	2,222
Parking Meter Maintenance	\$	3,000
Total	\$	5,222

Total Expense Public Safety	\$	568,283
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Public Works Operating Expenses

FY23 Budget

Public Works Staff Salaries

Regular Salaries	\$	256,240
Holiday Bonuses	\$	3,750
Total	\$	259,990

Public Works Operating

Uniforms	\$	3,000
Tools & Equipment	\$	6,000
Staff Training & Dues	\$	4,800
DPW Cellular Device Service	\$	2,000
Insurance	\$	6,000
Office Supplies	\$	1,500
Computer Software & Support	\$	1,000
Payroll Taxes	\$	18,361
Maryland State Retirement	\$	6,500
Healthcare Expenses	\$	52,593
Vehicle Repairs & Maintenance	\$	9,500
Street & Sidewalk Maintenance	\$	3,500
Streetlight Electricity	\$	22,000
Road Salt & Weather Events	\$	4,500
Public Works Garage Utilities	\$	3,500
Maintenance & Beautification	\$	15,000

Mosquito Control	\$	1,600
Other	\$	2,000
Total	\$	163,354

Refuse Collection

Residential Trash Collection	\$	47,000
Residential Recycling Collection	\$	9,500
Bulk & Yard Waste Disposal		
Fees	\$	4,500
Total	\$	61,000

Total Expense Public Works	\$	484,344
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Transfer to CIP Fund	\$	96,610
Transfer into Reserves	\$	-

Total Operating Expense	\$	1,964,439
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Total Revenues	\$	1,964,439
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Attachment B: Capital Improvements Budget

Revenues**FY23 Budget**

Transfer from Operating	\$	96,610
ARPA Transfer	\$	85,000
FY19 DNR Grant	\$	-
FY21 DNR Grant	\$	199,000
FY22 DNR Grant	\$	192,000
FY23 Bond Bill	\$	275,000
DHCD FIP Grant	\$	50,000
County DPW&T Grant	\$	100,000
State Streetscape Grant	\$	425,000

Total \$ **1,422,610**

Expenses

Phase 1 Playground	\$	-
Phase 2 & 3 Playground	\$	755,075
Resident Assistance	\$	15,000
Gen Gov Copier/Printer	\$	-
Façade Improvement	\$	50,000
FY 22 DPW Vehicle		
Lease	\$	20,000
FY23 DPW Vehicle Lease	\$	-
Attenuator Trailer	\$	-
Large Tractor/Skidsteer	\$	-
DPW Facility lease	\$	-
FY19 PD Vehicle Lease	\$	32,535
FY22 PD Vehicle Lease	\$	25,000
Downtown Street Scape	\$	100,000
Roadway Design &		
Survey	\$	425,000

Total \$ **1,422,610**

Attachment C: Red Light and Speed Camera Budget

Revenues

	FY23 Budget	
Camera Revenues	\$	80,376
Total	\$	80,376

Expenses

Monthly Camera Fees	\$	80,376
Police Trailer Install & Rental	\$	-
Police Officer Salaries	\$	-
Police Equipment & Supplies	\$	-
Police Computer & IT	\$	-
Total	\$	80,376

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

ORDINANCE: 2022-04
SESSION: Regular Town Meeting
INTRODUCED: May 24th, 2022
DATE ENACTED: _____

**AN ORDINANCE RELATING TO ADOPTING AND APPROVING BUDGET
AMENDMENTS FOR THE FISCAL YEAR 2022 BUDGET**

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

WHEREAS, pursuant to Md. Code Ann., LG Article, Section 5-205(b)(4), a municipality may spend money for a purpose different from the purpose for which the money was appropriated or spend money not appropriated at the time of the annual levy if approved by a two-thirds vote of all the individuals elected to the legislative body; and

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

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

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

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

WHEREAS, the Town Charter, Section 82-43 prescribes that any transfer of funds between

major appropriations for different purposes by the President must be approved by the Board before becoming effective; and

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

WHEREAS, the Board of Town Commissioners has previously approved Ordinance No. 2021-03 on June 8, 2021, which in Section 4 thereof states that all budget amendments transferring monies between general classifications of expenditures or appropriations as reflected in the budget ordinance shall be submitted to the Board for approval, from time to time, by ordinance pursuant to Md. Code Ann., Art. 23A, §2(b), now codified as Md. Code Ann., LG Article, Section 5-205(b)(4); and

WHEREAS, the Board of Town Commissioners finds that it is necessary to amend Ordinance No. 2021-03 passed on June 8th, 2021, by allocating and appropriating funds for the following reason(s): To adjust revenue line items with more accurate estimates, and enhancing or decreasing allocations between departments of expenditure line items due to the elimination of certain staff positions.

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

Section 1. The Fiscal Year 2022 Budget Ordinance No. 2021-03, as restated in the center column below, and as divided into the following indicated major anticipated revenue funds or having the estimated amounts at the time of the tax levy as indicated herein below, is hereby amended and readopted as indicated in the far-right column below as follows:

<u>REVENUE SOURCE</u>	<u>ADOPTED FY 22 BUDGET AMOUNT</u>	<u>AMENDED FY22 BUDGET AMOUNT</u>
Property Taxes	1,417,793	1,107,996
Fines, Licenses, Permits	240,869	258,669
Intergovernmental	38,620	315,020
Miscellaneous Revenue	0	5,750
Grants	186,400	952,840
ARPA	281,246	0
Other	7,250	0
From Designated Funds	0	0
Total Revenues:	\$2,172,178	\$2,640,275

Section 2. The total of the anticipated revenues and any estimated fund balance available for expenditure during the fiscal year within each of the aforesaid categories of the FY 2022 Budget Ordinance 2021-03, as amended by this FY 2022 Amendatory Budget Ordinance No. 2022-04, shall equal or exceed the total of the proposed expenditures within the following general classification of expenditure or major appropriations having the amounts as indicated herein below, is hereby amended and readopted as

indicated in the far-right column below as follows:

<u>EXPENDITURES</u>	<u>FY22 ADOPTED BUDGET AMOUNT</u>	<u>FY 22 AMENDED BUDGET AMOUNT</u>
General Government	1,329,275	759,329
Public Safety	481,795	551,175
Public Works	361,108	422,100
Grants & Awards	0	717,671
Capital Outlays	0	190,000
To Designated Funds	0	0
Total Expenditures:	\$2,172,178	\$2,640,275

AND BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that except for the revenue and expenditure amounts provided hereinabove in Sections 1 and 2, as amendments, the remaining provisions of the FY 2022 Budget Ordinance 2021-03 shall remain in full force and effect as if written word for word within this Ordinance and readopted herein.

AND BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that the tax levy for Fiscal Year 2022 for the Town of Upper Marlboro and all other taxes, liens and/or fees prescribed therein shall remain as previously approved and adopted in the FY 2022 Budget Ordinance 2021-03

AND BE IT FURTHER ENACTED AND ORDAINED by the Board of Commissioners of the Town of Upper Marlboro, Maryland that pursuant to the Town Charter this Ordinance shall be posted in the Town office and this FY 2022 Amendatory Budget Ordinance No. 2022-04 or a fair summary thereof, shall be published once in a newspaper of general circulation in the Town.

AYES: ____

NAYES: ____

ABSENT: ____

INTRODUCED at the Town of Upper Marlboro May Board Work Session on May 24, 2022.

ORDAINED, APPROVED AND finally passed by the Board of Commissioners of the Town of Upper Marlboro, Maryland on this ____ day of _____, 2022, by:

Attest:

THE TOWN OF UPPER MARLBORO

BOARD OF COMMISSIONERS

Sarah Franklin, President

Janice Duckett, Commissioner

Charles Colbert, Commissioner

Karen Lott, Commissioner

John Hoatson, Town Clerk

Thomas Hatchett, Commissioner

Reviewed and Approved for Legal Sufficiency

Kevin J. Best, Esq.

Date: _____



Town of Upper Marlboro

Town Hall, 14211 School Lane
Upper Marlboro, MD 20772

Tel: (301) 627-6905
Fax: (301) 627-2080

info@uppermarlboromd.gov
www.uppermarlboromd.gov

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

MEMORANDUM

To: Board of Town Commissioners
From: Kyle Snyder, Town Administrator
Date: Friday June 3rd, 2022
Re: Resolution 2022-11 Employee Handbook Updates

Commissioners,

Resolution 2022-11 is being placed before you for consideration and approval to help clarify certain portions of the Town's Employee Handbook. The first clarification this Resolution makes is when Vacation PTO time is "reset". Employees are only allowed to accrue 240 vacation hours, however the handbook does not clarify when the "use it or lose it" cut off date is. This Resolution clarifies that the cut-off date is December 31st of each year. On Jan 1st, any unused vacation PTO time over the 240 limit will be deleted and the employee will be left with 240hrs.

Another clarification that this resolution makes is it only guarantees vacation PTO requests over 2 days or 16hrs will be granted if it is requested at least two weeks in advance of that date. This allows supervisors time to plan ahead for coverage.

The Town of Upper Marlboro

RESOLUTION: 2022-11
SESSION: Special Town Meeting
DATED: June 7th, 2022

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO TO AMEND AND CLARIFY THE CUT OFF DATE TO DECLARE AN EMPLOYEE VACATION PTO CARRY OVER AS INDICATED IN THE LATEST EDITION OF THE EMPLOYEE HANDBOOK (REVISED ON MAY 11, 2021)

WHEREAS, pursuant to Section 82-59 of the Charter of the Town of Upper Marlboro, the Town has the power to employ such officers and employees as it deems necessary to execute the powers and duties provided by the Town Charter or State law and to operate the Town government; and

WHEREAS: the Town Commissioners approved the current version of the Town's Employee Handbook on May 11th, 2021, which states that employees may carry over a maximum of 240 hours per year of Vacation PTO; and

WHEREAS, it has been determined that there is a need to clarify when is the cut off time for the Vacation PTO carry over.

NOW, THEREFORE, BE IT RESOLVED AND APPROVED, by the Board of Commissioners for The Town of Upper Marlboro, sitting in special session this 7th day of June 2022, that the latest edition of the Employee Handbook (revised on May 11, 2021) on or about pages 20-23 is hereby amended as follows:

Employee Benefits

Vacation PTO: employees hired after the adoption of the 2021 version of this handbook may carry over a maximum of 120 hours per year. Employees hired prior the passage of this 2021 version of the handbook may carry over a maximum of 240 hours per year. Vacation PTO is paid out at the employee's current rate when an employee leaves the ~~[town]~~ Town. AN EMPLOYEE'S VACATION PTO LEAVE BALANCE EXISTING AS OF DECEMBER 31ST AT MIDNIGHT OF EACH YEAR EXCEEDING THE MAXIMUM AMOUNT PERMITTED TO CARRY OVER UNDER THIS PROVISION SHALL BE FORFEITED. ANY UNUSED VACATION PTO HOURS EXCEEDING THE MAXIMUM CARRYOVER HOURS ALLOWED WILL BE FORFEITED BY THE EMPLOYEE AND THE REMAINING BALANCE REFLECTED IN THE NEXT PAY STUB. THE TOWN'S HUMAN RESOURCES

CAPITALS	:	Indicate matter to be added to existing policy
Strike	:	Indicate matter to be deleted from existing policy
Asterisks * * *	:	Indicate that text is retained from existing policy but omitted herein.

CONSULTING FIRM IN COORDINATION WITH THE TOWN ADMINISTRATOR, WILL NOTIFY EMPLOYEES WITH OVER 240 (OR 120 HOURS AS THE CASE MAY BE FOR MORE RECENT HIREES) VACATION PTO HOURS AS OF DECEMBER 1ST OF EACH YEAR AS A REMINDER THAT THEY NEED TO “USE IT OR LOSE IT;” HOWEVER, A FAILURE TO RECEIVE SUCH NOTICE SHALL NOT BE DEEMED TO WAIVE ANY FORFEITURE.

AND BE IT FURTHER RESOLVED AND APPROVED, that this Resolution shall take effect immediately upon passage and that the President/Mayor is authorized to execute this Resolution on behalf of the governing body.

PASSED by the Board of Commissioners of the Town of Upper Marlboro, Maryland at a special meeting on the 7th day of June, 2022.

ATTEST:

THE TOWN OF UPPER MARLBORO

John Hoatson, Town Clerk

Sarah Franklin, President

Janice Duckett, Commissioner

Charles Colbert, Commissioner

Thomas Hanchett, Commissioner

Karen Lott, Commissioner

CERTIFICATION

I, the undersigned, hereby certify that I am the Town Clerk of the Town of Upper Marlboro and that the Board of Town Commissioners of the Town of Upper Marlboro at a public meeting at which a quorum was present adopted this Resolution, and that said Resolution is in full force and effect and has not been amended or repealed. In witness whereof, I have hereunto set my hand and seal of the municipal corporation, this _____ day of _____, 2022.

John Hoatson, Clerk

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Town of Upper Marlboro

Town Hall, 14211 School Lane
Upper Marlboro, MD 20772

Tel: (301) 627-6905
Fax: (301) 627-2080

info@uppermarlboromd.gov
www.uppermarlboromd.gov

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

MEMORANDUM

To: Board of Town Commissioners
From: Kyle Snyder, Town Administrator
Date: Tuesday May 31st, 2022
Re: Town Rebranding Initiative

Commissioners,

As you are aware the Town is looking to partner with the Maryland-National Capitol Park & Planning Commission and Experience Prince George's to "rebrand" the Upper Marlboro area, including the Town, with an equestrian theme in anticipation for the Washington International Horse Show being held at the Show Place Arena October 25th- 30th, 2022. The Town and County are working on establishing a kick-off meeting, and below is a tentative timeline for the selection of a new logo:

Tentative Timeline:

June 7th Special Town Meeting- Board Authorizes staff to move forward with soliciting branding companies, preferably a local company.

June 28th Regular Town Meeting- Board reviews and discusses proposals. Potential selection of firm

July 12th Worksession- Firm meets with Board, discusses concepts to be put out for a public vote.

July 26th Regular Town Meeting- Board announces outcome of public vote, approves new logo.

After a new logo is selected, Town staff will work to update the website, social media, and signage around Town in preparation for the October "kick-off" of the rebranding.