



Town of Upper Marlboro

SPECIAL TOWN MEETING

14211 School Lane, Upper Marlboro, Maryland, 20772

Tuesday, June 10, 2025 at 6:30 PM

AGENDA

This meeting will be conducted at the Town Hall and online via Zoom Video Teleconference.
<https://uppermarlboromd-gov.zoom.us/j/86847876643?pwd=4GcCOWdb8ADEAdSfg9Akf6lWoNxYBZ.1> Webinar
ID: 868 4787 6643; Passcode: 404232; Audio Dial-in only: 301 715 8592

SPECIAL TOWN MEETING AGENDA: 6:30 PM

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Review of Agenda**
5. **Consent Agenda**
 - A. Meeting Minutes
6. **Business**

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

 - A. Swearing-In: Joseph Hourclé, Town Commissioner (Ceremony)
 - B. Charter Amendment Resolution 02-2025: Council-Manager Form of Government (Introduction)
 - C. Ordinance 2025-03: Town Operating Budget for FY26 (Board Vote)
 - D. FY26 Budget/Budget Book Approval (Board Vote)
 - E. Sale of Surplus Vehicles (Board Vote)
7. **Administrative Updates**
 - A. Commissioner Reports
8. **Public Comment**

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

PUBLIC COMMENT PROCEDURES

Your Town government appreciates citizen input. To maximize effective resolutions on resident's issues, we encourage Town residents and businesses to contact us at Town Hall weekdays: 9 a.m.–5 p.m., or by written correspondence (or email to info@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.

Video of the meeting will be posted to the Town YouTube Channel within 3 business days of the meeting.

All meetings are subject to closure in accordance with the State Open Meetings Act—House Bill 217



Town of Upper Marlboro

SPECIAL TOWN MEETING

Online (Zoom)

Tuesday, May 20, 2025 at 7:00 PM

MINUTES

This meeting will be conducted online via Zoom Video Teleconference.

<https://uppermarlbormd-gov.zoom.us/j/88605465733?pwd=lbLHGCpRO1PvbEIE5aFV3vn6cUSMhk.1>

Passcode: 218230; Webinar ID: 886 0546 5733; Dial-in only: 301-715-8592

SPECIAL TOWN MEETING AGENDA: 7:00 PM

1. **Call to Order – 7:06 PM**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Review of Agenda**
5. **Consent Agenda (3:30)**
 - A. Meeting Minutes
 - B. Financial Report
 - C. Public Safety Report
 - D. Public Works Report
 - E. General Government Report

Motion was made by Commissioner Lott to approve the Consent Agenda
Motion was seconded by Commissioner Brooks
Franklin, Aye | Brooks, Aye | Colbert, Aye | Lott, Aye
6. **Business**

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

 - A. Ordinance 2025-02: Vacant Properties (Board Vote) **(5:25)**

Motion was made by Commissioner Lott to approve Ordinance 2025-02
Motion was seconded by Commissioner Brooks
Franklin, Aye | Brooks, Aye | Colbert, Aye | Lott, Aye
 - B. Ordinance 2025-03: Town Operating Budget for FY26 (Introduction) **(10:48)**

Motion was made by Commissioner Colbert to introduce Ordinance 2025-02
Motion was seconded by Commissioner Brooks
Franklin, Aye | Brooks, Aye | Colbert, Aye | Lott, Aye
 - C. FY26 Budget Book Approval (Board Discussion) **(23:45)**
 - D. Charter Amendment Introduction (Charter) **(24:58)**
7. **Administrative Updates (54:14)**
 - A. Commissioner Reports
8. **Public Comment (1:05:10)**

For items not necessarily on the immediate agenda (3 minutes per item)
9. **Preliminary Approval of Next Meeting Agenda (1:15:22)**
10. **Adjournment**

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

The Town of Upper Marlboro

CHARTER AMENDMENT RESOLUTION NO. 02-2025

**A CHARTER AMENDMENT RESOLUTION
OF THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO,
MARYLAND, AMENDING VARIOUS SECTIONS, OF THE CHARTER OF THE
TOWN OF UPPER MARLBORO TO ALTER THE FORM OF GOVERNMENT FOR
THE TOWN OF UPPER MARLBORO FROM A BOARD OF COMMISSIONERS
FORM OF GOVERNMENT TO A COUNCIL-MANAGER FORM OF GOVERNMENT
AND TO MAKE OTHER NONSUBSTANTIVE AMENDMENTS**

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

WHEREAS, Town Charter creates a Board of Commissioners form of government and numerous sections of the Charter refer to a Board of Commissioners form of government; and

WHEREAS, the Board commissioned a Charter Review Committee to review the Town Charter and based on the recommendations from the Charter Review Committee finds that changing the form of government from a Board of Commissioners form of government to a Council-Manager form of government would result in more efficient and effective governance for the Town; and

WHEREAS, the Board of Commissioners finds that the Town would benefit from enacting this Charter amendment to amend the form of government of the Town.

Section 1. NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO, that Charter of the Town of Upper Marlboro, Maryland shall be and hereby is amended to read as follows:

The TOWN COUNCIL [[Board of Commissioners]]

Section 82-3. (Number, Selection, Term).

THE TOWN SHALL HAVE A COUNCIL-MANAGER FORM OF GOVERNMENT. All legislative powers of the Town shall be vested in a TOWN COUNCIL [[Board of Commissioners]] consisting of five COUNCIL MEMBERS[[Commissioners]] who shall be elected as hereinafter provided and who shall hold office for a term of FOUR [[two]] years and until the succeeding COUNCIL[[Board]] takes office. The regular term of the COUNCIL MEMBERS [[Commissioners]] shall expire on the second Monday in December following the election of their successors OR SHALL SERVE UNTIL THEIR SUCCESSORS QUALIFY. [[Notwithstanding anything herein to the contrary, the incumbent Commissioners serving their terms of office as previously set to expire in January of 2022 shall instead end their terms earlier on the second Monday of December of 2021 or shall serve until their successors qualify.]]

Section 82-4. (Qualification of COUNCIL MEMBERS [[Commissioners]]).

COUNCIL MEMBERS [[Commissioners]] shall have resided in the Town for at least two years immediately preceding their election, shall be qualified voters of the Town, and shall be at least 25 years of age. If, at any time such person shall NO LONGER RESIDE IN [[remove from]] the town, his or her office shall automatically become vacant.

Section 82-5. (Salary of COUNCIL MEMBERS [[Commissioners]]).

Each COUNCIL MEMBER [[Commissioner]] shall receive an annual salary which shall be equal for all COUNCIL MEMBERS [[Commissioners]] and shall be as specified from time to time by an ordinance passed by the COUNCIL [[Board]] in the regular course of its business, provided, however, that the salary specified at the time any COUNCIL MEMBER [[Board]] takes office shall not be changed during the period for which that COUNCIL MEMBER [[Board]] was elected. The ordinance making any change in the salary paid to the several COUNCIL MEMBERS [[Commissioners]], either by way of increase or decrease, shall be finally ordained prior to the general election for the members of the next succeeding COUNCIL [[Board]] and shall take effect only as to the members of the next succeeding COUNCIL [[Board]].

Section 82-6. (Meetings of the COUNCIL [[Board]]).

The newly elected COUNCIL [[Board]] shall meet at SUCH TIME AS DETERMINED BY THE COUNCIL [[8:00 p.m. on the second Monday of December following its election for the purpose of organization and conducting other Town business]], after which the [[Board]] shall meet regularly at such times as may be prescribed by its rules but not less frequently than once each month. Special meetings may be called upon the request of the MAYOR [[President]] or a majority of the members of the COUNCIL [[Board]]. All meetings of the COUNCIL [[Board]] shall be open to the public, except that the COUNCIL [[Board]] may, by majority vote, meet in closed session for any purpose then authorized by State law; and, the residents of the Town shall have a reasonable opportunity to be heard at any regular meeting in regard to any municipal question.

Section 82–7. (COUNCIL [[Board]] to be the Judge of Qualifications of its Members).

The COUNCIL [[Board]] shall be the judge of the election and qualification of its members.

Section 82–8. (Quorum).

A majority of the members of the COUNCIL [[Board]] shall constitute a quorum for the transaction of business, but no ordinance shall be approved nor any other action taken without the favorable votes of a majority of the whole number of members elected to the COUNCIL [[Board]].

Section 82–9. (Procedure of COUNCIL [[Board]]).

The COUNCIL [[Board]] shall determine its own rules and order of business. It shall keep a journal of its proceedings and enter therein the yeas and nays upon final action on any question, resolution, or ordinance, or at any other time if required by any one member. The journal shall be open to public inspection.

Section 82–10. (Vacancies in COUNCIL [[Board]]).

Vacancies in the COUNCIL [[Board]] shall be filled as provided in Section 82–32 of this charter.

Section 82–11. (Ordinances).

No ordinance shall be passed at the meeting at which it is introduced. At any regular or special meeting of the TOWN COUNCIL [[Board of Commissioners]] held not less than six nor more than sixty days after the meeting at which an ordinance was introduced, it shall be passed, or passed as amended, or rejected, or its consideration deferred to some specified future date. In cases of emergency, the provision that an ordinance may not be passed at the meeting at which it is introduced may be suspended by unanimous vote of the TOWN COUNCIL [[Board of Commissioners]]. Every ordinance, unless it is passed as an emergency ordinance, shall become effective at the expiration of twenty (20) calendar days following approval of the TOWN COUNCIL [[Board of Commissioners]]. 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.

Section 82–12. (File of Ordinances).

The complete text of each and every ordinance and resolution passed by the COUNCIL [[Board]] shall be permanently filed by the clerk and shall be kept available for public inspection.

The MAYOR [[President]]

Section 82–13. (Selection).

At their FIRST [[organizational]] meeting IN DECEMBER 2025 AND AT THEIR FIRST MEETING FOLLOWING EVERY ELECTION THEREAFTER, a majority of the COUNCIL [[Commissioners]] shall elect one of their members MAYOR AND ONE OF THEIR MEMBERS AS VICE MAYOR OF THE COUNCIL, WHO SHALL ACT AS MAYOR IN THE ABSENCE OF THE MAYOR [[President]]. The MAYOR [[President]] shall preside at all meetings of the COUNCIL [[Board]] in accordance with the accepted rules of parliamentary procedure[, except that he or she] AND may vote on any question before the COUNCIL [[Board]]. The MAYOR [[President]] shall be the ceremonial mayor of the Town and shall be identified [[either as the President of the Board of Commissioners or]] as the Town Mayor.

Section 82–14. (Salary of the MAYOR [[President]]).

The MAYOR SHALL [[President may]] receive an annual salary[in addition to that received as a Commissioner], as set from time to time by an ordinance passed by the COUNCIL [[Board]] in the regular course of business. Provided, however, that no change shall be made in the salary for any MAYOR [[president]] during the term for which he OR SHE was elected. The ordinance making any change in the salary paid to the MAYOR [[President]], either by way of increase or decrease, shall be finally ordained prior to the general election to elect the next succeeding COUNCIL [[Board]], and shall take effect only as to the next succeeding MAYOR [[President]].

SECTION 82-14.1. (PERSONNEL ACTIONS INVOLVING ELECTED OFFICIALS).

(A) THE MAYOR OR A COUNCIL MEMBER SHALL FORFEIT AND AUTOMATICALLY BE REMOVED FROM THAT PERSON’S OFFICE IF THE MAYOR OR COUNCIL MEMBER AT ANY TIME DURING THAT PERSON’S TERM OF OFFICE:

- (1) NO LONGER MEETS THE QUALIFICATIONS FOR THE OFFICE;
- (2) IS CONVICTED OF A FELONY OR A CRIME INVOLVING MORAL TURPITUDE; OR
- (3) FAILS TO ATTEND THREE (3) OR MORE CONSECUTIVE REGULAR MEETINGS OF THE COUNCIL WITHOUT BEING EXCUSED BY THE COUNCIL.

(B) THE COUNCIL MAY, BY A VOTE OF FOUR MEMBERS, CENSURE OR EXPEL A MEMBER FROM A MEETING FOR:

- (1) THREATENING OTHER MEMBERS OF COUNCIL OR CITY EMPLOYEE;
- (2) COERCING ANY CITY EMPLOYEE INTO TAKING ILLEGAL OR

IMPROPER ACTION OR TAKING ANY RETALIATORY ACTION AGAINST ANY TOWN EMPLOYEE;

(3) ENGAGING IN DISRUPTIVE OR DISORDERLY BEHAVIOR DURING A MEETING OF THE COUNCIL; OR

(4) VIOLATING THE COUNCIL’S RULES.

SECTION 82-14.2. (RECALL OF COUNCIL MEMBERS).

(A) THE MAYOR AND COUNCIL MEMBERS SHALL BE SUBJECT TO RECALL BY A MAJORITY OF THE REGISTERED VOTERS OF THE TOWN.

(B) PETITION.

(1) IF A PETITION SIGNED BY NOT LESS THAN THIRTY PERCENT (30%) OF THE REGISTERED VOTERS OF THE TOWN SHALL BE PRESENTED TO THE CLERK REQUESTING AN ELECTION TO VOTE UPON THE RECALL OF AN OFFICE HOLDER, THE CLERK SHALL FORWARD THE PETITION TO THE BOARD OF SUPERVISORS OF ELECTIONS WHO SHALL VERIFY THAT THE PETITION HAS BEEN SIGNED BY THE REQUIRED NUMBER OF REGISTERED VOTERS OF THE TOWN. EACH PERSON SIGNING THE PETITION SHALL INDICATE THEREON BOTH THE INDIVIDUAL’S NAME AND RESIDENCE ADDRESS.

(2) NO RECALL PETITION SHALL BE FILED AGAINST AN OFFICE HOLDER UNTIL THAT PERSON SHALL HAVE BEEN IN OFFICE FOR AT LEAST THREE MONTHS, NOR SHALL ANY RECALL PETITION DEAL WITH MORE THAN ONE OFFICER HOLDER.

(3) THE COUNCIL SHALL CONSIDER THE PETITION AS OF NO EFFECT IF IT IS SIGNED BY FEWER THAN THIRTY PERCENT (30%) OF THE PERSONS WHO ARE REGISTERED TO VOTE IN MUNICIPAL ELECTIONS. IF THE PETITION FAILS TO CONTAIN THE REQUIRED NUMBER OF VALID SIGNATURES, AS DETERMINED BY THE BOARD OF SUPERVISORS OF ELECTIONS, THE PETITIONERS FOR A PERIOD OF THIRTY (30) DAYS MAY SUBMIT AS AN AMENDMENT TO THEIR ORIGINAL PETITION THE ADDITIONAL NUMBER OF VALID SIGNATURES TO MEET THE REQUIREMENTS OF THIS SECTION.

(C) EFFECT OF PETITION. IF THE BOARD OF SUPERVISORS OF ELECTIONS DETERMINES THAT THE PETITION MEETS ALL THE REQUIREMENTS OF THIS SECTION, THE COUNCIL SHALL, BY RESOLUTION, SPECIFY THE DAY, THE HOURS AND PLACE FOR A SPECIAL ELECTION TO BE HELD, NOT MORE THAN FORTY-FIVE (45) CALENDAR DAYS FROM THE DATE SAID RESOLUTION IS ADOPTED. THE RESOLUTION SHALL SPECIFY THE EXACT WORDING OF THE QUESTION WHICH IS TO APPEAR ON THE BALLOT. THE BALLOT QUESTION SHALL INCLUDE THE NAME OF THE OFFICER HOLDER IN QUESTION, THE POSITION WHICH THE ELECTED

OFFICIAL HOLDS, AND SHALL REQUEST A “YES” OR “NO” VOTE AS TO REMOVAL FROM THAT OFFICE.

(D) RESULTS OF ELECTION. IF A MAJORITY OF THE REGISTERED VOTERS IN THE SPECIAL ELECTION VOTE IN FAVOR OF RECALLING THE OFFICE HOLDER IN QUESTION, UPON CERTIFICATION OF THE RESULTS OF THE ELECTION BY THE BOARD OF SUPERVISORS OF ELECTIONS, SAID OFFICE SHALL THEREUPON BE DECLARED VACANT BY THE COUNCIL AND SHALL BE FILLED BY THE COUNCIL IN THE MANNER PRESCRIBED BY § 82-32 (VACANCIES) OF THIS CHARTER.

Section 82–15. (Powers and Duties).

(a) [[The President shall see that the ordinances of the Town are faithfully executed and shall be the chief executive officer and the head of the administrative branch of the Town government.]] The [[president with the approval of the]] COUNCIL [[Board]], shall appoint the TOWN MANAGER, THE CHIEF OF POLICE AND THE DIRECTOR OF PUBLIC WORKS, WHO [[heads of all offices, departments, and agencies of the Town government as established by this charter or by ordinance. All office, department, and agency heads]] shall serve at the pleasure of the COUNCIL[[President]]. THE TOWN MANAGER MAY BE REMOVED BY A RESOLUTION APPROVED BY A VOTE OF FOUR MEMBERS OF THE MAYOR AND COUNCIL. A COPY OF SUCH RESOLUTION SHALL BE SERVED IMMEDIATELY UPON THE TOWN MANAGER.

(b) HEADS OF ALL OFFICES, DEPARTMENTS AND AGENCIES OF THE TOWN GOVERNMENT AND THEIR [[All]] subordinate officers and employees, WITH THE EXCEPTION OF THE CHIEF OF POLICE AND THE DIRECTOR OF PUBLIC WORKS, [[of the offices, departments, and agencies of the Town government]] shall be appointed and removed by the TOWN MANAGER [[President]], in accordance with rules and regulations in any merit system which may be adopted by the COUNCIL [[Board]].

(c) The TOWN MANAGER [[President]] each year shall report to the COUNCIL [[Board]] the condition of municipal affairs and make such recommendations as THE MAYOR [[he]] deems proper for the public good and the welfare of the Town.

(d) [[The President shall have supervision over the financial administration of the Town government he shall prepare or have annually a budget and [submit it to the Board. He shall supervise the administration of the budget as adopted by the Board. He shall supervise the disbursement of all monies and have control over all expenditures to assure that budget appropriation are not exceeded.]]

(e) The MAYOR [[President]] shall have such other powers and perform such other duties as may be prescribed by this charter or as may be required of him OR HER by the COUNCIL [[Board]], not inconsistent with this charter.

General Powers

Section 82–16.

(1) *(General Powers)*. The COUNCIL [[Board]] shall have the power to pass all such ordinances not contrary to the Constitution and laws of the State of Maryland or this charter as it may deem necessary for the good government of the Town; for the protection and preservation of the Town's property, rights, and privileges; for the preservation of peace and good order; for securing persons and property from violence, danger or destruction; and for the protection and promotion of the health, safety, comfort, convenience, welfare, and happiness of the residents of the Town and visitors thereto and sojourners therein.

(2) *(Specific Powers)*. The COUNCIL [[Board]] shall have, in addition, the power to pass ordinances not contrary to the laws and Constitution of this State, for the following specific purposes:

(a) *(Advertising)*. To provide for advertising for the purposes of the Town, for printing and publishing statements as to the business of the Town.

(b) *(Aisles)*. To regulate and prevent the obstruction of aisles in public halls, churches and place of amusement, and to regulate the construction and operation of the doors and means of egress therefrom.

(c) *(Amusements)*. To provide in the interest of the public welfare for licensing, regulating, or restraining theatrical or other public amusements.

(d) *(Appropriations)*. To appropriate municipal monies for any purpose within the powers of the Board.

(e) *(Auctioneers)*. To regulate the sale of all kinds of property at auction within the Town and to license auctioneers excepting that such power shall exclude authority over such sales conducted pursuant to judicial or foreclosure sales to be reported to the Circuit Court and sales made by any public official pursuant to the duties of his office.

(f) *[[Band]*. To establish a municipal band, symphony orchestra or other musical organization, and to regulate by ordinance the conduct and policies thereof.]]
(Billboards). To license, tax and regulate, restrain or prohibit the erection or maintenance of billboards within the Town, the placing of signs, bills and posters of every kind and description on any building, fence, post, billboard, pole, or other place within the Town.

(g) *(Bridges)*. To erect and maintain bridges.

(h) *(Buildings)*. To make reasonable regulations in regard to buildings and signs to be erected, constructed, or reconstructed in the Town, and to grant building permits for the same; to formulate a building code and a plumbing code and to appoint a building inspector and a plumbing inspector, and to require reasonable charges for permits and

inspections; to authorize and require the inspection of all buildings and structures and to authorize the condemnation thereof in whole or in part when dangerous or insecure, and to require that such buildings and structures be made safe or be taken down.

(i) *(Cemeteries)*. To regulate or prohibit the interment of bodies within the municipality and to regulate cemeteries.

(j) *(Codification)*. To provide for the codification of all ordinances and resolutions which have been or may hereafter be passed.

(k) *(Community Services)*. To provide, maintain, and operate community and social services for the preservation and promotion of the health, recreation, welfare, and enlightenment of the inhabitants of the Town.

(l) *(Cooperative Activities)*. To make agreements with other municipalities, counties, districts, bureaus, commissions, and governmental authorities for the joint performance of or for cooperation in the performance of any governmental functions.

(m) *(Curfew)*. To prohibit the youth of the Town from being in the streets, lanes, alleys, or public places at unreasonable hours of the night.

(n) *(Dangerous Conditions)*. To compel persons about to undertake dangerous improvements to execute bonds with sufficient sureties conditioned that the owner or contractor will pay all damages resulting from such work which may be sustained by any persons or property.

(o) *(Departments)*. To create, change, and abolish offices, departments, or agencies, other than offices, departments, and agencies established by this Charter; to assign additional functions or duties to offices, departments or agencies, established by this Charter, but not including the power to discontinue or assign to any other office, department, or agency, any function or duty assigned by this charter to a particular office, department, or agency.

(p) *(Disorderly Houses)*. To suppress bawdy houses, disorderly houses and houses of ill fame.

(q) *(Dogs)*. To regulate the keeping of dogs in the Town and to provide, whether the County does not license or tax dogs, for the licensing and taxing of the same; to provide for the disposition of homeless dogs and dogs on which no license fee or taxes are paid.

(r) *(Elevators)*. To require the inspection and licensing of elevators and to prohibit their use when unsafe or dangerous or without a license.

(s) *(Explosives)*. To regulate or prevent the storage of gunpowder, oil, or any other explosive or combustible matter; to regulate or prevent the use of firearms,

fireworks, bonfires, explosives, or any other similar things which may endanger persons or property.

(t) (*Filth*). To compel the occupant of any premises, building or outhouse situated in the Town, when the same has become filthy or unwholesome, to abate or cleanse the condition; and after reasonable notice to the owners or occupants to authorize such work to be done by the proper officers and to assess the expense thereof against such property, making it collectible by taxes or against the occupant or occupants.

(u) (*Finances*). To levy, assess, and collect ad valorem property taxes; to expend municipal funds for any public purpose; to have general management and control of the finances of the Town.

(v) (*Fire*). To suppress fires and prevent the dangers thereof and to establish and maintain a fire department; to contribute funds to volunteer fire companies serving the Town; to inspect buildings for the purpose of reducing fire hazards, to issue regulations concerning fire hazards, and to forbid and prohibit the use of fire-hazardous buildings and structures permanently or until the conditions of Town fire-hazard regulations are met; to install and maintain fire plugs where and as necessary, and to regulate their use; and to take all other measures necessary to control and prevent fires in the Town.

(w) (*Food*). To inspect and to require the condemnation of, if unwholesome, and to regulate the sale of any food products.

(x) (*Franchises*). To grant and regulate franchises to water companies, electric light companies, gas companies, telegraph and telephone companies, transit companies, taxicab companies, and any others which may be deemed advantageous and beneficial to the Town. No franchise shall be granted for longer period than fifty years.

(y) (*Gambling*). To regulate, restrain or prohibit gambling.

(aa) (*Garbage*). To prevent the deposit of any unwholesome substance either on private or public property, and to compel its removal to designated points; to require slops, garbage, ashes and other waste or other unwholesome materials to be removed to designated points, or to require the occupants of the premises to place them conveniently for removal.

(bb) (*Grants-in-Aid*). To accept gifts and grants of federal or of state funds from the federal or state governments or any agency thereof, and to expend the same for any lawful public purpose, agreeably to the conditions under which the gifts or grants were made.

(cc) (*Hawkers*). To license, tax, regulate, suppress and prohibit hawkers and itinerant dealers, peddlers, pawnbrokers and all other persons selling any articles on the streets of the Town, and to revoke such licenses for cause.

(dd) (*Health*). To protect and preserve the health of the Town and its

inhabitants; to appoint a public health officer, and to define and regulate his powers and duties; to prevent the introduction of contagious diseases into the Town; to establish quarantine regulations, and to authorize the removal and confinement of persons having contagious or infectious diseases; to prevent and remove all nuisances; to inspect, regulate, and abate any buildings, structures, or places which cause or may cause unsanitary conditions or conditions detrimental to health.

(ee) (*House Numbers*). To regulate the numbering of houses and lots and to compel owners to renumber the same or in default thereof to authorize and require the same to be done by the Town at the owner's expense, such expense to constitute a lien upon the property collectible as tax monies.

(ff) (*Jail*). To establish and regulate a station house or lock-up for temporary confinement of violators of the laws and ordinances of the Town or to use the County jail for such purpose.

(gg) (*Licenses*). Subject to any restrictions imposed by the public general laws of the State, to license and regulate all persons beginning or conducting transient or permanent business in the Town for the sale of any goods, wares, merchandise, or services, to license and regulate any business, occupation, trade, calling, or place of amusement or business; to establish and collect fees and charges for all licenses and permits issued under the authority of this charter.

(hh) (*Liens*). To provide that any valid taxes, assessments or charges made against any real property within the Town shall be liens upon such property from the date they became payable.

(ii) (*Lights*). To provide for the lighting of the Town.

(jj) (*Livestock*). To regulate and prohibit the running at large of cattle, horses, swine, fowl, sheep, goats, dogs or other animals; to authorize the impounding, keeping, sale and redemption of such animals when found in violation of the ordinance in such cases provided.

(kk) (*Markets*). To obtain by lease or rent, own, construct, purchase, operate, and maintain public markets within the Town.

(ll) (*Minor Privileges*). To regulate or prevent the use of public ways, sidewalks, and public places for signs, awnings, posts, steps, railings, entrances, racks, posting handbills and advertisement, and display of goods, wares, and merchandise.

(mm) (*Noise*). To regulate or prohibit unreasonable ringing of bells, crying of goods or sounding of whistles, horns and speakers.

(nn) (*Nuisances*). To prevent or abate by appropriate ordinance all nuisances in the Town whether the same be herein specifically named or not; to regulate, to

prohibit, to control the location of, or to require the removal from the Town of all trading in, handling of, or manufacture of any commodity which is or may become offensive, obnoxious, or injurious to the public comfort or health. In this connection the Town may regulate, prohibit, control the location of, or require the removal from the Town of such things as stockyards, junkyards, slaughterhouses, cattle or hog pens, tanneries, and renderies. This listing is by way of enumeration, not limitation.

(oo) (*Obstructions*). To remove all nuisances and obstructions from the streets, lanes and alleys and from any lots adjoining thereto, or any other places within the limits of the Town.

(pp) (*Parking Facilities*). To license and regulate and to establish, acquire by purchase, lease or other transfer, own, construct, operate, and maintain parking lots and other facilities for off street parking.

(qq) (*Parking Meters*). To install parking meters on the streets and public places of the Town in such places as by ordinance may be determined, and by ordinance prescribe rates and provisions for the use thereof, except that the installation of parking meters on any street or road maintained by the State [[Roads Commission]] of Maryland must first be approved by the STATE [[Commission]].

(rr) (*Parks and Recreation*). To establish and maintain public parks, gardens, playgrounds, and other recreational facilities and programs to promote the health, welfare, and enjoyment of the inhabitants of the Town.

(ss) (*Police Force*). To establish, operate, and maintain a police force. All Town policemen shall, within the municipality, have the powers and authority of constables in this State.

(tt) (*Police Powers*). To prohibit, suppress, and punish within the Town all vice, gambling, and games of chance; prostitution and solicitation therefor and the keeping of bawdy houses and houses of ill fame; all tramps and vagrants; all disorder, disturbances, annoyances, disorderly conduct, obscenity, public profanity, and drunkenness.

(uu) (*Property*). To acquire by conveyance, purchase or gift, real or leasehold property for any public purpose; to erect buildings and structures thereon for the benefit of the Town and its inhabitants; and to sell, lease, convey or otherwise dispose of or encumber any real or leasehold property when no longer needed for the public use, after having given at least twenty days' public notice thereof; to control, protect and maintain public buildings, grounds and property of the Town.

(vv) (*Regulations*). To adopt by ordinance and enforce within the corporate limits police, health, sanitary, fire, building, plumbing, traffic, speed, parking, and other similar regulations not in conflict with the laws of the State of Maryland or with this charter.

(ww) (*Sidewalks*). To regulate the use of sidewalks and all structures in, under or above the same; to require the owner or occupant of premises to keep the sidewalks in

front thereof free from ice, snow or other obstructions; to prescribe hours for cleaning sidewalks.

(xx) (*Sweepings*). To regulate or prevent the throwing or depositing of sweepings, dust, ashes, offal, garbage, paper, trash or handbills, dirty liquids, or other unwholesome materials into any public way or onto any public or private property in the Town.

(yy) (*Taxicabs*). To license, tax and regulate PERSONS OPERATING A MOTOR VEHICLE FOR HIRE [[public hackmen]], taxicab DRIVERS [[men, draymen, drivers, cabmen, porters and expressmen]], and all other persons pursuing like occupations.

(zz) (*Vehicles*). To regulate and license wagons and other vehicles not subject to the licensing powers of the State of Maryland.

(aaa) (*Voting Machines*). To purchase, lease, borrow, install, and maintain voting machines for use in Town elections.

(bbb) (*Savings Clause*). The enumeration of powers in this section is not to be construed as limiting the powers of the Town to the several subjects mentioned.

Section 82–17. (Exercise of Powers).

For the purpose of carrying out the powers granted in this charter, the COUNCIL [[Board]] may pass all necessary ordinances. All the powers of the Town shall be exercised in the manner prescribed by this charter, or, if the manner be not prescribed, then in such manner as may be prescribed by ordinance.

Section 82–18. (Enforcement).

To ensure the observance of the ordinances of the Town, the COUNCIL [[Board]] shall have the power to provide that violation thereof shall be a misdemeanor or municipal infraction, punishable as provided in Sec. 82–88 hereof.

Registration, Candidates and Elections

* * * *

Section 82–20. (Board of Supervisors of Elections).

There shall be a Board of Supervisors of Elections, consisting of three to five members including any additional member that may be designated to serve as an alternate or substitute member who shall act as a member of such Board in the absence of any one of the regularly-appointed members, as the Board in its sole discretion shall determine by written resolution as necessary and proper who shall be appointed by the MAYOR [[President]] with the approval of the TOWN COUNCIL [[Board of Commissioners]] on or before the second Tuesday in September in every even numbered year. The terms of members of the Board of Supervisors of

Elections shall begin on the second Tuesday in September in the year in which they are appointed and shall run for two years. Members of the Board of Supervisors of Elections shall be qualified voters of the Town and shall not hold or be candidates for any elective office during their terms of office. The Board of Supervisors of Elections shall appoint one of its members as chair[[man]], who shall vote only in case of tie when the number of appointed and seated supervisors is four regularly-appointed members. Vacancies on the said Board of Supervisors shall be filled by the MAYOR [[President]] with the approval of the TOWN COUNCIL [[Board of Commissioners]] for the remainder of the unexpired term. The compensation of the members of the said Board of Supervisors shall be determined by the TOWN COUNCIL [[Board of Commissioners]]. Notwithstanding anything herein to the contrary, the incumbent supervisors serving their terms of office as previously set to expire in November of 2021 shall instead end their terms later on the first Monday of September of 2022 or shall serve until their successors qualify.

Section 82–21. (Removal).

Any member of the Board of Supervisors of Elections may be removed for good cause by the TOWN COUNCIL [[Board of Commissioners]]. Before removal, the member of the Board of Supervisors of Elections to be removed shall be given a written copy of the charges against THE MEMBER [[him]] and shall have a [[public]] hearing on [[them]] THE CHARGES before the TOWN COUNCIL [[Board of Commissioners]] if THE MEMBER [[he]] so requests within ten days after receiving the written copy of the charges[[against him]].

* * * *

Section 82–25. (Appeal).

If any person shall feel aggrieved by the action of the Board of Supervisors of Elections in refusing to register or in striking off the name of any person, or by any other action, such person may appeal to the TOWN COUNCIL [[Board of Commissioners]]. Any decision or action of the TOWN COUNCIL [[Board of Commissioners]] upon such appeals may be appealed to the Circuit Court for Prince George’s County within thirty days of the decision or action of the TOWN COUNCIL [[Board of Commissioners]].

Section 82–26. (Candidates).

Any person qualified to hold the office of COUNCIL MEMBER [[Commissioner]] and desiring to be a candidate for such office shall file with THE TOWN CLERK [[one of the Supervisors of Elections]] a written statement to that effect on or before the second Monday in October next preceding the election at which THAT PERSON [[he]] desires to be a candidate or THAT PERSON’S [[his]] name shall not be printed on the ballot.

The name of any qualified person may be certified for candidacy and shall be printed on the ballot upon receipt of the aforementioned written statement of candidacy and a petition of 10 or more qualified voters of said Town filed with THE TOWN CLERK [[one of the Supervisors of Elections]] on or before the second Monday in October next preceding the election or his/her name shall not be printed on the ballot. The written statement of candidacy and the nominating

petition may be filed separately or together provided they are both received no later than the second Monday in October.

Section 82–27. (Election of the Board of Commissioners).

On the first Tuesday in November in 2025 [[and every odd numbered year]], the qualified voters of the Town shall elect five persons as COUNCIL MEMBERS [[Commissioners]], THREE OF WHICH TO SERVE A FOUR YEAR TERM AND TWO OF WHICH TO SERVE A TWO YEAR TERM. [[to serve for term of two years or until their successors qualify.]] THE THREE CANDIDATES RECEIVING THE HIGHEST NUMBER OF VOTES SHALL BE ELECTED TO A FOUR YEAR TERM AND THE TWO CANDIDATES RECEIVING THE NEXT HIGHEST NUMBER OF VOTES SHALL BE ELECTED TO A TWO YEAR TERM.

ON THE FIRST TUESDAY IN NOVEMBER IN 2027 AND EVERY FOURTH YEAR THEREAFTER, THE QUALIFIED VOTERS OF THE TOWN SHALL ELECT TWO PERSONS AS COUNCIL MEMBERS TO SERVE A TERM OF FOUR YEARS. THE TERM OF OFFICE FOR THE TWO COUNCIL MEMBERS SO ELECTED SHALL EXPIRE ON THE SECOND MONDAY IN DECEMBER FOLLOWING THE ELECTION AND EVERY FOURTH YEAR THEREAFTER.

ON THE FIRST TUESDAY IN NOVEMBER IN 2029 AND EVERY FOURTH YEAR THEREAFTER, THE QUALIFIED VOTERS OF THE TOWN SHALL ELECT THREE PERSONS AS COUNCIL MEMBERS TO SERVE A TERM OF FOUR YEARS. THE TERM OF OFFICE FOR THE THREE COUNCIL MEMBERS SO ELECTED SHALL EXPIRE ON THE SECOND MONDAY IN DECEMBER FOLLOWING THE ELECTION AND EVERY FOURTH YEAR THEREAFTER.

ALL ELECTED COUNCIL MEMBERS SHALL SERVE UNTIL THEIR SUCCESSORS QUALIFY.

Section 82–28. (Conduct of Elections).

It shall be the duty of the Board of Supervisors of Elections to provide for each special and general election a suitable place or places for voting and suitable ballot boxes and ballots or voting machines. In each general election, the ballots or voting machines shall show the name of each candidate, arranged in alphabetical order with no party designation of any kind and shall indicate in such terms as may by said Board be deemed appropriate, THE COUNCIL MEMBERS [[that three Commissioners are to]] be elected. The ballots and/or voting machines shall also provide a space or spaces to permit the voter to write in name or names of additional persons. The Board of Supervisors of Elections shall keep the polls open for a minimum of twelve (12) hours, such time to be selected and announced by the said Board of Supervisors of Elections, provided that these hours fall between 7:00 a.m. and 9:00 p.m.

Section 82–29. (Special Elections).

All special Town elections shall be conducted by the Board of Supervisors of Elections in the same manner and with the same personnel, as far as practicable, as regular Town elections. In the event a special election is required pursuant to Section 82–32, the said special election shall be held not less than thirty (30) days and not more than forty–five (45) days after the vacancy is created. The newly elected COUNCIL MEMBER [[Commissioner]] shall take office on the second Monday of the month following the special election. The vote count of a special election for COUNCIL [[Commissioner]] shall be the same as provided under Section 82–30 of this Charter, as amended.

Section 82–30. (Vote Count).

After the closing of the polls, the Board of Supervisors of Elections shall determine the vote cast for each candidate or question and shall, no later than 12:00 Noon on the Thursday immediately following the election, certify the results of the election to the clerk of the Town who shall record the results in the minutes of the TOWN COUNCIL [[Board of Commissioners]]. The [[five]] candidates for COUNCIL [[Commissioners]] receiving the highest number of votes FOR THE OPEN POSITIONS in a general election shall be declared elected.

* * * *

Section 82–32. (Vacancies).

(a) In case of a vacancy on the TOWN COUNCIL [[Board of Commissioners]] and the remaining term of the COUNCIL MEMBER’S [[Commissioner’s]] seat that is vacated is less than half of the term for which the COUNCIL MEMBER [[Commissioner]] was elected, the remaining COUNCIL MEMBERS [[Commissioners]] shall appoint a qualified resident to fill the vacancy. (See Town Charter, § 82-4 (Qualifications of COUNCIL MEMBERS [[Commissioners]])). The appointment must be made withing 45 days of the occurrence of the vacancy and shall be for the remainder of the current term. The vacancy shall be filled by public solicitation of applications. The swearing-in of an appointee shall take place at the earliest available town meeting after an appointment has been made. The swearing-in shall mark the date at which an appointee becomes a full member of the TOWN COUNCIL [[Board of Commissioners]] with all attendant powers and duties.

(1) Public Solicitation of Applications.

(A) Appointment of a successor is made by public solicitation of applications and the vacancy shall be advertised on the Town website and by way of a special mailing and/or other suitable means of public outreach within five (5) business days of the public announcement of the vacancy. The public notice shall state the deadline for submitting applications and the qualifications for serving on the TOWN COUNCIL [[Board of Commissioners]]. All applications shall have a supporting petition attached with the signatures of at least twenty (20) qualified voters of the Town.

(B) After the deadline for submissions has passed, the TOWN COUNCIL [[Board of Commissioners]] shall set a date for interviewing the applicants who are eligible to serve as a COUNCIL MEMBER [[Commissioner]]. The interviews shall be conducted individually in executive session, which may be held either during or after a regularly scheduled meeting or work session, or a special meeting called for this purpose. Selection of the preferred candidate shall be made in executive session and announced at the next town meeting and/or by other suitable means of public outreach, as needed.

(b) Special Election. In the event a vacancy occurs on the TOWN COUNCIL [[Board of Commissioners]] and the remaining term of the vacant seat on the TOWN COUNCIL [[Board of Commissioners]] is more than half of the COUNCIL MEMBER’S [[Commissioner’s]] term, the Board of SUPERVISORS OF ELECTIONS [[Election Supervisors]] shall call a special election in accordance with Town Charter, §[[Sec.]] 82-29 (Special Elections). The Special Election shall not be held sooner than 30 days and not later than 45 days after the occurrence of the vacancy. A public notice of the special election shall be given as soon as feasible by a special mailing and/or by other suitable means of public outreach.

(c) Multiple Town Council Vacancies.

(1) In the event a second Town COUNCIL [[Commissioner]] vacancy occurs within three months of the first vacancy, the Town COUNCIL [[Commissioner]] may offer the vacant seat to any of the other applicants for the first vacancy without initiating a new round of public solicitation of applications.

(2) If more than one vacancy occurs within five (5) business days of the public announcement of an initial Town COUNCIL [[Commissioner]] vacancy, the COUNCIL [[Board]] shall call a special election, which shall not be held sooner than 30 days and not later than 45 days after the occurrence of the vacancy, in compliance with Town Charter § 82-29.

(d) Any vacancy in the office of the MAYOR [[President]] shall be filled by the favorable votes of a majority of the members of the COUNCIL [[Board]]. The results of any such votes shall be recorded in the minutes of the COUNCIL [[Board]].

* * * *

Section 82–34. (Regulation and Control).

The TOWN COUNCIL [[Board of Commissioners]] shall have the power to provide by ordinance in every respect not covered by the provisions of this Charter for the conduct of registration, candidacy and elections and for the prevention of fraud in connection therewith, and for a recount of ballots in case of doubt or fraud.

* * * *

Finance

Section 82–36. (CHIEF FINANCIAL OFFICER [[Treasurer]]).

[[There shall be a treasurer appointed by the President with the approval of the Board. He shall serve at the pleasure of the President. His compensation shall be determined by the Board]]. The TOWN MANAGER [[treasurer]] shall be the chief financial officer of the Town. The financial powers of the Town, except as otherwise provided by this Charter, shall be exercised by the TOWN MANAGER [[treasurer]] under the direct supervision of the MAYOR [[President]]. [[The treasurer appointed may be a member of the Board]].

Section 82–37. (Powers and Duties of the TOWN MANAGER [[Treasurer]]).

Under the supervision of the MAYOR [[President]], the TOWN MANAGER [[treasurer]] shall have authority and shall be required to:

- (a) Prepare [[at the request of the President]] an annual budget to be submitted by the TOWN MANAGER [[President]] to the COUNCIL [[Board]].
- (b) Supervise and be responsible for the disbursement of all monies have control over all expenditures to assure that budget appropriations are not exceeded.
- (c) Maintain a general accounting system for the Town in such form as the COUNCIL [[Board]] may require, not contrary to State law.
- (d) Submit at the end of each fiscal year, and at such other times as the COUNCIL [[Board]] may require, a complete financial report to the Board.
- (e) Ascertain that all taxable property within the Town is assessed for taxation.
- (f) Bill for and collect all taxes, special assessments charges, license fees, liens, and all other revenues (including utility revenues) of the Town, and all other revenues for whose collections the Town is responsible, and receive any funds receivable by the Town.
- (g) Have custody of all public monies belonging to or under the control of the Town, except as to fines in the control of any set of trustees, and have custody of all bonds and notes of the Town.
- (h) Do such other things in relation to the fiscal or financial affairs of the Town as the COUNCIL [[Board]] may require or as may be required elsewhere in this Charter.

Section 82–38. (Bond[[of Treasurer]]).

The TOWN MANAGER [[treasurer]] shall provide a bond with such corporate surety and in such amount as the COUNCIL [[Board]] by ordinance may require.

* * * *

Section 82–40. (Budget).

The TOWN MANAGER [[President]] on such date as the COUNCIL [[Board]] shall determine, but at least thirty days before the beginning of any fiscal year, shall submit a budget to the COUNCIL [[Board]]. 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. The budget shall be a public record in the office of the TOWN MANAGER [[treasurer]], open to public inspection during normal business hours.

Section 82–41. (Budget Adoption).

Before adopting the budget the COUNCIL [[Board]] may hold a public hearing thereon upon such notice as may be deemed appropriate. The COUNCIL [[Board]] may increase, decrease or eliminate any item in the budget and may add new items thereto. The budget shall be adopted in the form of an ordinance. A favorable vote of at least a majority of the total elected membership of the COUNCIL [[Board]] shall be necessary for adoption.

Section 82–42. (Appropriations).

No public money may be expended without having been appropriated by the COUNCIL [[Board]]. 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.

Section 82–43. (Transfer of Funds).

Any transfer of funds between major appropriations for different purposes by the TOWN MANAGER [[President]] must be approved by the COUNCIL [[board]] before becoming effective.

* * * *

Section 82–45. (Appropriations Lapse After One Year; Reserve Funds).

(A) Except for appropriations for any reserve fund created pursuant to this Section, all appropriations shall lapse at the end of the budget year to the extent that they shall not have been expended or lawfully encumbered. Except as stated herein, any unexpended and unencumbered funds shall be considered as surplus at the end of the budget year and shall be included among the anticipated revenues for the next succeeding budget year. An appropriation for a reserve fund or similar non-lapsing fund shall continue in force until expended, revised or repealed, or the entire fund is dissolved with any surplus or unexpended funds to be transferred to the general fund.

(B) A reserve fund or funds may be established by ordinance, such reserve funds may be used

from time to time for such purposes as (i) capital expenditures, i.e., equipment, facilities, and acquisition, street construction and the like, (ii) to guarantee the temporary continuation of services, directly affected by a loss of supporting budgeted revenues, (iii) to provide for long term investments, and (iv) to provide disaster or emergency relief for residents, property owners, and businesses of the Town of Upper Marlboro. A favorable vote of at least a majority of the entire COUNCIL [[Board]] shall be necessary for the adoption or repeal of any ordinance creating such a reserve fund.

Section 82–46. (Checks).

Except as otherwise stated herein, all checks issued in payment of salaries or other municipal obligations shall be issued and signed by the TOWN MANAGER [[treasurer]]. The COUNCIL [[Board]] may further designate from time to time by ordinance or written resolution those person(s) in addition to the TOWN MANAGER [[treasurer]] who shall be authorized to sign checks issued on behalf of the Town when the need arises and the TOWN MANAGER [[treasurer]] is unavailable. Additional person(s) authorized to sign checks shall be bonded. The COUNCIL [[Board]] shall establish by ordinance or resolution a dollar amount above which all checks made payable by the Town shall be issued and signed by two persons, the TOWN MANAGER [[treasurer]] and the MAYOR [[President]], or in either or both of their unavailability or incapacities, two other persons who shall be designated from time to time by resolution or ordinance of the COUNCIL [[Board]], which at least one of whom shall be a COUNCIL MEMBER [[Commissioner]].

* * * *

Section 82–48. (Tax Levy).

On or before the thirtieth day of June in each and every year, the COUNCIL [[Board]] shall determine the tax rate for the ensuing fiscal year, which determination shall constitute the tax levy for such year.

* * * *

Section 82–50. (Sale of Tax Delinquent Property).

A list of all property on which the Town taxes have not been paid and which are in arrears as provided by Section 82–49 of this Charter shall be turned over by the TOWN MANAGER [[treasurer]] to the official of the County responsible for the sale of tax delinquent property as provided in State law. All property listed thereon shall, if necessary, be sold for taxes by this County official, in the manner prescribed by State law.

* * * *

Section 82–53. (Authorization To Borrow Money).

Notwithstanding any other provisions or limitation of public general or public local law, the Town shall have the power to borrow money for any public purpose and to evidence such borrowing by the issue and sale of its general obligation bonds, or notes issued in anticipation thereof, and shall likewise have authority to borrow money in anticipation of the receipt of current taxes and to evidence such borrowing by the issuance and sale of its tax anticipation notes, payable as to principal and interest from said taxes when received, all in the manner prescribed in TITLE 19, SUBTITLE 3 OF THE LOCAL GOVERNMENT ARTICLE [[Section 31–37, inclusive, of Article 23A]] of the Annotated Code of Maryland (1957 Edition, as amended) [[title “Municipal Corporations”, sub–title “Home Rule”, subheading “Creation of Municipal Public Debt”]], provided, however, that no referendum shall be necessary for any issue of bonds made pursuant to the authority contained in this section so long as the total indebtedness of the Town shall not exceed 2% of the assessable base of real property located within said Town, and provided further that if the ordinance or ordinances authorizing the issuance and sale of any such bonds or notes shall so specify, said bonds or notes may be sold at private sale, without advertisement or publication of notice of sale or solicitation of competitive bids. In the event the COUNCIL [[Board]] considers it desirable to borrow in excess of the 2% limitation aforesaid, the ordinance proposing such exercise of borrowing power shall provide therein for a referendum if the same is petitioned by 20% of the qualified voters within 40 days of the adoption of said ordinance. In the event there is no petition for a referendum, the 2% debt limitation shall not apply except at no time shall the total indebtedness of the Town exceed 10% of the assessable base of real property located within said Town.

Section 82–53A. (Borrowing).

(a) In addition to any other borrowing powers which the Town of Upper Marlboro may possess (from whatever source derived) and notwithstanding any other provision of the Charter of the Town or limitation of law (to the extent such limitation may be removed or modified by this Charter provision), the Town shall have the power, by resolution or ordinance adopted from time to time, to borrow money to finance the cost (as defined herein) or projects for the accomplishment of any of the purposes, objects and powers of the Town of Upper Marlboro and in connection therewith to issue its revenue bonds, notes or other obligations (including revenue refunding bonds, notes or other obligations as provided in this section). The term “cost” shall include, but not be limited to, the cost of (i) acquiring, by lease or by purchase or otherwise, all interests in property in connection therewith; (ii) financial, architectural, consulting, engineering or legal services; (iii) plans, specifications, surveys, estimated or feasibility reports; (iv) development of the property, including, without limitation, grading, road construction, and installation of water, sewers, storm drains and other utilities; (v) erection of structures, including labor, materials, equipment and administrative expenses, and any other expenses incidental thereto. Such revenue bonds shall not be general obligations of the Town of Upper Marlboro but shall be payable as to principal, interest and premium (if any) solely from and secured solely by a pledge of the tolls, receipts, rentals, and any other revenues of any type and kind whatsoever realized from or in connection with the project being financed. Such security may include, without in any way limiting the generality of the foregoing, a pledge of the revenues realized from the property, facilities, developments and improvements being

financed by the revenue bonds and from existing facilities to which such new property, facilities, developments and improvements are related. The revenue bonds may be further secured by mortgage, pledge, assignment, or creation of any security interest of any kind and nature whatsoever as, in the judgment of the TOWN COUNCIL [[Commissioners of the Town]], shall be appropriate.

Such revenue bonds shall not constitute an indebtedness of the Town of Upper Marlboro to which its faith and credit or taxing power are pledged, nor shall such bonds constitute a debt of the Town within the meaning of any constitutional, statutory or charter provision, and all such revenue bonds shall contain on their face a statement to that effect.

All revenue bonds, revenue refunding bonds, revenue bond anticipation notes, and other obligations issued by the Town in accordance with this section shall have and possess all the attributes of negotiable instruments [[as provided in Section 8 of Article 31 of the Annotated Code of Maryland]], in accordance with TITLE 19 OF THE LOCAL GOVERNMENT ARTICLE [[Section 35 of Article 23A]] of the Annotated Code of Maryland. As also provided by TITLE 19 OF THE LOCAL GOVERNMENT ARTICLE [[Section 35 of Article 23A]], the principal of and interest on any such revenue bonds, revenue refunding bonds, revenue bond anticipation notes or other obligations shall be and remain exempt from taxation of any kind or nature whatsoever by the State of Maryland and by any county, municipal corporation or other political subdivision thereof.

(b) The Town shall have absolute discretion by resolution or ordinance to determine with respect to the revenue bonds of any issue: (i) The date or dates of issue; (ii) The date or dates and amount or amounts of maturity, provided only that no revenue bond or any issue shall mature later than (40) years from the date of its issue; (iii) The rate or rates of interest payable thereon and the date or dates of such payment; (iv) The form or forms, denomination or denominations, manner of execution (which may be facsimile) and the place or places of payment thereof, and of the interest thereon, which may be at any bank or trust company within or without this state; (v) Whether such revenue bonds or any part thereof shall be made redeemable before maturity and, if so, upon what terms, conditions and prices; (vi) Provisions for issuance in coupon or in registered form, or both, and for the registration of the principal only of revenue bonds having coupons attached, and for the reconversion of revenue bonds into coupon form if any such revenue bonds have been registered as to both principal and interest and for the replacement of revenue bonds which become mutilated or are lost or destroyed; and (vii) Any other matter relating to the form, terms, conditions, issuance and sale and delivery thereof.

(c) In case any officer whose signature or a facsimile of whose signature appears on any revenue bonds or coupons shall cease to be such officer before the delivery of such revenue bonds, such signature or facsimile shall nevertheless be valid and sufficient for all purposes the same as if THE OFFICER [[he]] had remained in office until such delivery.

(d) If the ordinance or ordinances authorizing the issuance of such revenue bonds shall so specify, such bonds may be sold at private sale without advertisement or publication of notice of sale or solicitation or competitive bids.

(e) If the proceeds of the revenue bonds of any issue shall, by reason of increased construction costs or error in estimates or otherwise, be less than the amount required for the purpose for which such revenue bonds are authorized, additional bonds may be like manner be issued to provide the amount of such deficiency and shall (if the authorizing resolution or ordinance for the revenue bonds first issued shall so provide or permit) be deemed to be of the same issue and shall be entitled to payment from the same fund without preference or priority of the revenue bonds first issued. If the proceeds of such revenue bonds shall exceed the amount so required, such excess shall be deposited to the credit of any reserve fund for such revenue bonds or, if so provided in any trust agreement securing such revenue bonds, may be applied to the cost of any additional project.

(f) The Town may also provide by resolution or ordinance for the issuance and sale of its revenue refunding bonds for the purpose of refunding any revenue bonds issued under the provisions of this section, including the payment of any redemption premium thereon and any interest accrued or to accrue to the date of redemption of such revenue bonds, and, if deemed advisable by the Town, for such additional purposes as may be provided or permitted by the authorizing resolution or ordinance for the revenue bonds being refunded. The issuance of such revenue refunding bonds and the details thereof, the rights of the holders thereof, and the rights, duties and obligations of the Town in respect thereto, shall be governed by the provisions of this section relating to revenue bonds, insofar as they may be applicable.

(g) The Town may also provide by resolution or ordinance: (i) for the issuance, prior to the preparation of definitive bonds, of interim certificates or temporary bonds, with or without coupons, exchangeable for definitive bonds when such definitive bonds have been executed and are available for delivery; and/or (ii) for the issuance and sale of its revenue bond anticipation notes, the principal of, interest on and premium (if any) on said notes to be made payable to the bearer or registered holder thereof out of the first proceeds of sale of any revenue bonds issued under this section. Revenue bond anticipation notes may be issued in series as funds are required and provision may be made for renewal of such notes at maturity with or without resale. The issuance of such notes and the details thereof, the rights of the holders thereof, and the rights, duties and obligations of the Town in respect thereto, shall be governed by the same provisions of this section relating to the issuance of revenue bonds in anticipation of the sale of which the notes were issued, insofar as those provisions may be applicable.

(h) (i) Revenue bonds issued under the provisions of this section may be secured by a trust agreement by and between the Town and a corporate trustee, which may be any trust company, or bank having trust powers, within or without the State. Such trust agreement may pledge or assign all or any part of the revenues from or arising in connection with any of the property, facilities or projects of the Town related to the undertaking being financed. Any such trust agreement, or resolution or ordinance authorizing the issuance of revenue bonds, may contain such provisions for the protection and enforcement of the rights and remedies of bondholders as may be deemed reasonable and proper, including covenants setting forth the duties of the Town in relation to the financing or development of any undertaking of the Town and the extension, enlargement, improvement, maintenance, operation, repair and insurance of any undertaking of the Town and the custody, safeguarding and application of moneys. Such

trust agreement may set forth the rights and remedies of the bondholders and of the trustee and may restrict the individual right of action by bondholders. Such trust agreement may contain such other provisions as the Town may deem reasonable and proper for the security of the bondholders, including, without limitation, covenants pertaining to the issuance of additional parity revenue bonds upon conditions stated therein consistent with the requirements of this section. All expenses incurred in carrying out the provisions of any such trust agreement may be treated as a part of the cost of financing the undertaking of the Town in connection with which such revenue bonds have been issued.

(ii) Revenue bonds issued under the provisions of this section may be additionally secured by the pledge, mortgage, assignment, or creation of other security interest or right in, any project, the revenues derived from a project, or from any existing facilities to which such project is related.

(iii) The proceeds of the sale of revenue bonds shall be paid to the trustee under any trust agreement securing such revenue bonds and shall be disbursed in such manner and under such restrictions, if any, as may be provided in such trust agreement.

(i) Any holder of revenue bonds issued under this section or of any coupons thereto appertaining, and the trustee, except to the extent the rights herein given may be restricted by the trust agreement, may, either at law or in equity, by suit, action, mandamus or other proceedings, protect and enforce any and all rights under the laws of this State or granted hereunder or under the trust agreement or the resolution or ordinance authorizing the issuance of such revenue bonds, and may enforce and compel the performance of all duties required by this section or by the trust agreement to be performed by the Town or by any officer thereof, including the fixing, charging and collecting of rentals, rates, fees, tolls and other charges.

(j) No referendum shall be necessary for any issue of revenue bonds made pursuant to the authority contained in this section.

(k) If any part or parts of this section of the Charter shall be held to be illegal or unconstitutional, the illegality or unconstitutionality shall not affect the validity of the remaining parts of this section. The MAYOR [[President]] and TOWN COUNCIL [[Board of Commissioners]] of Upper Marlboro hereby declare that they would have passed the remaining parts of this section if they had known that the part or parts thereof would be declared illegal or unconstitutional.

Section 82–53B. (Parking Facility).

(a) Without in any way limiting the generality of Section 82–53A, the Town of Upper Marlboro shall have the power to establish a parking facility within its corporate limits and, in connection therewith, to exercise any and all of its powers from whatever source derived, together with the power (without in any way limiting the generality of the foregoing):

(i) To finance (in such manner as it may deem appropriate including, without limitation, the issuance of its revenue bonds in accordance with the provisions of Section 82–

53A of the Charter) the cost of establishing the parking facility, including, without limitation, the acquisition and development of the land on which the parking facility will be situated, the acquisition and construction of the parking facility structure, and the acquisition and construction of all necessary appurtenant structures, roads, approaches and other facilities necessary or reasonably related to such parking facility.

(ii) To purchase or to lease from any person, firm or corporation (including, without limitation, any governmental entity) the land on which the parking facility is to be situated;

(iii) To appoint any person, firm, or corporation (including without limitation, any governmental entity) as its agent for planning and construction of the parking facility, including without limitation; (A) contracting for financial, architectural, consulting, engineering or legal services; (B) developing plans, specifications, surveys, estimates or feasibility reports; (C) developing the site, including, without limitation, grading, road construction, and installation of water, sanitary sewers and storm sewers, and other utilities; (D) contracting for labor, materials and equipment and administrative services required for construction of the parking facility; and (E) supervising the construction of the parking facility and taking all actions necessary to place it in operation;

(iv) To lease to any person, firm or corporation (including, without limitation, any governmental entity) all or any part of the completed parking facility or the land on which it is situated, or both;

(v) To sublease from, or to otherwise contract with, any person, firm or corporation (including, without limitation, any governmental entity), upon such terms as the town deems appropriate, for space within the parking facility for such public purposes as the TOWN COUNCIL [[Board of Commissioners of the Town]] may deem appropriate;

(vi) To fix, revise, charge and collect fees, rents and other charges of any kind and nature whatsoever from any firm, person or corporation (including, without limitation, any governmental entity) leasing or otherwise using all or any part of the parking facility and to make mandatory the payment of such fees, rents and charges; and

(vii) To convey all of its right, title and interest in the parking facility and/or the land on which it is situated to any person, firm or corporation (including, without limitation, any governmental entity), at such times and upon such terms as the TOWN COUNCIL [[Board of Commissioners]] may deem appropriate.

(b) Without in any way limiting the generality of the foregoing, the Town shall have the power to convey, assign, mortgage, pledge, or otherwise transfer its interest in all or any part of the parking facility (including, without limitation, its right to receive fees, rents, charges and any other revenues of any kind and nature whatsoever in connection with the parking facility) as security for the revenue bonds, notes, or other obligations issued under Section 82–53A of the Charter to finance the cost of such parking facility.

(c) It is the purpose and intent of this section to authorize the Town of Upper Marlboro to undertake the acquisition and construction of a parking facility in order to relieve the serious shortage of adequate parking facilities within the corporate limits of the Town of Upper Marlboro, particularly in view of the construction of the county office building in the Town of Upper Marlboro. It is hereby found and determined that the acquisition and construction of a parking facility by the Town of Upper Marlboro, by itself or acting in conjunction with any other person, firm or corporation (including, without limitation, any governmental entity) will serve the essential public purposes of (i) relieving traffic congestion within the corporate limits of the Town of Upper Marlboro; (ii) providing adequate parking facilities to accommodate the existing parking needs of the Town of Upper Marlboro and parking needs resulting from the construction of the new county office building; (iii) facilitating the free flow of traffic within the Town of Upper Marlboro; and (iv) thus promoting the public health, welfare and safety of the residents of the Town of Upper Marlboro.

It is the purpose and intent of this section to authorize the Town of Upper Marlboro to accomplish the acquisition or construction of a parking facility in conjunction with Prince George's County, Maryland, or in any other way which the TOWN COUNCIL [[Board of Commissioners]] of Upper Marlboro may deem appropriate. In connection with such acquisition and construction, it shall not be necessary or required, notwithstanding any other provision of the Charter of the Town of Upper Marlboro:

(i) To take competitive bids in connection with the acquisition of land or the acquisition and construction of the parking facility or otherwise in connection with the parking facility project, or

(ii) To conduct any referendum in connection therewith; provided, however, that the Commissioners of Upper Marlboro shall determine, by resolution or ordinance, that the procedures adopted for the acquisition and construction of the parking facility are in the best interests of the citizens of Upper Marlboro.

(d) If any part or parts of this section of the Charter shall be held to be illegal or unconstitutional, the illegality or unconstitutionality shall not affect the validity of the remaining parts of this section. The MAYOR [[President]] and TOWN COUNCIL [[Board of Commissioners]] of Upper Marlboro hereby declare that they would have passed the remaining parts of this section if they had known that the part or parts thereof would be declared illegal or unconstitutional.

Section 82-54. (Payment of Indebtedness).

The issuance or sale of general obligation bonds, or notes in the anticipation thereof, or tax anticipation notes, authorized by Section 82-53 hereof shall constitute a pledge of the full faith and credit of the Town to the prompt payment, when due, from ad valorem taxes and such other revenues as may be described in the authorizing ordinance or ordinances, of the principal of and interest on such bonds or notes. The maturing principal of and interest on any general obligation bonds may be paid in whole or in part, from the proceeds of such benefit assessments or charges, or any combination thereof, as the COUNCIL [[Board]] may impose and collect

during the life of said bonds, power and authority so to do being hereby specifically granted where appropriate to the public purpose for which said bonds may be issued, notwithstanding any limitation contained in this Charter or in any other law; but, in any event, the Town shall, if and when necessary, annually levy upon all property subject to taxation within its corporate limits ad valorem taxes sufficient to provide for the payment of the maturing principal of and interest on any such bonds or notes, without limitation as to rate or amount notwithstanding the limitation of any other law, and the issuance and sale of any such bonds or notes shall constitute a covenant to that effect.

* * * *

Section 82–56. (Purchasing and Contracts).

All purchases and contracts for the Town government shall be authorized by the COUNCIL [[Board or the President]] as provided herein. The TOWN MANAGER [[President]], as prescribed by ordinance, may be authorized to make individual purchases and execute contracts up to \$10,000 in cost so long as the duration of the purchase or contract is one year or less without prior COUNCIL [[Board]] approval if such contracts or purchases were previously authorized by a budget ordinance or approved within any detailed budget documents supporting said budget ordinance. The COUNCIL [[Board]] shall provide by ordinance for rules and regulations regarding the use of sealed competitive bidding, request for proposals, negotiated proposals, negotiated bids and other forms of bids or offers, and any other contractual matters as appropriate, for all Town purchases and contracts in keeping with good procurement practices and fiscal responsibility. All expenditures for contracts and purchases with an anticipated cost of more than \$75,000 shall be subject to a competitive procurement process determined by the COUNCIL [[Board]] unless the COUNCIL [[Board]], by supermajority vote of the full COUNCIL [[Board]], finds another method of procurement, as prescribed by ordinance, to be more advantageous. The TOWN MANAGER [[Board]] shall advertise for competitive sealed bids or another method of procurement in such manner as shall be prescribed by ordinance for all such competitive or other methods of procurement. Competitively procured contracts shall be awarded to the bidder or offer who offers the lowest or best bid, quality of goods and work, time of delivery or completion, and responsibility of bidders or offerors being considered. All such competitively procured and other contracts EXCEEDING [[exceed]] \$75,000 shall be in writing and approved by the COUNCIL [[Board]] before becoming effective. The COUNCIL [[Board]] shall have the right to reject all bids, proposals or offers and re-advertise. The Town, at any time in its discretion, may employ its own force for the construction or reconstruction of public improvements without advertising for (or re-advertising for) or receiving bids or offers. All contracts may be protected by such bonds, penalties and conditions as the Town may require.

Personnel

Section 82–57. (Clerk to the COUNCIL [[Board]]).

There shall be a clerk to the COUNCIL [[Board]]. The clerk shall be appointed by the

TOWN MANAGER [[President with the approval of the Board]and shall serve at the pleasure of the President]]. The clerk shall attend every meeting of the COUNCIL [[Board]] and keep a full and accurate account of the proceedings of the COUNCIL [[Board]]. The clerk shall keep such other records and perform such other duties as may be required by this Charter or the COUNCIL [[Board]]. In the event that the clerk cannot be present for any meeting or meetings of the COUNCIL [[Board]], the TOWN MANAGER [[clerk]] shall have the authority[, with the Board’s]approval[,] to assign the responsibility of attending said Board meeting(s), and the taking of minutes, to a town administrative staff member as a temporary alternate. The clerk to the COUNCIL [[Board]] shall be identified either as [[the Clerk to the Board or]] the Town Clerk.

Section 82–58. (Town Attorney).

The MAYOR [[President]] with the approval of the COUNCIL [[Board]] may appoint a Town Attorney. The Town Attorney shall be a member of the bar of the Maryland SUPREME COURT [[Court of Appeals]]. The Town Attorney shall be the legal adviser of the Town and shall perform such duties in this connection as may be required by the COUNCIL [[Board]] or the MAYOR [[President]]. THE TOWN ATTORNEY’S [[His]] compensation shall be determined by the COUNCIL [[Board]]. The Town shall have the power to employ such other legal consultants as it deems necessary from time to time.

* * * *

Section 82-59A. (Town MANAGER[[Administrator]]).

The MAYOR [[President]], with the approval of the COUNCIL [[Board]], SHALL [[may]] appoint an officer of the Town by ordinance or resolution who shall hold the title of Town MANAGER [[Administrator]] and shall have the powers and perform the duties as may be provided by THE CHARTER AND any applicable ordinances or resolutions of the Town. THE TOWN MANAGER SHALL SEE THAT THE ORDINANCES OF THE TOWN ARE FAITHFULLY EXECUTED AND SHALL BE THE CHIEF EXECUTIVE OFFICER AND THE HEAD OF THE ADMINISTRATIVE BRANCH OF THE TOWN GOVERNMENT. [[Under the Supervision of the President,]] THE [[the]] Town MANAGER [[Administrator]] shall coordinate and guide the administration of all departments, offices and agencies of the Town, except as otherwise provided by this Charter or by law. Neither the MAYOR [[President]] nor any COUNCIL MEMBER [[Town Commissioner]] shall received such appointment during the term for which he or she shall have been elected, nor within one year after expiration of said term. [[, n]]Notwithstanding anything elsewhere in this Charter to the contrary, the Town MANAGER [[Administrator]] shall be considered subordinate to the COUNCIL [[Board]], and an at-will employee serving at the pleasure of the COUNCIL [[Board]].

Section 82-59B. (Chief of Police).

The MAYOR [[President]], with the approval of the COUNCIL [[Board]], may appoint an officer of the Town by ordinance or resolution who shall hold the office of Chief of Police. The Chief of Police shall assist the TOWN MANAGER [[President]] in the establishment and

maintenance of a police department. The power to manage and operate the Town’s police department shall be vested in the Chief of Police, subject to approval and oversight by the COUNCIL [[President and Board of Town Commissioners]]. It shall be the function of the Upper Marlboro Police Department to enforce the laws of the Town and, when appropriate and lawful, the laws of Prince George’s County and the State of Maryland. The Chief of Police shall ensure that the police department adequately and competently fulfills its function.

SECTION 82-59C. (DIRECTOR OF PUBLIC WORKS).

THE MAYOR, WITH APPROVAL OF THE COUNCIL, MAY APPOINT AN OFFICER OF THE TOWN BY ORDINANCE OR RESOLUTION WHO SHALL HOLD THE OFFICE OF DIRECTOR OF PUBLIC WORKS. THE DIRECTOR OF PUBLIC WORKS SHALL ASSIST THE TOWN MANAGER IN THE ESTABLISHMENT AND MAINTENANCE OF A DEPARTMENT OF PUBLIC WORKS. THE POWER TO MANAGE AND OPERATE THE TOWN’S DEPARTMENT OF PUBLIC WORKS SHALL BE VESTED IN THE DIRECTOR OF PUBLIC WORKS, SUBJECT TO APPROVAL AND OVERSIGHT BY THE COUNCIL. IT SHALL BE THE FUNCTION OF THE UPPER MARLBORO DEPARTMENT OF PUBLIC WORKS TO OVERSEE ALL PUBLIC FACILITIES IN THE TOWN. THE DIRECTOR OF PUBLIC WORKS SHALL ENSURE THAT THE DEPARTMENT OF PUBLIC WORKS ADEQUATELY AND COMPLETELY FULFILLS ITS FUNCTION.

* * * *

Water and Sewers

* * * *

Section 82–71. (Charge for Connections).

The Town may make a charge, the amount to be determined by the COUNCIL [[Board]], for each connection made to the Town’s water or sewer mains. This charge shall be uniform throughout the Town, but may be changed from year to year and subject to such reasonable classification of connections as the COUNCIL [[Board]] by ordinance may determine. Arrangements for the payment of this charge shall be made before the connection is made.

* * * *

Special Assessments

* * * *

Section 82–80. (Procedure).

The procedure for making special assessments shall be as follows: (a) The cost of the

project being charged for shall be assessed according to the front foot rule of apportionment or some other equitable basis determined by the COUNCIL [[Board]]. (b) The amount assessed against any project or improvement shall not exceed the value of the benefits accruing to the property therefrom. (c) When desirable, the affected property may be divided into different classes to be charged different rates, but, except for this, any rate shall be uniform. (d) All special assessment charges shall be levied by the COUNCIL [[Board]] by ordinance. Before levying any special assessment charges, the COUNCIL [[Board]] shall hold a public hearing. The TOWN MANAGER [[treasurer]] shall cause notice to be given stating the nature and extent of the proposed project, the kind of materials to be used, the estimated cost of the project, the portion of the cost to be assessed, the number of installments in which the assessment may be paid, the method to be used in apportioning the cost, and the limits of the proposed area of assessment. The notice shall also state the time and place at which all persons interested, or their agents or attorneys, may appear before the COUNCIL [[Board]] and be heard concerning the proposed project and special assessment. Such notice shall be given by sending a copy thereof by first class mail to the person in whose name the property is assessed for taxation purposes and by publication of a copy of the notice at least once in a newspaper of general circulation in the Town. The TOWN MANAGER [[treasurer]] shall present at the hearing a certificate of publication and mailing of copies of the notice, which certificates shall be deemed proof of notice, but failure of any owner to receive the mailed copy shall not invalidate the proceedings. The date of hearing shall be set at least ten and not more than thirty days after the TOWN MANAGER [[treasurer]] shall have completed publication and service of notice as provided in this section. Following the hearing, the COUNCIL [[Board]], in its discretion, may vote to proceed with the project and may levy the special assessment. (e) Any interested person feeling aggrieved by the levying of any special assessment under the provisions of this Charter shall have the right to appeal to the Circuit Court for Prince George’s County within ten days after the levying of any special assessment by the COUNCIL [[Board]]. (f) Special assessments may be made payable in annual or more frequent installments over such period of time and in such manner as the COUNCIL [[Board]] may fix and determine. The COUNCIL [[Board]] shall determine on what date installments shall be due and payable. Interest may be charged on installments at a rate or rates to be determined by the COUNCIL [[Board]]. (g) All special assessment installments shall be overdue six months after the date on which they become due and payable. If any one installment becomes overdue, the entire amount of the special assessment shall be deemed to be overdue. All special assessments shall be liens on the property and may be collected in the same manner as Town taxes. (h) All special assessments shall be billed and collected by the TOWN MANAGER [[treasurer]].

* * * *

General Provisions

Section 82–85. (Oath of Office).

(a) Before entering upon the duties of their offices, the MAYOR [[President]], the COUNCIL MEMBERS [[Commissioners]], the Clerk, the TOWN MANAGER [[Treasurer]], the members of the Board of Supervisors of Election, and all other persons elected or appointed to any office of profit or trust in the Town government shall take and subscribe the following oath or affirmation: “I,do swear (or affirm,

as
the case may be), that I will support the Constitution of the United States; and that I will be faithful and bear true allegiance to the State of Maryland, and support the Constitution and Laws thereof; and that I will, to the best of my skill and judgment, diligently and faithfully, without partiality or prejudice, execute the office of..... according to the Constitution and Laws of this State.”

(b) The TOWN COUNCIL MEMBERS [[Board of Commissioners]] shall take and subscribe this oath or affirmation before the clerk of the Circuit Court for the County or before one of the sworn deputies of the clerk. All other persons taking and subscribing the oath shall do so before the MAYOR [[President]].

Section 82–86. (Official Bonds).

The TOWN MANAGER [[treasurer]] and such other officers or employees of the Town as the COUNCIL [[Board]] or this Charter may require, shall give bond in such amount and with such surety as may be required by the COUNCIL [[Board]]. The premiums on such bonds shall be paid by the Town.

* * * *

Section 82–88. (Violations).

(a) Every act of omission which is made or designated a misdemeanor by this Charter or by ordinance passed hereunder shall, unless otherwise provided, be punishable upon conviction before any Judge of the District Court of Maryland or in the Circuit Court of Prince George’s County by a fine or imprisonment in the County correctional center, or both, for a period of incarceration, fine, or both not exceeding the maximum penalty allowed by State law as determined in the discretion of the Circuit Court or the District Court Judge. The party aggrieved shall have the right to appeal as is now provided under the general laws of the State. Where the act of omission is of a continuing nature and is persisted in, a conviction for one offense shall not be a bar to a conviction for a continuation of the offense subsequent to the first or any succeeding conviction.

(b) The TOWN COUNCIL [[Board of Commissioners]] may provide that violation of any municipal ordinance shall be a municipal infraction unless that violation is declared to be a felony or misdemeanor by the laws of the State or other ordinance. For purposes of this section, a municipal infraction in a civil offense.

(c) A fine not to exceed the maximum allowable under State law may be imposed for each conviction of a municipal infraction. Repeat offenders may be assessed a fine not to exceed the maximum allowable under State law for each repeat offense, and each day a violation continues shall constitute a separate offense.

* * * *

Section 82–90.

The County Commissions for Prince George’s County are hereby authorized and directed to levy six hundred dollars (\$600.00) annually for the Town of Upper Marlboro and to pay the same to the Town COUNCIL MEMBERS [[Commissioners]] of said Town; the said funds to be expended in such manner and for such purposes as the COUNCIL MEMBERS [[Commissioners]] of said Town, in their discretion deem expedient.

* * * *

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

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

Section 4. BE IT FURTHER RESOLVED that the Amendment initiated in this Charter Amendment Resolution shall take effect and shall become and be considered the Charter of The Town of Upper Marlboro, upon the later of November 4, 2025 or the fiftieth day after being so ordained or passed unless on or before the fortieth day after being so adopted and passed a referendum petition meeting the requirements of State law shall be presented to the Board of Commissioners of The Town of Upper Marlboro, Maryland or mailed to it by certified mail, return

receipt requested, bearing a postmark from the United States Postal Service.

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

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

INTRODUCED by the Board of Commissioners of the Town of Upper Marlboro, Maryland at a regular meeting on the ____ day of _____, 2025.

PASSED by the Board of Commissioners of the Town of Upper Marlboro, Maryland at a regular meeting on the _____ day of _____, 2025

ATTEST:

THE TOWN OF UPPER MARLBORO
BOARD OF COMMISSIONERS

Sarah Franklin, President

Karen Lott, Commissioner

Charles Colbert, Commissioner

Clayton Anderson, Town Administrator

Derrick Brooks, Commissioner

CHARTER RESOLUTION CERTIFICATE

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

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

(SEAL)

_____, Town Administrator
The Town of Upper Marlboro

BOARD OF COMMISSIONERS
FOR THE
TOWN OF UPPER MARLBORO

ORDINANCE: 2025-03
SESSION: Regular Town Meeting
INTRODUCED: May 20, 2025
DATE VOTED: June 10, 2025
DATE ENACTED: June 30, 2025

AN ORDINANCE RELATING TO ADOPTING AND APPROVING THE BUDGET FOR THE FISCAL YEAR 2026 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 the said legislative body; and

WHEREAS, the Town of Upper Marlboro for the fiscal year 2026 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 members 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.

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 2026 Budget Ordinance (“FY2026 Budget Ordinance”) shall be divided into the following major anticipated revenue funds or groups having the estimated amounts as indicated below:

<u>REVENUE SOURCE</u>	<u>BUDGET AMOUNT</u>
Taxes	\$1,630,050.00
Fines Licenses & Permits	\$1,249,900.00
Intergovernmental	\$86,322.00
Miscellaneous Revenue	\$177,061.00
Grants	\$575,000.00
Total Revenues	3,718,333.00

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 FY2026 Budget Ordinance shall equal or exceed the total of the proposed expenditures within the following general classifications of expenditures as set forth in the appropriations with the amounts as indicated below:

<u>EXPENDITURES</u>	<u>BUDGET AMOUNT</u>
General Government	\$723,650.00
Public Safety	\$1,427,100.00
Public Works Department	\$816,380.00
Capital Improvements	\$751,203.00
Total Expenditures	3,718,333.00

Section 3. Notwithstanding this budget ordinance, the FY2026 Budget shall be presented and discussed in further detail by enumerating additional sub-categories or detailed items pertaining to either revenues or expenditures as deemed necessary and expedient by the President and/or the Board (the “Detailed Budget”). Although not considered incorporated by reference or formally part of this FY2026 Budget Ordinance, the Detailed Budget, unless subsequently modified by the President, with approval of the Board as set forth in Section 4 below, shall reflect the various items discussed therein and shall remain substantially uniform throughout the fiscal year having essentially the same format and items as presented to the Board at the Town meeting wherein the FY2026 Budget was approved.

Section 4. All budget amendments transferring monies between general classifications of expenditure or appropriations as reflected in this FY2026 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 2026 for the Town of Upper Marlboro shall hereby be set at \$0.38 per \$100 of assessed valuation of residential real property; \$0.57 of assessed valuation for business personal property; \$0.55 of assessed valuation for

commercial real property; \$1.50 for vacant property, \$0.25 agricultural use and \$2.00 of assessed valuation for public utility operating real and operating personal property, 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 chart below:

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 Deputy Town Admin/Clerk, one Administrative Assistant, one Special Assistant, one Circuit Rider Grant Manager, and one part-time special assistant, one part time summer intern 120 hours.
- Public Safety: One Chief of Police, one Sergeant, two Corporals, one Police Officer, and one Code Enforcement Officer.
 - Public Safety Specialty & Incentive Hourly Pay
 - Active Field Training Officer:\$4.00 an hour
 - Night Shift Differential: \$2.45 an hour
- Public Works: One Director, one Foreman, one Crew Lead, and three Crew Members.
- Should additional funding become available, or additional annexation phases are completed the additional staffing levels are authorized: Public Safety- one Captain, one Lieutenant, one Sergeant, two Police Officer, three Administrative Assistants, and one Parking Enforcement officer. Public Works- one Crew Lead and one crew member. General Government- one Administrative Assistant and one Economic Development Coordinator.

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 2026 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 20th day of May, 2025, by:

Attest:

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

Clayton Anderson, Town Administrator

Sarah Franklin, President

Derrick Brooks, Commissioner

Karen Lott, Commissioner

Vacant, Commissioner

Reviewed and Approved for Legal Sufficiency

Karen Ruff, Town Attorney

Date: _____



Town of Upper Marlboro

Fiscal Year 2026 Operating Budget & Capital Improvement Plan

— Acknowledgments —

Board of Town Commissioners

Sarah Franklin, Mayor

Derrick Brooks

Charles Colbert

Karen Lott

Joe Hourclé

Administration

Clayton Anderson, Town Administrator

David Burse, Police Chief

Darnell Bond, Public Works

Town Staff

General Government	Public Safety	Public Works
Lucy Wade Aiden Thomas Eylisa Newman	Sergeant Desmond Dawson Corporal Terrance Anderson Ukkundo'Oohwaka	Matthew Sheckels TJ Raynor Tyler Stewart

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— Mayor's Message —

Neighbors,

I am grateful for another year in community with you all. We have achieved much in the last year. There has been redevelopment downtown with new businesses opening and new buildings and facades on our downtown buildings. It is rewarding to see all our work together begin to pay off. I am pleased to welcome a new Town Administrator, Clayton Anderson, who brings with him experience and expertise not only in Town Management, but also in Economic Development.

For downtown Upper Marlboro, the best is yet to come as we continue to coordinate with Prince George's County on activating vacant county-owned properties, including the Old Stone Building (at Old Crain Hwy & Church Street) and the Old Marlboro Elementary School (OMES) across from the post office. While nothing in government moves quickly, we have been in regular communication and making progress towards activation and community-driven planning for these spaces. (Yes, that means I'll be at your door asking you to come to meetings and tell us what you want to see for these spaces)

These are exciting developments for our town. We are also facing financial challenges. The federal landscape is uncertain, people are losing their jobs, inflation is not lessening, and we may be facing a recession. There is uncertainty and fear beyond the financial. We do not know what the year will bring. I do know that if we face it together and care for each other, we will be stronger. I encourage you more than ever to get to know and connect with your neighbors. Together, we can create a resilient network to care for one another in the face of what will come.

This FY 2026 budget prioritizes maintaining and expanding the services we have come to expect from our Town's government. The town will also realize expansion of our physical boundaries this year. This will expand our community and provide new opportunities.

I look forward to another year of building our community together. You are the community I want to face what may come with.

In fellowship,

Sarah Franklin

— How to Use this Book —

This book is a guide to Upper Marlboro’s Budget for the Fiscal Year 2026. The Town’s Fiscal Year runs from July 1st through June 30th. The Operating Budget described in this book covers the anticipated revenues and the planned expenses for the operation of the Town government during this fiscal year. The Capital Improvement Plan accounts for expenses that are large investments by the Town and need to be planned for, and these expenses have costs in multiple years. This allows the Town to responsibly plan for the future.

We believe that the Town’s residents should have the tools that they need to not only see what the budget is but to understand what the budget means for them.

This book is organized into sections. To make it easier to find the information you want this page provides a guide to the outline of this budget book.

Public Engagement

These are the shared goals set forth by the Board of Commissioners and supported by the residents of Upper Marlboro.

Who we are

This section includes a summary of Town History and Demographic Data that describes characteristics of our community.

Revenues & Expenses

This section describes the Town’s sources of revenue and expenses. This is where you will find information about residential and business taxes.

Operating Budget

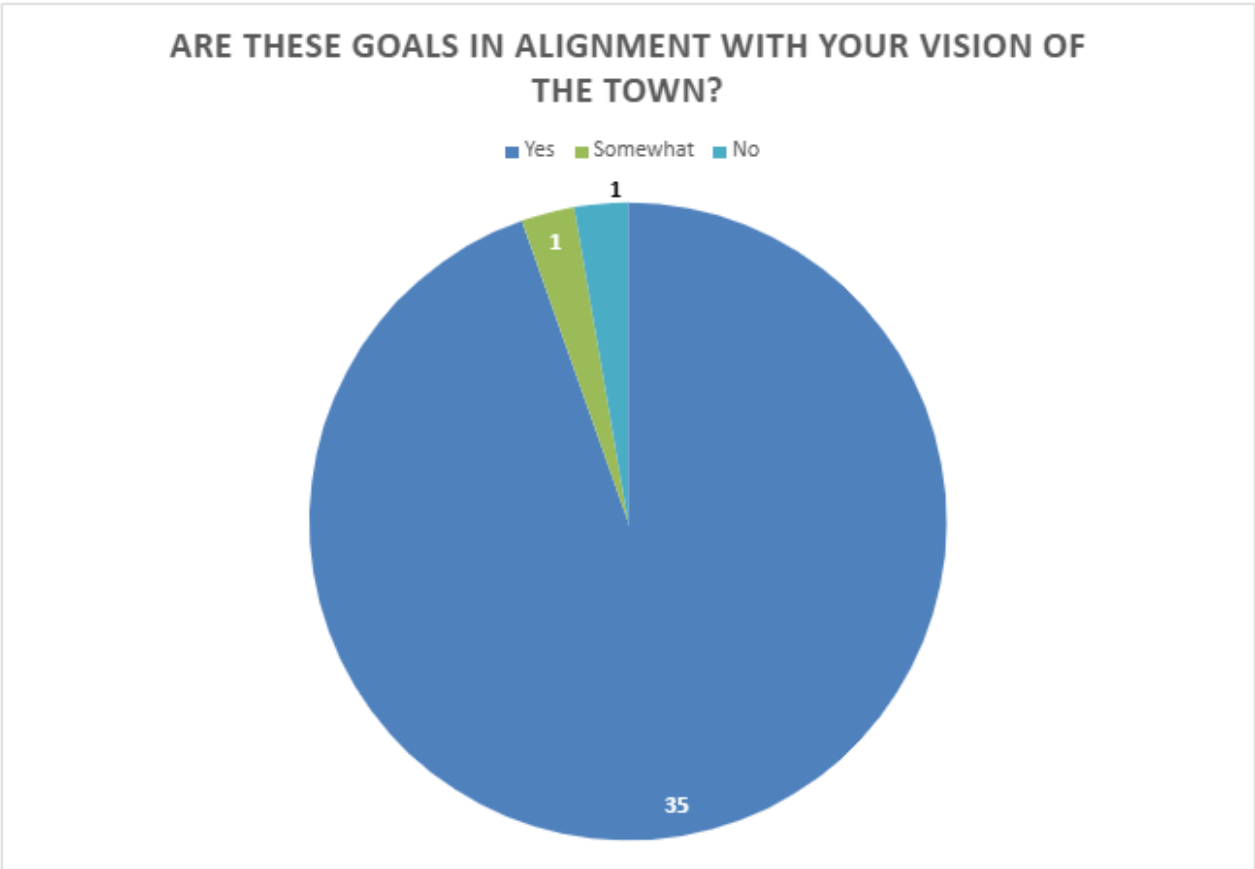
The Operating Budget is where the funding for the day-to-day running and functioning of the Government of The Town of Upper Marlboro. The Town has three departments: General Government, Public Safety, and Public Works.

Capital Improvement Plan (CIP)

Large expenditures that are multi-year investments. Includes current year expenses and planned expenses for a five-year period.

— Public Engagement —

Public involvement is extremely important to the Board of Commissioners. Town work sessions and meetings held every second and fourth Tuesday are attended by a small group of residents. This year to ensure broader participation in the budget process, the Town implemented a public survey. This survey outlines three goals and asks residents if these goals are in alignment with their visions for the Town. The goals were overwhelmingly supported, out of the 37 respondents, 35 supported the goals, one somewhat supported the visions, and one respondent did not support the goals.



The goals that were described in the survey included Economic Development and Sustainability, Resident Services & Community Engagement, and Infrastructure and beautification. The goals, as described in the survey, are described below.

Economic Development & Sustainability

The Board of Commissioners wishes to begin implementation of the Downtown Renaissance Vision Plan. Commissioners would like to see improved marketing of the Town. New and more varied restaurants with healthy options and evening and weekend hours are a goal downtown. The Board would like to see the increased tax base that comes with economic vitality and grant opportunities directed at improvements in downtown property that is both privately and publicly owned. The Town would like to position itself to purchase vacant properties as they become available to ensure that the community has a say in the design and development of these properties.

Resident Services & Community Engagement

The Board of Commissioners wants to focus on quality-of-life improvements and events for residents and increase community engagement. The Board would like to survey residents to find out what activities would encourage them to get more involved. Building a more robust youth engagement and volunteer base is important to this board.

Infrastructure & Beautification

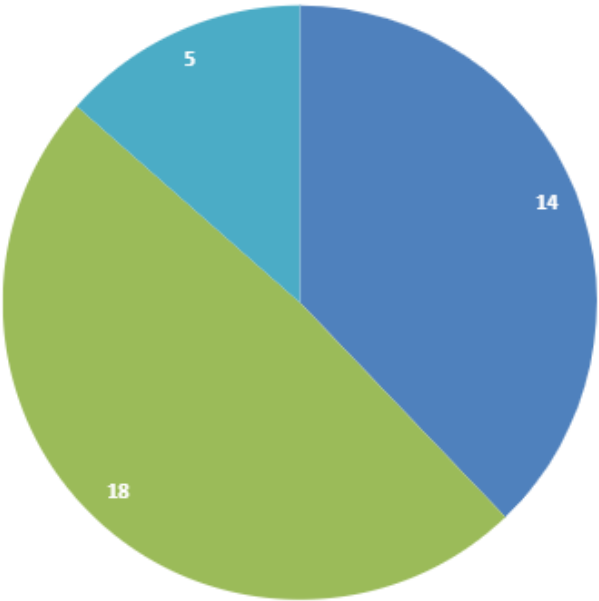
The Board of Commissioners would like to see improvements to road and parking infrastructure. The Commissioners would like to increase litter pick up and address substantial collections of garbage that can build up and spread around during weather events. Flood residency is important to the free flow of traffic in the area and working with the state and county to ensure infrastructure upgrades are important to the Board.

The results of the survey are summarized in the chart on the following page. The ranking of these goals by the 38 residents who took this survey was:

1. Economic Development & Sustainability
2. Infrastructure & Beautification
3. Resident Services & Community Engagement

**WHICH OF THESE THREE GOALS IS MOST IMPORTANT TO YOU
FOR THE UPCOMING YEAR?**

■ Infrastructure & Beautification ■ Economic Development & Sustainability ■ Resident Services & Community Engagement



— Who We Are —

History

The Town of Upper Marlboro has a rich and complicated history. Originally settled on the ancestral lands of the Piscataway people in 1965 and known as Colonel Belt's Landing, the Town was incorporated in 1706. Named for a member of the British nobility, the Duke of Marlborough, the area was an active port in the trade of tobacco and enslaved peoples. Its incorporation was largely due to its economic importance in the tobacco industry.

In 1721, the courthouse was located in Upper Marlboro, making it the seat of Prince George's County government. Valley Lane, annexed into the Town in 2024, was a center of the free Black community in Upper Marlboro. This area was the original location of Union Chapel and the ancestor of today's Frederick Douglass School. Many of the buildings in the area have been lost over time. The Union United Methodist Church (the descendant of Union Chapel) maintains a historic cemetery on Valley Lane.

The Town eventually became known as "Upper" Marlborough to distinguish it from Calvert County's "Lower" Marlborough. While the reason for the spelling of the name changing from "Marlborough" to "Marlboro" is unknown, the local favorite story of this change is that a postal clerk was given a new, smaller rubber stamp, and to make the name fit they removed the "ugh". Whatever the source of the change, the Town began to be known as Upper Marlboro in 1893.

In 1927, Crain Highway officially opened, establishing the first direct road connection between Southern Maryland and Baltimore. In 1922, a monument was erected at the intersection of Old Crain Highway, Main Street, and Old Marlboro Pike to commemorate and serve as a symbol of connection and progress. In 2022, the Town celebrated the 100th anniversary of the Crain Monument's construction by welcoming delegations from surrounding counties to honor its historical significance.

The Town was also home to St. Mary's Beneficial Society. The Hall, located on Pratt Street and still standing today served as a meeting place, social and political center, and house of worship for the African American community of Upper Marlboro. This was surrounded by a thriving hub of economic and social life for African Americans in Upper Marlboro.

During the Civil War, the Town was sympathetic to Confederacy, and in the Jim Crow era, it was known as a "sundown town," a predominately white area that discriminated and inflicted violence against Black residents and visitors. Despite the thriving Black community centered around Valley Lane, Union United Church, and St. Mary's Beneficial Society, the Town remained highly segregated. When the Civil Rights act of 1964 ended and the Town residents engaged in fairly peaceful integration of local

schools. However, the leadership resisted change, and the community pool was filled in rather than desegregated.

Historically, downtown Upper Marlboro was a lively center of community life, featuring a general store, bowling alley, restaurants, and gathering spaces for local youth. Although many original buildings have been lost to time, several historic structures remain, providing valuable context and inspiration for future redevelopment.

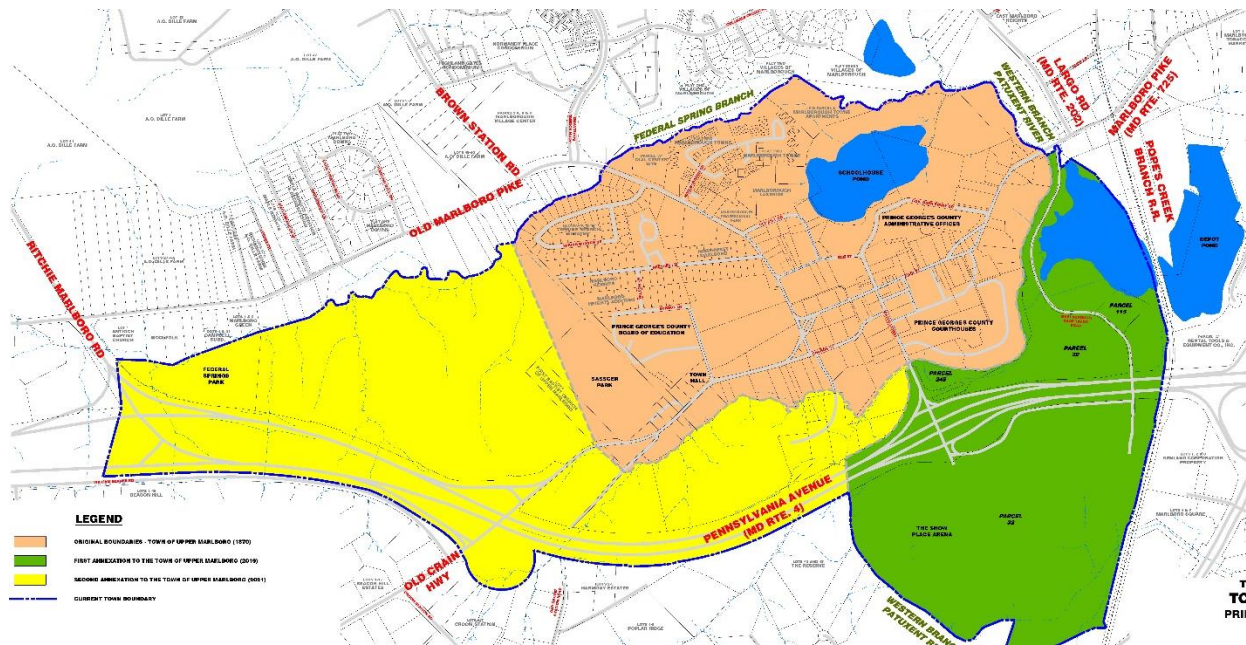
The Town has also been a key location in Maryland's equestrian history. For generations, it has hosted horse shows at the Showplace Arena and Equestrian Center. Prince George's County and the Maryland National Capital Park and Planning Commission have been revitalizing this resource in recent years. Today, this tradition continues with a whole season of equestrian events that starts in April and continues into November. Major equestrian events throughout the season, such as the Capital Challenge Horse Show, the Bill Pickett Rodeo, and the Washington International Horse Show, draw regional and national attention.

Upper Marlboro has been home to several prominent and influential sports stars, Maryland politicians, and clergy members. In 2018 the Town swore in first Black elected officials, Tonga Turner, and Wanda Leonard. Commissioner Turner was selected by the Board to serve as the Board's President and Town's first Black President/Mayor. This new board oversaw the Town's first expansion of its boundaries in 2020 to include the Annexation of the Show Place Arena.

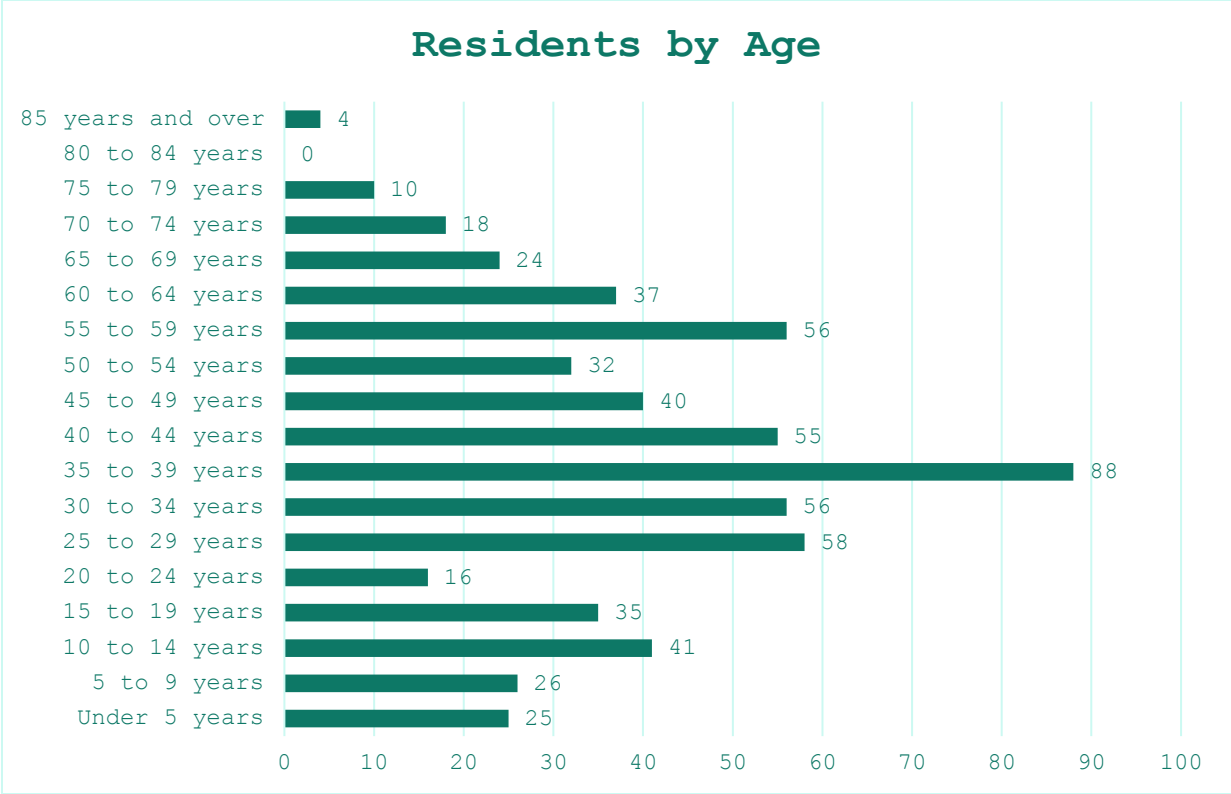
In 2023 the Town adopted a new logo, using the Crain Monument as a focal point. The logo also features other nods to the Town's history including a horse, the courthouse, and one of the historic facades of a downtown facades. It highlights the Town's connection to the environment and the rural tier through the depiction of Schoolhouse Pond with a heron at the water's edge.

Demographics

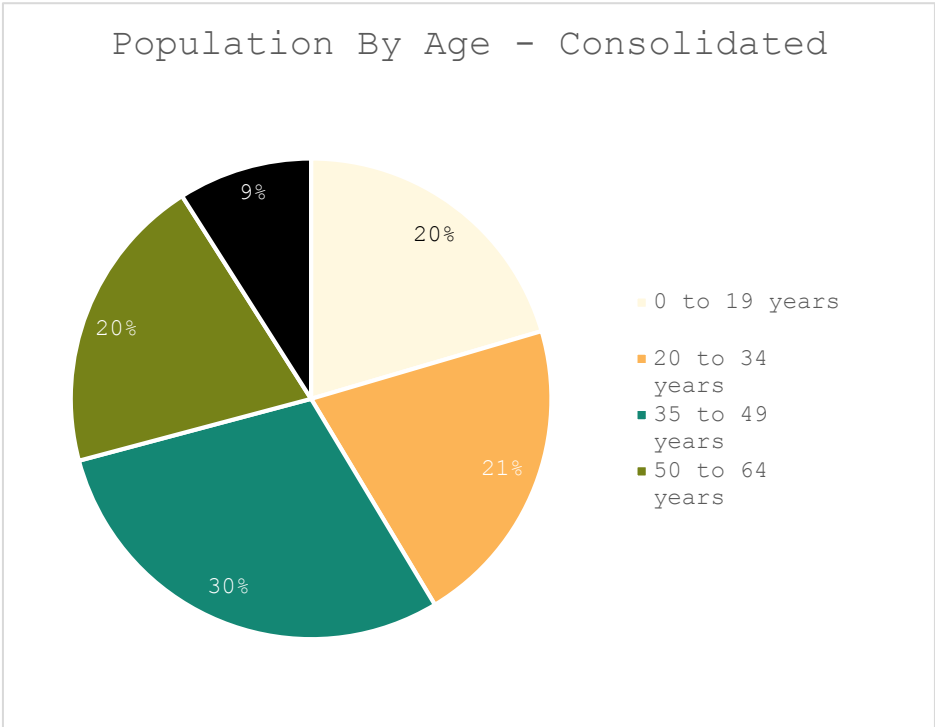
Today, Upper Marlboro is one square mile between Maryland Routes 4 and 202 and between John Rodgers Boulevard and the Show Place Arena. Annexations are underway to grow the Town's boundaries in a careful way. The Town receives calls daily from residents outside the Town limits requesting assistance with community issues and concerns. Each time there is an election the Town receives phone calls from potential candidates just outside the boundaries of the Town. The Board of Supervisors of Elections must turn away more voters each election because they do not live in the Town limits. All these indicators have caused the Town to look at annexation to provide much-sought-after community and welcome in more neighbors.



According to the 2020 American Community Survey¹ the Town of Upper Marlboro is home to 652 residents who live in a total of 302 households. The median age for residents is 38.5 years old. Around half of these households have children living in them. This data should be considered when planning for community engagement; it is harder for these families to be at meetings when picking kids up from sports and other activities and making dinner and getting children to bed. It is also important to remember that although these residents frequently cannot attend Town meetings, considering their needs and opinions is critical to good governance. To this end, the Town has created an online Community Engagement portal where residents can learn about, comment on, and take surveys regarding the larger pieces of legislation the Board of Commissioners is considering.

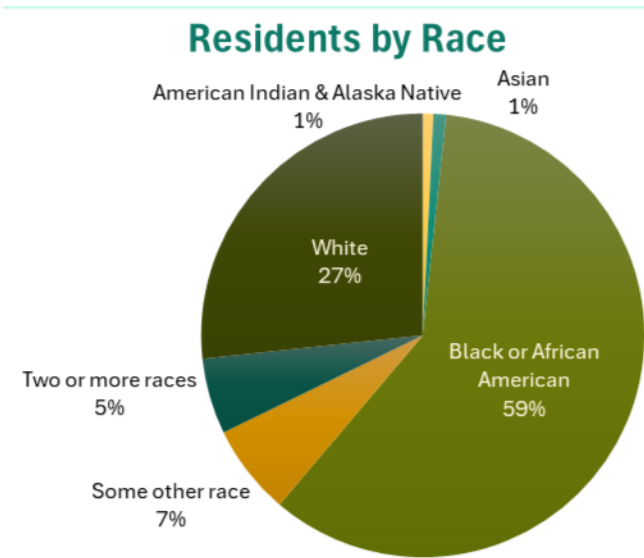


Residents of different ages have unique needs for services, it is therefore important to keep in mind the breakdown in age. The largest age group in the Town of Upper Marlboro is residents from 35-39 years old. Most of the Town’s residents (183 people) are what would be considered “middle aged” (35-50 years old). The population



in Upper Marlboro also contains around 56 residents over the age of 65, and around

115 residents are under the age of 18, with approximately 70 residents between the ages of 5 and 14 years old. This means for nearly one quarter of our population, accessibility and walkability may be an important factor in how they can enjoy the Town.



The Town’s racial makeup is illustrated in the chart below. Black or African American residents make up nearly 60% of the Town’s population, white residents account for just over one quarter of the population, and all other races combine to make up the remaining 14 percent. The table below shows a more detailed breakdown by race. Of all races 8% of residents identify as Hispanic or Latino.

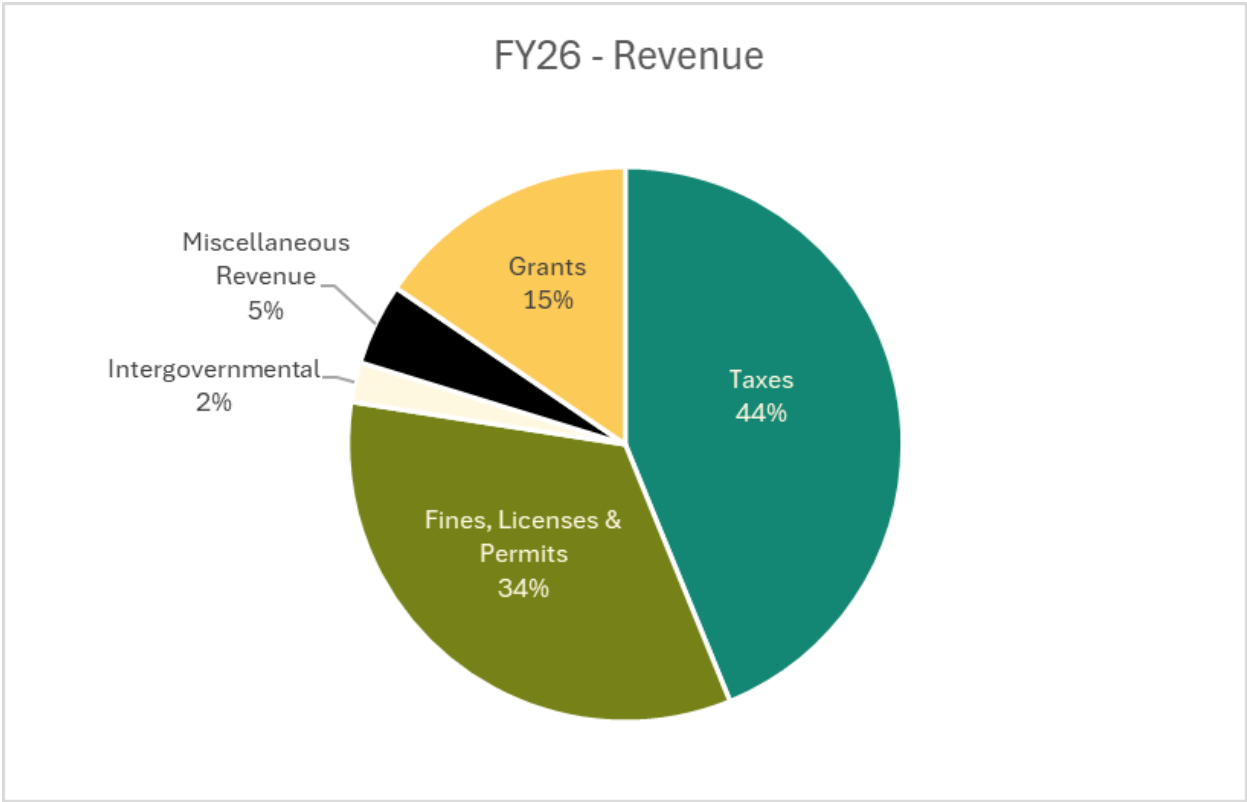
Family households make up approximately 59% of households in the Town with non-family households accounting for 41%. Single-parent households account for 30% of the households in the Town. Households with families have many demands on their time, requiring creative engagement strategies to ensure that these residents have their needs and opinions considered as a part of the Town’s policies.

The Town’s median household income is \$92,500 and an employment rate of 77.8%. The Town has a low poverty rate (3.6%) compared to the state (9%). Most residents commute outside of Town, driving alone or in a carpool (78.3%). The most common industries that residents work in are educational services, health care and social assistance (25.1%), and Public Administration (21.7%). This indicates that residents are busy at work outside the home most of the day. Ensuring that events are held at times these residents can attend is critical to ensure they are able to be involved. While it is a struggle for residents to get to meetings after returning to the office it becomes critical to find different way to engage the residents of the Town to ensure that decisions are being made based on a diverse group of voices that represent the Town’s demographic makeup.

— Revenues —

Accurately projecting the revenues expected by the Town is essential to ensure that the priorities and plans for the coming year can be realized. The chart on this page shows the breakdown of revenues by one of the following five categories:

- 1. Fines, licenses, and permits – This category includes parking fees and fines, the Town’s business licensing program, and other small fees.
- 2. Intergovernmental Revenue – This category includes funding from other levels of government in the form of rebates for Town services and other small remittances.
- 3. Taxes – This category includes residential and commercial property taxes, income tax, business personal property tax, and utilities taxes.
- 4. Miscellaneous Revenue – This category includes small services rendered by Town Hall staff that have an associated fee, Event Revenue, and transfers from the Reserve Fund.
- 5. Grants – This category includes grants and bond bills from state and county government.



FY26 Budget

Revenue
4000 Taxes

4010 Real Estate Taxes Residential	467,610.00
4100 Personal Property Taxes	47,440.00
4150 PPT Public Utilities	890,000.00
4310 Income Taxes	225,000.00

Total 4000 Taxes	\$1,630,050.00
-------------------------	-----------------------

4200 Fines, Licenses, Permits

4220 Town Permits	13,000.00
4230 Business License	15,000.00
4240 Parking Meters	250,000.00
4250 Speed Cameras	900,000.00
4260 Parking Fines/Penalties	55,000.00
4280 Pub/Edu/Govt Broadcasting	3,900.00
4290 Trader's Franchise Fees	13,000.00

Total 4200 Fines, Licenses, Permits	\$1,249,900.00
--	-----------------------

4300 Intergovernmental

4320 Highway User Fee	56,322.00
4330 State Police Aid	30,000.00

Total 4300 Intergovernmental	\$86,322.00
-------------------------------------	--------------------

4400 Miscellaneous Revenue

4410 Miscellaneous	5,000.00
4420 Interest Earnings	20,000.00
4430 Town Hall Services - Misc Rev	1,061.00
4440 Transfer from Reserve	150,000.00
4450 Special Events/Donations	1,000.00

Total 4400 Miscellaneous Revenue	\$177,061.00
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4500 Grants

4530 FIP	80,000.00
4560 DHCD Circuit Rider Grant	70,000.00
4592 Bond Bill 21-241	275,000.00
4594 Bond Bill 22-661	150,000.00

Total Grants	\$575,000.00
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Total Revenue	\$3,718,333.00
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Revenue Estimates

In estimating the Town's revenues, a combination of methods was used. This section outlines the sources of revenue for the Town. Taxes are explained and analyzed in detail at the end of this section.

Income Taxes

For FY26 projections, the Income Taxes are based on data provided by the state of projected income taxes, with a reduced percentage to account for the impacts of federal government layoffs.

Property Taxes

Property Taxes (Residential & Commercial) for the Town were calculated based on the previous year's income. This year, the property taxes are estimated with a reduction due to the anticipated impacts of federal government layoffs.

Utility Taxes

The State sends us the assessed values for utilities. We then bill the utilities based on our tax rate.

Vacant Property Tax

Vacant developed property tax is a real property tax classification for vacant buildings, different from those established under the Maryland code. Vacant developed property is classified with Prince George's County and billed accordingly. The Board of Commissioners adopted this tax to compensate for the loss of Business Personal Property Taxes because of vacant property as well as to encourage property owners to maintain and rent vacant spaces in the interest of the Town's growth and economic development.

Highway User Fee

The Maryland Department of Transportation sends a letter with the amount that will be given to the Town in highway user fees.

Disposal Fee Rebate

The Department of Environment sends a letter to the Town each year with this anticipated revenue.

Speed Cameras

This budget projects the FY26 income from speed cameras based on the past year of activity. This budget additionally accounts for additional speed cameras that will be installed in the annexation area within six months of annexation.

Taxes

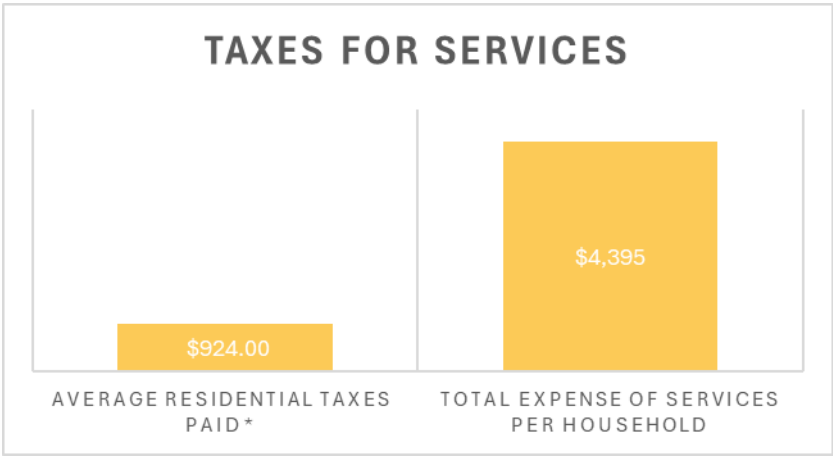
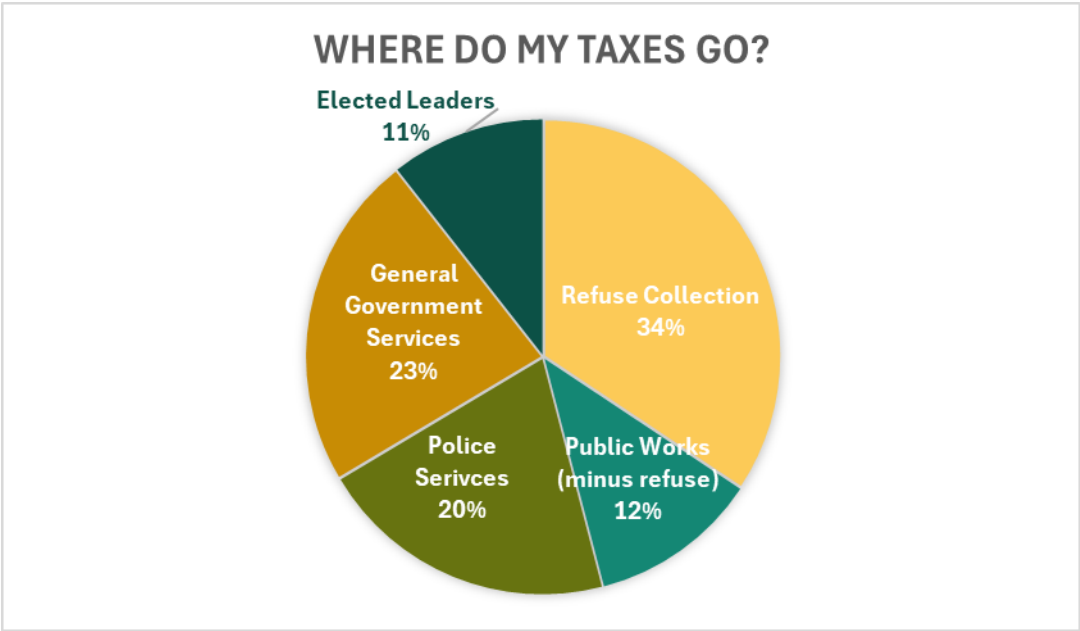
Taxpayers have many questions regarding taxes. What is the tax rate, how are tax dollars spent, what is the difference between town taxes, and many more. This section addresses the most common questions and concerns with regard to taxes.

Tax Rates

The Town has different tax rates for residential and commercial properties, business property, public utilities, and vacant property.

Tax Classification	FY 25 Rate	FY 26 Rate	Classification Description
Residential Property	\$0.38	\$0.38	Residentially zoned properties
Commercial Property	\$0.57	\$0.57	Commercial zoned properties
Business Personal Property	\$0.55	\$0.55	Business's personal property
Public Utilities	\$2.50	\$2.50	Pepco, Verizon, WSSC, Comcast, etc.
Vacant Property		\$1.50	Vacant property

Residential tax spending



County Taxes & Municipal Differential

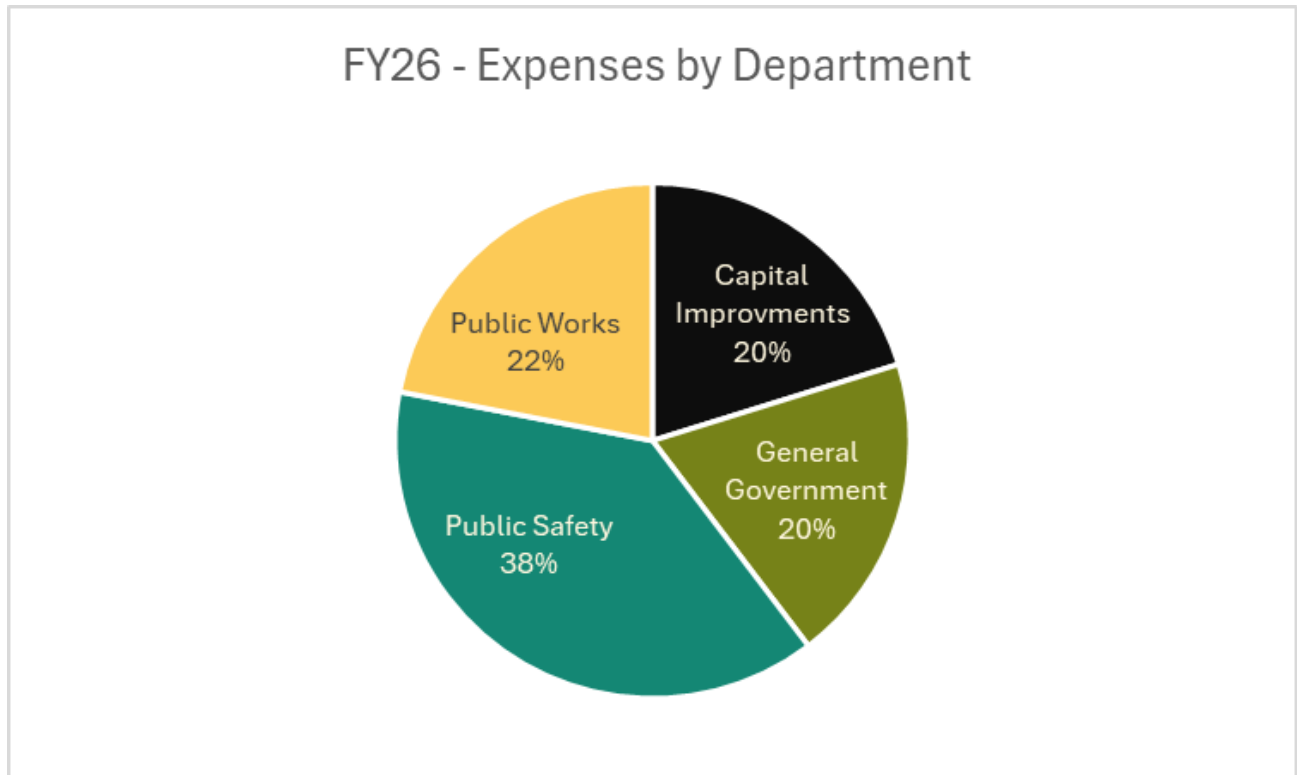
Town taxes are only a portion of our tax bills. Residents pay taxes in the County and the Town each year. The County takes pay for services that the County provides, and the Town does not. This includes things like public schools, fire service, parks, and more. The breakdown of how your tax dollars are spent on Town services is provided above. The following table illustrates what part of your tax bill goes to County taxes and what part goes to Town.

Assessment*	County Tax	Town Tax	Total in-town bill
\$ 50,000.00	\$ 464.00	\$ 190.00	\$ 654.00
\$ 100,000.00	\$ 928.00	\$ 380.00	\$ 1,308.00
\$ 150,000.00	\$ 1,392.00	\$ 570.00	\$ 1,962.00
\$ 200,000.00	\$ 1,856.00	\$ 760.00	\$ 2,616.00
\$ 250,000.00	\$ 2,320.00	\$ 950.00	\$ 3,270.00
\$ 300,000.00	\$ 2,784.00	\$ 1,140.00	\$ 3,924.00
\$ 350,000.00	\$ 3,248.00	\$ 1,330.00	\$ 4,578.00
\$ 400,000.00	\$ 3,712.00	\$ 1,520.00	\$ 5,232.00
\$ 450,000.00	\$ 4,176.00	\$ 1,710.00	\$ 5,886.00
\$ 500,000.00	\$ 4,640.00	\$ 1,900.00	\$ 6,540.00
\$ 550,000.00	\$ 5,104.00	\$ 2,090.00	\$ 7,194.00
\$ 600,000.00	\$ 5,568.00	\$ 2,280.00	\$ 7,848.00
\$ 650,000.00	\$ 6,032.00	\$ 2,470.00	\$ 8,502.00
\$ 700,000.00	\$ 6,496.00	\$ 2,660.00	\$ 9,156.00
\$ 750,000.00	\$ 6,960.00	\$ 2,850.00	\$ 9,810.00
\$ 800,000.00	\$ 7,424.00	\$ 3,040.00	\$ 10,464.00

**This is not the price you could get for your home, but the value the County assesses your home at. You can find this information at: <http://taxinquiry.princegeorgescountymd.gov/> or <https://sdat.dat.maryland.gov/RealProperty/Pages/default.aspx>*

— Expenses —

The expenses section of the budget is the real plan for how the Town will spend money and how the Town's goals will be met. The breakdown of expenses by department is illustrated in the chart below.



Each department provides residents, businesses, workers, and visitors in the Town with a variety of services.

General Government ensures the administrative functions of the Town are met, provides quality customer service to residents, and works to administer improvements to the Town. This also includes committee and event funding. The Town now has an active Grant Writer who is seeking additional sources of revenue to help balance increasing costs and expenses.

Public Safety ensures that the Town is a safe place to work, live, and play. Speed camera funds must largely be spent on running the speed camera program, and remaining funds must be spend on public safety. While the income from the program offsets some public safety and pedestrian safety costs the Town does see higher expenses due to the costs of running the program.

Public Works ensures that the Town roads are clear and maintained, the Town looks beautiful, and common areas are maintained.

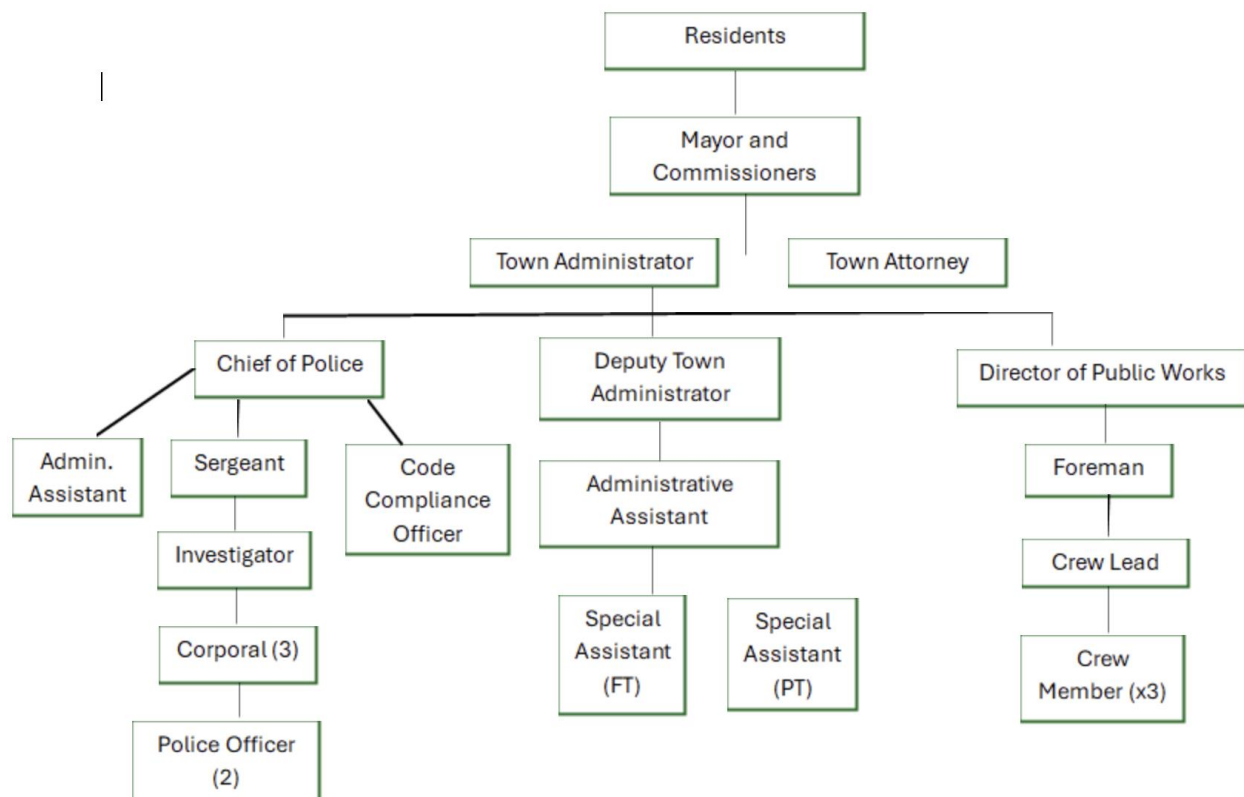
Capital Improvements includes equipment needed for the Town's services and functions. This includes a new commitment to road maintenance, including seal-coating of roads protect the investment in paving and reduce long-term costs and deterioration.

— The Town of Upper Marlboro Government Structure —

Our small-town government is led by a five-member Board of Commissioners. This Board is elected every two years, and chooses one member to serve as the President of the Board and the Town's Mayor. Currently, the Mayor functions as the CEO of the Town and is responsible for staff and the day-to-day running of the Town, either directly or through delegation.

The Board of Commissioners is considering Charter changes that will changing from a Board of Commissioners to a Manager and Council form of government. This change, if enacted, will better reflect the modern and efficient operations of the Town. With this change, the Town Administrator would become the CEO of the Town and be responsible for staff and the day-to-day running of the Town, either directly or through delegation.

The Town has three main departments: General Government, Public Safety, and Public Works. The town also employs a number of specialized contractors to provide services. The structure of the Town is governed by the Charter and the Mayor/President. How the workings of Town staff are structured is illustrated in the following organizational chart.



— General Government —

Services provided by the general government include citizen engagement, stakeholder identification and engagement, identification of community needs, resolution of concerns, intergovernmental relations, administration of grants, administration of town financials, running of elections, maintenance of Town's files and legal obligations, managing the Town's events, and oversight of Town's Committees.

The General Government staff is made up of the following positions:

Town Administrator

Deputy Town Administrator

Special Assistant

Administrative Assistant

Grant Writer – Circuit Rider

Special Assistant– P/T

In addition to the above positions, the Town is participating in the Maryland Town Manager/Circuit Rider Program (Maryland Department of Housing and Community Development), which assists small town and city governments with building their administrative capacity. The program provides grants to hire professional staff to work as a “circuit rider” to multiple towns, assisting with specific municipal functions and activities. An additional staff person who will oversee special projects will be available through this program for one year beginning in April 2024.

The General Government is housed at Town Hall. There are five offices for staff and a Conference Room that can hold up to 39 people seated. The Town is rapidly outgrowing this newly built Town Hall. Though the move of the Police Department to a new location has alleviated the pressure for the short term, long-term expansion or relocation will be required as the town grows.

It is essential that the Town begin to plan for the expansion of Town Hall or the relocation of the Police Department to free up additional office space at Town Hall. While this is not part of the FY 23 budget, the Capital Improvement Plan (CIP) includes new spaces for Public Works and the Police Department in future years to free up more space for General Government at Town Hall.

Changing times also require improved security upgrades to Town Hall, which can be found budgeted for in the CIP.

— General Government Budget —

	FY26 Budget
Expenditures	
5000 General Government	
5105 GG Commissioner Salaries	34,000.00
5107 GG Commission Expenses	10,000.00
5110 GG Salaries	289,380.00
5111 GG Salaries - Bonuses	3,150.00
5120 GG FICA	23,150.40
5130 GG Health/Life/Dental Benefits	32,800.00
5150 GG Pension Benefits	21,000.00
5300 GG Professional Services	
5310 GG Accounting	27,500.00
5320 GG Audit	14,000.00
5330 GG Payroll Processing	1,870.00
5340 GG Town Attorney & Legal	28,000.00
5350 GG IT Support & Equipment	7,000.00
5360 GG Media Relations	5,500.00
5370 GG Government Relations	17,600.00
5380 GG Human Resources Services	5,000.00
5390 GG Planning Firm	25,000.00
Total 5300 GG Professional Services	\$544,950.00
5400 GG Operating	
5200 GG Town Facility and Vehicle Insurance	32,800.00
5415 GG Merchant Services Fees	4,500.00
5435 GG Training	7,000.00
5440 GG Dues & Subscriptions	20,000.00
5445 GG Postage	3,500.00
5450 GG Printing	11,500.00
5455 GG General Supplies	10,000.00
5460 GG Office Equipment R&M	0.00
5465 GG Town Hall Office Phones	10,000.00
5470 GG Mobile Phones	5,000.00
5475 GG Town Elections	8,000.00
5480 GG Town Hall Utilities	14,000.00
5485 GG Town Hall Repair & Maintenance	
5490 GG Other	5,000.00

5495 GG Contributions	7,000.00
54XX CONTINGENCY - ALL DEPARTMENTS	15,000.00
Total 5400 GG Operating	\$153,300.00
5900 GG Committee Expenses	
5905 Events Committee	2,000.00
5910 CERT Team	900.00
5915 Historical Committee	500.00
5925 Green Team	1,500.00
5930 TOUM Event	5,500.00
5935 Trunk or Treat	2,000.00
5940 Marlboro Day	10,000.00
5950 Economic Development Working Group	750.00
5955 Winter Holiday	2,250.00
Total 5900 GG Committee Expenses	\$25,400.00
Total 5000 General Government	\$723,650.00

— Public Safety —

The Department of Public Safety comprises the Police Department, Parking Authority, and Code Compliance. This department keeps us safe, ensures compliance with Town codes, and ensures our laws are followed. Our public safety department has been re-built from the ground up over the last five years. The Town's department is able to provide coverage for five eight hour shifts throughout the week in addition to coverage for special events.

The police department has moved to its new location just outside of the Town. Police still spend the bulk of their day patrolling the Town. The new space provides office space to accommodate additional officers. Police space requires locations to store uniforms and other equipment, items collected related to crimes, computers and office equipment for reports and research and a variety of other office needs.

The introduction of the Town's Speed Cameras is a self-sustaining program with the intent to slow traffic and improve pedestrian safety within our Town. It is important to note that Speed and Red-Light Camera enforcement program does not fund any items in the Town's Operating Budget due to the legal requirements of the program.

— Public Safety Budget —

	FY26 Budget
6000 Public Safety	
6000C Code Enforcement	
6100C Code Vehicle Maintenance	2,000.00
6200C Code Parking Meter Maintenance	10,000.00
Purchase Parking Vehicle	
Total 6000C Code Enforcement	\$12,000.00
6110 PS Salaries	430,000.00
6111 PS Overtime	26,000.00
6112 PS Bonus	8,000.00
6120 PS FICA	33,000.00
6130 PS Health Benefits	15,000.00
6150 PS Pension Benefits	51,600.00
6200 PS Uniforms	4,500.00
6210 PS Weapons & Duty Equipment	20,000.00
6220 PS Training & Memberships	5,000.00
6230 PS Pre Employment	6,000.00
6260 PS Mobile Phone	5,500.00
6270 PS Supplies	8,000.00
6300 PS Professional Services	71,300.00
6400 PS Occupancy	100,000.00
PS Utilities	5,000.00
6700 PS Vehicle Repairs	10,000.00
6710 PS Vehicle Fuel	18,000.00
6720 PS Insurance	16,000.00
6750 Police State Aid	30,000.00
Total Public Safety Operating	<u>862,900.00</u>
6850 PS Speed Camera Budget	
6851 PS Speed Camera Admin Fee - 4	
Cameras	301,000.00
6852 PS Speed Camera Service Fees	68,000.00
6853 PS Speed Camera Salaries	85,000.00
6854 PS Speed Camera FICA	20,000.00
6855 PS Speed Camera Occupancy	45,000.00
6856 PS Speed Camera General Supplies	2,000.00
6857 PS Speed Camera Overtime	5,000.00

6858 PS Speed Camera Uniforms	2,000.00	
6859 PS Speed Camera Weapons & Duty		
Equipment	1,000.00	
6860 PS Speed Camera Training &		
Membership	200.00	
6861 PS Speed Camera Pre-Employment	2,500.00	
6862 PS Speed Camera Mobile Technology	2,500.00	
6863 PS Speed Camera Supplies	500.00	
6864 PS Speed Camera Vehicle Repairs	500.00	
6865 PS Speed Camera Vehicle Fuel	2,000.00	
6866 PS Speed Camera	1,500.00	
6870 PS Speed Camera Marlboro VFD		
Support	5,000.00	
6880 PS Speed Camera Due to State	8,500.00	
Total 6850 PS Speed Camera Budget	\$552,200.00	
Total 6000 Public Safety	\$1,427,100.00	

— Public Works —

The Public Works department maintains the Town's public spaces, keeping them clean and beautiful. They are essential in the execution of Town events, setting up, maintaining the event space, and assisting police with road closures as needed.

The services provided by the public works department include:

- Trash, Bulk Trash, and Yard Waste Collection
- Beautification of Town Properties and Rights-of-Way
- Snow Removal
- Road Maintenance
- Emergency Response
- Natural Disaster Response
- Event Support

The Department of Public Works is housed on a 20,691 square foot lot with a two-bay garage and a small office building that has space for one office, a restroom, and room for three adults to sit down.

This five-member team is cramped in the current office. The size of the public works lot is such that once a truck has been outfitted with a plow and salt spreader, it can no longer turn around. The garage bays are not adequate to store the necessary equipment for maintaining and beautifying the town. While the expansion of the police department has provided additional storage space and office locations for the Public Works Department, in the long term, a consolidated location adequate for the vehicles and other equipment of the department will need to be found.

— Public Works Budget —

	FY26 Budget
7000 Public Works	
7110 PW Salaries	369,000.00
7111 PW Overtime	11,000.00
7112 PW Bonus	4,500.00
7120 PW FICA	22,000.00
7130 PW Health-Life-Dental	52,000.00
7150 PW Pension Benefits	44,280.00
 7240 Public Works Operating	
7210 PW Waste Collection/Disposal Fees	6,000.00
7220 PW Waste Disposal/Contractor	67,000.00
7250 PW Town Hall	
Maint/Repairs/Beautification	42,000.00
7251 PW Christmas Decor	2,000.00
7260 PW Training & Memberships - Dues	5,000.00
7270 PW Other	2,000.00
7280 PW Streets Maintenance	60,000.00
7340 PW Vehicle Maintenance	15,000.00
7350 PW Utilities	3,000.00
7360 PW Mobile Technology	6,900.00
7370 PW Small Tools & Equipment	12,000.00
7372 PW Office Supplies	1,000.00
7374 PW Computer Software & Equipment	1,500.00
7380 PW Septic Tank	3,000.00
7385 PW Uniforms	3,500.00
7390 PW Weather Related Expenses	10,000.00
7397 PW Vehicle Fuel	18,000.00
7400 PW Streetlight Electricity	28,000.00
7410 PW Insurance	25,000.00
7420 PW Mosquito Control	2,700.00
Total 7240 Public Works Operating	\$320,600.00
Total 7000 Public Works	\$816,380.00

— Capital Improvements Plan —

A Capital Improvements Plan (CIP) allows a Town to plan its future investments, anticipate needs, set goals and secure funding to help support those goals. This CIP accounts for the Town's vehicle replacement schedule, road maintenance schedule, and infrastructure investments within the Town's current boundaries.

Annexation and Economic Development are part of the Town's future this FY26 CIP provides a plan that anticipates needs associated with these elements. Investments in Economic Development include parking and road improvements, park improvements and development, and the Façade Improvement Program. Annexation planning includes plans for new locations for the public works and police departments, equipment with a higher capacity than existing for public works, and investments in security improvements. A Capital Improvement Plan is essential for the Town to maintain responsible, long-range planning for the future.

While the Town's FY26 finances do not allow meeting the Town's infrastructure needs over the next year the Town has continued to seek out grants to assist with funding. The Town is focused on both infill and geographic growth with a focus on downtown economic revitalization.

1. Re-design, engineering, paving, and maintenance of Town Roads.
2. Park, trail, and parking investments that support economic development.
3. Investments in downtown through partnering with State and County Agencies.

— Capital Improvement Budget —

	FY26 Budget
8000 Grants & Awards	
8180 FIP	80,000.00
8700 Community Playground	250,000.00
Total 8000 Grants & Awards	\$330,000.00
9010 PS Debt Service	96,472.00
9020 PW Debt Service	144,731.00
9030 PW Capital Outlay	150,000.00
9050 Annexation	30,000.00
Total 9000 Capital Outlays	\$421,203.00
Total Expenditures	\$3,718,333.00

The five-year CIP is provided on the following pages:

Capital Improvement Plan

		FY25	FY26	FY27	FY28	FY28	FY29	Notes
Improvements to Town Roads								
Spring Branch Drive	DPW	-	-	\$30,000.00	-	-	\$30,000.00	Seal Coating & Striping
School & Wilson Lane	DPW	-	-	-	\$25,000.00	-	-	Stormwater & Repave & Striping
Rectory Lane	DPW	-	-	-	\$1,500,000.00	-	-	Stormwater & Repave & Striping
Old Mill Road	DPW	-	-	\$200,000.00	-	-	-	Stormwater & Repave & Striping
Elm Street	DPW	-	-	-	-	\$25,000.00	-	Seal Coating & Repairs & Striping
Marlborough Drive	DPW	-	-	-	-	\$25,000.00	-	Seal Coating & Striping
Marlborough Towne Roads	DPW	-	-	-	-	-	\$250,000	
Church Street & Trinity Lane	DPW	-	-	-	-	\$200,000.00	-	Traffic Calming/Traffic Study & Repave
Pratt Street	DPW	-	-	\$75,000.00	-	-	\$25,000.00	Paving & Seal Coating & Striping
TOTAL ROAD IMPROVEMENTS		\$0.00	\$0.00	\$305,000.00	\$1,525,000.00	\$250,000.00	\$305,000.00	
Town Buildings								
Town Hall	GG	-	-	-	-	-	-	
Police Department	PD	\$90,000.00	\$100,000.00	\$100,000.00	\$100,000.00	\$100,000.00	\$100,000.00	
Public Works Yard	DPW	-	-	\$150,000.00	\$150,000.00	\$150,000.00	\$150,000.00	Current does not allow for additional crew, vehicles, or equipment. Hazards: large vehicles and children.
TOTAL BUILDINGS		\$90,000.00	\$100,000.00	\$250,000.00	\$250,000.00	\$250,000.00	\$250,000.00	
Town Vehicle Needs								
FY15 Police Vehicle Purchase	PD	-	\$18,000.00	\$18,000.00	\$18,000.00	\$18,000.00	-	2016 Ford Interceptor Sedan (marked)
FY16 Police Vehicle Purchase	PD	-	\$18,000.00	\$18,000.00	\$18,000.00	\$18,000.00	-	2016 Ford Interceptor SUV (unmarked)
FY19 Police Vehicle Lease	PD	-	-	\$12,000.00	\$12,000.00	\$12,000.00	-	2020 Chevy Tahoe (unmarked)
FY19 Police Vehicle Lease	PD	-	-	\$12,000.00	\$12,000.00	\$12,000.00	-	2020 Ford Interceptor SUV (marked)
FY19 Police Vehicle Lease	PD	-	-	\$12,000.00	\$12,000.00	\$12,000.00	-	2020 Ford Interceptor SUV (marked)
FY 22 Police Vehicle Lease	PD	\$16,500.00	\$8,250.00	-	-	-	-	2021 Ford Interceptor SUV (marked)
FY 22 Police Vehicle Lease	PD	\$16,500.00	\$8,250.00	-	-	-	-	2021 Ford Interceptor SUV (marked)
FY 23 Police Vehicle Lease	PD	\$15,000.00	\$15,000.00	-	-	-	-	2023 Ford Interceptor SUV (unmarked) - speed camera
Code Compliance Car	PD	-	-	-	\$25,000.00	\$25,000.00	-	2020 Chevy Bolt (marked)
FY08 Parking Authority Vehicle	PD	-	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	-	2009 Impala -> Ford Transit Van
Message Board	PD	\$6,000.00	\$6,000.00	\$6,000.00	\$6,000.00	-	-	
PD Vehicle Subtotal		\$54,000.00	\$88,500.00	\$93,000.00	\$118,000.00	\$112,000.00	\$0.00	
FY25 Staff Vehicle	GG	-	\$12,000.00	\$12,000.00	\$12,000.00	-	-	
GG Vehicle Subtotal		\$0.00		\$12,000.00	\$12,000.00	\$12,000.00	\$0.00	
FY15 Public Works Vehicle Purchase	DPW	-	\$16,250.00	\$16,250.00	\$16,250.00	\$16,250.00	-	2015 Chevy Silverado 2500

FY16 Public Works Vehicle Purchase	DPW	-	-	\$17,000.00	\$17,000.00	\$17,000.00	\$17,000	2016 Chevy Silverado 2500
FY17 Dump Body	DPW	-	-	-	\$26,000.00	\$26,000.00	\$26,000	2017 Chevy Silverado 3500 Dump
FY25 Public Works Vehicle Purchase	DPW	\$34,131.00	\$34,131.00	-	-	-	-	2024 Ford F250
FY21 DPW Vehicle Lease	DPW	\$31,500.00	\$31,500.00	-	-	-	-	2022 Ford F550 Dump
FY24 DPW Vehicle Lease	DPW	-	-	\$22,000.00	\$22,000.00	\$22,000.00	-	Chevy Silverado 2500 (or similar)
Exmark 2005 zero turn mower	DPW	-	-	-	-	\$16,000.00	-	
Exmark walk behind mower	DPW	-	-	-	-	\$13,000.00	-	
Larger tractor or skidsteer	DPW	\$12,301.16	\$12,301.16	\$12,301.16	-	-	-	
Attenuator Trailer	DPW	-	\$10,600.00	\$10,600.00	\$10,600.00	\$10,600.00	-	Crash barrier
Boss 4' Snowrator w/Brine/salt spreader		-	\$15,500.00	-	-	-	-	
Billy Goat Leaf / debris Vacuum		-	\$6,000.00	-	-	-	-	
Avant 760 Articulating loader		-	-	-	\$70,000.00	-	-	Mower,Collecting broom,Pallet forks,General bucket
DPW Vehicle Subtotal		\$77,932.16	\$126,282.16	\$78,151.16	\$161,850.00	\$120,850.00	\$43,000.00	
TOTAL VEHICLES		\$131,932.16	\$214,782.16	\$183,151.16	\$291,850.00	\$244,850.00	\$43,000.00	
TOTAL CIP		\$221,932.16	\$314,782.16	\$738,151.16	\$2,066,850.00	\$744,850.00	\$598,000.00	

Appendix A: Description of Line Items Fiscal Year 2026 Budget

4010 Real Estate Taxes Residential	Property Taxes from homeowners and property owners
4100 Personal Property Taxes	Property Taxes from businesses
4150 PPT Public Utilities	Taxes on public utilities located in the Town of Upper Marlboro
4310 Income Taxes	Income taxes from residents distributed by the State of Maryland
4220 Town Permits	Parking permits, room rentals,
4230 Business License	In-town business licensing program
4240 Parking Meters	Payments to parking meters including via parking apps
4250 Speed Cameras	Speed camera income, expenses are restricted
4260 Parking Fines/Penalties	Tickets and fines for illegal parking
4280 Pub/Edu/Govt Broadcasting	Fee distributed to the Town for cable access
4290 Trader's Franchise Fees	Miscellaneous fees collected by the court system for banks and institutions in town.
4320 Highway User Fee	Money from the state based on the mileage of streets the Town owns
4330 State Police Aid	Money from the state to assist the Town Police Department
4410 Miscellaneous	Misc. Revenues
4420 Interest Earnings	Interest on savings
4430 Town Hall Services - Misc Rev	Notary services, room rentals, etc.
4440 Transfer from Reserve	Money from ARPA and for Capital Improvements
4450 Special Events/Donations	Sponsorships, vendor booth fees
4530 FIP	Community Legacy Grant for façade improvement program
4560 DHCD Circuit Rider Grant	Grant that funds our grant writer position
4592 Bond Bill 21-241	
4594 Bond Bill 22-661	
5105 GG Commissioner Salaries	Board of Commissioner Salaries
5107 GG Commission Expenses	Conferences
5110 GG Salaries	Staff Salaries
5111 GG Salaries - Bonuses	Holiday Bonuses

5120 GG FICA	Federal Payroll Taxes
5130 GG Health/Life/Dental Benefits	Employee Benefits
5150 GG Pension Benefits	Employee Benefits
5310 GG Accounting	Accounting Services
5320 GG Audit	Annual Audit
5330 GG Payroll Processing	Payroll Processing Service
5340 GG Town Attorney & Legal	Legal Fees
5350 GG IT Support & Equipment	IT Services, Subscriptions, and Equipment
5360 GG Media Relations	Media Relations Support
5370 GG Government Relations	Government Relations Firm
5380 GG Human Resources Services	Human Resources Support
5390 GG Planning Firm	Economic Development
5200 GG Town Facility and Vehicle Insurance	Insurance
5415 GG Merchant Services Fees	Fees for credit card payments and systems
5435 GG Training	Staff Training
5440 GG Dues & Subscriptions	Professional and Software Subscriptions
5445 GG Postage	Postage
5450 GG Printing	Internal Printing, Newsletters, Flyers, Signs, Banners
5455 GG General Supplies	General office supplies
5465 GG Town Hall Office Phones	Office Phones
5470 GG Mobile Phones	Mobile Phones
5475 GG Town Elections	Elections
5480 GG Town Hall Utilities	Electricity, Water, etc.
5490 GG Other	Misc.
5495 GG Contributions	Donations and Resident Assistance
54XX CONTINGENCY - ALL DEPARTMENTS	Contingency for unplanned emergency expenses
5905 Events Committee	Events Committee
5910 CERT Team	CERT
5915 Historical Committee	Historical Committee
5925 Green Team	Green Team

5930 TOUM Event	Small Town events & Hosting partners
5935 Trunk or Treat	Trunk-or-Treat
5940 Marlboro Day	Marlboro Day
5950 Economic Development Working Group	Economic Development Workgroup
5955 Winter Holiday	Tree Lighting
6100C Code Vehicle Maintenance	Vehicle Maintenance
6200C Code Parking Meter Maintenance	Parking Meter Maintenace
6110 PS Salaries	Police Department Salaries
6111 PS Overtime	Overtime for Police Department
6112 PS Bonus	Holiday Bonuses
6120 PS FICA	Federal Payroll Taxes
6130 PS Health Benefits	Employee Benefits
6150 PS Pension Benefits	Employee Benefits
6200 PS Uniforms	Uniforms
6210 PS Weapons & Duty Equipment	Weapons and other equipment for officers
6220 PS Training & Memberships	Training for Police Officers
6230 PS Pre Employment	Pre-employment expenses for police officers
6260 PS Mobile Phone	Mobile Phones
6270 PS Supplies	General supplies
6300 PS Professional Services	Accounting, HR, Legal, etc.
6400 PS Occupancy	Police Office Space
PS Utilities	Electric, Water, etc.
6700 PS Vehicle Repairs	Repairs to police vehicles
6710 PS Vehicle Fuel	Fuel for police vehicles
6720 PS Insurance	Insurance
6750 Police State Aid	The State Aid for Police Protection Fund is a formula-driven funding program used to supplement resources for police protection in our local communities. State funds provide additional revenue to support the operational costs of local and county police agencies
6851 PS Speed Camera Admin Fee - 4 Cameras	Fees for speed cameras

6852 PS Speed Camera Service Fees	Service fees for speed cameras
6853 PS Speed Camera Salaries	Police salaries for speed cameras
6854 PS Speed Camera FICA	Federal Taxes for speed camera staff
6855 PS Speed Camera Occupancy	Building expenses for speed camera employees
6856 PS Speed Camera General Supplies	Supplies related to speed cameras
6857 PS Speed Camera Overtime	Overtime for approving tickets
6858 PS Speed Camera Uniforms	Uniforms for speed camera officers
6859 PS Speed Camera Weapons & Duty Equipment	weapons and duty equipment for speed camera officers
6860 PS Speed Camera Training & Membership	training for speed cameras
6861 PS Speed Camera Pre-Employment	Pre-employment costs for speed camera employees
6862 PS Speed Camera Mobile Technology	laptops for speed camera employees
6863 PS Speed Camera Supplies	supplies related to speed cameras
6864 PS Speed Camera Vehicle Repairs	vehicle repairs for speed camera employee vehicles
6865 PS Speed Camera Vehicle Fuel	vehicle fuel for speed camera employee vehicles
6866 PS Speed Camera	-
6870 PS Speed Camera Marlboro VFD Support	Support for Volunteer Fire Department
6880 PS Speed Camera Due to State	Money due to state from speed camera program
7110 PW Salaries	Salaries
7111 PW Overtime	Overtime for Public Works
7112 PW Bonus	Holiday Bonus
7120 PW FICA	Federal Taxes
7130 PW Health-Life-Dental	Employee Benefits
7150 PW Pension Benefits	Employee Benefits
7210 PW Waste Collection/Disposal Fees	Fees at County facility
7220 PW Waste Disposal/Contractor	Trash Contractor costs
7250 PW Town Hall Maint/Repairs/Beautification	Building Maintenance and General Town Beautification
7251 PW Christmas Decor	Holiday Decor

7260 PW Training & Memberships - Dues	Training and memberships for DPW employees
7270 PW Other	Misc.
7280 PW Streets Maintenance	Maintenace of Town streets
7340 PW Vehicle Maintenance	Maintenace of DPW vehicles
7350 PW Utilities	Electricity, water, etc.
7360 PW Mobile Technology	Mobile Phones & other mobile devices
7370 PW Small Tools & Equipment	Tools and equipment
7372 PW Office Supplies	Office supplies
7374 PW Computer Software & Equipment	Computer equipment and software programs
7380 PW Septic Tank	Septic Tank at DPW Building
7385 PW Uniforms	Uniforms for DPW employees
7390 PW Weather Related Expenses	Expenses for winter weather events, general storms, flooding, and other weather-related expenses
7397 PW Vehicle Fuel	Fuel for DPW vehicles
7400 PW Streetlight Electricity	Electricity for the Town's Streetlights
7410 PW Insurance	Insurance
7420 PW Mosquito Control	State Mosquito Spraying contact
8180 FIP	Facade Improvement Program
8700 Community Playground	Splash Pad and tot Playground
9010 PS Debt Service	Police Vehicles
9020 PW Debt Service	Public Works Vehicles
9030 PW Capital Outlay	Major Road repairs and maintenance
9050 Annexation	Annexation costs

Appendix B: Public Engagement Survey

The Following is the survey as it was posted on the Town’s webpage in March, April, and May of 20205.



Town of Upper Marlboro FY26 Budget Survey

* Name

* Street Name-- Select an Option -- Elm Street, Main Street, Marlborough Circle, Marlborough Drive, Marlborough Grove, Marlborough Lane, Marlborough Terrace, Old Crain Highway, Old Marlboro Pike, Old Mill Road, Rectory Lane, School Lane, Spring Branch Drive, Trinity Lane, Wilson Lane, Church Street, Trinity Lane, Valley Lane

The Board of Commissioners, in discussions with community members, has established the following goals to guide our work over the next two years. These priorities reflect input from residents, businesses, and stakeholders, ensuring that our efforts align with the needs and aspirations of our town.. These goals are:

Economic Development & Sustainability

The Board of Commissioners wishes to begin implementation of the Downtown Renaissance Vision Plan. Commissioners would like to see improved marketing of the Town. New and more varied restaurants with healthy options and evening and weekend hours are a goal for downtown. The Board would like to see the increased tax base that comes with economic vitality and grant opportunities directed to improvements in downtown property that is both privately and publicly owned. The Town would like to position itself to purchase vacant properties as they become available to ensure that the community has a say in the design and development of these properties.

Resident Services & Community Engagement

The Board of Commissioners wants to focus on quality-of-life improvements and events for resident and increase community engagement. The Board would like to survey residents to find out what activities would encourage them to get more involved. Building a more robust youth engagement and volunteer base is important to this board.

Infrastructure & Beautification

The Board of Commissioners would like to see improvements to road and parking infrastructure. The Commissioners would like to increase litter pick up and address substantial collections of garbage that can build up and spread around during weather events. Flooding residency is important to the free flow of traffic in the area and working with the state and county to ensure infrastructure upgrades are important to the Board.

* Are these goals in alignment with your vision of the Town?

Which of these three goals is MOST important to you for the upcoming year?-- Select an Option -- Economic Development & Sustainability, Resident Services & Community Engagement, Infrastructure & Beautification

Are there specific projects or programs you would like us to consider in this budget?

Please provide any comments you have about your prioritization

Please provide any additional comments or ideas to help your Board of Commissioners establish a balanced budget that matches your priorities.

Thank you for your participation!

If you would like to provide additional comments please attend a Town meeting on the second or fourth Tuesday of each month starting at 7:00 pm or provide a comment in our suggestion box here:

https://www.uppermarlboromd.gov/contact_us/virtual_comment___suggestion_box/index.php

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The data from this survey is provided in the main document in the section titled: “Public Engagement”. The specific comments that residents shared are in the table below.

Are there specific projects or programs you would like us to consider in this budget?

Marlborough Towne roads
Let's light up the town on Main Street for the Christmas Season.
Green infrastructure and clean up.
Lower HOA fees and affordable housing
More businesses and restaurants downtown.
I would finally like to see the intersection of School Lane and Wilson Lane, along with the overdue storm water management from Sasscer Field which has gone unaddressed for decades.
Things for the less fortunate, if that time arise.
Addition of Restaurants with nice dining with nights and weekends. Make the town community friendly, safe, and with family events.
More money for residents that are in need.
The implementation of speed reduction devices through the entirety of our downtown area. I believe that the largest defect that could be corrected to create a interest
Please remove the online historic walking tour from the budget. It is far too expensive for what we are getting out of it. If they charged 10% of current cost it may be worth considering, but the vendor is gouging for what their services provide. As we need further walking tours we can 1) reference the pdf version on our Town website, and 2) print copies for handing out at events. I'd be glad to help with an updated version.
Bring more restaurants to town
Bike path
Empty lots and parking
Let's get the Sasscer Field storm water run-off fixed once and for all. We've been talking to the Town for many years and we still don't have anything in place. Repeatedly streams of mishandled storm water has repeatedly ran in streams between our properties on Rectory Lane as cost us thousands of dollars that we can't
Some kind of drainage system for the main road. And maintenance to street signs leaning, etc. additional road bumps in the service lane since people like to speed. Fixing the dilapidated picnic tables in the park, as well as the fountain and seating area. It

would be nice to have more dog walk stations around town with the bags filled bi weekly or monthly.

New restaurants and businesses

With the current budget, I'm not certain that the Town buying property would increase economic growth. The town barely takes care of the property it currently owns. Kiosk in Parking lot, fences down, no lighting or cameras on parking lot, No Gate to protect the property at night. No police presence on weekends and evenings. These are safety concerns that need to be addressed.

Please provide any comments you have about your prioritization

Love how the town is coming to life.

Push the parking lot and building owners to keep lots in good condition, neat, and put up trees and shrubs along the perimeter. How about encouraging less gaudy signage and replace with a cohesive downtown theme?

I live in Marlborough Towne these HOA fees are ridiculous for as old as these townhouses are lower these fees.

This has been an administrative agenda item since we moved here 8 years ago and after a couple of different consultant plans. It would be nice to see some action on this, though, I'm aware there are some constraints. Also, attempt to partner with the county to clean up the eyesore that is the area between 202 and 301. If I didn't know the area I wouldn't turn down Old Marlboro Pike from either one of those roads because it looks like a dump. Also, and I know this is a county issue, too, but do something with the old school (that's not a detention center). Even if you just remove the building and make it a dog park, or something. It's just another thing that makes the town look not well taken care of.

With regard to the economic development of downtown businesses, I strongly suggest that we roll back the cost of expensive parking that we've experienced the last few years. In the last year, I've tried to visit a couple of downtown businesses only to find parking either expensive or non-existent. I couldn't find parking on Main Street when I visited the Upper Marlboro Grille and had to park over at the Court House, which cost over \$5.00 in the middle of the day with a long walk for a senior citizen like me to purchase one burger for my wife. Needless to say I'm reluctant to visit downtown businesses with those costs to residents. I have informally talked to downtown

merchants on at least three occasions during which they all said that they were against the parking fees due to the adverse impact to their businesses, these businesses were restaurants and hair stylists. Two of which have since relocated.

The federal/state grant funding on the back of a reduced county budget make the upcoming years difficult for the Town. Large unexpected expenses occur, so it would be reasonable to budget conservatively.

I would like to engage in the community more so I'm open to more activities

I love the painting of the electrical boxes and the horses. I would love to see more benches and plants. If possible the hanging plants around especially the commercial areas would be wonderful.

See directly above, properties are being damaged by lack of stormwater management and yet we are required to keeping paying ever higher taxes and more and more additional fees for everything, while those in a position to do something don't do anything to correct any of these problems. I've been ghosted by Sydney Harrison for years and his face is on every photo op possible. Complete lack of substance and of course he runs unopposed so we're stuck with him. Taxation without representation comes to mind.

It would be nice not to see more restaurants and shops open up in the town

Safety first. To date: Guns found on private property, Random people sitting, leaving bags and bookbags on private property, eating and throwing trash on private picnic areas on private property. Dumping appliances on private property. Town owned lots left open without lights, cameras or police surveillance, speeding in residential areas, public urination and defecation on Town properties, Rusted, mangled, guard rails, Trash dumpsters left open. Old faded signs on telephone poles, advertisement signs tacked to poles. And that is just on MY street.

Please provide any additional comments or ideas to help your Board of Commissioners establish a balanced budget that matches your priorities.

Let's get the town garden going!

Get restaurants instead of all these dollar stores

If it's still in planning, or has been passed, I agree with the policy of making building owners on main street pay extra taxes if they keep a property vacant.

I would like to see budgets adopted that include across the board cuts, where possible. Town, County, and State residents are experiencing increases across the board in fees, taxes, and increased charges. At some point citizens, especially seniors, have to see common sense rolebacks before they have to resort to relocation to other states, which does not help those we leave behind. Thank you!

I think the board are doing a fine job thus far.

I'm interested in OMES and the Old Stone Building. Hopeful of State Grant funding for the Old Stone Building, even if used initially for storage (the most minimal cost usage I can think of), it could save the Town money that would be otherwise be spent on leasing space, could also be used for offices with a few parking spaces carefully laid out on the Church St. side if done right.

To balance the budget focus more on savings than spending. I've seen what I consider to be a lot of unnecessary spending under this Town Administration and I'm not a fan of some of the Commissioners, they did not present well and I was astonished to see them get voted in. I would like to see more outreach from the Town Hall. When you're closed tell us, when theirs changes to trash, recycling, and bulky waste, tell us so we're not left guessing. The Town's presence on Nextdoor has almost disappeared altogether. We had none of these problems under the previous Town Administrator. Under the current Town Administrator my emails are not answered, I have to talk to a receptionist who seems to know next to nothing (maybe she's a temp?). The list goes on and on. I would always give you guys a A+. Currently a C-. Please' let's do better. Stop spending and improve your personnel performance, or at least the perception.

Additional registrants and public parking availability outside of courthouse hours. It seems that the only parking available is on Main Street during the day and access in the evenings would allow more frequent foot traffic. A repeating farmers market during the week catered towards the population there during the day and residents.

Church Street, Trinity Lane and Valley Lane were not selected Street options for this survey.