#### **BOARD OF COMMISSIONERS**

#### FOR THE

#### TOWN OF UPPER MARLBORO

ORDINANCE: 2022-03

SESSION: Regular Town Meeting

INTRODUCED: May 24<sup>th</sup>, 2022

DATE ENACTED:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### Fiscal Year 2023 Annual Budget

#### Part 1: FISCAL YEAR 2023 OPERATING BUDGET

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

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

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

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

### Part 2: FISCAL YEAR 2023 CIP BUDGET

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

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

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

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

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

# Part 3: FISCAL YEAR 2023 TOWN AUTOMATED TRAFFIC ENFORCEMENT BUDGET

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

### **FY23 Budget**

Camera Revenues \$ 80,376

Total \$ 80,376

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

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

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

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

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

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

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

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

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

Public Safety Specialty & Incentive Hourly Pay

• Active Field Training Officer: \$4.00 an hour

• Night Shift Differential: \$2.45 an hour

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

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

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

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

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

AYES:	NAYES:	ABSENT:
<b>ORDAINED, APPROVED AND</b> of Upper Marlboro, Maryland on this _		Board of Commissioners of the Town , 2022, by:
Attest:		OWN OF UPPER MARLBORO D OF COMMISSIONERS
	Sarah F	Franklin, President
	Janice 1	Duckett, Commissioner
	Charles	S Colbert, Commissioner
	Karen l	Lott, Commissioner
John Hoatson, Town Clerk	Thoma	s Hatchett, Commissioner
Reviewed and Approved for Legal Suf	ficiency	
	Date:	
Kevin I Best Town Attorney		

### Attachment A: Operating Budget Detail

Revenues		
	F	Y23 Budget
Taxes		
Commercial Real Estate	\$	207,745
Residential Real Estate	\$	211,360
Personal Property	\$	47,435
Public Utilities	\$	588,000
Income Taxes	\$	345,000
Entertainment Tax		
Total	\$	1,399,540
Fines Licenses & P	ermit	s
Franchise & Trader's License Fee	\$	13,000
Business Licenses	\$	18,000
Town Permits	\$	1,500
Parking Meter Payments	\$	125,000
Parking Fines & Penalties	\$	30,000
Pub/Edu/Govt Broadcasting	\$	2,500
Total	\$	190,000
Intergovernmen	ıtal	
Financial Corporation Tax	\$	9,000
Highway User Revenue	\$	31,399
Police State Aid	\$	18,000
Refuse Disposal Fee Rebate	\$	1,500
American Rescue Plan	\$	190,000
DHCD Circuit Rider Grant	\$	50,000
Total	\$	299,899
Miscellaneous Rev	enue	
Town Hall Services & Rentals	\$	2,000
Interest Earnings	\$	1,500
Event Revenue	\$	10,000
Withdraw of Reserve Funds	\$	61,500
Total	\$	75,000
<b>Total Revenues</b>	\$	1,964,439

## Town Operating Expenses

General Government Oper	ating	Expenses
	F	Y23 Budget
Town Elected Off	icials	
Commissioner #1 Stipend	\$	19,000
President Salary	\$	15,000
Elected Development & Training	\$	3,000
Total	\$	37,000
General Government St	aff Sa	laries
Regular Salaries	\$	329,260
Holiday Bonuses	\$	3,750
Total	\$	333,010
Consultants & Fi	rms	
Accounting Services Firm	\$	28,000
Auditing Firm	\$	20,000
Government Relations	\$	36,000
Media Relations	\$	14,400
IT Firm	\$	3,600
Human Resources Services	\$	11,000
Planning/Economic Dev Firm	\$	30,000
Roadway Engineering Firm	\$	-
Annexation Survey, etc.	\$	20,000
Town Attorney & Legal	\$	50,000
Total	\$	213,000
Financial, Benefits, an	d Pay	roll
Payroll Processing	\$	5,000
Bank Charges & Processing Fees	\$	10,000
Parking Transaction Fees	\$	10,000
Payroll Taxes	\$	18,370
Maryland State Retirement	\$	37,542
Healthcare Expense	\$	19,000
Town Insurance Policy	\$	6,000
Life Insurance Policy	\$	12,000
Total	\$	117,912
Operating		
Town Elections (Supplies &	Φ.	
Judges)	\$	
Staff Development & Training	\$	4,000
Printing	\$	15,000

Postage	\$	2,000
Supplies & Computer Equipment	\$	15,000
Office Telephones & Cell phones	\$	5,000
Town Hall Utilities & Cleaning	\$	12,000
Area Non-Profit Support	\$	20,000
Cable Access Channel	\$	2,500
Software Programs	\$	10,000
Other	\$	2,010
Total	\$	87,510
Town Committees &	k Even	
Historical Committee	\$	1,340
CERT Team	\$	900
Arts Council	\$	-
Green Team	\$	1,800
Events Committee	\$	4,590
Marlboro Day	\$	5,220
Old Crain Hwy Centennial	\$	3,160
Happy Leaf Festival	\$	3,160
Trunk or Treat	\$	1,800
Winter Holiday	\$	1,800
Town Government Events	\$	3,000
Total	\$	26,770
Total Expense Gen Gov	\$	815.202

Public Safety				
	FY23 Budget			
Public Safety Staff	Salarie	es		
Regular Salaries	\$	431,182		
Holiday Bonuses	ses \$ 4,50			
Total	\$	435,682		
Public Safety Operating				
Uniforms	\$	4,000		
Recruitment/Background	\$	3,000		
Duty Equipment	\$	2,000		
Training & Development	\$	2,000		
Mobile Technology	\$	5,000		
Insurance	\$	6,000		
Office Supplies	\$	1,000		
Computer Software & Support	\$	2,000		
Payroll Taxes	\$	18,361		
Maryland State Retirement	\$	13,540		

Healthcare Expenses	\$ 19,000
Vehicle Maintenance & Repairs	\$ 7,778
Community Events	\$ 1,500
Police Station Utilities &	
Cleaning	\$ 6,000
Police IT Support	\$ 3,600
Consultants & Firms	\$ 12,600
Other	\$ 2,000
Total	\$ 109,379
Police State Aid	\$ 18,000
Total	\$ 18,000

### **Parking & Code Enforcement**

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

Total Expense Public Safety \$ 568,283

### **Public Works Operating Expenses**

FY23 Budget

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

### **Public Works Operating**

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

Mosquito Control	\$	1,600
Other	\$	2,000
Total	\$	163,354
Refuse Collecti	ion	
Residential Trash Collection	\$	47,000
Residential Recycling Collection	\$	9,500
Bulk & Yard Waste Disposal		
Fees	\$	4,500
Total	\$	61,000
<b>Total Expense Public Works</b>	\$	484,344
Transfer to CIP Fund	\$	96,610
Transfer into Reserves	\$	-
Transfer into Reserves	\$	-
Transfer into Reserves  Total Operating Expense	\$ <b>\$</b>	1,964,439
	•	1,964,439

### Attachment B: Capital Improvements Budget

R	e	V	er	u	ıe	S

	F	Y23 Budget
Transfer from Operating	\$	96,610
ARPA Transfer	\$	85,000
FY19 DNR Grant	\$	-
FY21 DNR Grant	\$	199,000
FY22 DNR Grant	\$	192,000
FY23 Bond Bill	\$	275,000
DHCD FIP Grant	\$	50,000
County DPW&T Grant	\$	100,000
State Streetscape Grant	\$	425,000

Total \$ 1,422,610

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

Total \$ 1,422,610

### Attachment C: Red Light and Speed Camera Budget

Revenues				
	FY23 Budget			
Camera Revenues	\$	80,376		
Total	\$	80,376		
Expenses				
Monthly Camera Fees	\$	80,376		
Police Trailer Install & Rental	\$	-		
Police Officer Salaries	\$	-		
Police Equipment & Supplies	\$	-		
Police Computer & IT	\$	-		
Total	\$	80,376		