

## **The Town of Upper Marlboro**

**RESOLUTION: 2023 - 03**

**SESSION: Regular Town Meeting**

**DATED: February 28, 2023**

### **A RESOLUTION OF THE TOWN BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO TO APPROVE THE 2ND ACCEPTANCE OF A FY23 LOCAL AGENCY LICENSE PLATE READER GRANT FROM THE MARYLAND STATE POLICE AND AUTHORIZE THE PURCHASE OF CAMERAS AND A LICENSE FROM A VENDOR**

WHEREAS, the Board of Commissioners for the Town of Upper Marlboro has authority pursuant to §82-16(2)(bb) (Grants-in-Aid) of the Town Charter to pass ordinances allowing the acceptance of 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; and

WHEREAS, the Board of Commissioners for the Town of Upper Marlboro has authority pursuant to §82-16(2)(ss) (Police Force) of the Town Charter to pass ordinances to establish, operate, and maintain a police force, and that all Town policemen shall, within the municipality, have the powers and authority of constables in this State; and

WHEREAS, according to a letter received from the Maryland State Police dated 01/24/23, the Town's application for the FY23 Local Agency License Plate Reader Grant has been approved in the amount of \$15,175.00 additional; and

WHEREAS, the Board finds that Automatic License Plate Recognition (ALPR), also known as License Plate Reader (LPR), provides automated detection of license plates, and the LPR system consists of a high-speed camera, mounted either at a fixed location or on a mobile patrol vehicle, and a computer to convert data from electronic images of vehicle license plates into a readable format, and then compare the information against specified databases of license plates, and the system attaches camera identification, date, time, and location information, to include GPS coordinates, to the digital image and it is maintained electronically in a central location to provide a means of ensuring the license plate number was properly converted; and

WHEREAS, the Board further finds that with large numbers of agencies embracing this LPR technology, Maryland has embarked on a plan to network LPR data collected from these various agencies to one central server, housed at the Maryland Coordination and Analysis Center (MCAC) and LPR data housed on the central server is maintained for a period of one year and is made available to all law enforcement agencies, provided that the data search requested is related to a criminal investigation or relevant to the safety of officers and citizens; and

WHEREAS, the Board further finds that Maryland's License Plate Readers and Captured Plate Data Law, effective since October 1, 2014, placed language in Maryland Annotated Code, PS Article,

Section 3-509 to address authorized uses of Automatic License Plate Readers and captured plate data, and as a result, Maryland law enforcement agencies and the MCAC must implement certain procedures and regulations including the an audit policy for access to and use of automatic license plate reader data; and

WHEREAS, the Upper Marlboro Police Department has obtained a quote (Quote #6002862) from Applied Technology Services (ATS), a Maryland Corporation in good standing with the State, in the amount of \$13,925.00 to purchase 1 ELSAG Plate Hunter cameras, technical support and an operation center license; and

WHEREAS, Ordinance 2022-06 (Purchasing and Contracts), Section 3.B states that expenditures for supplies, materials, equipment, construction of public improvements or contractual services involving Ten Thousand Dollars (\$10,000.00) to Seventy-Five Thousand Dollars (\$75,000.00), shall be made by the Board without requiring any quotes, advertisements offering sale, proposals or through the use of any other competitive procurement methods; however, a majority of the Board present and voting may elect to require any such competitive method so designated be used; and

WHEREAS, the Town Board of Commissioners hereby finds that sufficient funds have been appropriated to purchase 1 ELSAG Plate Hunter cameras, technical support and an operation center license from ATS, as referenced above, in the FY2023 Budget, which includes the scope of the subject Quote: #6002862 (Attachment A) issued 01/26/23 by ATS.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners for The Town of Upper Marlboro hereby authorizes the President and/or the Chief of Police to execute a Proposal/Quote by ATS for an amount not to exceed \$15,175.00 and to execute any other relevant contract documents to effectuate the purpose of this Resolution.

AND, BE IT FURTHER RESOLVED, by the Board of Commissioners for The Town of Upper Marlboro, that the Chief of Police shall promulgate a directive in accordance with PS Art., §3-509 that substantially complies with the Model Audit Policy for LPR (August 27, 2014) prepared by the Maryland Coordination and Analysis Center (MCAC) and as described in the LGIT Risk Management Bulletin No 127 of September 2014 (Attachment B).

PASSED by the Board of Commissioners of the Town of Upper Marlboro, Maryland at a regular meeting on this 28th day of February, 2023.

Attest:

THE TOWN OF UPPER MARLBORO  
BOARD OF COMMISSIONERS

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Sarah Franklin, President

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Janice Duckett, Commissioner

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Charles Colbert, Commissioner

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Karen Lott, Commissioner

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John Hoatson, Town Clerk

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Thomas Hanchett, Commissioner

### CERTIFICATION

I, the undersigned, hereby certify that I am the Town Clerk of the Town of Upper Marlboro and that the Board of Town Commissioners of the Town of Upper Marlboro at a public meeting at which a quorum was present adopted this Resolution, and that said Resolution is in full force and effect and has not been amended or repealed.

In witness whereof, I have hereunto set my hand and seal of the municipal corporation, this 28<sup>th</sup> day of February, 2023.

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John Hoatson, Town Clerk

Attachment A: ATS Quote

Attachment B: LGIT Risk Management Bulletin No 127