

**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.

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 2023 Budget Ordinance (“FY2023 Budget Ordinance”) shall be divided into the following major anticipated revenue funds or groups having the estimated amounts as indicated below:

<u>REVENUE SOURCE</u>	<u>BUDGET AMOUNT</u>
Taxes	\$1,399,540
Fines Licenses & Permits	\$190,000
Intergovernmental	\$299,899
Miscellaneous Revenue	\$73,500
<b>Total Revenues</b>	<b>\$1,962,939</b>

**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 FY2023 Budget Ordinance shall equal or exceed the total of the proposed expenditures within the following general classifications of expenditures as set forth in the appropriations with the amounts as indicated below:

<u>EXPENDITURES</u>	<u>BUDGET AMOUNT</u>
General Government	\$458,920
Public Safety	\$552,355
Public Works Department	\$484,354
Transfer to CIP	\$108,610
<b>Total Expenditures</b>	<b>\$1,965,429</b>

**Section 3.** The Fiscal Year 2023 CIP Budget Ordinance (“FY2023 CIP 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>
Transfer from Operating	\$108,610
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
<b>Total Revenues</b>	<b>\$1,434,610</b>

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

<u>EXPENDITURES</u>	<u>Budget Amount</u>
Phase 2 & 3 Playground	\$755,075
Resident Assistance	\$15,000
Gen Gov Copier/Printer	\$12,000
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
<b>Total Expenditures</b>	<b>\$1,434,610</b>

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

	<b>FY23 Budget</b>
Camera Revenues	\$ 80,376
<b>Total</b>	<b>\$ 80,376</b>

**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 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:

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

**Section 3.** 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”). 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 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 FY2023 Budget was approved.

**Section 4.** 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 \$2.10 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 chart 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	Parking Authority	Administrative Assistant
1	\$53,500	\$56,500	\$58,500	\$61,900	\$70,000	\$80,000	\$45,000
2	\$55,105	\$58,195	\$60,255	\$63,757	\$72,100	\$82,400	\$46,350
3	\$56,758	\$59,941	\$62,063	\$65,670	\$74,263	\$84,872	\$47,741
4	\$58,461	\$61,739	\$63,925	\$67,640	\$76,491	\$87,418	\$49,173
5	\$60,215	\$63,591	\$65,842	\$69,669	\$78,786	\$90,041	\$50,648
6	\$62,021	\$65,499	\$67,818	\$71,759	\$81,149	\$92,742	\$52,167
7	\$63,882	\$67,464	\$69,852	\$73,912	\$83,584	\$95,524	\$53,732
8	\$65,798	\$69,488	\$71,948	\$76,129	\$86,091	\$98,390	\$55,344
9	\$67,772	\$71,573	\$74,106	\$78,413	\$88,674	\$101,342	\$57,005
10	\$69,805	\$73,720	\$76,329	\$80,765	\$91,334	\$104,382	\$58,715
11	\$71,900	\$75,931	\$78,619	\$83,188	\$94,074	\$107,513	\$60,476
12	\$74,057	\$78,209	\$80,978	\$85,684	\$96,896	\$110,739	\$62,291
13	\$76,278	\$80,555	\$83,407	\$88,255	\$99,803	\$114,061	\$64,159
14	\$78,567	\$82,972	\$85,909	\$90,902	\$102,797	\$117,483	\$66,084
15	\$80,924	\$85,461	\$88,486	\$93,629	\$105,881	\$121,007	\$68,067

**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; and

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

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

AYES: \_\_\_\_

NAYES: \_\_\_\_

ABSENT: \_\_\_\_

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

Attest:

THE TOWN OF UPPER MARLBORO  
BOARD OF COMMISSIONERS

\_\_\_\_\_  
Sarah Franklin, President

\_\_\_\_\_  
Janice Duckett, Commissioner

\_\_\_\_\_  
Charles Colbert, Commissioner

\_\_\_\_\_  
Karen Lott, Commissioner

\_\_\_\_\_  
John Hoatson, Town Clerk

\_\_\_\_\_  
Thomas Hatchett, Commissioner

Reviewed and Approved for Legal Sufficiency

\_\_\_\_\_  
Kevin J. Best, Town Attorney

Date: \_\_\_\_\_

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