

**CHARTER AMENDMENT RESOLUTION NO. 01-2016**

**A CHARTER AMENDMENT RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO, MARYLAND, AMENDING SECTION 82-57 (CLERK TO THE BOARD) OF THE CHARTER OF THE TOWN OF UPPER MARLBORO, MARYLAND AUTHORIZING THE CLERK TO DULY NAME PERSONS TO RECORD AND NOTATE MEETINGS OF THE BOARD FOR THE OFFICIAL RECORD**

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO, MARYLAND adopted pursuant to the authority of Article XI-E, § 4 of the Constitution of the State of Maryland and Subtitle 3 of the Local Government, of the Annotated Code of Maryland, to amend Section 82-57, (Clerk to the Board) of the Charter of the Town of Upper Marlboro, to authorize the Clerk to duly name persons to record and notate meetings of the Board of Commissioners for the official record.

**Section 1.** NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF UPPER MARLBORO on this 8<sup>th</sup> day of March 2016, that Section 82-57, (Clerk to the Board) of the Charter of the Town of Upper Marlboro, Maryland shall be and is hereby amended to read as follows:

Section 82-57. (Clerk to the Board).

There shall be a clerk to the Board. [~~He~~] THE CLERK shall be appointed by the President with the approval of the Board and shall serve at the pleasure of the President. [~~He~~] THE CLERK shall attend every meeting of the Board and keep a full and accurate account of the proceedings of the Board. [~~He~~] THE CLERK shall keep such other records and perform such other duties as may be required by this Charter or the Board. IN THE EVENT THAT THE CLERK CANNOT BE PRESENT FOR ANY MEETING OR MEETINGS OF THE BOARD, THE CLERK SHALL HAVE THE AUTHORITY, WITH THE BOARD'S APPROVAL, TO ASSIGN THE RESPONSIBILITY OF ATTENDING SAID BOARD MEETING(S), AND THE TAKING OF MEETING MINUTES, TO A TOWN ADMINISTRATIVE STAFF MEMBER AS A TEMPORARY ALTERNATE.

**Section 2.** BE IT FURTHER RESOLVED that this Charter Amendment Resolution is adopted this 8<sup>th</sup> day of March, 2016, and that upon adoption by the Board of Commissioners 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 not less than four (4) times at weekly intervals within the forty (40) days following the adoption of this Charter Amendment Resolution.

**Section 3.** 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 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 4.** BE IT FURTHER RESOLVED that when the Charter Amendment hereby initiated becomes effective, as provided herein, or following a referendum election, the Town Clerk 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 5.** BE IT FURTHER RESOLVED that the Town Clerk of the Town of Upper Marlboro is specifically instructed to carry out the provisions of Sections 2, 3, 4, and 5 hereof, as evidence of compliance herewith, the Town Clerk 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 4, 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 8<sup>th</sup> day of March, 2016.

**PASSED** by the Board of Commissioners of the Town of Upper Marlboro, Maryland at a regular meeting on the 8<sup>th</sup> day of March, 2016.

ATTEST:

BOARD OF COMMISSIONERS OF THE  
TOWN OF UPPER MARLBORO,  
MARYLAND

  
M. David Williams  
Clerk

  
James Storey  
President

  
Linda Penoyer  
Commissioner

Effective Date: April 27, 2016

  
Nancy C. Clagett  
Commissioner



CHARTER RESOLUTION CERTIFICATE

I, M. DAVID WILLIAMS, the duly appointed, and qualified Clerk to the Board of Commissioners of the Town of Upper Marlboro, a municipal corporation of the State of Maryland, do hereby certify that (i) the attached copy of Charter Amendment Resolution 01-2016 is true, correct and complete; (ii) Charter Amendment Resolution 01-2016 was duly adopted by the Board of Commissioners of the Town of Upper Marlboro at a regular meeting held on March 8, 2016; (iii) said meeting was duly convened and a quorum was present and acting throughout; (iv) Charter Amendment Resolution 01-2016, after having been introduced and fully discussed, was duly adopted, all Commissioners present voting in the affirmative; and (v) Charter Amendment Resolution 01-2016 has not been 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 Town of Upper Marlboro this 8<sup>th</sup> day of March, 2016.

(SEAL)



  
M. David Williams  
Town Clerk