

**RESOLUTION FOR AN AMENDMENT
TO THE CHARTER OF THE
TOWN OF HURLOCK, MARYLAND**

CHARTER AMENDMENT RESOLUTION NO. 2023-1

Introduced By: Councilmember Earl Murphy, Jr.

**A RESOLUTION OF THE COUNCIL OF THE TOWN OF
HURLOCK TO MODIFY THE TIERED SALARY AND EDUCATIONAL
INCENTIVES SYSTEM FOR MEMBERS OF THE COUNCIL**

WHEREAS, Article III, Section 303 of the Charter of the Town of Hurlock currently provides for a tiered salary system for Councilmembers based on an initial term with salary increases for up to three consecutive terms along with a salary incentive for the completion of certain training benchmarks; and

WHEREAS, the Council of the Town of Hurlock has determined that it is in the best interests of the Town to amend Article III, Section 303 to further define a full term in order to be eligible for the next tier and to drop the “consecutive” term requirements; and

WHEREAS, pursuant to Article XI-E, Section 4 of the Constitution of Maryland, Section 4-301 et seq. of the Local Government Article of the Annotated Code of Maryland, and the Charter of the Town of Hurlock, the Council of the Town of Hurlock is hereby authorized to amend the Charter of the Town of Hurlock.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF HURLOCK, that the following amendment to the Charter of the Town of Hurlock is hereby proposed, and upon completion of the requirements of Article XI-E, Section 4 of the Constitution of Maryland, Section 4-301 et seq. of the Local Government Article of the Annotated Code of Maryland, and the Charter of the Town of Hurlock, the Charter of the Town of Hurlock shall be amended as follows:

KEY

Bolded and Underscored.....Provisions to be added to the existing Charter.

~~Bolded and Strikethrough~~.....Provisions to be repealed from the existing Charter.

Section 303. Salary of Councilmembers.

a. Each Councilmember shall receive, **at the beginning of the applicable term**, an annual salary which shall be specified from time to time by the Council in the regular course of its business in accordance with a three-tiered plan based on the **initial qualifying** term or number of **consecutive qualifying** terms, **whether consecutive or not**, of each Councilmember with the salary capped at three terms plus the educational incentives hereinafter described. **A Councilmember must serve a period of greater than one year of a term for that term to be considered a qualifying term.** The three tiers shall be described as: 1st Term; 2nd **Consecutive** Term; and any 3rd **Consecutive** Term.

b. In the event of a vacancy on the Council, any person appointed to serve on the Council pursuant to Article III, Section 307, shall be paid at the same rate as a 1st Term Councilmember for the remainder of that term, **unless that Councilmember has served previously on the Council, in which event that Councilmember shall be paid at the appropriate tier rate.** ~~If the Councilmember filling the vacancy is elected at the next applicable municipal election, that Councilmember shall be considered a 1st Term Councilmember and paid according to the 1st Term tier.~~

c. In addition to the above, upon completion of the Academy for Excellence in Local Governance program facilitated by and/or administered by the University of Maryland, College Park, and receipt of a graduation certificate, such Councilmembers shall receive annually, beginning in the year of receipt of such graduation certificate, an additional amount as set from time to time by the Council in the regular course of business.

d. In addition to the above, upon receipt of a certificate/graduate designation as a "Torchbearer" from the Academy for Excellence in Local Governance program facilitated by and/or administered by the University of Maryland, College Park, such Councilmembers shall receive annually, beginning in the year in which the "Torchbearer" certificate/graduate designation is received, an additional amount as set from time to time by the Council in the regular course of business.

e. The salary and educational incentives specified at the time any Councilmember takes office shall not be changed during the term for which that Councilmember was elected. The ordinance making any change in the salary and the educational incentives paid to the several Councilmembers either by way of increase or decrease, shall be finally adopted prior to the next municipal election for the affected members of the Council and shall take effect only as to

the affected members of the Council following the next applicable municipal election.

AND BE IT FURTHER RESOLVED that upon passage or adoption of this Resolution by the Council of the Town of Hurlock, the Town Manager, at the direction of the Mayor of the Town of Hurlock, shall (a) post a complete and exact copy of this Resolution, containing the proposed amendments, at the Town Office on the public bulletin board for a period of at least forty (40) consecutive days following its adoption; and (b) cause a fair summary of the proposed amendment, as contained herein, to be published not less than four (4) times, at weekly intervals within a period of at least forty (40) days after adoption of this Resolution, in a newspaper of general circulation in the Town.

AND BE IT FURTHER RESOLVED that this Resolution having been passed by the Council of the Town of Hurlock on August 14, 2023, shall be considered a part of the Charter of the Town of Hurlock, according to the terms of the amendments and in all respects shall become effective upon the fiftieth (50th) day after being so ordained or passed, that is to say becoming effective on October 3, 2023 unless a proper Petition for Referendum shall have been filed as provided for in Section 4-304 of the Local Government Article of the Annotated Code of Maryland, on or before the fortieth (40th) day after passage of this Resolution.

AND BE IT FURTHER RESOLVED that the Town Manager, at the direction of the Mayor of the Town of Hurlock, shall cause to be affixed to this Charter Amendment Resolution a certificate of publication of the newspaper in which such fair summary of the amendments appearing herein shall have been published and, if there is no timely and properly filed Petition for Referendum, the Town Manager, at the direction of the Mayor of the Town of Hurlock, shall declare the Charter Amendment herein contained to be effective on the effective date as indicated above by the Town Manager properly executing this Resolution in the appropriate space provided below.

AND BE IT FURTHER RESOLVED that if a proper Petition for Referendum is timely filed, the Council of the Town of Hurlock, with the assistance of the Mayor of the Town of Hurlock and the Town Manager, shall comply with the requirements of Section 4-304 of the Local Government Article of the Annotated Code of Maryland, and shall set a date and hours for the Referendum on this Charter Amendment Resolution.

AND BE IT FURTHER RESOLVED that before the Charter Amendment hereby proposed and passed shall become effective, either as herein provided or following a referendum, the Town Manager, at the direction of the Mayor of the Town of Hurlock, shall promptly register the Charter Amendment with the Director of the Hall of Records by sending by registered mail, return receipt requested, to the Department of Legislative Reference of Maryland, a complete certified copy of the text of this Resolution, the date of the referendum, if any is held, a certificate showing the number of Councilmembers voting

for and against the Charter Amendment hereby enacted or the number of votes cast in any referendum hereon, and the effective date of the Charter Amendment, and affixing the return receipt hereto.

THIS RESOLUTION HAVING BEEN INTRODUCED unto the Council of the Town of Hurlock at a regular meeting of the Mayor and Council of the Town of Hurlock on August 14, 2023 and approved by a majority vote of the Council of the Town of Hurlock on August 14, 2023.

ATTEST:

**THE MAYOR AND COUNCIL OF
THE TOWN OF HURLOCK**



John Avery, Town Manager

By:  (SEAL)

Rev. Charles Cephas, Mayor

CERTIFICATIONS

CHARTER AMENDMENT RESOLUTION NO. 2023-1 HAVING BEEN PASSED by a majority yea vote of THE COUNCIL OF THE TOWN OF HURLOCK on August 14, 2023 as follows:

Councilmembers casting a yea vote for the Resolution:

Russell Murphy_____

Bonnie Franz_____

David Higgins_____

Earl Murphy, Jr._____

Councilmembers casting a nay vote for the Resolution:

I HEREBY CERTIFY that Charter Amendment Resolution No. 2023-1 was passed by a yea and nay vote of the Council of the Town of Hurlock, by a vote of 4-0 in favor of the Resolution on August 14, 2023.

WITNESS:

Bob Bell

[Signature] (SEAL)
John Avery, Town Manager

I HEREBY CERTIFY that an exact copy of the foregoing Charter Amendment Resolution No. 2023-1 was posted on the bulletin board in the Town Office on AUGUST 16, 2023 at 2:00 p.m. and was there continuously posted for at least forty (40) consecutive days, said posting having been terminated on _____ at 2:00 p.m.

WITNESS:

John Avery, Town Manager (SEAL)

I HEREBY CERTIFY that a summary of the foregoing Charter Amendment Resolution No. 2023-1 was published in the Star Democrat, a newspaper of general circulation in the Town of Hurlock, not less than four (4) times, at weekly intervals within a period of forty (40) days after the adoption of this Resolution, as evidenced by the attached Certificate of Publication issued by the newspaper. Said dates of publication were as follows: _____

WITNESS:

John Avery, Town Manager (SEAL)

I HEREBY CERTIFY that the foregoing Charter Amendment Resolution No. 2023-1 became effective on _____, 2023 without a Petition for Referendum and Referendum Vote having been held thereon.

WITNESS:

John Avery, Town Manager (SEAL)

I HEREBY CERTIFY that a copy of the foregoing Charter Amendment Resolution No. 2023-1 was mailed by certified mail, return receipt requested, to the Department of Legislative Reference of Maryland, in accordance with Sections 4-109 and 4-308 and any other applicable sections of the Local Government Article of the Annotated Code of Maryland on _____, 2023, as evidenced by the attached receipt from the U.S. Postal Service.

[This Charter Amendment Resolution should be mailed to the Department of Legislative Reference of Maryland 50 days or later after enactment.]

WITNESS:

John Avery, Town Manager (SEAL)