

THE TOWN OF FOREST HEIGHTS  
RESOLUTION 10-23

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF FOREST HEIGHTS, MARYLAND TO AMEND THE JOB DESCRIPTION FOR THE PUBLIC WORKS SUPERVISOR AND TEMPORARILY PLACE THE PUBLIC WORKS DEPARTMENT UNDER THE SUPERVISION AND AUTHORITY OF THE CHIEF OF POLICE**

Introduced By: Mayor Calvin Washington

**WHEREAS**, pursuant to Section 33-18 of the Charter of the Town of Forest Heights (the "Charter") the Mayor, with the approval of the Council, shall appoint the heads of all offices, departments, and agencies of the Town government as established by the Charter or by ordinance and all office, department, and agency heads shall serve at the pleasure of the Mayor and Council, and all subordinate officers and employees of the offices, departments, and agencies of the Town government shall be appointed and removed by the Mayor with the consent of the Council, in accordance with rules and regulations of any merit system which may be adopted by the Council; and

**WHEREAS**, under Section 33-20(b) of the Town Charter, the Council shall have, in addition, the power to pass ordinances not contrary to the laws and Constitution of this State, for the following specific purposes: Departments. To create, change, and abolish offices, departments, or agencies, other than the offices, departments and agencies established by said Charter; to assign additional functions or duties to offices, departments, or agencies established by this charter, but not including the power to discontinue or assign to any other office, department or agency any function or duty assigned by this Charter to a particular office department, or agency.

**WHEREAS**, under Section 23.1 of the Town Code, the power to manage and operate the Town's Police Department shall be vested in the Chief of Police, subject to approval and oversight by the Mayor and Council; and

**WHEREAS**, under Section 14.6 of the Town Code the Public Works Supervisor is required to file a financial disclosure statement similar to other department heads and senior Town employees or appointed officials; and

**WHEREAS**, the Public Works Supervisor (a.k.a. Public Works Director) and the Department of Public Works are further referenced in Sections 2.4 and 23.13 of the Town Code; nonetheless, the Charter and Code do not expressly create an Office of Public Works Supervisor/Director as a matter of law but like the Police Department, the Department of Public Works is routinely referenced in the Town Code and expressly referenced in the Annual Budget Ordinance and detailed line item budget; and

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**WHEREAS**, pursuant to the approved job description for the Public Works Supervisor, with an effective date of February 28, 2013, said employee reports to the Mayor and Town Administrator; and

**WHEREAS**, pursuant to Resolution 51-22 passed on September 6, 2022, the Council approved the Mayor's appointment of Public Works Lead Melvin Watkins as the interim or Acting Public Works Director with an appropriate level of compensation until the Town hires a successor PW Director; and

**WHEREAS**, the Mayor and Council find that it is in the best interest of the Town to temporarily place the Supervisor or acting Director of Public Works and the Public Works Department under the operational control of the Chief of Police until such time as permanent successor is hired.

**NOW THEREFORE BE IT RESOLVED**, and enacted that the Town Council hereby approves the Mayor's decision to temporarily place the Supervisor or acting Director of Public Works and the Public Works Department under the operational control of the Chief of Police until such time as a permanent successor is hired; and

**BE IT FURTHER RESOLVED**, that the Chief of Police may delegate day-to-day supervisory authority or specific oversight responsibilities over the Public Works Department and its senior personnel to a subordinate commissioned officer in the Forest Heights Police Department, but only for a period of not more than 90 days; and

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately upon passage.

PASSED this 6 day of February 2023.

ROLL CALL VOTE

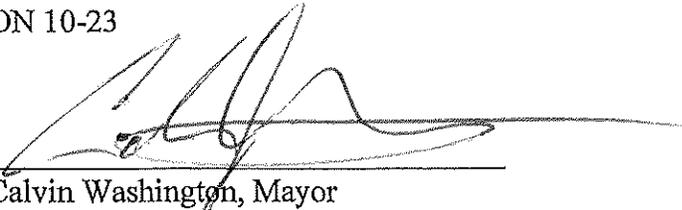
YEA/NAY/ABSTAIN/ABSENT

LILLY	<u>Yea</u>
KENNEDY II	<u>Yea</u>
NOBLE	<u>Yea</u>
BARNES	<u>Absent</u>
HINES	<u>Yea</u>
WASHINGTON	<u>Yea</u>
ATKINSON	<u>Absent</u>

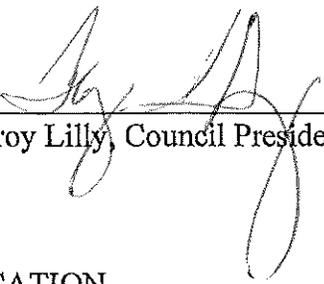
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Sherletta Hawkins

Sherletta Hawkins, Town Clerk

By: 

Calvin Washington, Mayor

By: 

Troy Lilly, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 6<sup>th</sup> of February 2023 with 8 Aye votes and 0 Nay vote the aforesaid Resolution 10-23 passed.

Sherletta Hawkins

Sherletta Hawkins, Town Clerk