

THE TOWN OF FOREST HEIGHTS
RESOLUTION 17-24

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF FOREST HEIGHTS, MARYLAND CONTINUING THE TERM OF APPOINTMENT OF CHIEF ANTHONY N. REASE AS INTERIM TOWN ADMINISTRATOR WHILE JOINTLY SERVING AS CHIEF OF POLICE OF THE FOREST HEIGHTS POLICE DEPARTMENT (FHPD)

Introduced By: Mayor Troy Barrington Lilly

WHEREAS, the Council accepted the resignation of the former Town Administrator tendered on September 5, 2023, to be effective on September 22, 2023; and

WHEREAS, pursuant to Section 33-18 of the Charter of the Town of Forest Heights (the "Charter"), any vacancy in the office of Town Administrator shall be filled within 90 days after the effective date of such vacancy; and

WHEREAS, pursuant to Section 1.30 of the Town Employee Handbook it states that on a day-to-day basis the Town Administrator shall be charged with the responsibility of the administration of the provisions of these rules, regulations, and policies, and if the Town Administrator position is vacant, the Mayor, and/or Interim Administrator will have the responsibility; and

WHEREAS, pursuant to Section 10.20 of the Town Employee Handbook it further states that the Council has the duty, power, and authority to employ the Town Administrator, and when necessary to name an Interim Town Administrator; and

WHEREAS, the Council approved the appointment of Chief Rease as the Interim Town Administrator on or about November 7, 2023, and intended that said appointment was deemed to be temporary for a period not to exceed 90 days commencing on September 22, 2023; and

WHEREAS, the Council further resolved that should a permanent town administrator or a successor other than Chief Rease be appointed and approved as Town Administrator then Interim Town Administrator/Chief Rease shall revert to his former position serving solely as Chief of Police at his salary level attained just prior to his appointment to said dual offices in the Town Government; and

WHEREAS, on or about the 8th day of January 2024 the Mayor proposed the appointment of a permanent Town Administrator by Resolution of the Town Council; however, the Council decided to continue the search and rejected the Mayor's nomination; and

WHEREAS, pursuant to Resolution 58-20 passed in November of 2020, Police Chief Anthony Rease was appointed to command the FHPD, and his salary was set at \$91,000.00 paid on a full-time basis; and

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WHEREAS, both offices are created by law and the Town Charter in Sec. 33-71, as amended by CAR 01-18, abrogated the Common Law Rule of Incompatible Positions in stating that, "[n]otwithstanding anything in this section to the contrary, nothing herein shall be construed to prevent a sworn police officer from assuming more than one office or position in the Town.." and

WHEREAS, pursuant to the FY 2024 Budget passed on June 5, 2023, line item 9007-7001 reflected a salary of \$116,459.20 for the Chief of Police, and line item 9004-7001 reflected a salary of 116,459.20 for the Town Administrator; and

WHEREAS, the Mayor and Council find that Anthony N. Rease continues to demonstrate the requisite experience, education and knowledge to serve as Acting or Interim Town Administrator and it is in the best interest of the Town to continue to employ, appoint and thereby equitably compensate Anthony N. Rease as the Interim Town Administrator with the previously added salary of \$21.17 per hour, in addition to his current salary as Chief of Police, until such time as the Council names a permanent successor.

NOW THEREFORE BE IT RESOLVED, and enacted that the Town Council hereby ratifies and re-approves the appointment of Chief Anthony N. Rease as Interim Town Administrator of Forest Heights to serve in said position at the added salary of \$21.17 per hour or \$846.80 per week as further authorized by the Town Council; and

BE IT FURTHER RESOLVED, that said appointment shall be deemed temporary or probationary for a period not to exceed 90 days from January 8, 2024 or until a successor is nominated by the Mayor and approved by the Council, and should a permanent town administrator or a successor other than Chief Rease be appointed and approved as Town Administrator then Interim Town Administrator/Chief Rease shall revert to his former position serving solely as Chief of Police at his salary level attained just prior to his appointment to said dual offices in the Town Government; and

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

PASSED this 20 day of March 2024.

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

LITTLE
KENNEDY II
MC DONALD
HINES
LILLY
BROWNSON

Yea
Yea
Yea
Yea
Yea
NAY

ATTEST:

THE TOWN OF FOREST HEIGHTS,
MARYLAND

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Sherletta Hawkins CMC
Sherletta Hawkins, Town Clerk

By: Troy Lilly
Troy Barington Lilly, Mayor

By: Jamilah McDonald
Jamilah C. McDonald, Council President

CERTIFICATION

I, HEREBY CERTIFY, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 10 day of March 2024 with 5 Aye votes and 1 Nay votes the aforesaid Resolution 17-24 passed.

Sherletta Hawkins CMC
Sherletta Hawkins, Town Clerk