



TOWN OF CHEVERLY, MARYLAND
MAYOR AND TOWN COUNCIL

WORKSESSION
May 26, 2022
7:30 PM

AGENDA

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Town Administrator Update - Town Administrator Galloway** - will provide a report to the Mayor and Council
4. **Grant Request** – Mayor and Council will review grant request from Friends of Quincy Run Watershed
5. **(*) Resolution R-4-22 - DECLARATION OF OFFICIAL INTENT** regarding municipal bonding for William Eley Jr. Public Works Building - Attorney Lindsey Rader and municipal financial advisor Jennifer Diercksen will advise Mayor & Council of next steps
6. **(*) Resolution R-5-22 – Local Government Resolution to Modify Sustainable Community Designation**
7. **Ordinance 2022-04 - FY23 Budget** – Second reading by Mayor Munyeneh
8. **Facilities Usage Policy** - Mayor and council will discuss proposed updates to policy
9. **Noise and electric equipment** - CM Dalaker would like to discuss topic of noise pollution
10. **Rules and Procedures** – Mayor and Council will review meetings rules and procedures
11. **Update by CM Fry & Garces regarding Cheverly Station Apartments** -Council members will provide update/feedback from residents at Cheverly Station Apartments.
12. **Review of June Town Meeting agenda and future requests** - Mayor and Town Administrator will offer a forecast of the June Mayor and Council Town Meeting agenda. Mayor will seek Council input on agenda items for consideration for future meetings.
13. **Adjourn**

(*) denotes an agenda item requiring action (typically expressed by a vote) of Mayor and Council.

Please Note: Pursuant to the Annotated Code of Maryland, State Government Article Section 10-508(a), the Council by majority vote may retire to executive or



closed session at any time during the meeting. Should the Council retire to executive or closed session; the mayor will announce the reasons and a report will be issued at a future meeting disclosing the reasons for such session.

Zoom Information:

Topic: Cheverly Mayor & Council Work session

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/82551558763?pwd=SkU0MDI5TmNWYVBMNXlFVkJ8vNEpOUT09>

Webinar ID: 825 5155 8763

Passcode: 916656

Or One tap mobile :

US: +13017158592,,82551558763#

Or Telephone:

US: +1 301 715 8592

Friends of Quincy Run Watershed

Water Quality Monitory Summer 2022

April 26, 2022

Mayor Kayce Munyeneh and Cheverly Town Council
6401 Forest Road
Cheverly, Maryland
20785

Re: **Grant Application for Water Quality Monitoring**
Friends of Quincy Run Watershed



2021 monitoring site on Quincy Run

INTRODUCTION AND BACKGROUND

Friends of Quincy Run Watershed is a grass roots, all volunteer steward group, member of the Anacostia Watershed Community Advisory Committee, the Cheverly Green Infrastructure Committee and a Community Group registered with the Town of Cheverly. Our mission is to improve the health of our stream, watershed and residents by conducting service projects and participating in larger efforts to protect and restore the Anacostia River and its tributaries.

The Anacostia River is one of the greatest natural assets in Prince George's County. Anacostia Riverkeeper predicts that, by 2025 the Anacostia, once among the most polluted rivers in the United States, will meet water quality standards necessary for safe swimming. This is a pillar of the Clean Water Act which became law 50 years ago. It is up to all of us to protect and improve our waterways. Clean water is our right and our responsibility.

Cheverly is fortunate to have 3 tributaries of the Anacostia flow within its borders. Quincy Run and Lower Beaverdam Creek join directly with the Anacostia, just over one mile from the town limits. Cabin Branch is a tributary of the latter. For the past 2 years members of Friends of Quincy Run Watershed (FQRW) and Friends of Lower Beaverdam Creek (FLBC) have worked with Anacostia Riverkeeper (ARK) to monitor water quality in Quincy Run, Lower Beaverdam Creek and the main stem of the Anacostia at the Bladensburg Waterfront park. This is part of the work of ARK to asses the health of our waterways and provide up-to-date water quality information during the recreational season. More information is available about the program at the link below.

<https://www.anacostiariverkeeper.org/water-quality-2/>

This program includes sites in the 3 Anacostia jurisdictions, but only 2 jurisdictions - the District of Columbia and Montgomery County - provide permanent funding. It is essential that monitoring continue in the Prince George's County tributaries, therefore we are turning to our municipalities for support. The funds we seek will cover equipment and processing costs for the 4 sites most impactful to Cheverly residents.

Clean water is our right, and our responsibility.

PURPOSE OF THE GRANT REQUEST

We request funding for materials required for processing of samples from 4 sites and for laboratory analysis and posting of results.

DESCRIPTION OF THE PROJECT FOR WHICH CHEVERLY GRANT PROGRAM FUNDING IS REQUESTED

Cheverly volunteers trained by Anacostia Riverkeeper will conduct the field portion of water quality monitoring which brings “transparent and accessible water quality data to all communities and citizens in DC, MD, and the entire the Anacostia watershed.” Results will be available on **Swim Guide** which is a website and smartphone application. Cheverly volunteers have monitored these sites in past years.

ACCOUNTING OF AMOUNTS AND ACTIVITIES FOR WHICH THE GRANT FUNDS WILL BE UTILIZED

Our volunteers will collect samples at 4 sites every other week from May through September - a total of 10 samplings per site. Processing of samples is charged at a rate of \$15 each. (Cost of materials and supplies will be borne by Anacostia Riverkeeper.) 10 samples at 4 sites for a total of \$600.00

TIMELINE FOR EXPENDITURE OF FUNDS

Funds will be expended as a lump sum at the time of award. Monitoring will be undertaken by volunteers from the Town of Cheverly trained by the Anacostia River Keeper. It will occur on alternating Wednesdays commencing May 18th, 2022 and concluding September 21st, 2022. Reporting will occur continuously throughout the duration of the project. It is our hope that we can obtain funding to produce a report for all sites monitored in Prince George’s County.

OVERALL BENEFIT TO THE COMMUNITY

Water quality data benefits the community in many ways. The information, available on the Swim Guide website and from the app, allows out door enthusiasts to check water quality in areas where they plan to boat, fish, hike, wade and swim. Many Cheverly residents enjoy our natural areas. Lower Beaverdam Creek and its tributaries run through Woodward Park - a much loved and popular hiking location for our residents. Most of Wards 1 and 3 are in the Quincy Run Watershed. One of its major tributaries, including many springs, run through the Cheverly Nature Park, a popular location for walking and enjoying nature. It is essential for us to identify sources of pollution and environmental degradation. Water quality data helps us monitor the condition, track progress and identify sources of pollution. It is important to collect this data over time. Cheverly residents are very dedicated to the health of our natural areas and of the Anacostia River where many of our residents recreate. The condition of our tributaries determines the health of the Anacostia. It is our responsibility to make sure our tributaries support wildlife and contribute to the health of the Anacostia River and to those dependent upon it. The funds requested are a very small amount when considering all the benefits to our residents, our natural areas and the health of our environment. Please help us do our part by funding this project..

submitted by:

Marian Dombroski, **Friends of Quincy Run Watershed** www.friendsofquincyrun.org

cc: Dan Smith, Friends of Lower Beaverdam Creek
Kisha James, Mayor of the Town of Bladensburg
Sheila Salo, Cheverly Green Infrastructure Committee



Clean water is our right, and our responsibility.



**TOWN OF CHEVERLY
RESOLUTION R-4-22**

A RESOLUTION OF THE COUNCIL OF THE MAYOR AND TOWN COUNCIL OF CHEVERLY (THE “TOWN”) MAKING A DECLARATION OF OFFICIAL INTENT REGARDING THE REASONABLE EXPECTATION OF THE TOWN TO REIMBURSE FROM PROCEEDS OF A FUTURE BORROWING EXPENDITURES MADE IN CONNECTION WITH A PROJECT GENERALLY IDENTIFIED AS THE NEW ELEY BUILDING.

WHEREAS, The Mayor and Town Council of Cheverly, a municipal corporation of the State of Maryland (the “Town”), is in the process of undertaking a project generally identified as the new William Eley Jr. Public Works Building or by similar terms, which project includes the design, construction and outfitting of an approximately 21,716 square foot two-story building to be used by the Department of Public Works, as Council chambers and as meeting space, together with site redevelopment, including site utilities, stormwater management, an access road, parking and coordination of the improvements with the adjacent playing fields, walking track and batting cages (collectively, the “Project”); and

WHEREAS, the Town anticipates borrowing money to finance a portion of the costs of the Project and related costs, including costs of issuance (collectively, “Project Costs”), such borrowing to be evidenced by one or more series of general obligation bonds or other evidences of indebtedness to be issued by the Town (collectively, or individually by series, and in whatever form, the “Bonds”); and

WHEREAS, the Town reasonably expects that non-borrowed moneys will be spent on Project Costs prior to issuance of the Bonds or any interim financing incurred by the Town in anticipation of the Bonds, and the Town further reasonably expects (i) to reimburse from proceeds of the Bonds and/or any such interim financing incurred by the Town all or a portion of such previously paid Project Costs, and/or (ii) to use proceeds of the Bonds to refinance all or a portion of any interim borrowing incurred by the Town that is applied to reimburse the Town for previously paid Project Costs; and

WHEREAS, Section 1.150-2 of the U.S. Treasury Regulations (the “Reimbursement Regulations”) provides that a local government funding “original expenditures” intended to be reimbursed from the proceeds of “obligations” must make a declaration of “official intent” in order to qualify such original expenditures for reimbursement from a “reimbursement bond,” all within the meaning of the Reimbursement Regulations; and

WHEREAS, the Town is an “issuer” for purposes of the Reimbursement Regulations and wishes to adopt this Resolution for the purpose of evidencing the clear and official intent

Underlining : Indicates material added by amendment after introduction
~~Strike through~~ : Indicates material deleted by amendment after introduction



of the Town to reimburse from reimbursement bond proceeds (meaning the Bonds or any interim financing incurred in anticipation of the Bonds) original expenditures for Project Costs made in connection with the Project.

SECTION 1. NOW, THEREFORE, BE IT RESOLVED that:

(a) The Recitals to this Resolution are deemed a substantive part of this Resolution and are incorporated by reference herein, and capitalized terms defined in the Recitals to this Resolution and not otherwise defined herein will have the meanings given to such terms in the Recitals hereto.

(b) The name used for the Project in this Resolution is the name by which the Project is generally identified by the Town. References in this Resolution to the Project shall be deemed to (i) be to the Project as it may be referred to by similar but not the exact same name in applicable Town budgetary or other materials, and (ii) include any changes in the scope of activities of the Project and/or the name of the Project made by the Town in accordance with applicable law, including (without limitation) in future fiscal years. References in this Resolution to Project Costs shall be deemed to be to expenditures that constitute capital expenditures and include, to the extent applicable, (i) costs of issuance of any borrowing relating to the Project and (ii) capitalized interest.

SECTION 2. AND BE IT FURTHER RESOLVED that in accordance with the Reimbursement Regulations, the Town hereby makes this declaration of its reasonable expectation to expend money from non-borrowed sources on Project Costs prior to the issuance of the Bonds (or any interim financing incurred in anticipation of the Bonds) and to use proceeds of the Bonds (or of such interim financing), which Bonds and/or interim financing will qualify as a “reimbursement bond” for purposes of the Reimbursement Regulations, to reimburse all or a portion of such original expenditures for Project Costs. This Resolution is intended to be a declaration of official intent within the meaning of the Reimbursement Regulations.

SECTION 3. AND BE IT FURTHER RESOLVED that the maximum principal amount of the Bonds to be issued for the Project (and the maximum principal amount of any interim financing to be incurred by the Town in anticipation of the Bonds issued for the Project) is \$9,000,239.00 each.

SECTION 4. AND BE IT FURTHER RESOLVED that the provisions of this Resolution shall be liberally construed in order to effectuate compliance with the Reimbursement Regulations.

Underlining : Indicates material added by amendment after introduction
~~Strike through~~ : Indicates material deleted by amendment after introduction



SECTION 5. AND BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon its adoption.

Adopted: _____

Attest: _____

Kaycee Munyeneh
Mayor

Marverly Nettles
Councilmember

Joseph Dalaker
Councilmember

Micah Watson
Councilmember

Charly Garces
Councilmember

Ted McCann
Councilmember

Amy Fry
Councilmember

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CAPS/**BOLD** indicate additions

Underlining : Indicates material added by amendment after introduction
~~Strike through~~ : Indicates material deleted by amendment after introduction



**TOWN OF CHEVERLY
RESOLUTION R-5-22**

LOCAL GOVERNMENT RESOLUTION TO MODIFY SUSTAINABLE COMMUNITY

RESOLUTION OF THE TOWN OF CHEVERLY TO DESIGNATE THE TOWN OF CHEVERLY AS A SUSTAINABLE COMMUNITY, PURSUANT TO THE ATTACHED SUSTAINABLE COMMUNITY MAP (AND SUSTAINABLE COMMUNITY PLAN (THE "PLAN," AS FURTHER DESCRIBED IN THE SUSTAINABLE COMMUNITY APPLICATION (THE "APPLICATION"), FOR APPROVAL EITHER DIRECTLY BY THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (THE "DEPARTMENT") OF THE STATE OF MARYLAND OR THROUGH THE SMART GROWTH SUBCABINET OF THE STATE OF MARYLAND.

WHEREAS, The Town of Cheverly has previously submitted to the Department a Sustainable Community Designation Application, and has adopted a Sustainable Community Plan, which Application and Plan have been approved either directly by the Department, or through the Smart Growth Subcabinet of the State of Maryland; and

WHEREAS, The Town of Cheverly proposes to modify the area designated as the Sustainable Community, as outlined on the attached revised Sustained Community map (The Hospital Development Area); and

WHEREAS, the Modified Area is located within a priority funding area under Section 5-7B-02 of the Smart Growth Act; and

WHEREAS, the applicable law and the Community Legacy Program regulations require a local government to submit an application to the Department in order to modify a designated Sustainable Community;

NOW, THEREFORE BE IT RESOLVED THAT, The Town of Cheverly hereby endorses the modification of the Sustainable Community.

BE IT FURTHER RESOLVED THAT, the chief elected executive official is hereby requested to endorse this Resolution, indicating his or her approval by signature hereof; and,

BE IT FURTHER RESOLVED THAT, the following persons are hereby authorized to execute documents and take any action necessary to carry out the intent of these resolutions;

Name	Office/Title	Signature
<u>_Kaycee Munyeneh_____</u>	<u>_Mayor_____</u>	<u>_____</u>
<u>_Dylan Galloway_____</u>	<u>_Town Administrator_____</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>

and,



BE IT FURTHER RESOLVED THAT, copies of this Resolution are sent to the Secretary of the Department of Housing and Community Development of the State of Maryland for consideration by the Smart Growth Sub-Cabinet.

READ AND PASSED THIS 26 day of May , 2022.

BY ORDER: _____, I hereby certify that Resolution Number R-5-22 is true and correct and duly adopted by the Mayor & Council (Legislative Body) of The Town of Cheverly (City or County).

ATTEST/WITNESS:

Town of Cheverly

By: _____

Name: _____

Title: _____

Approved By: _____

Name: _____

Title: _____

MAYOR

Date: _____



DISCLOSURE AUTHORIZATION AND CERTIFICATION

The undersigned authorizes the Department of Housing and Community Development (the “**Department**”) to make such inquiries as necessary, including, but not limited to, credit inquiries, in order to verify the accuracy of the statements made by the applicant and to determine the creditworthiness of the applicant and the accuracy of the application.

In accordance with Executive Order 01.01.1983.18, the Department advises you that certain personal information is necessary to determine eligibility for financial assistance. Availability of this information for public inspection is governed by Maryland’s Access to Public Records Act, State Government Article, Section 10-611 et seq. of the Annotated Code of Maryland (the “**Act**”). This information will be disclosed to appropriate staff of the Department or to public officials for purposes directly connected with administration of this financial assistance program for which its use is intended. Such information may be shared with State, federal or local government agencies, which have a financial role in the project. The applicant has the right to inspect, amend, or correct personal records in accordance with the Act.

The Department intends to make available to the public the contents of the local governments’ Sustainable Community Plans, Maps and the contents of Sustainable Community Applications, including posting of entire applications on the DHCD website, use of such materials at presentations, training sessions, press releases, articles and other means of publication. This information may be confidential under the Act. If the applicant considers this information confidential and does not want it made available to the public, please indicate this objection in writing and attach the same to this application.

The applicant agrees that not attaching an objection constitutes consent to the information being made available to the public as herein described, and a waiver of any rights the applicant may have regarding this information under the Act.

I have read and understand the above paragraph. Applicant’s Initials: _____

Anyone who knowingly makes, or causes to be made, any false statement or report relative to this Application, for the purposes of influencing the action of the Department on such Application, may become ineligible to receive State financial assistance, and is subject to other penalties authorized by law.

The undersigned hereby certifies that s/he is authorized to enter into the agreements and certifications contained herein and in the Application, and further certifies that the information set herein and in any attachment in support hereof is true, correct, and complete to the best of his/her knowledge and belief.

Authorized Signature

Name/Title

Date



Adopted: _____

Attest: _____

Kaycee Munyeneh
Mayor

Marverly Nettles
Councilmember

Joseph Dalaker
Councilmember

Micah Watson
Councilmember

Charly Garces
Councilmember

Ted McCann
Councilmember

Amy Fry
Councilmember



**TOWN OF CHEVERLY
ORDINANCE 2022-04
BUDGET ORDINANCE
FOR THE 2023 FISCAL YEAR**

An Ordinance whereby the Town of Cheverly adopts a Budget for Fiscal Year 2023 which begins on July 1, 2022 and ends on June 30, 2023.

(Uncodified)

WHEREAS, Article VII, Section C-23A(2) of the Charter of the Town of Cheverly grants to the Mayor and Council the power to appropriate and expend funds for any purpose deemed to be public; and

WHEREAS, each fiscal year of the Town commences on July 1 and ends by the following June 30, pursuant to Section C-32 of the Charter of the Town; and

WHEREAS, the Mayor and Town Council have, prior to each fiscal year, adopted a budget to govern the appropriation and expenditure of funds for the next fiscal year; and

WHEREAS, after numerous discussions and meetings, the Mayor and Town Council have prepared a budget for fiscal year 2023 containing anticipated revenues and proposed appropriations and expenditures for said fiscal year; and

WHEREAS, said budget, as discussed at numerous public meetings by the Mayor and Council, is attached hereto as Exhibit A;

WHEREAS, pursuant to Section C-14 of the Charter the Mayor and Council have authority to enact emergency legislation by the affirmative vote of the greater of either 2/3 of the quorum present or four members of the Council, with the Mayor being able to provide a fifth vote if necessary.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of Cheverly in regular session assembled that the budget for fiscal year 2023 containing anticipated revenues and proposed expenditures of the Town, which budget is attached hereto as Exhibit A, and is hereby incorporated by reference, be and hereby is adopted for the fiscal year 2023 to take effect July 1, 2022 until June 30, 2023.

AND BE IT FURTHER RESOLVED, that this budget shall govern the expenditure of funds by the Town during the fiscal year 2023;



AND BE IT FURTHER RESOLVED, that the Mayor and Town Council may, from time to time, during the fiscal year amend this budget by motions made, discussed and carried so long as any action regarding this budget is taken at a public meeting after notice and a public discussion and the amendments to the budget for entire fiscal year do not increase the total expenditures by more than ten percent (10%) of the total expenditures figure appearing on attached Exhibit A;

AND BE IT FURTHER RESOLVED, that this Ordinance shall take effect on July 1, 2022; however, provided that a fair summary of the ordinance is published at least once in a newspaper of general circulation in the Town of Cheverly.

INTRODUCED by the Mayor and Town Council of the Town of Cheverly, Maryland, at a Regular Meeting on **May 12, 2022**, at which meeting copies were available to the public for inspection.

ADOPTED by the Mayor and Town Council of the Town of Cheverly, Maryland, at a Regular meeting on **June XX, 2022**, at which meeting copies were available to the public for inspection.

Adopted: _____

Attest: _____

Kaycee Munyeneh
Mayor

Marverly Nettles
Councilmember

Joseph Dalaker
Councilmember

Micah Watson
Councilmember

Charly Garces
Councilmember

Ted McCann
Councilmember

Amy Fry
Councilmember

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CAPS/**BOLD** indicate additions

I. Purpose

To establish reservation procedures and requirements, fees, rules and guidelines for the use of certain public facilities in accordance with Town policies.

II. Annual Review

These regulations will be reviewed by the Town Administrator or his/her designee on an annual basis.

Community Organizations will be provided an opportunity to comment on any proposed modifications. All comments will be submitted to the Town Council for consideration prior to their finalization and adoption.

III. Applicability

This regulation governs use of the following public facilities:

Buildings

Cheverly Community Center (6401 Forest Road)

Parks

Town Park (6401 Forest Road)

Boyd Park (1801 64th Avenue)

Fields

Town Park Fields (6401 Forest Road)

Boyd Park Fields (1801 64th Avenue)

IV. Programming Priorities

Requests for the use of public facilities will be processed on a first come basis within the following priorities.

First Tier: Official Town Meetings, Town Elections, and Emergency Management Operations

Examples include, but are not limited to, Town Council meetings, public hearings, meetings called by the Town Council, and Town elections. During emergencies, use of all public facilities may be redirected to emergency operations at the direction of the Town Administrator.

Second Tier:

2a. Council appointed Boards, Commissions and Committees

Examples include, but are not limited to, Ethics Commission, Board of Election Supervisors, and other committees under Code Section 1.6

2b. Town Managed/Supported Programming

Examples include, but are not limited to, youth recreational sports, annual recreational events organized by the Recreation Committee, and events held at the discretion of the Town Administrator or his/her designee.

Third Tier: Official Community Groups per Community Organization policy and guidelines.

Examples include, but are not limited to, activities organized by individuals or groups, nonprofit organizations and community groups recognized in accordance with the standards set forth in Community Organization policy and guidelines.

Fourth Tier: Reservations

4a. Pay For Classes

4b. Private Reservation

V. Use of Public Facilities

Hours of Operation: The use of all public facilities is limited to established hours of operations. Requests for reservations outside of established hours of operation may be approved on a case-by-case basis by the Town Administrator or his or her designee.

Hours of operation will be established by the Town Administrator or his or her designee on an annual basis. Schedules for all public facilities will be published on or about July 1 of each year and may be adjusted more frequently to reflect increases or decreases in the cost of operating and/or maintaining the facility. The current schedule is included as Exhibit A.

The Community Center will be closed on the following holidays and holiday weekends: New Year's Eve, New Year's Day, Martin Luther King Day Weekend, Presidents Day Weekend, Memorial Day Weekend, Juneteenth, Independence Day, Labor Day weekend, Veterans Day, Thanksgiving Day weekend, Christmas Eve (after 12:30 p.m.) and Christmas Day; except at the discretion of the Town Administrator or his/her designee.

Facility Capacity: Capacity limits of each facility cannot be exceeded. The Town reserves the right to change a reservation in the event another facility is determined to be a more appropriate venue.

Community Center

Auditorium: ?

Gym: ?

Kitchen: ?

Large Conference Room: max 20 ?

Parks and Fields

Park Shelters (reviewed on a case-by-case basis)

Parks and Fields (reviewed on a case-by-case basis)

Use of Community Center as Gymnasium: Use of the Community Center Gymnasium is limited to Town sponsored recreational programs and events, athletic programs, health fairs, elections, and special events approved on a case-by-case basis by the Town Administrator or his/her designee.

Use of Community Center as Auditorium: Use of the Town of Cheverly Community Center Auditorium for third tier programming is limited to meetings with anticipated audiences of 50 or more, film screenings, live cultural performances and rehearsals, trainings, workshops or informational presentations with AV or broadcasting needs, and special events approved on a case-by-case basis by the Town Administrator or his/her designee.

Use of Common Areas and Storage: Use of common areas is not included in the reservation and is not permitted. The reservation does not include overnight, or long-term storage and all materials and supplies of the Permit Holder must be removed from the facility at the end of each reservation period.

VI. Reservation Procedures

Reservation Process: Reservation requests may be submitted online, in person, or by e-mail. Requests will be reviewed by staff with final approval by the Town Administrator or his or her designee. The request will be processed, and a space reserved for the specified date and time upon receipt of the required security deposit, reservation fee and execution of a reservation agreement. Written confirmation of the reservation will be issued to the individual or entity (the "Permit Holder"), authorizing the use of the facility under the terms and conditions set forth herein.

Reservations will be accepted on a first come – first served basis.

Advance Reservations: Advance reservations for third tier programming are encouraged, though, with the exception of the Auditorium, public facilities may not be reserved more than three (3) months in advance. Requests for reservations for first and second tier programming will be accepted one year in advance.

Reservation Period: The facility must be reserved allowing adequate time for set-up and breakdown of the scheduled event. The facility must be vacated within the time allocated on the permit.

Cancellation by Town: Town reserves the right to cancel all reservations. Every effort will be made to provide as much advance notice as possible in the event the building is closed. A full refund will be given if the event cannot be rescheduled.

Termination of Reservations / Revocation of Reservation Access: The Town reserves the right to terminate a reservation at any time without written notice to the Permit Holder for cause or to deny future access to any facility. Violation of the terms or conditions of these regulations will be cause for immediate revocation of the reservation, loss of privileges, and forfeiture of any fees paid.

VII. Community Center Facilities Reservation Fees, Security Deposits and Payment

Reservation Fee: Reservation fees will be established on an annual basis by the Mayor and Council in the annual budget. Fee schedules will be published on or about July 1 of each year and may be adjusted more

frequently to reflect increases or decreases in the cost of operating and/or maintaining the facility. The current fee schedule is included as Exhibit B.

Recognized community groups are eligible to receive twelve free reservations upon availability at the discretion of the Town Administrator or his or her designee

There is no reservation fee for first and second tier programming offered by the Town or conducted by outside governmental entities.

Staffing Fee: For events and activities held outside of normal business hours, an additional fee may be assessed to cover staffing costs.

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Maintenance Fee: Additional fees may be assessed at the discretion of the Town Administrator or his or her designee for additional maintenance services.

Security Fees: An additional fee may be assessed at the discretion of the Town Administrator or his or her designee for required security measures provided by the Town of Town of Cheverly's Police Department.

Failure to vacate the facility within the reservation period or to leave the facility clean and neat will result in forfeiture of all or part of the deposit to cover any additional reservation time, maintenance expense, repair costs, unscheduled staffing or security measures. Users may be billed for the cost of any repairs, maintenance, staffing.

Payment: Reservation fees for all facilities are due in full at the time of reservation. An additional processing fee may be assessed for all credit card payments.

Fee Waivers: Fees assessed to recognized community groups that have exceeded their free reservation limit or that wish to use the Auditorium may be waived if approved by Town Administrator or his/her designee.

VIII. Admission Fees, Donations and Sale of Merchandise

Admission fees may be charged for events organized and hosted by individuals, groups, nonprofit organizations and for-profit entities charged a reservation fee. Admission fees may not be charged for events held in any park or field.

An admission fee may not be charged for events held in any facility for which no reservation fee was charged but for exception per Town Administrator or his/her designee. Donations may be solicited but cannot be a condition of admission to the event.

The sale of merchandise such as CD's, DVD's, books, artwork and other items is permitted when offered in conjunction with a scheduled event.

The Town assumes no responsibility for the collection or safeguarding of admission fees, donations or sales proceeds.

IX. Food and Beverages

All food and beverages, containers and utensils must be removed from the facility at the end of the reservation period with all debris bagged and deposited in the dumpsters located on the building grounds. Recyclable materials must be sorted and deposited in the appropriate containers.

X. Alcoholic Beverages

The sale or consumption of alcoholic beverages is not permitted in any facility. The prohibition on the sale or distribution of alcoholic beverages may be waived at the discretion of the Town Administrator or his or her designee. Waivers are limited in nature and if approved apply only to the sale and/or distribution of alcohol at events held in the Community Center on Friday, Saturday and Sunday evenings.

If a waiver is granted, the Permit Holder must secure a Class C One Day Special License from the Prince George's County Board of License Commissioners for the event. A copy of the completed Application form and the alcohol plan, if required for the License, must be provided to the Town.

All alcohol containers must be removed from the premises at the end of the reservation period.

The Town assumes no legal or financial responsibility or liability for the storage, sale or distribution of any food or beverages offered by the Permit Holder.

XI. General Responsibilities of the User

In addition to being required to comply with the Town's Use of Public Facility Regulations, the Permit Holder is responsible for ensuring that:

- The event does not exceed capacity limits for the reserved facility or extend beyond the reservation period.
- A responsible party is present at all times and all child and youth activities are supervised by an appropriate number of adults.
- All participants comply with the Town of Cheverly Code and policies.
- Required supplies such as paper goods, serving utensils, tablecloths, art supplies, batteries, and ice, have been obtained and transported to the facility as they are not included in the reservation fee nor will they be provided by the Town.
- Furniture is not moved from one room to another unless authorized by the Town. If the use of additional furniture is approved, all furniture must be returned to its original location prior to vacating the facility.
- Noise levels are kept within reasonable standards and do not disturb the peaceful enjoyment of the facility by others. Noise levels in the Auditorium may not exceed 85 decibels.

- No illegal drugs or unauthorized alcohol are used or consumed in the facility or the grounds. Smoking is not permitted in any public facility.
- All posters, decorations and directional signage are removed from the facility and the grounds. No nails, tacks, screws, glue or similar means of securing any material or signage to any surface in the facility or the building may be used to display materials.
- The facility is left in a clean and neat condition and that all items brought to the facility are removed and all food, trash, and debris are recycled or discarded in the appropriate containers
- The activities of the Permit Holder do not create a hazardous environment as determined by the Town or other governmental agency. Prohibited activities include, but are not limited to, open flame, blocked hallways, and hazardous chemicals or other materials.
- All posted park rules and regulations are followed.
- Only sports and game equipment authorized by the Town are used during the scheduled activity or event. No pony rides, petting zoos, moon bounces or similar equipment are permitted.
- Participants must park in designated or authorized parking areas and do not block driveways or the roadway. Double parking is not permitted under any condition.

XII. Authorized Representative

The Permit Holder is assumed to be the authorized representative of the organization or entity reserving the facility. As the authorized representative, the Permit Holder is responsible for ensuring that the organization or group complies with the terms and conditions set forth in the reservation agreement and in this regulation. Permit holders must be on site.

XIII. Liability

The Permit Holder assumes all liability for activity related to the use of the facility. A Certificate of Insurance naming the Town as an additional insured may be required for specific reservations, such as sports and recreation, party reservations, and any other event that the Town Administration and his/her designee specifies. At the discretion of the Town Administrator, appropriate written waivers may be required.

A. EXHIBIT A
HOURS OF OPERATION (Effective March 22, 2010)

The use of all public facilities is limited to the following hours of operation. Requests for reservations outside of normal hours of operation may be approved on a case by case basis by the Town Administrator or his or her designee.

Town of Cheverly Community Center

Monday through Friday: 8:00 a.m. to 9:00 p.m.

Saturday: 10 a.m. to 6 p.m.

Sunday: Closed

The Gym may be reserved outside of normal business hours though events must end and the building vacated by 11:00 p.m. Monday through Thursday and Midnight on Friday through Sunday.

Courts, Parks and Fields

Monday through Sunday: Sunrise to Sunset (except with proper exception by the Town Administrator)

Hours may be extended for certain official public functions.

The Town of Cheverly Community Center will be closed on the following holidays and holiday weekends: New Year's Eve, New Year's Day, Martin Luther King Day Weekend, Presidents Day Weekend, Memorial Day Weekend, Juneteenth, Independence Day, Labor Day weekend, Veterans Day, Thanksgiving Day weekend, Christmas Eve (after 12:30 p.m.) and Christmas Day.

B. EXHIBIT B
FEE SCHEDULE (Effective

Reservation Fee / Security Deposit:

Town of Cheverly Community Center

Large conference Room Resident: \$15 per hour

Gymnasium For paid Classes: 25% of student fees

For private reservations: \$?? per hour with a minimum reservation of three ???? hours (b)

Paid Reservation

Parks and Fields

Picnic Shelter Resident:
Non-Resident:

Field Resident: \$
Non-Resident:

Staffing Fee: \$30 per hour fee for staffing outside of normal hours of operation
Fee for extraordinary maintenance or required security to be determined on a case by case basis

- (a) Proof of Residency must be provided by Permit Holder.
- (b) Minimum three-hour reservation requirement may be waived at the discretion of the Town Administrator or his or her designee.

C. EXHIBIT C RECOGNIZED COMMUNITY GROUPS

To receive the free room rentals, the group must meet one of the following criteria:

- A recognized community organization or group on file with the Office of the Town Clerk.
- A non-profit organization (501(c)(3) whose membership is comprised primarily of Town of Cheverly residents. The organization's mission must directly benefit the Town of Cheverly or its residents. To be determined eligible under these criteria, an organization is required to provide a membership roster as well as a statement listing activities undertaken by the organization during the previous twelve months that benefited the Town of Town of Cheverly or Town of Cheverly residents.
- Organizations to which the Town provides financial support or with whom the Town co-sponsors events/programs, such as the Town of Cheverly Day Committee.
- Youth-oriented organizations with partnership arrangements with the Town, such as the Cheverly Boys and Girls Club.
- Community-oriented public service organizations with various missions that have historically met in one of the Town facilities.

A group which believes that it meets the aforementioned criteria should request the free room rentals by submitting a written request to the Town Administrator or his or her designee, including any required supporting documentation.

EXCLUSIONS:

The following organizations are not eligible to use the Cheverly Community Center Facilities.

- A. Partisan-political groups that seek to influence the outcome of elections or the determination of public policy through political activity or advocacy, lobbying or litigation on behalf of parties other than themselves.
- B. Fraternal or religious groups or organizations.

MAYOR AND COUNCIL RULES AND PROCEDURES

SECTION 1 – AUTHORITY AND ADMINISTRATION

A. Authority

- a. The Town Council may determine its own rules and order of business as authorized by the Charter and Code of the Town of Cheverly. The Mayor and Council Rules of Procedure shall be in effect upon adoption of the resolution by the Mayor and Council and remain in compliance with the Charter and Code of the Town of Cheverly and the Constitution and laws of the State of Maryland.
- b. These Rules shall govern the order and conduct of deliberative and legislative meetings of the Mayor and Council and related Council work.
 - i. To the extent these Rules of Order do not address an issue of parliamentary procedure, Robert's Rules of Order Newly Revised may be used as a guide to resolve the issue.
 - ii. When present, the Town Attorney shall serve as parliamentarian. In the absence of the Town Attorney, the Town Administrator shall serve as parliamentarian.

B. Administration

- a. At a work session scheduled within two weeks of one or more elected officials taking office, orientation shall be provided in order to discuss the role of Council, review meeting procedures, and give an overview of the Town Budget. Newly sworn in elected officials shall be provided with a hard copy of the Town Charter, Code, and Budget.
- b. The Town Council shall review and readopt these rules, with or without amendments, within sixty (60) days following the regularly scheduled biennial election of Council Members.
- c. The presiding officer is responsible for ensuring that all elected and appointed officials and members of the public adhere to these Rules.
- d. Any Council Member may request that the presiding officer enforce these Rules.

C. Suspension

- a. Any rule contained herein may be suspended by five affirmative votes of Town Council Members present and voting.

D. Amendment

- a. These rules of procedure of the council will be placed on the agenda of the first meeting of the council following the seating of the newly elected councilmembers for review and adoption. A copy of the rules adopted shall be distributed to each councilmember. The council may alter or amend its rules at any time by five affirmative votes of Town Council Members present and voting, after notice has been given of the proposed alteration or amendment.

SECTION 2 – CONDUCT OF MEETINGS

A. Frequency and Type

- a. Meetings shall be scheduled in accordance with the Charter and Code of the Town of Cheverly and in compliance with the Open Meetings Act of the State of Maryland.
- b. All portions of all meetings are open to the public unless some portion is closed in compliance with the Open Meetings Act of the State of Maryland.
 - i. Elected officials bear primary responsibility for compliance with that Law.
 - ii. The Mayor, Town Administrator, and at least three Ward Council Members shall be trained in Open Meetings Act compliance at least once during each Council term.
- c. The Town Council will make every effort to schedule meetings on the second and fourth Thursday of every month.
 - i. “Regular meetings” as envisioned in C-13(A1) shall generally be held on the second Thursday of every month.
 - ii. “Work Sessions” as envisioned in C-13(A2) shall be held on the fourth Thursday of every month.
- d. Special meetings of The Town Council may be convened by the Mayor or by four Ward Council Members with 72 hours’ notice given by the Town Clerk to the public and to Town Council Members whenever possible.
 - i. Special meetings shall consider only the one item on its agenda.

- ii. The Town Clerk shall notice the purpose of the meeting and the resultant agenda.
 - iii. Unless the meeting is closed, public input shall be welcomed in accordance with 3C of these Rules.
- e. While C-13(A2) allows the Town Council to conduct the full range of town business at a Work Session, the Town Council will make every effort to take votes on substantive matters only during the Action Items portion of the Regular Meeting agenda.
- f. The Town Administrator shall ensure that every meeting of the Town Council is noticed to the public including on the Town's website and physically at the Community Center. The Town Administrator shall likewise publish the agenda including supporting documentation for every Town Council Meeting as early as is practicable.

B. Presiding Officer

- a. The Mayor shall preside at all meetings of the Town Council (C-11B).
- b. In the Mayor's absence, the Vice Mayor shall preside for the duration of that meeting.
- c. In the absence of both the Mayor and Vice Mayor from a meeting, the Town Administrator shall call the meeting to order and the remaining Ward Council Members constituting a quorum shall elect a Mayor Pro Temp from among the Ward Council Members present who shall preside for the duration of that meeting.

C. Attendance and Quorum

- a. Quorum to conduct public business shall be the presiding officer and three additional Ward Council Members, participating virtually or in person.
- b. The Town Administrator shall ensure that the Town Council operates and offers means of electronic participation for Town Council Members and the public.
- c. Proxy voting is not permitted.
- d. Town Minutes, prepared by the Town Clerk, shall be approved by the Town Council and shall reflect the attendance of Council Members during all agenda items on which a vote was taken.
- e. The Town Council shall favorably consider excusing the absence of the Mayor or any Ward Council Member absent from the entirety of a meeting.

- f. Elected and appointed officials shall make every effort to refrain from using electronic devices for other than note-taking purposes during meetings.

D. Translation and Interpretation

- a. Regular Meetings (C13A1) shall be simultaneously interpreted into American Sign Language for recording and broadcast or rebroadcast.
- b. Requests for translation of published materials, or interpretation during meetings, in a spoken language other than English shall be favorably considered by the Town Administrator when the request is made at least 72 hours in advance of the meeting.

SECTION 3 – MEETING AGENDAS

A. Standing Agenda Items:

- a. Regular Meetings shall include:
 - Call to Order
 - Pledge of Allegiance
 - Approval of the Agenda
 - Resident Input
 - Matters Involving Guest Speakers/Elected Official
 - Town Administrator's Report
 - Consent Calendar
 - Action Items
 - Discussion Items
 - Agenda Items for Future Meetings
 - Adjournment
- b. Regular Meetings can additionally include:
 - Approval of Prior Meetings' Minutes
 - Police Chief's Report
 - Public Works Director's Report
 - Public Recognitions or Presentations
 - Committee Reports
 - Mayor and Council Announcements

c. Worksessions shall include:

- Call to Order
- Pledge of Allegiance
- Approval of the Agenda
- Town Administrator's Report
- Discussion Items
- Agenda Items for Future Meetings
- Adjournment

d. Worksessions can additionally include:

- Consent Calendar
- Action Items
- Resident Input

B. The Mayor shall, during the first quarter of the fiscal year, publish an annual agenda calendar that includes budget, mandated hearings, seasonal, recognitions, and other anticipated significant demands on agenda bandwidth.

C. The Town Council shall vote, and that vote shall be recorded by the Town Clerk, to approve the agenda; to approve prior meetings' minutes (if not included on the Consent Calendar); to approve the Consent Calendar; to approve each individual Action Item; and to adjourn the meeting.

D. Council Members shall vote in the affirmative or in the negative, or shall abstain, or shall vote present, on every vote for which they are present.

E. The Mayor and the Town Administrator will jointly propose to The Town Council a written meeting agenda in advance of any public posting.

- F. Council Member(s) desiring to add an item to the agenda shall (1) make that proposal verbally or in writing to the Mayor and Town Administrator at least eight days in advance of any meeting whenever possible; or (2) propose adding the item to the agenda during the specific agenda section Approval of the Agenda. Proposed agenda items will be considered without partiality.
- G. The Mayor and Town Administrator will jointly write and publish the Consent Calendar, which shall consist of matters routine in nature and unlikely to prompt debate or inquiry. The presiding officer, or the Town Council by majority vote, may remove an item from the Consent Calendar and vote it separately.
- H. Action Items require formal approval by the Town Council at the current meeting or specified future meeting. Action Items shall have been discussed at a previous meeting, in accordance with the Town Charter. The Town Administrator, and where necessary the Town Attorney or relevant advisory committee, shall have provided to the Town Council their recommendation on each item.
- I. Motions:
- a. Motions – Procedure – Withdrawal prior to vote.
 - When a motion is made and seconded it shall be deemed to be in possession of the council and shall be stated by the presiding officer or, if in writing, read by the Town Clerk previous to debate. The motion may be withdrawn by the maker and the second prior to a vote.
 - b. Motions – Administration.
 - The presiding officer of the council may, at his/her discretion, call any member to take the chair to allow him/her to address the council, make a motion, or discuss any other matter at issue.
 - c. Motions – Order of priority.
 - A motion to lay any matter on the table shall be first in order and, on all questions, the last amendment, the most distant day, and the largest sum shall be put first.
 - d. Motions – Restricted when.
 - When a question or motion is before the council, no other motion shall be received, unless it is to amend, postpone, lay on the table, consider the main question, or to adjourn.

e. Motions to reconsider.

- Motions to reconsider must be by a member who voted with the majority and at the same or the next succeeding meeting of the council.

J. Voting

a. Voting – Requirements.

- All members present will be asked to vote on every order of business that is brought up for a vote except as to matters with respect to which such councilmember or the mayor discloses a reason for a disqualifying interest. A disqualifying interest will not affect the presence of a quorum to enact business.

b. Voting – Abstention.

- In the event a member abstains from voting, that member shall announce his/her intention to abstain and reason for abstaining. An abstention shall not affect the presence of a quorum. An abstention shall not be considered as either a vote for or against the matter.

c. Voting – Tie votes.

- The mayor shall vote only in case of a tie, unless prohibited through a disqualifying interest.

d. Voting – Disqualification – Member responsibilities.

- A councilmember shall disqualify himself/herself from participating on any issue if personal financial interest or other influences will prevent or appear to prevent him/her from exercising fair-minded independent judgment on the facts and established policy.

e. Voting – Disqualification – Procedures.

- Should a councilmember be aware of circumstances which might appear to disqualify himself/herself from council action, he/she can either disqualify himself/herself or explain the circumstances before the council. Should the council be aware of circumstances which might appear to disqualify the member, the council may request the disqualification of the member. Any member who is asked to stand down by the remaining members of the council shall evaluate the advice and act in the best interest of the Town.

f. Voting – Majority vote – Motions.

- All actions of business or policy shall be made by majority vote of the council. Each vote shall be preceded by a motion, a second and an opportunity for discussion.
- K. Discussion Items are important Town issues not requiring formal action by The Town Council in the next sixty days. Discussion of items listed under Discussion Items shall be limited to fifteen minutes each.
- L. During the specific Regular Meeting agenda section, Resident Input, the presiding officer will call speakers to the podium in the order in which they requested recognition. The presiding officer will remind speakers of the rules for Resident Input.
 - a. The presiding officer will ask speakers to state their name and ward, to direct their comments to The Town Council as a body, and not to speak on a topic that appears on the agenda.
 - b. Speakers may speak for up to three minutes.
 - c. Unused time may not be transferred to another speaker.
 - d. The presiding officer will not respond to the input directly and will not allow any Council Member to do so.
- M. During the specific agenda section Mayor and Council Announcements, the presiding officer will afford each elected official five minutes to speak. Unused time may not be transferred to another elected official. Formal Town Council business will not be conducted.

SECTION 5 – REPRESENTATIONS

- A. The Mayor shall represent the decisions and policies of The Town Council in all forums.
- B. The Mayor may delegate to any Ward Council Member, the Town Administrator, any member of the Town staff, or any representative of a Town Organization, the authority to represent the decisions and policies of The Town Council.

- C. Paragraphs A and B shall not constrain an individual Elected Official from expressing their opinion as their own in any forum. Individual Council Members will be careful to specify that their opinion is non-binding on the Town or The Town Council and not made on its behalf.

SECTION 6 – TOWN STAFF RESOURCES INCLUDING THE TOWN ATTORNEY

- A. The Town Administrator shall be the first point of contact for elected officials seeking information or action on any Town service, operation, or issue.