



MEETING OF
UNIVERSITY PARK MAYOR AND COMMON COUNCIL
UNIVERSITY PARK ELEMENTARY SCHOOL
4315 UNDERWOOD STREET
7:30 P.M.

January 5, 2009
WORK SESSION

1. CALL TO ORDER: Mayor Tabori

Present: Mr. Lucas, Mr. DeSaussure, Mr. Dudinsky, Ms. Mallino, Ms. McPherson, Ms. Winton, Ms. Fischer (arrived during item #4, had depart at 9:30pm)
Excused: None
Absent: None

2. PLEDGE OF ALLEGIANCE was led by Mr. Lucas.

3. APPROVAL OF THE AGENDA

Moved by: Ms. Winton
Yea: 7

Seconded by: Ms. McPherson
Nay: 0 **Abstain:** 0

4. APPROVAL OF MINUTES: December 15, 2008 Meeting

With the following change to p. 3:

Ms. Fischer reported that a Clagett Road resident called the fire department *due to smoke* on his property. Fire and rescue squads were incorrectly routed to Clagett-Pine, possibly due to the fact that the homes on Clagett Road and Clagett-Pine have the same range of house numbers. *A Town resident asked* Ms. Fischer if the streets could be renamed, or the houses renumbered, *to prevent this confusion in the future.*

Moved by: Ms. Mallino
Yea: 7

Seconded by: Mr. DeSaussure
Nay: 0 **Abstain:** 0

5. PUBLIC COMMENT

None.

6. MAYOR'S REPORT– Mayor John Rogard Tabori

Mayor Tabori reported that letters have been sent to the residents of Clagett Road and Clagett-Pineway concerning the recent street name confusion experience by the fire department. Town Hall is researching the correct contact person at the Maryland National Capital Parks and Planning Commission (MNCPPC) to find out the process for requesting either street renumbering or a street name change.

Mayor Tabori thanked the residents of the Town for generous contributions to the employee holiday fund.

There are three upcoming meetings that may be of interest to the Council and to Town residents. There is a land use meeting on Saturday, January 10th at the University of Maryland, sponsored by the MNCPPC at the Stamp Union from 9am to 2pm. Riversdale Mansion is hosting an environmental meeting on January 6th from 6:30pm to 9:30pm. The College Park City Council meeting for January 6th to discuss how municipalities may be able to purchase their streetlights from Pepco has been postponed.

Mr. DeSaussure asked for an updated status on the Town clock. Mayor Tabori said there has been no further contact from the private group initially interested in sponsoring the clock. Mr. Dudinsky is engaged in a discussion with the school system, which has agreed in principle to install the clock. He is waiting to hear if the school system has documented their final approval on this decision. Mr. Dudinsky explained that University Park would donate the clock to the school system, with the provision that the clock would remain in University Park. The school would assume responsibility for installing the clock and providing electrical power and maintenance.

Mr. DeSaussure asked Mayor Tabori if he had followed up with the auditors on the question of the weakness in controlling the signature authority for signing Town checks. Mayor Tabori said he would talk to the auditors by the end of the week. Mayor Tabori said that in conversations with Town Attorney Ms. Ferguson, the Mayor's understanding is that the Town has followed good practices in managing the check signing authority, but has not established a written policy codifying the current practices. Mayor Tabori said that based on his research, he cannot find any surrounding municipality, save possibly one, that has policies about check signing in their ordinances or charters. Their procedures are documented in a written policy, which has been approved by the municipality's Council. Mayor Tabori said he would have a proposed policy prepared to present to Council at the January 26th meeting.

Mayor Tabori noted that the Town Treasurer does not sign purchase orders. Purchase orders are signed by the Mayor or the Director of Public Works. Having a different person sign the purchase orders effectively prevents having one person handle both ends of a financial transaction. Mr.

DeSaussure observed that the Town should follow the guidance of the AICPA on this issue. Ms. Winton said that seeking guidance or feedback from the auditors in this area would be within the scope of the auditing services provided. Mayor Tabori said he has been very specific in his requests for further information from the auditors on this topic.

Mr. Dudinsky asked if the Town zip code could be changed from 20782 to the Riverdale Park zip code, for the purpose of reducing the insurance rates for homeowners and vehicle owners. Mayor Tabori appreciated this suggestion and asked Mr. Dudinsky to meet with him in the next few days to discuss the idea further.

Chief Wynnyk reviewed the police report, which is attached at the end of the minutes in Appendix 6A. Chief Wynnyk reviewed what was known at this time about the Presidential Inauguration security plans.

7. CONSENT AGENDA

Motion: To approve the following consent agenda.

Moved by: Mr. Lucas
Yea: 7

Seconded by: Ms. Mallino
Nay: 0 **Abstain:** 0

**A. APPLICATION TO REPLACE SECTION OF CONCRETE DRIVEWAY
(Behneman, 4201 Tuckerman Street) Ward 1**

8. CONTINUING BUSINESS

A. LEGISLATIVE RESOLUTION 08- 05: Ward 5 Parking Restrictions

Mayor Tabori expressed his concerns about removing Clagett Road from the resolution. He is consulting with Town Attorney Ms. Ferguson and will discuss the matter with Chief Wynnyk as well.

Motion: To approve/disapprove Legislative Resolution 08-05-to modify and expand the permit parking system in Ward 5.

Up for adoption at regular meeting January 26, 2009.

B. LEGISLATIVE RESOLUTION 08-06: Designation of Clerk and Treasurer as separate offices

Mayor Tabori, Mr. DeSaussure, and Mr. Dudinsky discussed the personnel responsibilities for authorizing and signing Town checks, and receiving and reconciling the checks returned from

the bank against the bank statement. Mayor Tabori said that what is lacking is written documentation of the procedures currently being followed within Town Hall.

Motion: To approve/disapprove Legislative Resolution 08-06-to designate Clerk and Treasurer as separate offices.

Up for adoption at regular meeting January 26, 2009.

C. INCREASE IN PARKING VIOLATION FINES – Ordinance to be introduced on January 26, 2009.

9. NEW BUSINESS

A. TOWN EMPLOYEES PENSION PLAN DISCUSSION

The Mayor and the Council members discussed the actuarial valuation of the State of Maryland Retirement and Pension System. The Town has received a letter from Cherion containing the information on preliminary valuation with 100%, 50%, and 33% recognition of past service for all participants. The cost figures provided in the letter are based on data provided by the Town on its current 25 employees. Per the letter from Cherion:

“For our preliminary valuation, the demographics of University Park’s employees produced an actuarial accrued liability of \$1,730,043 with 100% past service, \$728,612 for the 50% past service and \$445,036 with 33% past service. These amounts can be amortized with level annual payments of \$152,811 for the 100% past service liability, \$64,357 for the 50% past service liability or \$39,309 for the 33% past service. All amortizations are over the next 25 years as provided by Senate Bill 466, Section D, Part 4. These payments would begin December 31, 2009.”

The Mayor reviewed the reasons for proposing this change in the employee retirement system, which is presently a 401(k) plan with an employer match. Conversion to this plan would provide the benefit of a defined retirement benefit to the employees, instead of the random fluctuations in retirement funds that are experienced under a 401(k) plan. Mayor Tabori said that if the Town chooses to fund the plan at the 100% service level, the Town does not have to request a resolution from the Maryland State Legislature. If the plan is funded at less than the 100% service level, a State resolution is required.

Ms. Mallino noted that the current 401(k) retirement plan did not come about until the late 1980’s. The Town’s matching percentage has risen over the years, from an initial 3% of salary with a 1% match to the current rate of 4% of salary with a 3% match. Ms. Winton asked what would happen to the funds in the 401(k) plan. Mayor Tabori said he was looking into this question. Mayor Tabori asked the Council members to review the letter from Cherion at the 100% past service level and be ready to discuss the matter in more detail at the January 26, 2009 council meeting. May 15, 2009 is the key date for determining for this year [2009] whether or

not to participate in the plan.

Mr. Dudinsky asked the Mayor to factor in a tax cut of 7% to 10% in preparing the FY 2009 budget. Mayor Tabori said that he would present the budget for FY2009 in March to meet the timelines identified in the Cherion letter. His budget will include an analysis of the impact of this proposal. Ms. Mallino discussed how the research into pensions and retirement funds for Town employees was an integral function of the Budget Committee. Ms. Winton asked Mayor Tabori how the analysis of the financial impact of the letter would be conducted. Mayor Tabori said that he was not planning on expending funds on this analysis and would use Town staff to support the analysis. If this proved to be inadequate, the Mayor would return to the Council to request approval for funds to hire a financial consultant.

Motion: To proceed to analyze the budget implications of the Alternate Contributory Pension System (ACPS) at the 100% valuation level and make a decision on whether or not to proceed by May 15 of this year.

Moved by: Mr. Lucas **Seconded by:** Ms. Mallino
Yea: 4
Nay: 3 (Ms. McPherson, Ms. Winton, Mr. DeSaussure)
Abstain: 0

B. PRESIDENTIAL INAUGURATION BRIEFING: TOWN IMPACT AND BUS SERVICE

If the decision was made, based on requests, to run the bus on Inauguration Day, Mayor Tabori said that the Town bus route would change to deliver and pick up people from the College Park metro station, instead of Prince George's Plaza metro station. Mr. Dudinsky asked if the bus drivers would be paid double time, as this was a Town holiday. Mayor Tabori said that they would be paid double time.

C. TOWN INVENTORY DRAFT

Mayor Tabori distributed a draft copy of the Town inventory, in Excel spreadsheet format. The physical inventory items have not been identified by a bar code yet.

**D. PARKING WAIVER FOR RENTAL PROPERTY
(Gogol, 4018 Beechwood Rd) Ward 6**

Motion: To approve the application for an on-street, six month parking waiver for up to three vehicles at 4018 Beechwood Road.

Moved by: Ms. Winton **Seconded by:** Ms. Fischer

Yea: 7

Nay: 0

Abstain: 0

10. ADJOURNMENT at 10pm.

Submitted by: _____
John Rogard Tabori
Mayor

ATTACHMENT 6A: REPORT ON POLICE DEPARTMENT ACTIVITIES

Police Information

Crime Statistics (December 1st – 31st) 2008

Ward 1

Theft from Auto – On December 5, 2008 in the 4200 block of Sheridan St. suspect/s entered a 2000 Mazda and stole a book, “War and Peace” containing a CD disc. There was no sign of forced entry. No suspect/s was located. Investigation is on-going.

Ward 2

Ward 3

Theft from Auto – Between December 13, 2008 midnight and December 14, 2008 8:30am in the 6600 block of 44th Ave. suspect/s entered an unlocked 2006 Honda, Odyssey van and stole a Kenmore sewing machine and a “Leatherman” tool. No suspect/s was located. Investigation is on-going.

Ward 4

Ward 5

Stolen Auto – On December 7, 2008 at between 2:00am and 11:00am in the 4300 block of Clagett Rd. suspect/s stole a 1999 Lexus SUV from the street in front of the residence. The vehicle was recovered on December 31, 2008 in N.E. Washington D.C. with much of the personal property inside of the vehicle taken. The owner may have left a spare key in the console area of the vehicle. Neither the door lock nor the ignition were damaged. Investigation is on-going.

Theft from Auto – Between December 5, 2008 4:00pm and December 7, 2008 9:30am in the 4300 block of Clagett Rd. suspect/s entered a 2003 Toyota, Sienna van and stole a Garmin GPS unit and a cell phone charger. There was no sign of forced entry. No suspect/s was located. Investigation is on-going.

Theft – Between December 25, 2008 midnight and December 30, 2008 4:30pm in the 6900 block of Oakridge suspect/s stole a small concrete statue of a cherub (light green in color) from the yard of residence. No suspect/s was located. Investigation in on-going.

Ward 6

Stolen Auto – Between December 23, 2008, 8:00am December 28, 2008 in the 6900 block of 40th Ave. suspect/s stole a 2003 Pontiac Grand Am from the street in front of the residence. The owner discovered his vehicle missing when he returned home from vacation. The vehicle was recovered on

December 28, 2008 on Bel Pre Rd. in Silver Spring, Md. with the keys in it. The owner may have dropped his car keys near the vehicle when leaving for vacation. Investigation is on-going.

Breaking & Entering- Between December 28th 1:20pm and December 31st 7:50pm in the 4000 block of Beechwood Rd. suspect/s forced open the front door of the residence and stole property. The tenant came home and noticed the door frame had been damaged. University Park Police responded, checked and secured the residence. Items stolen included two digital cameras, and a small jewelry box containing a glass pendant. The crime scene was processed for fingerprints and the neighborhood canvassed for fingerprints. No suspect/s was located. Investigation is on-going.

Ward 7

Assault – On December 31st at 11:00pm in the 7000 block of Adelphi Rd. a University Park Police Officer responded to a call for domestic assault. Upon arrival, the officer observed a scratch on the face of the victim. An adult male identified as the friend of the victim was placed under arrest and transported to Prince George's County Detention center. Case Closed.

Contact the UPPD with tips regarding crimes. All information will be kept confidential