



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

February 1, 2010
REGULAR SESSION

1. **CALL TO ORDER: Mayor Tabori at 7:30 p.m.**

Present: Ms. Toscano, Mr. Carey, Ms. Mallino, Ms. McPherson, Ms. O'Connor, Mr. Lucas, Ms. Bradley Chacón
Excused: None
Absent: None

2. **PLEDGE OF ALLEGIANCE** was led by Ms. Toscano

3. **APPROVAL OF THE AGENDA**

Ms. Mallino proposed to remove item 7D and item 7B was moved to 6A.

Moved by: Ms. McPherson	Seconded by: Mr. Lucas
Yea: 7	Nay: 0 Abstain: 0

4. **APPROVAL OF MINUTES: January 25, 2010**

Moved by: Ms. Toscano	Seconded by: Mr. Carey
Yea:	Nay: Abstain:

Motion: To table voting on the minutes until updates are made, with the changes marked in red.

Moved by: Ms. Toscano	Seconded by: Ms. O'Connor
Yea: 6	Nay: 0 Abstain: 1 (Lucas)

Mayor Tabori and the Council members clarified the details of the January 25 minutes for the recording secretary, who will update the minutes accordingly.

5. PUBLIC COMMENT

No public comment was made.

6. DEPARTMENT REPORTS

A. MAYOR'S REPORT- Mayor John Rogard Tabori

Mayor Tabori spoke about the Prince George's County Historical Society book initiative. The Society has contacted the Town to invite us to participate in the book, which would include a financial contribution. Mayor Tabori said a representative from the Society has offered to address the Council to explain the effort. Mayor Tabori asked if there was interest on the part of the Council. Council members said they would decline to participate, as they could not justify an expenditure of funds for this purpose.

Mr. Lucas shared new information about the Energy Conservation Act grant and said the grant announcement period has been extended. Mr. Carey said he is following up with the team members to be prepared in the event University Park receives an award.

Mayor Tabori brought up the East-West Highway road improvement project. On Friday, January 29, Mayor Tabori was invited to the pre-construction meeting with the State Highway Administration (SHA). Mayor Tabori said the meeting was a good start to laying the communications groundwork with the SHA officials and the contractor. He said the contractor was not aware of the extent of the other construction that Washington Suburban Sanitary Commission (WSSC) and Washington Gas Light (WGL) were conducting in the Town. WGL will need to carry out extensive repair work in the East-West Highway/Adelphi Road intersection. Mayor Tabori said that neither University Park Elementary School nor the Town bus service had been notified of this pending work. The construction is scheduled to start on March 15.

Mr. Carey noted that Van Buren Street in Ward 4 has been marked for sewer line replacement. He notified the Directory of Public Works, Mr. Beall, and Mr. Beall contacted WSSC to arrange for the utility to submit the necessary permit application. Mayor Tabori said this additional work, above and beyond the water line replacement work already underway, would initiate important negotiations with WSSC over the extent of the street repair payments. The greater the impact WSSC has on the streets, the greater their contribution will be to the repair funds. Mr. Carey advocated advance notice to residents about street, water, and sewer line work, so residents could relocate heirloom plants and other property in advance of the work.

Mayor Tabori said that Town Hall actively enlists the help and assistance of residents to stay aware of utility work and impacts on the Town. Utilities are not always aware of the requirement

for Town permits before they start their work. Mayor Tabori observed that in the near future there will be work at the East-West Highway/Adelphi Road intersection; the Route 1 corridor from Town Hall to East-West Highway, and the on-going WSSC work. The cumulative impact of this work will have an effect on Town residents, particularly at morning and evening commuting times.

BELCREST PLAZA

Mayor Tabori said that the resolution has been written for the Planning Board. Town Attorney Ferguson and Mayor Tabori were able to participate in the process. The language suggested by the Town for storm water management was included in the resolution in total. Mayor Tabori said that close to 75% of the goal on traffic issues was achieved. Unfortunately, no progress was made on the issue of the 31-story building. The two difficulties on this issue are the terrific increase in density at this site, and the expansion of the build line to the very edges of the perimeter of the property.

There is no binding agreement between the Prince George's Plaza mall and the developer to put a full 75-foot wide road. The sidewalk at Toledo Terrace will be narrowed. The sidewalk will be shortened to 20 feet. Under the proposed plan, the sidewalk will be narrowed by one-third; the parking will be removed; and the bicycle lanes will be intermixed with traffic.

Mayor Tabori expressed extremely strong concerns about the impact on pedestrian and bicycle access to the metro for the Landy property apartment building residents. Mayor Tabori said the contributions and engagement of the Council members and residents has been critical in raising awareness and bringing pressure to bear on the developers. Mayor Tabori said the award of a Detailed Site Plan (DSP) for this plan is a stinging defeat for the Planning Board and renders the Transit District Overlay Zone (TDOZ) plan a useless document.

Mayor Tabori reiterated that University Park is not opposed to development around the Prince George's Plaza metro. The Town of University Park would strongly prefer to see University Town Center (UTC) completed. The specific type of development proposed for Belcrest Plaza, however, is inconsistent with good development principles and harmful to the surrounding areas.

Ms. Bradley Chacón asked what type of development University Park would prefer to see in this area. Mayor Tabori said that we want to see bike and pedestrian friendly development with accessibility to University Hills, University Park, and Hyattsville. There are concerns about the streets being active and attractive. Everything about the Belcrest Plaza development is inwardly focused. Ms. Toscano said that there are still unclear issues with the utilities. WSSC has said they do not have sufficient sewage handling capacity for a development of this size.

Mr. Lucas spoke about his concerns over traffic and subway congestion. Ms. Mallino said that the District Council would ultimately have authority to grant the zoning exemptions that Belcrest Plaza is seeking.

Mr. Carey spoke about how to engage the residents of University Park in the Belcrest Plaza issue. He recommended an opportunity for a community briefing. Mayor Tabori said the key figure in this issue is County Councilmember Will Campos, representing Hyattsville on the District Council. Mayor Tabori suggested considering a Town meeting. The Planning Board will vote on this issue on February 4. Mayor Tabori will try to find out when the District Council meeting will be held. Ms. McPherson suggested the Mayor provide the public with a list of issues or a template that residents can use when contacting their representatives.

B. REPORT ON POLICE DEPARTMENT ACTIVITIES- Chief Michael Wynnyk

Chief Wynnyk distributed a handout of the January Crime Statistics report, which is included in these minutes as **Attachment 6B**.

C. REPORT OF TOWN TREASURER – Daniel R. Baden, C.P.A.

Mr. Baden verified that the Council had received the mid-year budget analysis information. He reviewed the Budget Analysis and Adjustment information with the Council.

7. CONTINUING BUSINESS

A. FY 2010 BUDGET SIX MONTH UPDATE- Mayor Tabori and Treasurer Baden

B. BELCREST PLAZA

Discussed during the Mayor's Report in Agenda Item 6A.

C. LEGISLATIVE RESOLUTION 10-0-01

Motion: To approve/disapprove Legislative Resolution 10-O-01: Authorizing council to establish by Resolution a speed monitoring system.
(This is up for adoption at the February 22, 2010 Council Meeting as per introductory motion.)

Moved by:
Yea:

Seconded by:
Nay:

Abstain:

This agenda item was not discussed during the meeting.

8. NEW BUSINESS

A. LEGISLATIVE RESOLUTION 10-O-02: Amend FY 2010 Budget *Introduction*

Mayor Tabori said the amended budget includes funding for Northwestern High School band uniforms in the amount of \$12,000, the Stream Committee, the state energy grant, and the police radios grant. He explained that a supermajority vote was required for budget amendments, per regulations from the State of Maryland. In the Town of University Park, a supermajority consists of 5 of the 7 Council members.

Motion: To approve the adoption of Legislative Resolution 10-O-2 which would amend the FY2010 budget to include adjustments that reflect additional revenue and expenditures in the form of new line items.

Moved by: Mr. Lucas

Seconded by: Ms. Toscano

Yea:

Nay:

Abstain:

Mayor Tabori said that the final vote on the amended budget will be taken on February 22, 2010.

Motion: To reduce budget line item G28, Northwestern High School band uniforms, from \$12,000 to \$6,000.

Moved by: Mr. Carey

Seconded by: Ms. Bradley Chacón

Roll Call Vote:

Mallino	Nay
Lucas	Nay
McPherson	Nay
Carey	Yea
Toscano	Nay
O'Connor	Nay
Bradley Chacón	Yea

Yea: 2

Nay: 5

Abstain: 0

Amended Motion: To separate the budget line item R21, grants reserve, into line items R21 Police Radios and R22 Energy Grant.

Moved by: Ms. Mallino

Seconded by: Ms. Toscano

Roll Call Vote:

Mallino	Yea
Lucas	Yea
McPherson	Yea
Carey	Yea

Toscano	Yea
O'Connor	Yea
Bradley Chacón	Yea

Yea: 7 Nay: 0 Abstain: 0

Motion: To approve the introduction of Legislative Resolution 10-O-2 which would amend the FY2010 budget to include adjustments that reflect additional revenue and expenditures in the form of new line items, and to include the amended motion to create line items in budget for grants, including grant G1 for police radios and G2 for the state energy grant.

Moved by: Ms. Mallino **Seconded by:** Ms. Toscano

Roll Call Vote:	Mallino	Yea
	Lucas	Yea
	McPherson	Yea
	Carey	Pass / Yea
	Toscano	Yea
	O'Connor	Yea
	Bradley Chacón	Abstain

Yea: 6 Nay: 0 Abstain: 1 (Bradley Chacón)

B. RESOLUTION 10-R-03: Police Radio Grant

Mayor Tabori asked the Rules and Regulations Committee to approve transferring signature authority of accept grants to the Director of Public Works and the Chief of Police. The Council would still have to approve the resolution to accept any grants. Currently, only Mayor Tabori is authorized to sign to accept grants on behalf of the Town. This has occasionally created a timing problem in accepting a grant if the Mayor is not immediately available. Ms. Mallino noted that Ms. Bradley Chacón has agreed to join the Rules and Regulations Committee.

Motion: To approve the adoption of Resolution 10-R-03 which would authorize the Mayor to sign for, and the Town to accept a grant of \$34,164.00 from the Governor's Office of Crime Control and Prevention for the purpose of purchasing 700 MHz portable radios for the UP Police Department.

Moved by: Ms. McPherson **Seconded by:** Ms. Toscano
Yea: 7 Nay: 0 Abstain: 0

C. RESOLUTION 10-R-04: Budget Adjustments to the FY2010 Adopted Budget

Motion: To approve the adoption of Resolution 10-R-04 which would approve adjustments to the Fiscal Year 2010 Budget as referenced in the *Exhibit* document "Budget Analysis and Adjustments December 31, 2009" attached to the Resolution.

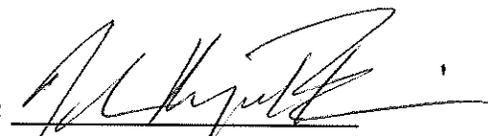
Moved by: Ms. O'Connor
Yea: 7

Seconded by: Ms. Bradley Chacón
Nay: 0 **Abstain:** 0

Mayor Tabori said this resolution does not include the line item changes.

9. **ADJOURNMENT** at 10:10 p.m.

Submitted by:



John Rogard Tabori
Mayor

APPENDIX 6B. REPORT ON POLICE DEPARTMENT ACTIVITIES

Police Information

Crime Statistics (January 1st-31st) 2010

Ward 1

Breaking & Entering— On January 19, 2010 between the hours of 9:50 am and 3:50 pm, in the 4200 block of Sheridan St, a concerned citizen observed a suspicious person in the rear yard of a residence and contacted the UPPD. An officer arrived and found a rear window of the home had been damaged. Additional officers responding observed a subject wearing a black windbreaker jacket with a hood riding a BMX bicycle leaving the area. The suspect eluded apprehension after being chased towards Riverdale Park and north towards College Park. A laptop computer was recovered when the suspect dropped it behind the office building at Baltimore Ave. and East West Highway. The scene was processed for fingerprints. Investigation is on-going.

Ward 2

Breaking & Entering— On January 15, 2010 between the hours of 8:30 am and 12:00 noon, in the 4000 block of Tennyson Rd. the homeowner arrived home and found the rear door had been damaged and property removed from his home. Suspect/s stole an I-pod nano, a 32 inch flat screen TV which was still in the packaging box, assorted coins of approx. \$15.00 and some unidentified jewelry. The UPPD searched the area for suspect/s and witnesses and notified local jurisdictions of the incident. The scene was processed for fingerprints. Investigation is on-going.

Theft from Auto— On January 19, 2010 between midnight and 9:00am in the 6400 block of Queens Chapel Rd. suspect/s broke the driver's side window of a 2007 Chevy pick-up truck and stole a Tom-Tom GPS unit. No suspect/s was located. The investigation is on-going.

Ward 3

Theft - On January 5, 2010 between at 11:30pm in the 6900 block of Baltimore Ave. it was discovered that property was missing from the residence. It was reported that an Acer laptop computer and a projector were stolen, No suspect/s were located. Investigation is on-going.

Ward 4

Theft from Auto— On January 4, 2010 between midnight and 7:30am in the 4200 block of Woodberry St. suspect/s broke the driver's side rear vent window of a 1992 Nissan Sentra and stole a radio faceplate from a Pioneer car radio. No suspect/s was located. The investigation is on-going.

Identity Theft – On January 5, 2010 at 11:30 in the 4300 block of Van Buren St. it was reported to the UPPD that the victim had discovered unauthorized on-line purchases using several different credit cards in various states. It was discovered that the credit cards were not missing, but fraudulent purchases were being made using the card numbers. The case was referred to the PGPD Financial Crimes unit for follow-up.

Ward 5

Theft from Auto- On January 18, 2010 between midnight and 8:00am in the 6800 block of Baltimore Ave. suspect/s broke the driver's side window of a 2006 Honda Accord and stole an I-pod. No suspect/s was located. The investigation is on-going.

Ward 6

Ward 7

**Anyone with tips regarding crimes committed in University Park is encouraged to contact the UPPD. All information will be kept confidential.