



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

**July 11, 2011
REGULAR SESSION**

1. CALL TO ORDER: Mayor Tabori at 7:37 p.m.

Present: Ms. Mallino, Mr. Carey, Mr. Gekas, Mr. Cron, Ms. Toscano, Ms. Bradley Chacón
Excused: Ms. McPherson
Absent: None

Town employees in attendance: Town Treasurer Dan Baden, Police Chief Michael Wynnyk

2. PLEDGE OF ALLEGIANCE was led by Ms. Mallino

3. APPROVAL OF THE AGENDA

Moved by: Ms. Mallino
Yea: 6

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

4. APPROVAL OF MINUTES: *June 20, 2011 Meeting*

Moved by: Ms. Mallino
Yea: 6

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

5. PUBLIC COMMENT

Ms. Mary Gathercole asked the Council and the Mayor to remove the dying Bradford Pear tree in the street box in front of her home. The tree is a hazard and has dropped dangerously large limbs on the sidewalk that could have injured a person walking by. Mayor Tabori said he talked with the Director of Public Works Mickey Beall about either removing or trimming the tree. Mayor Tabori said the plan was to trim the trees in the fall, so that the trees aren't weakened. Ms. Mallino said Adirondack Tree Service was trimming Bradford Pear trees on Tuckerman Street this week. Mayor Tabori said he would follow up with Mr. Beall.

Ms. Roberta Kisker, a town resident, attended the Council meeting with her husband and five children. She asked the Council and the Mayor to consider reducing the rental license fee from \$400 to \$250 when the house was going to be rented for six months or less. She and her family will be on a sabbatical for six months. She noted the extensive costs of lead

paint inspection and mitigation, which is a state requirement for rental licensing.

Mr. Carey asked Mayor Tabori if there had been any further information from the Prince George's County Emergency Response team on the chemical analysis of the green dye released into Wells Run. Mayor Tabori said nothing had been received, despite several requests from Town Hall. The only response had been that the material was not hazardous. Mr. Carey and Mayor Tabori discussed writing a formal letter requesting the information.

Ms. Toscano commended Mayor Tabori on the training course on economic modeling and budgeting that he taught at the recent Maryland Municipal League meeting.

6. PERMITS

A. APPLICATION TO CONSTRUCT A SCREENED IN PORCH ADDITION (Cook, 6407 Queens Chapel Road) Ward 2

Motion: To approve the construction of a screened in porch addition at the rear of the main residence of wood and wood composites (AZEK and Versatek) of the dimensions 12' X 16' X 16' on Lot 18 & part of 17, Block 8, Section 2 at 6407 Queens Chapel Road.

Moved by: Mr. Gekas
Yea: 6

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

7. CONSENT AGENDA

Motion: To approve the following consent agenda item.

Moved by: Mr. Gekas
Yea: 6

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

A. APPLICATION TO REPLACE A 4 FOOT FENCE (Mosser, 6306 Queens Chapel Road) WARD 2

8. DEPARTMENT REPORTS

A. MAYOR'S REPORT- Mayor John Rogard Tabori

Mayor Tabori said he formally invited the Council and Mayor from Riverdale Park, Hyattsville, and College Park to participate in the July 18, 2011 presentation from the Cafritz developers. He said the Town could take one of three positions: vote in favor of the development as proposed with no conditions; vote in favor of the development as proposed with conditions; or vote against the proposal.

Mayor Tabori asked the Council for permission to issue a special newsletter to inform the Town residents in a neutral, even-handed way of the facts of the Cafritz proposal. He said he

would provide the Council with the costs of issuing a special newsletter. Ms. Bradley Chacón asked if the literature should have a name other than the Town newsletter. Mayor Tabori said he would work with the newsletter editors to preserve the neutrality of the information presented. Mayor Tabori said he asked the Cafritz developers to defer filing their site plan with the County until after the 7/18 public meeting.

Mr. Carey said it was very important to make sure the sound system was in place and working in the UPES multi-purpose room.

Mr. Lucas noted that Riverdale Park and College Park will not allow traffic access from the Cafritz development into their communities. He said this would have the effect of forcing all the traffic from the development onto U.S. Route 1 and University Park.

Mayor Tabori and the Council members discussed the draft “Cafritz Property at Riverdale Park Traffic Impact Study”. Mayor Tabori said the data collected on U.S. Route 1 near Town Hall for the speed camera study seemed to match the data in the draft Cafritz study for traffic volumes. He said the other complicated problems presented by the development include storm water management and traffic issues. These issues have a bearing on rezoning issues, which will be heard by an administrative judge.

Mayor Tabori said the final contract for street maintenance has been signed and the contractor should be picking it up from Town Hall shortly. A complete project schedule is due back to Town Hall five days after the contractor picks up the contract. Mayor Tabori said each section of the road work would take about three weeks to complete.

Town Hall received a nearby lightning strike during the July 2nd storm that caused extensive damage to computers, the phone system, and other electronics in Town Hall. It has taken over a week to fully recover from the incident.

Mayor Tabori said that there was a public hearing for speed cameras. Prince George’s County is considering moving ahead to place speed cameras on both sides of Adelphi Road at Northwestern High School. This topic had previously been considered by the Council and had been referred to the Committee on Police, Traffic, and Public Safety. Mayor Tabori asked the Council for guidance on how to proceed. Once Prince George’s County installs speed cameras, University Park will not be able to install cameras.

Motion: To approve initiating installing speed cameras on Adelphi Road and U.S. Route 1.

Moved by: Mr. Cron
Yea: 6

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

B. REPORT ON THE DEPARTMENT OF PUBLIC WORKS – Mickey Beall, Director

No report from Mr. Beall, as he is on leave.

C. REPORT ON DOE GRANT/STEP-UP! PROJECT-Chuck Wilson

Mr. Wilson introduced the three interns in the project, including Ms. Caroline Ulwick, Mr.

Bikash Acharya, and Mr. Nick Leonardi. Ms. Ulwick is working on the <http://www.mystep-up.org> web site and communications outreach. Mr. Acharya is reviewing software packages that will organize the program data and support the mandatory reporting required by the Department of Energy as a condition of the grant.

Mr. Wilson reviewed the status of the STEP-UP! program, which is one year old this week. Mr. Wilson noted that despite much positive progress in discussions at the local level, the effort to establish a loan-loss reserve with SunTrust Bank seems to have stalled at the corporate review level.

8. CONTINUING BUSINESS

A. UPDATE ON BELCREST PLAZA/LANDY PROJECT – No Report

B. UPDATE ON CAFRITZ PROPERTY – Submit Mayor’s Memorandum

C. TOWN STREET REPAIR AND MAINTENANCE PLAN – Submit Copy of Final Contract

D. 9-PONDS UPDATE – Submit Engineering Report

E. LEGISLATIVE RESOLUTION LR 11-O-04 ORDINANCE BOND (Adoption)

Motion: To approve tabling the motion to approve/disapprove LR-11-0-04 an ordinance authorizing the issuance and sale of town of University Park general obligation bond, 2011-1, in the amount of up to \$2,380,000.00 for the purpose of funding the performance of infrastructure improvements throughout the town until the July 18, 2011 Council meeting.

Moved by: Ms. Bradley Chacón
Yea: 6

Seconded by: Mr. Carey
Nay: 0
Abstain: 0

Motion: To approve/disapprove LR-11-0-04 an ordinance authorizing the issuance and sale of town of University Park general obligation bond, 2011-1, in the amount of up to \$2,380,000.00 for the purpose of funding the performance of infrastructure improvements throughout the town.

Moved by:
Yea:

Seconded by:
Nay:

Abstain:

9. NEW BUSINESS

A. APPROVE MOVING THE TOWN BANKING ACCOUNTS FROM BANK OF AMERICA TO SUNTRUST BANK

Mr. Baden presented his analysis of the costs associated with banking with Bank of America versus banking with SunTrust Bank. Mayor Tabori led the discussions of the pros and cons of making the change. On the one hand, Bank of America requires a much smaller amount of money in the Town's accounts to avoid transaction fees – only \$20,000. SunTrust Bank would require \$120,000 in the accounts to avoid transaction fees. SunTrust is also requiring the Town to shift our depository funds from the Maryland investment pool into fully collateralized SunTrust accounts as a condition of receiving the lowest possible interest rate on the bond issue. This raises the risk of having all of the Town's monies concentrated into a single entity.

The Council, Mayor Tabori, and Mr. Baden discussed possible points of continued negotiation with SunTrust. Mr. Baden requested additional time to negotiate with SunTrust. Mayor Tabori pointed out that the July 18, 2011 meeting would be last possible meeting to make a decision on the bond issue in order to meet legal requirements in the Town ordinances before the August 15 lock on the loan conditions expires.

Motion: To approve tabling the motion to approve/disapprove shifting our bank accounts from the Bank of America to SunTrust Bank until the July 18, 2011 Council meeting.

Moved by: Ms. Mallino

Yea: 6

Seconded by: Ms. Toscano

Nay: 0

Abstain: 0

Motion: To approve/disapprove shifting our bank accounts from the Bank of America to SunTrust Bank.

Moved by:

Yea: 6

Seconded by:

Nay: 0

Abstain: 0

B. AMEND THE ANNUAL RENTAL PROPERTY LICENSE FEE SCHEDULE TO ALL FOR A LESSER FEE FOR A PART YEAR PERMIT

Motion: To approve an amendment of the annual Rental Property License fee of \$400.00, to provide that if the proposed period of rental by a specific owner is 6 months or less in any given license year, then the fee shall be \$250.00. If the period of rental exceeds the 6 months, then the full \$400.00 shall be due.

Moved by: Mr. Gekas

Yea: 5

Seconded by: Ms. Mallino

Nay: 1 (Cron)

Abstain: 0

C. APPROVE THE CONTINUATION OF THE UP TOWN STREAM COMMITTEE FOR FISCAL YEAR 2012 AND APPOINT TOM STICKLES AND MICKEY LUCAS CO-CHAIRS.

Motion: To approve the continuing mandate of the University Park Town Stream Committee for FY2012 and appoint Tom Stickles and Mickey Lucas Co-Chairs.

Moved by: Ms. Toscano

Seconded by: Ms. Mallino

Yea: 6

Nay: 0

Abstain: 0

D. APPROVE THE APPOINTMENT OF JENNY GLENN AS THE CHAIR OF THE TOWN TREE COMMITTEE AND CM LEN CAREY (WARD 4) AS THE COUNCIL LIAISON TO THE SAME FOR FISCAL YEAR 2012.

Motion: To approve the appointment of Jenny Glenn as the Chair of the Town Tree Committee and CM Len Carey (Ward 4) as the Council Liaison to the same for FY2012.

Moved by: Ms. Toscano

Seconded by: Ms. Bradley Chacón

Yea: 6

Nay: 0

Abstain: 0

E. HISTORICAL PRESERVATION COMMISSION HEARING ON JULY 20, 2011: DISCUSSION OF PROBLEMS WITH THE CHE APPLICATION.

Mayor Tabori said the College Heights Estates (CHE) application was resubmitted with all the same mistakes from the previous application, including errors in dates.

Motion: To approve creating and submitting a letter in opposition to the CHE application without appropriate changes.

Moved by: Ms. Toscano

Seconded by: Ms. Mallino

Yea: 6

Nay: 0

Abstain: 0

10. An Executive Session Will Be Called to Report on a Personnel Matter at 9:51 p.m.

Motion: To enter into Executive Session to report on a personnel matter.

Moved by: Mr. Carey

Seconded by: Ms. Toscano

Yea: 6

Nay: 0

Abstain: 0