



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

**February 4, 2013
REGULAR SESSION
MINUTES**

AMENDED AGENDA

1. CALL TO ORDER: Mayor Tabori at 7:40 p.m.

Present: Mr. Brosch, Mr. Gekas, Ms. Christiansen, Mr. Carey, Ms. Sorensen, Mr. Cron,
Mr. Alvarez

Excused: None

Absent: None

2. PLEDGE OF ALLEGIANCE was led by Mr. Alvarez

3. APPROVAL OF THE AGENDA

*Ms. Christiansen ask to have item **10B** added to the agenda; **MOTION FOR LETTER.***

Moved by: Mr. Cron

Yea: 7

Seconded by: Mr. Alvarez

Nay: 0

Abstain: 0

4. APPROVAL OF SPECIAL SESSION MINUTES: *January 14, 2013*

Mayor Tabori reported that the minutes for the Special Session are delayed due to the complexity of the meeting; the sensitivity of the new recorder picks up all conversations occurring during the meeting; and the order of the agenda is not followed due to the unexpected delay of the Town Attorney; this has made it difficult to follow the order of the meeting and understand who is speaking. Mayor Tabori recommended that meeting be transcribed by a private contractor.

Moved by:

Yea:

Seconded by:

Nay:

Abstain:

5. APPROVAL OF MINUTES: *January 28, 2013*

The draft minutes for 1/28/13 are also delayed.

Moved by:

Yea:

Seconded by:

Nay:

Abstain:

6. PUBLIC COMMENT

Mr. Cron asked for an update on the potholes that are causing an on-going problem in town; Mr. Beall reported that some of the potholes have been repaired, although new potholes

continued to occur, WSSC has been contacted and repairs continue to be made. However, the problem on Beechwood continues to be a matter of concern.

Mr. Carey asked about an area where the repair of a pothole has been over filled creating a hump in the road. Mayor Tabori agreed to contact Delegate Eric Olson's office for assistance to have this area repaired properly.

Mayor Tabori asked Council to move into a Work Session to discuss the list of trees PEPCO has proposed for pruning with John Anna, Town arborist.

Motion: To approve closing the Regular Session and move into a Work Session.

Moved by: Ms. Christiansen
Yea: 7

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

7. PERMITS

A. COUNCIL DISCUSSION AND VOTE ON PEPCO'S PERMIT REQUEST TO PRUNE TREES IN TOWN

- *Motion will be inserted when conditions for the Pepco permit are final.*
- *Council discussion on the permit request from PEPCO to prune/remove trees in town continues, thus a final vote may not occur at this time.*

Ms. Ferguson gave a brief overview of the Special Session Council held on January 31 to discuss guidelines for the PEPCO permit to prune trees in town.

Mayor Tabori introduced Mr. John Anna, Town Arborist.

Mr. Anna introduced Mr. Bill Kelly, Counselor for Adirondack.

Mr. Anna described the type of tree work his company performs and he discussed the following three (3) issues with Council members stating that he felt these issues would provide Council with helpful information as they consider the permit for PEPCO.

1. Tree removal
2. Tree pruning
3. The Bradford Pear Trees; Mr. Anna considered these trees as a separate issue.

Mr. Anna discussed the proposed list of tree removals, saying that everyone is in agreement with most of these recommendations of trees on the pruning list except for one large oak tree in town he recommends the town remove from the list.

Mr. Anna recommended that all the Bradford Pear trees be kept off the list; he described the inherent weakness of the Bradford Pear; Mr. Anna explained that this species of trees are the first generation of this breed. The original tree that the Bradford Pears were created from had large fruits and large 2 inch thorns. Mr. Anna explained that the large fruit and large thorns were bred out of the trees and that if the trees are not pruned properly the species will revert to its original form and the tree will begin to grow the large thorns again. Mr. Anna described the thorns as long needles that can be hammered like a nail.

Mr. Anna said that the Town has approx 205 Bradford Pear trees in town; the Bradford Pear was developed by a Town resident; Mr. Anna suggested that Bradford Pear trees are best managed by a method of pruning called *Crown Reduction*. Ms. Sorensen asked for the per-tree price for crown reduction pruning, and for the approximate price for stump removal; Mr. Anna replied that crown reduction is expensive, approximately \$750 for an average size tree, he explained that the work is complex, and time consuming; estimated the cost of a 12 inch stump to be removed at \$75. Mr. Gekas asked for the number of Bradford Pear trees that are located under power lines; Mr. Beall stated an exact count has not been done but added that streets in Ward 6 are predominantly lined with Bradford Pears and Ward 2 has 50 Bradford Pears on the public right-of-way.

Mr. Anna also stated that a number of municipalities are having Bradford Pears removed from their towns; these trees have become an expensive liability. This species are known to cause a great deal of damage to property.

Mr. Carey inquired about the ANSI standard for tree pruning.

Ms. Sorensen asked Mr. Anna if he could recommend a hybrid list to phase out the Bradford Pear trees in town; Mr. Anna agreed that such a plan would be a good plan of action for the future.

Mayor Tabori asked if some of the Bradford Pear trees in town could be added to the removal list on the PEPCO permit. Mr. Anna hypothesized that PEPCO may be willing to remove Bradford Pear trees.

Mayor Tabori asked Mr. Anna to move the discussion to tree pruning. Specifically Mayor Tabori asked Mr. Anna to discuss ways to help the town build safe guards into the permit to ensure that PEPCO prune trees properly and as agreed.

Motion: To approve closing the Work Session and return to the Regular Session.

Moved by: Mr. Carey
Yea: 7

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

Motion: To authorize the Town Attorney to draft a permit for PEPCO to prune trees and that it be provided to Council to review prior to submittal to PEPCO.

Moved by: Mr. Carey
Yea: 7

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

Motion: To authorize the Town Arborist to draft a plan for the removal and pruning of the Bradford Pear trees.

Moved by: Mr. Alvarez
Yea: 7

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

8. DEPARTMENT AND COUNCIL REPORTS

A. MAYOR'S REPORT ~ *Mayor John Rogard Tabori*

Mayor Tabori provided an update on the progress and success of the compost waste program and the partnerships for this project.

The Mayor provided an update on WSSC; he stated that the Town will use the WSSC calculations to pay for repairs to roads damaged as a result from their water and sewer projects.

B. COUNCIL AND COMMITTEE REPORTS

Mr. Alvarez announced that a Police, Traffic & Public Safety meeting will be held on February 11, 2013 at UPES at 7:30 p.m.

Mr. Carey presented the report on the Council Committee on Public Services & Facilities announcing that the Neighborhood Design Center (NDC) would design the Veterans Memorial, working with a design advisory committee. The committee is searching for funds for the memorial from a variety of sources.

Mr. Gekas commended the Azalea Classic organizers Kristi Janzen and Lori Goodfriend. Mr. Gekas encouraged Council to support the additional funds requested.

9. CONTINUING BUSINESS

A. REPORT ON THE CAFRITZ PROJECT OF RIVERDALE PARK 4-13002

The Town received revised Storm Water Management Plans from Loiederman Soltesz, Inc. on behalf of their client Calvert Tract, LLC. The Town also received a separate letter from RLLS notifying neighboring municipalities that Cafritz Property of Riverdale Park plans to submit a Preliminary Plan of Subdivision (PPS) to the Prince George's County Planning Division for review. ~ *Mayor Tabori*

Important note: M-NCPPC considers the Cafritz Project of Riverdale Park a *new* application, if you would like to be a Person of Record for this project you *must* register with the Prince George's County Planning Department. The form can be found at this address: http://www.pgplanning.org/Resources/Person_of_Record.htm

To register as a Person of Record the following information is required for this project.

Name of Project: Cafritz Property of Riverdale Park

Project Number: Preliminary Plan of Subdivision, 4-13002

Mayor Tabori reported that electronic copies of the SWM maps from Cafritz are available, and anyone interested is welcome to stop by Town hall to view the original documents received.

Cafritz has selected a new attorney, Larry Taub of O'Malley, Miles, Nyles & Gilmore P.A. Mr. Taub is an experienced attorney who has represented UTC for a number of years. This is an important development for the Town regarding the 9 Ponds project as well.

10. NEW BUSINESS

A. LEGISLATIVE RESOLUTION 13-O-01 ~ Introduction

Resolution and Ordinance of the Town of University Park, to amend the Fiscal Year 2013 Budget Ordinance to add revenue line item *Cafritz Revenue* for receipt of the sum of \$48,700.00 and expense line item *Traffic Study-Cafritz* for the expenditure of the sum of \$48,700.00, to make provision for receipt and expenditure of funds for the anticipated costs associated with the traffic study related to the Cafritz development during FY2013.

Motion: To approve the introduction to amend the Fiscal Year 2013 Budget Ordinance to add revenue line item *Cafritz Revenue* for receipt of the sum of \$48,700.00 and expense line item *Traffic Study-Cafritz* for the expenditure of the sum of \$48,700.00, to make provision for receipt and expenditure of funds for the anticipated costs associated with the traffic study related to the Cafritz development during FY2013.

Moved by: Mr. Carey
Yea: 7

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

B. MOTION FOR LETTER

Motion: To authorize the Mayor and Town Attorney to draft a letter to be sent to the Prince George's County Executive and our County Council representative, Eric Olson, with the recommendation that Prince George's County adopt as part of preliminary plan procedure for development the following:

"Any final revised plan meeting the requirements for preliminary plan shall be submitted not less than 30 business days before the tentative Planning Board date. If this deadline is not met, the Director shall defer the Planning Board's consideration of the development application."

Moved by: Ms. Christiansen
Yea: 7

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

For the following reasons:

1. To allow adequate time for completion of a written staff report.
2. To enable that the written staff report is available no later than 10 days prior to the Planning Board hearing.
3. To allow adequate time for the public, including municipalities, to adequately review the application and the written staff report.
4. To allow municipalities adequate time to provide public notice of and to conduct open public meeting with sufficient time available to review, discuss, take public comment, and vote on the position that will be presented to the Planning Board on the staff report and final preliminary plan.

11. ADJOURNMENT

Motion: To adjourn at 10:00 p.m.

Moved by: Mr. Cron
Yea: 7

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

Submitted by: _____
John Rogard Tabori, Mayor