



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

**January 28, 2013  
REGULAR SESSION  
MINUTES**

**AMENDED AGENDA**

**1. CALL TO ORDER: Mayor Tabori**

**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. Cron

**3. APPROVAL OF THE AGENDA**

**Moved by:** Mr. Cron

**Yea:** 7

**Seconded by:** Mr. Carey

**Nay:** 0

**Abstain:** 0

**4. APPROVAL OF MINUTES: *January 7, 2013***

**Moved by:** Mr. Carey

**Yea:** 7

**Seconded by:** Mr. Alvarez

**Nay:** 0

**Abstain:** 0

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

*Motion to table the minutes;*

**Moved by:** Mr. Cron

**Yea:** 7

**Seconded by:** Mr. Carey

**Nay:** 0

**Abstain:** 0

**6. PUBLIC COMMENT**

Mr. Cron asked if any progress has been made on pothole repairs; Mickey Beall reports that he continues to pressure Prince George’s County to put additional pressure on WSSC to repair these.

Ms. Kristi Janzen and Ms. Lori Goodfriend introduce themselves as the new chairs of the Azalea Classic; they added that Michael Verde has been appointed to organize volunteers. Ms. Janzen described background information on the history of the event; the official title of the race is the University Park Azalea Classic; this event is co-sponsored with the Town. The former chair, Sarah Elder encouraged Ms. Janzen to present a formal request to the Town Council and describe how costs have increased over time. The cost of t-shirts have risen

considerably over time, however the Town's donation has remained the same. Ms. Jansen and Ms. Goodfriend ask that the Council consider increasing the amount of the Town's donation for this year from \$3000 to \$6000. Historically, the Town's donation had been used to cover the costs of t-shirts, with the increase of participants and price increases over time the total costs for t-shirts now totals \$6000.

Ms. Goodfriend reported that the PTA of University Park Elementary School (UPES) has decided not to hold the May Fair again this year; they agreed to focus on the Azalea Classic.

## 7. PERMITS

### A. APPLICATION TO REPLACE EXISTING RETAINING WALL AND FRONT WALKWAY (Janet Miller, 4214 Van Buren Street) Ward 4

**Motion:** To approve the application to replace an existing 4' x 1' x 38' retaining wall and replace the existing front walkway located on Lot: 19, Block: 29, Section: 7 at 4214 Van Buren Street

**Moved by:** Mr. Carey

**Yea:** 7

**Seconded by:** Mr. Cron

**Nay:** 0

**Abstain:** 0

### B. APPLICATION TO INSTALL 20KW GENERATOR (Elaine and Colen Kennel, 6905 Wells Parkway) Ward 7

**Motion:** To approve the application to install a 20kW 60Hz generator located on Lot: 13, Block: 30, at 6505 Wells Parkway

**Moved by:** Mr. Alvarez

**Yea:** 7

**Seconded by:** Mr. Brosch

**Nay:** 0

**Abstain:** 0

Because of the number of generators being installed in Town, Mayor Tabori encouraged Council to review the Town Code and develop guidelines to present this spring.

### C. COUNCIL DISCUSSION AND VOTE ON PEPCO'S PERMIT REQUEST TO TRIM AND REMOVE TREES IN TOWN

The Town Attorney discussed the conditions and proposed revisions to include in the permit request for tree removal. Mr. Carey asked that the Town Arborist review and re-verify the list of trees to be removed prior to the Permit being issued.

**Motion:** To approve the conditions as revised to allow PEPCO to remove trees according to the amended Permit.

**Moved by:** Ms. Sorensen

**Yea:** 7

**Seconded by:** Ms. Christiansen

**Nay:** 0

**Abstain:** 0

Council discussed various ways to notify residents on the trees PEPCO will remove.

**Motion:** To request Town hall to publicize the list of trees to be removed, using the website, through a mailing, through the Newsletter, and by placing flagging on all trees to be removed.

**Moved by:** Mr. Carey  
**Yea:** 7

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

## 8. DEPARTMENT AND COUNCIL REPORTS

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

Mayor Tabori and the Treasurer will report on the past half year budget presentation the half year review will be presented during the public meeting on Monday, February 25.

The FY/2014 budget will be submitted to Council by March 31. Council will have time to discuss the proposed budget during the 2 public meetings in April; public comments are encouraged. During the first meeting in May any modifications can be made to the proposed budget at this time. If the proposed budget requires an adjustment to the Constant Yield Tax Rate residents will be notified and public hearings must be held. The budget for FY/2014 must be adopted by the last meeting in May [Monday, May 20, 2013].

### B. REPORT ON STEP-UP GRANT ACTIVITIES ~ *Chuck Wilson*

Mr. Wilson reported that 203 homes in University Park have signed up for the Step-UP program; residents have taken part in the energy audits and many have taken advantage of the retrofit opportunities.

The University Park Elementary School Solar Project has required a lot of work and has been in process for a long time. The contract is on the agenda tonight, Council action is required to allow this project to move to the next phase.

Compost pilot program is now in the hands of the Town, Mr. Beall has done a great job managing the transition.

Mr. Wilson discussed ways to provide educational assistance to residents who compost in their back yards.

Council asked for clarification on the line item in the budget labeled Circulator Bus. Mr. Wilson stated that this program had been discussed long before the Cafritz project discussions began. The Town discussed this idea with the STEP-UP Advisory Committee which supported the concept for this project; DOE supported the concept of a circulator bus and agreed to allow a budget line item for this program. The concept for this program has also been discussed with county officials.

Council asked that Mr. Wilson discuss the contract for the Solar Panel Project later in the meeting.

*Refer to Appendix 8B for materials on the Step-UP report.*

**C. REPORT FROM THE TOWN ATTORNEY ~ *Suellen Ferguson, Esq.***

No further report at this time.

**D. REPORT OF THE TOWN TREASURER ~ *Dan Baden, CPA***

Mr. Baden reported on the December 2012 budget and gave a brief year to date analysis. Mr. Alvarez asked Mr. Baden to explain briefly how to read/understand the budget report; Mr. Baden described how each line item is broken down, by month, and year-to-date; income is listed, and separately the expenditures are listed by department; the DOE Grant (STEP-UP) is also listed separately.

*Refer to Appendix 8D for the December 2012 Treasurers report.*

**E. REPORT ON THE DEPARTMENT OF PUBLIC WORKS ~ *Michael Beall, Director***

Mr. Beall reported that a number of residents have taken advantage of the shade tree reimbursement program; he thanked Ms. Linda Verrill for her work on this program and for her help updating the shade tree list with photographs and technical information about each tree on the list.

Mr. Beall reported on the Town soccer field; one of the goal posts is not on the field, the post is leaning and is currently being repaired. The work is expected to be finished before the LUP soccer program begins.

Mr. Carey asked for the status on replacing the Town holiday tree; Mr. Beall reported that a final decision has not been made yet. Mr. Carey also requested a status report on replacing the tennis court; Mr. Beall explained that grant funds will expire on June 30 and the company hired to do the project will begin work in the spring.

**F. REPORT ON POLICE DEPARTMENT ACTIVITIES ~ *Lt. McCully***

Lt. McCully reported on the crime activities for December 2012.

Lt. McCully announced that Officer Chad Sunday has successfully graduated from a challenging and nationally recognized Drug Recognition Program.

*Refer to Appendix 8F for the December 2012 police report.*

**G. COUNCIL AND COMMITTEE REPORTS**

Ms. Sorensen asked for the status on the position for the Recording Secretary; Mayor Tabori stated that the position has been posted on the Town website; the bulletin board outside Town hall; and posted on the MML website; and an ad posted in the March Newsletter.

Mr. Alvarez announced that Lindsay Hicks, Chair of the Tree Committee has scheduled a meeting on January 31, 2013 at 7:30PM, the meeting will be held at Town hall.

Ms. Christiansen gave a short report on the Cafritz Oversight & Monitoring Committee and on the Special Session on Cafritz held January 14. *In this regard, Ms. Christiansen spoke as a Council Member, the matter not being a recommendation of the Cafritz Oversight & Monitoring Committee.* Council members discussed the presentation of the three letters by the Cafritz attorney Richard Reed. Council members Cron, Christiansen, Sorensen and Gekas expressed their anger with this deceptive presentation. Ms. Sorensen suggested that the town council file a formal grievance with the bar association. The Town Attorney suggested that anyone present at the meeting may file such a grievance.

Ms. Christiansen asked that Council to consider sending a letter to the County Council requesting that they pass legislation similar to that passed in Montgomery County in 2007. "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."

Mr. Carey requested that a list of meetings for fiscal discussions on the FY2014 budget process be posted for public notice.

## **9. CONTINUING BUSINESS**

### **A. REPORT ON THE CAFRITZ DEVELOPMENT PROJECT**

Mayor Tabori stated that he has spoken to Cafritz staff on the matter of adhering to the rules of accepting materials no less than ten (10) days prior to hearings. Other means to control this project are being made; Cafritz has hired a Project Manager from a nationally recognized firm. Mayor Tabori stated that he was uncomfortable with the way the letters were presented during the Special Session. Mayor Tabori reported on subsequent meetings with Cafritz and Mayor Archer of Riverdale Park and SHA.

### **B. STEP-UP ~ UNIVERSITY PARK ELEMENTARY SCHOOL (UPES) ROOFTOP SOLAR PROJECT**

Ms. Ferguson walked Council through the contract, and reported that University Park Elementary School (UPES) is the only public school to be granted permission to place solar panels on the building. Ms. Ferguson explained that the process has been more challenging and taken much longer than anticipated. Mr. Wilson stated that this project has been a focus of the STEP-UP program from the beginning. Ms. Ferguson described some of the challenges the project has endured. She described the leadership changes that took place in the County school system. Mr. Wilson thanked Ms. Ferguson for helping to keep all parties moving forward throughout this process and for negotiating a strong contract. The concerns the contractors have had were successfully ironed out just this afternoon.

Council expressed concerns that this contract seemed rushed. Mr. Wilson responded that due to the length of time this process has taken for all parties to reach an agreement, the contract took much longer than expected; adding that the viability of the contract is subject to a time limit before it becomes invalid; funding for this project will soon expire.

**Motion:** To approve the authorization of the contract for the University Park Elementary School Rooftop Solar Project subject to final review and approval of the Mayor and the Town Attorney.

**Moved by:** Mr. Cron  
**Yea:** 7

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

**10. ADJOURNMENT**

**Motion:** To adjourn at 10:30 p.m.

**Moved by:** Mr. Cron  
**Yea:** 7

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

Submitted by: \_\_\_\_\_  
John Rogard Tabori, Mayor