

[Listed as item 10A on the agenda]

7. NEW BUSINESS

A. FISCAL YEAR 2013 BUDGET – SIX MONTH UPDATE

Mayor Tabori and Treasurer Baden

Treasurer Baden presented the Fiscal Year 2013 Budget. Please see **Appendix 7A**.

Mayor Tabori stated that he and Treasurer Baden will closely examine ratios in Report. Mayor Tabori will make a presentation on Budget assumptions and pre-budget information at the March 4th Council meeting. These ratios need to be run through the 5-7 year modeling in order to address the issues that were presented.

Mayor Tabori wishes to bring forth a motion to make all transfers mentioned in today's report. The Mayor asked for 1-2 council members to serve as sponsors.

[Listed as item 10D on the agenda]

B. FISCAL YEAR 2013 BUDGET TRANSFER TO INCREASE THE TOWN CONTRIBUTION FOR THE APRIL 2013 AZALEA CLASSIC.

*Budget transfers require 5 votes.

Motion: To approve the FY 2013 budget item transfer to increase the Town contribution related to the Azalea Classic after a request from the co-chairs of the event to transfer a total of \$3,000 from undesignated reserves and move it into the Azalea Classic budgeted line item.

Moved by: Mr. Gekas

Yea: 4

Seconded by: Mr. Brosch

Nay: 3

Abstain: 0

Motion fails, 4 Yea to 3 Nay

Motion: To Table the FY 2013 budget item transfer to increase the Town contribution for the April 2013 Azalea Classic after a request from the co-chairs of the event to transfer a total of \$3,000 from undesignated reserves and move it into the Azalea Classic budgeted line item

Moved by: Mr. Carey

Yea: 3

Seconded by: Mr. Alvarez

Nay: 4

Abstain: 0

Motion fails, 3 Yeas to 4 Nays

Motion: To reconsider the FY 2013 budget item transfer to increase the Town contribution related to the Azalea Classic after a request from the co-chairs of the event to transfer a total of \$2,500 from undesignated reserves and move it into the Azalea Classic budgeted line item

Moved by: Ms. Christiansen

Yea: 5

Seconded by: Ms. Sorensen

Nay: 2

Abstain: 0

Mr. Cron

Mr. Carey

Motion passes, 5 Yeas to 2 Nays

C. PRESENTATION ON THE CAFRITZ PROJECT OF RIVERDALE PARK DETAILED SITE PLAN NO. DSP-13002 AND SPECIAL PERMIT NO. SP-13002

The Cafritz team introduced new key members and gave a brief presentation. Mr. Larry Taub, Esq. of O'Malley, Miles, Nylan & Gilmore etc. introduced himself as a new attorney for the Cafritz project. Mr. Mark Regulinski and Mr. Rod Garrett, both architects with Skidmore, Owings & Merrill LLP introduced themselves as new Project Managers for the Cafritz Project.

A new preliminary plan of subdivision will be introduced in the next two weeks. There were 27 issues with the previous Preliminary Plan of Subdivision that warranted the planning staff's recommendation to reject the Plan. Team discussed the six major issues and also reported how these issues are being addressed in the new preliminary plan.

1. **Staff felt that Cafritz should have sought to preserve more trees.** Plans for the buffer have been improved.
2. **Private Shuttle from Cafritz site to metro station.** Cafritz intends on working with planning staff to find the best way to provide this service while minimizing any added traffic congestion to Route 1.
3. **Timing of the Circulator Bus.** Will work with planning staff to enhance public access while minimizing unnecessary vehicles on Route 1. Team is working on solutions to balance the Private Shuttle and Circulator Bus services.
4. **Financial Assurances Bond Regarding CSX**
5. **CSX and UMD**
6. **CSX Crossing.** Items 4, 5, and 6 are each related to accessing the site across the CSX trail. Cafritz team is currently in discussion with ACP. These discussions thus far are positive and a position will soon be reached. Key hurdles still exist, but the team is working to balance preservation and building a new road that will best benefit the community.

The Cafritz team described plans for multifamily residences bordering the hiker-biker trail.

Mr. Cron asked if current plans mitigate sound that may disturb the residents of the apartments that are near the railroad.

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

8. PERMITS

A. COUNCIL DISCUSSION ON THE TOWN'S PEAR TREE MANAGEMENT PROGRAM AND VOTE ON THE REMOVAL OF PEAR TREES

Note from the Town Attorney: I have referred to the [Bradford Pear] trees as Pear trees, because that is how they are referenced in the plan.

Motion: To approve the removal of the Pear trees referenced on the attached list, as part of the Town's Pear Tree Management Program.

Moved by: Mr. Cron
Yea: 7

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

9. DEPARTMENT AND COUNCIL REPORTS

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

See agenda item 7A Mayor's report was on the Fiscal Year 2013 six-month budget update.

Mayor Tabori requested that new legislative motions introduced during a Town meeting be given sufficient time for public notice and discussion. This additional time will be used to notify the public and provide time for Council members to discuss the legislation with their constituents and to allow time for public comment.

New legislation will be reviewed by the Town Attorney and drafted into proper legislative language. The proposed legislation will then be placed on the agenda and posted for public review. Further, friendly amendments may be added before adoption.

Mayor Tabori announced hiring two Recording Secretaries, Ms. Janine Gonzalez and Ms. Shantay Dabney, who will record meeting minutes for Town Council and Committee meetings.

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

The activities report Mr. Wilson submitted to Council on Step-UP programs is attached at the end of these minutes as **Appendix 11B**.

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

Ms. Ferguson had no further report at this time.

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

Please see Agenda Item 7A.

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

Mr. Beall was excused from the meeting.

F. REPORT ON POLICE DEPARTMENT ACTIVITIES ~ *Chief Michael Wynnyk*

Chief Wynnyk reported that University Park Police are attending active shooter training at University Park Elementary School in order to learn new strategies as well as to become familiar with the school.

Chief Wynnyk reported the January crime statistics, attached at the end of these minutes as **Appendix 11F**.

G. REPORT FROM THE TOWN CLERK ~ *Tracey Toscano, Clerk*

Ms. Toscano reported that the Town Hall main areas and the conference room have been

freshly painted. And new energy efficient refrigerators installed through the Step-Up grant. Ms. Toscano reminded councilmembers that the Town collects books that have been authored by residents to display on the Town Hall bookshelves.

The Town Bus service is consistently utilized daily and is receiving positive feedback from residents. Transportation discussions will expand as we continue to look for ways to fulfill the community's need for bus services. The town is committed to make the most of this popular service.

H. COUNCIL AND COMMITTEE REPORTS

Mr. Alvarez reported that the Police Traffic and Public Safety Committee met on February 11th. The meeting minutes can be seen on the Town website.

Ms. Christiansen reported on the Policy, Rules & Municipal Structure Committee will be submitting amendments to the Town Clerk for review by the Council at the next Town Hall Meeting.

Mr. Cron announced an invitation to the University Park Civic Association Social on February 26th from 7-9 p.m. The Social takes place every other month.

10. CONTINUING BUSINESS

A. LEGISLATIVE RESOLUTION 13-O-01

A final vote on this Resolution will not occur before March 4, 2013

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/disapprove the adoption 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:

Seconded by:

Yea:

Nay:

Abstain:

11. NEW BUSINESS

A. EMERGENCY ORDINANCE 13-O-02 INTRODUCTION

Motion: To approve the introduction of Emergency Ordinance 13-O-02*, to amend the effective date of Ordinance 12-O-03, which enacted Chapter 7 "Public Health and

Sanitation” Section 7-107 “Dumpsters and other storage receptacles” to prohibit placement of construction and other storage receptacles on private property without a permit and to provide for a permit fee and penalty, to twenty (20) days from the date of adoption of this emergency ordinance.

*An emergency ordinance requires 4 votes.

Moved by: Mr. Carey
Yea: 7

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

B. THE APPOINTMENT OF STEPHANIE HAROLD AS A SUPERVISOR OF ELECTIONS. *Per Chapter 5, Section 502 (a) “Supervisor of Elections” from the Town Charter, the Mayor and Common Council shall appoint two qualified voters to the positions of Supervisors of Elections. The Supervisors shall serve for two-year terms beginning on March 1st and ending on the last day of February on the next even-numbered year. The current Supervisor of Elections is Mr. Ed Lee.*

Motion: To approve the appointment of Stephanie Herold, as a Supervisor of Elections for the term ending March, 2014.

Moved by: Mr. Gekas
Yea: 4

Seconded by: Mr. Alvarez
Nay: 0 **Abstain:** 3
Ms. Christiansen
Ms. Sorensen
Mr. Brosch

C. POLL HOURS FOR THE NEXT ELECTION

Motion: To approve the poll hours of operation for the Town election on Tuesday May 7, 2013 from 7:00 a.m. to 8:00 p.m.

Moved by: Mr. Carey
Yea: 7

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

12. ADJOURNMENT

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

Moved by: Mr. Cron
Yea: 7

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