

UNIVERSITY PARK NEWSLETTER

TOWN OF UNIVERSITY PARK, MARYLAND
FEBRUARY 2012 OFFICIAL NEWSLETTER VOL. XXXVII, NO. 2

FROM THE MAYOR

Much of December and January were taken up with negotiations and discussions about the proposed development of the Cafritz property. A detailed agreement containing 24 general conditions and 3 University Park-specific conditions was finalized in the week of January 2 and placed on the January 9 Town Council agenda. At the meeting, the Town Council voted 4-3 to approve the agreement on condition that no substantive changes were made to it by the M-NCPPC Prince George's Planning Board. The Hyattsville Council approved the rezoning subject to the conditions and covenants agreed upon by University Park and Riverdale Park on January 9. On January 10, Riverdale Park's Council approved the agreement as well as moving to join the Cafritz application to request the rezoning of the property as a Mixed Use Town Center zone by a vote of 5-0. On the same eve

ning, College Park by a vote of 6-2 rejected the agreement and opposed the rezoning.

On January 12 the University Park-approved set of conditions, agreements, and positions were delivered to the Planning Board. At the hearing, the Planning Board postponed the final vote on the application until February 2, when they will hear testimony on the new conditions that were requested by Riverdale Park and University Park and which were not initially included in the Planning Board staff report and consider the revised rezoning application submitted January 12 by the Cafritz team.

Persons of record may present their comments on those conditions prior to or at the February 2 meeting, which

Town Meetings & Special Dates

Town Council	February 6 & 27
Holiday	February 20
Cafritz Hearing	February 2, Upper Marlboro

Town meetings are at 7:30 PM at Univ. Park Elem. School. Residents are encouraged to attend. Please request interpreting services 10 days in advance. Council agendas are posted at www.upmd.org and on the Town Hall bulletin board Fridays prior to meetings.

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is scheduled to begin at 10:30 AM. Should the Board recommend that the rezoning be granted, the application will be forwarded to the County Council sitting as District Council for a hearing and final disposition. Additional testimony may be taken from persons of record at that time. Further information on the schedule and on how to make your voice heard will be posted on the Town website as quickly as the information becomes available.

The agreement between University Park and the Cafritz, which supports the Council's vote of conditional approval of the rezoning application, has five components: the CSX crossing, the right of University Park and municipalities other than Riverdale Park to participate in the detailed site plan and permit review process, storm water management and related issues, design issues, and traffic issues.

The CSX crossing condition was difficult to resolve. It requires the Cafritz team to secure financing and permission in principle from CSX and the University of Maryland to construct a crossing prior to beginning any grading, or other work on the site. A second component of the condition requires the crossing be 50% complete before use and occupancy permits can be issued for more than 100,000 square feet of retail, office and hotel, or 120 residential dwelling units. Finally, the crossing must be complete and open to the public prior to use and occupancy permits being issued for more than 382 residential dwelling units. The first element of the condition is particularly important as it prevents any disturbance of the land until the construction of the crossing is assured.

An important element of the CSX crossing condition is the financing requirement, which must be met for the project to proceed. Under the condition, the Cafritz development team must pay 50% of the crossing cost up to \$5 million, which is expected to be between \$9-11 million. The remainder is to be paid by tax increment financing (TIF) as authorized by the County and/or Riverdale Park. The future, new property taxes generated by the increase in the site's value would pay for the financing of the remaining portion of the CSX crossing construction. Both the County Council and the Riverdale Park Council would have to approve the TIF. The TIF will have no impact on future University Park property tax revenues, as no section of the Cafritz property is

inside our Town boundaries.

Another critical issue treated by the conditions allows participation of neighboring individuals and municipalities in the detailed site plan (DSP) and permit process that fall outside of the Riverdale Park Mixed Use Town Center (MUTC) zone that the Cafritz are asking to expand and amend. Under the MUTC current rules, notification and participation by parties outside of the Riverdale Park MUTC is not assured. Under this condition, the right of direct notification and participation will be assured. This condition, specific to the Riverdale Park MUTC and the Cafritz property, represents an important concession. Otherwise, University Park would be at a considerable disadvantage in protecting its interests as the project moves forward.

A third set of conditions focuses on storm water management (SWM), tree preservation, and green roofs. They put in place stronger restrictions and standards on the Cafritz. The Cafritz development team agreed to adhere to the 2011 new development storm water standards. Meeting the new standards were non-negotiable conditions set forth by both Riverdale Park and University Park. Of equal importance to accepting the stricter rules is the agreement to notify the Town 30 days in advance of submitting a new SWM plan and any amendments to it, as well as concurring that the Town would be notified of, receive all correspondence about, and be allowed to attend any meetings held with DPW&T to discuss the storm water management plans. This represents a significant departure from past practice whereby SWM plans are a private negotiation between the developer and DPW&T without input by the impacted neighboring property owners and municipalities.

Tree preservation has been enhanced under the negotiated conditions. The developers may not clear cut the entire site, but are required to clear and grade the site in stages. They will be required to preserve a greater number of specimen trees and tree clusters, particularly along Baltimore Avenue. This will ensure that a softer transition from the treed, suburban character of University Park to the more urban nature of the Town Center. Green roofs are prescribed to diminish the property's impact as a heat sink. Another condition requires the developer to seek LEED-ND certification and/or build according to LEED home and commercial standards.

FROM THE MAYOR CONT.

A fourth set of conditions focuses on University Park's request that a buffer zone be created between the developed portions of the site and Baltimore Avenue. This buffer was desired for a number of reasons: (a) to ensure a smooth visual transition from University Park to the development; (b) to act as a visual block hiding the proposed parking lots fronting Baltimore Avenue; (c) to act as a two-way noise barrier absorbing sound generated from the site and Baltimore Avenue; and (d) to provide a safe space for pedestrians and bicyclists to traverse. The developers have agreed to create a 90-120 feet wide buffer from the southern edge of the property to the main Van Buren entrance. Above Van Buren, they have agreed to a 60-120 feet wide buffer, one which will revert to no less than 90 feet wide if they cannot convince the Town that berms, retaining walls, and plantings can shield us from the parking lot planned for the area north of Van Buren.

Finally, a fifth set of conditions cover traffic management. They include the requirement that a traffic light be installed at Van Buren and that vehicles may not move through it east-west, or west-east. The intersection also must be pedestrian and bicycle friendly. This condition is crucial because the developer cannot begin work on the site without a warrant from the State Highway Administration to install the specified light and intersection.

Other related conditions include the requirement to conduct a detailed traffic study prior to Preliminary Plan of Subdivision review. The study will include estimates of midday and Saturday peak hour traffic, an expanded set of intersections and roads, and address the impact of the CSX crossing and the potential opening of Maryland Avenue to private passenger vehicles. The new traffic study will determine if the proposed trip caps will need to be lowered and additional traffic mitigation requirements imposed. Further, the developers have agreed to participate in the design and implementation of a Transportation Demand Management District to include their property, Baltimore Avenue between Queensbury and Calvert Road, University Park, and parts of College Park, Hyattsville, and Riverdale Park. The developer has also agreed to participate in the creation of a circulator bus system to serve their site, the College Park Metro Station, the Prince George's Metro Station, University Park, and parts of Hyattsville and Riverdale Park.

It is important to recognize the tactical and strategic value of the agreement. The conditions are attached to the rezoning as covenants, permitting University Park as a party to the agreement independently to seek enforcement. If the same conditions were incorporated by the Planning Board and accepted by the District Council in the final rezoning order, enforcement might be more difficult than through covenants to which the Town is a signatory. More importantly, covenants run with the land and changes to them require agreement by all parties to the covenants. This means that the conditions are less subject to outside political manipulation than might otherwise be the case.

At the end of the day, I concluded that the Town gained significantly more from achieving major improvements in the Cafritz design, strong conditions that protected the Town and a seat at the table throughout the development process rather than the significant losses that might be incurred if the Town walked away from the agreement. It is for these reasons that I recommended conditional approval and will continue to vigorously pursue the fulfillment of all the obligations and conditions under the agreement. I have posted a much more lengthy statement considering these issues on the Cafritz blog and will be glad to make it available to all and any who ask.

Please watch out for each other and enjoy the remainder of the winter. I will see you around Town.

John Rogard Tabori

**Continued Planning Board Meeting
Cafritz Property Rezoning
Thursday, February 2 10:30 AM**

Persons of record may present their comments on the consensus conditions prior to or at the meeting. Onsite speaker registration for the Board's weekly meetings is available the day of the hearing. Documents may be found at http://www.pgplanning.org/Planning_Board/Agendas/Long-Range_Agenda/A-10018.htm and on the Cafritz blog at www.upmd.org

County Administration Building, First Floor
14741 Gov. Oden Bowie Drive
Upper Marlboro, MD 20772
PublicAffairs@ppd.mncppc.org

FROM THE CHIEF & CRIME REPORT

Many in our community walk, run and bike everyday for exercise, commuting, taking the dog out or for pleasure. As a pedestrian it is important to be safe. Safety tips are universal for children, adults and our senior population. Walk on the sidewalks when they are available. Several streets in UP do not have sidewalks, so if you must walk in the road always walk facing traffic and never in the middle of the street. Don't assume a driver can see you. Make eye contact with drivers when crossing busy streets and wear bright colors or reflective clothing at dusk and later. Carry a flashlight when walking in the dark. Inattentive driving is a major problem and often results in an injured pedestrian.

While walking dogs, keep leashes short when on streets without sidewalks. Long retractable leashes provide little control in an emergency situation. If walking a dog at night, use a reflective collar or leash and carry a flashlight so that you can avoid walking the dog onto broken glass or other dangerous items.

Cross at crosswalks or intersections. When crossing, look left, look right and look left again. Children should not cross streets by themselves or be allowed to play or walk near traffic. Kids are small, unpredictable, and cannot judge vehicle distances and speeds. As a group, senior citizens are particularly dependent on safe streets for walking because many of them no longer drive. Most elderly pedestrian fatalities result from inattention or carelessness, medical conditions or the effects of medication. Therefore it is important that elderly pedestrians take street crossing seriously and appreciate the dangers. Eyesight and hearing often become less acute and the judgment of traffic distance and speed can become less accurate. Allow yourselves plenty of time to cross the road.

As a driver of a hybrid vehicle that makes very little noise when operating, I quite often approach pedestrians walking in the middle of the road, oblivious to the fact that there is a vehicle directly behind them. Avoid the habit of relying on noise to alert you that something is approaching from behind. Stay alert of your environment from all sides.

Pedestrians may have the right of way, but if a driver doesn't see you or uses poor judgment and hits you, the consequences can be a critical injury or fatality. Sure, the driver may be cited, charged and found at fault, but that

is little consolation when you have permanent injuries or become a fatality. Walking, running and cycling is great exercise, but please be safe.

Breaking and Entering On Wednesday December 14 at 3:25 PM in the 4200 block of Clagett Rd. UPPD officers responded to an alarm call at the residence. Upon arrival officers discovered a side kitchen door had been kicked open. The residence was checked and found to be safe. During the same time frame, officers were advised that there were individuals removing property from the front door step of a residence in the 4200 block of Van Buren St. Officers responded and placed three black, female adults under arrest. During the investigation, information was gathered that determined the suspects arrested would be charged for the Breaking and Entering and multiple thefts in University Park. Case Closed.

Theft On December 14 between 2:30 and 3:30 PM in the 4200 block of Van Buren St. suspect/s stole packages from the front porch of the residence. Three female suspects were arrested and charged. Case Closed.

Theft On December 14 between 2:30 PM and 3:30 PM in the 6800 block of Pineway suspect/s stole packages from the front porch of the residence. Three female suspects were arrested and charged. Case Closed.

Theft On December 14 between 2:30 PM and 3:30 PM in the 4200 block of Van Buren St. Suspect/s stole packages from the front porch of the residence. Three female suspects were arrested and charged. Case Closed.

Theft On December 14 between 2:30 PM and 3:30 PM in the 4100 block of Beechwood Rd. suspect/s stole packages from the front porch of the residence. Three female suspects were arrested and charged. Case Closed.

Theft from Auto Between December 28 9 PM and December 29 12 noon in the 6500 block of 41st Ave. suspect/s entered an unlocked 2012 Mazda van and stole a Leatherman pocket tool and some coins. No suspect/s was located. The investigation is ongoing.

Tampering with Auto On December 29 between 3:50 AM and 4 AM in the 6600 block of Wells Parkway, a suspect entered an unlocked 2002 Saturn 4 door and ransacked the contents of the console and glove box.

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Nothing was taken from the vehicle. No suspect/s was located. The investigation is ongoing.

Theft from Auto On December 29 at 4 AM in the 6600 block of Wells Parkway, a suspect entered an unlocked 2003 Honda Odyssey and stole a power inverter and headphones. No suspect/s was located. The investigation is ongoing.

Theft from Auto Between December 28 10 PM and December 29 11:30 AM in the 4100 block of Tennyson Rd. suspect/s entered an unlocked 2008 Ford Taurus and stole a Garmin GPS unit and a plug adapter. No suspect/s was located. The investigation is ongoing.



December 12 Council Special Session

Present were Mayor Tabori; Council Members Brosch, Gekas, McPherson, Carey, Toscano, Cron, Bradley Chacón.

Continuing Business

Council Discussion on Cafritz Property A-10018 Position Statement and Conditions

Mayor Tabori read a letter from Planning Board Chairwoman Hewlett that said the Cafritz team was acceding to a request for a continuance. Attorney of Record Chip Reed agreed to a continuance to January 12, 2012.

Mayor Tabori introduced a discussion of conditions that the Town would agree to. The second point he raised is that the Cafritz team asked the four mayors of the surrounding municipalities to agree to a schedule of negotiations. Mayor Tabori asked the Council to authorize his participation, with instructions, in the negotiations. Mayor Tabori said he would carefully delineate that University Park's participation in the negotiations does not mean that University Park will ultimately agree to the development.

Mayor Tabori discussed the details around the CSX bridge and the agreements between the municipalities on the construction conditions of the Cafritz property. Mayor Tabori discussed bill PG-418-12 Prince George's County-Property Tax-Exemption for Economic Development Projects. CM McPherson asked if people who want to be persons of record had to reapply, in view of the

continuance. Mayor Tabori said the people who had registered would carry over. People would also be able to register at the hearing.

Mayor Tabori opened the discussion of conditions for the Cafritz rezoning application. The Council took up the discussion of Attorney Ferguson's draft from December 11. The Council discussed the CSX railroad-crossing letter. The Prince George's County Department of Public Works and Transportation has developed an independent cost estimate of \$10.6 million for a bridge. This is much greater than the Cafritz estimate of approximately \$5 million. Mayor Tabori said the cost of a tunnel would be much greater. Mr. Spector, the Vice President of Administrative Affairs and Chief Financial Officer for the University of Maryland, sent a letter asking the Cafritz development team to consider alternative locations for the endpoint of the bridge. The University of Maryland is not ready to commit to allowing the bridge on their property. Mayor Tabori and CM Brosch discussed the four traffic studies that have been conducted and their implications. Mayor Tabori said he and College Park Council member Stephanie Stullich have reviewed the studies and memos.

Mayor Tabori said the Town Council has two alternatives to consider. One alternative is to vote no with conditions. The second alternative is to approve with conditions, which if not met turns into an automatic no. A vote of no on the part of University Park is a principled stand, but will not determine the vote at the Planning Board and at the District Council. Mayor Tabori noted that law requires the detailed studies of traffic during the later stages of the zoning and planning process. The detailed traffic studies are not required prior to the zoning hearing.

The Council and Mayor Tabori discussed the build-out conditions and triggers. The developer's break-even point is above the 50% build-out mark. The requirement for a CSX crossing is triggered at the 50% build-out point. There was discussion about how the break-even point is 382 residential units and all but 26,000 square feet of the commercial space.

A Town resident said that this property was not on the 1994 Master Plan for consideration for a map plan amendment for MUTC zoning. Mayor Tabori said M-NCPPC is planning on reviewing this point of law. In further discussions about traffic, the point was made

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that 70-81% of the traffic from a development is generated by the commercial space, not the residential space. Ms. Stulich, College Park Council member, spoke on the importance of the City of College Park and the Town of University Park in standing together on the development. She acknowledged that this may not be possible.

CM Gekas asked if University Park's position would have any impact on M-NCPPC. Mayor Tabori said the professional staff pays close attention to the input from the communities. Ms. Lorraine Gray, a Town resident, spoke in strong opposition to the development. She noted that she can't exit from the neighborhood onto Route 1 from Sheridan or Tuckerman Streets in the afternoons due to traffic. She raised concerns about the impact on the schools and the costs for law enforcement. She said this development would have a significant impact on the quality of life in University Park.

Mayor Tabori asked the Council for permission to begin negotiations with the Cafritz team between now and January 12, 2012; a mechanism for keeping the Council informed of the discussions and additional meetings to discuss the Cafritz development. CM Bradley Chacón suggested that the Council discuss documents with the Mayor via email. *Motion to grant Mayor Tabori permission to negotiate on behalf of the Town of University Park in the Cafritz discussions between December 13, 2011 and January 12, 2012, with frequent updates to the Council.* Motion approved 7 to 0.

The meeting adjourned at 9:51 PM.



December 19 Council Meeting Highlights

Present were Mayor Tabori; Council Members Brosch, Gekas, McPherson, Carey, Toscano, Cron, Bradley Chacón; Town employees Police Chief Wynnyk, Town Attorney Ferguson, Town Treasurer Baden.

Public Comment

Ms. Karin Jackson, a Town resident of Van Buren Street, thanked the police department for their responsiveness to a recent burglary.

Town Audit Report For Fiscal Year 2011

Review of the Auditor's Report, presented by Frank DeFroda and Mike Mood of Barbacane, Thornton &

Company, LLP Mr. DeFroda and Mr. Mood presented the audit report. The report is substantially the same as the previous year. The auditors provided a clean audit opinion for this fiscal year. Mr. Mood reviewed the details of the report. He said the FY 2012 audit may require a single audit, which is a more extensive audit, in order to comply with the requirements for federal grants under the Department of Energy (DOE) STEP-UP program. Mayor Tabori said he was aware of this requirement.

Department Reports

Mayor Tabori nominated Mr. John Hicks, Mr. John McKinney, Ms. Sarah Moseley, Ms. Lindsay Hicks, Mr. Chris Aubry and Ms. Jenny Glenn to the University Park Tree Committee, with Jenny Glenn to serve as Chairwoman and CM Len Carey as the liaison to the Council. Mayor Tabori said he also invited Mr. Steve Cook to join the committee, but Mr. Cook had not confirmed his interest in doing so. *Motion to approve Mr. John Hicks, Mr. John McKinney, Ms. Sarah Moseley, Ms. Lindsay Hicks, Mr. Chris Aubry, and Ms. Jenny Glenn to the University Park Tree Committee, with Jenny Glenn to serve as Chairwoman and CM Carey as the liaison to the Council.* Motion approved 7 to 0.

CM Bradley Chacón asked the Tree Committee members to look at tree maintenance, in particular areas where branches are in the power lines, to avoid a repeat of the recent electrical short circuit that damaged ten houses in University Park. CM Brosch asked that the committee take up elevating tree limbs over the public sidewalks, to remove hazards to people. Mayor Tabori mentioned that the standard clearance would be seven feet.

Mayor Tabori said a second round of negotiations has taken place on the Cafritz development proposal. Mayor Tabori said he brought forward the two issues raised by CMs Carey and Brosch. The site-grading plan has not changed. A copy of the plan is available for review in Town Hall.

Mayor Tabori said additional meetings would take place to discuss the design and conditions for the development. The meetings start at 4 or 5 PM and last for two hours per session. Attorney Ferguson said that Riverdale Park was meeting this evening to discuss alternative designs for the interior of the property.

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Mayor Tabori praised the performance of both the Police Department and the Public Works Department for their exemplary services in recent weeks. Mayor Tabori added that the leaf collection process was the smoothest he has experienced in his terms as Mayor.

Chief Wynnyk said the officers in the department have completed their weapons re-certification training and he thanked the city of Hyattsville for allowing the officers to use their training simulator. New body armor has arrived and been issued to the officers. The officers are also in training for using the new e-citation ticket writing system. Chief Wynnyk discussed the events around yesterday's apprehension of four burglary suspects.

Attorney Ferguson reported that the new cable franchise discussions among the municipalities would conclude in January 2012. She said she expected the negotiations with Comcast to take up to two years.

Mr. Baden reviewed the November audit report with the Council and Mayor Tabori.

Mr. Chuck Wilson had several items of significant progress to report to the Council and the Mayor regarding STEP-UP. The positive trend in community participation continues. Nine percent of the homes in University Park have been retrofitted with energy saving changes or have contractors preparing to make the improvements. Reaction to the Compost Cab has been very positive from the pilot households. The program looks like it will have a positive impact on the Town's trash stream. The Department of Energy (DOE) has approved using some of the program funds to address transportation issues. The DOE has separately approved using some of the funds to raise awareness of the program in neighboring jurisdictions, as well as placing signage/advertising. The loan loss reserve program looks like it will be put in place with Sandy Spring Bank. The solar panel project for University Park Elementary School is still a work in progress. The first year of the program will be celebrated on Saturday, January 28. Mayor Tabori said he is following the loan loss program very carefully. If this program can be put in place, it would be the first of its kind to be established.

Permits

Application to Repair/Replace an Existing Brick Retaining Wall with Railing, 6907 Forest Hill Drive Motion to approve the repair and/or replacement of an ex-

isting 8-foot brick retaining wall topped with a 4-foot railing located at 6907 Forest Hill Drive. Motion approved 7 to 0.

Application to Replace/Repair Damaged Sections of the Existing Fence, 4213 Van Buren Street Motion to approve replacing damaged sections of the existing 6-foot fence located at 4213 Van Buren Street. Motion approved 7 to 0.

Application to Remove Existing Chain Link Fence and Repair/Replace Section of the Existing Fence, 6602 Queens Chapel Road Motion to approve removing the existing chain link fence in its entirety and repair/replace a 5.5' x 40' damaged section of the existing wooden fence located on at 6602 Queens Chapel Road. Motion approved 7 to 0.

Continuing Business

Motion to Approve Charter Amendment 11-CR-02 to Repeal and Reenact Article III, "Mayor and Common Council," Section 301, "Number, Term of Office," and Section 304 "Meeting of Mayor and Council," and Article V, "Registration, Nominations and Elections," Section 504 Election of Said Charter to Remove Term Limits for the Offices of Mayor and Council, and to Change the Terms of Office so that Mayor and Council are All Elected in the Same Year with Two Year Terms Beginning July 1 Motion failed 3 to 4. For: Gekas, Carey, Toscano. Against: McPherson, Brosch, Cron, Bradley Chacon.

CM Bradley Chacón said she would not support eliminating term limits. She offered a friendly amendment to add an additional term of office for the Mayor. CM Carey declined to accept this change as a friendly amendment. Mayor Tabori discussed what he has heard from members of the community and his professional experience with regard to term limits. He said that term limits have the effect of reducing the performance and accountability of the executive. He added that taxes tend to be higher in term-limited states, and that unemployment is higher as well. Term limits did not start at the state level until 1990. CM Carey said term limits restrict voter's choice. CM Bradley Chacón said term limits are necessary as the electorate is uninformed.

CM Gekas said that term limits make sense for Council members, but that the Town needs an experienced Mayor. CM McPherson said she agreed with CM Brad

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ley Chacón. She agreed that University Park is a unique small town. The point she raised as a concern is the situation where a less-capable Mayor than Mayor Tabori becomes entrenched in the Mayor's office.

Motion to Approve Charter Amendment 11-CR-02 to Repeal and Reenact Article III, "Mayor and Common Council," Section 301, "Number of Term of Office," and Section 304 "Meetings of Mayor and Council," and Article V, "Registration, Nomination, and Elections," Section 504 Elections of Said Charter to Provide for a Limit of Four Two Year Terms for the Office of Mayor, and to Change the Terms of Office so that Mayor and Council are All Elected in the Same Year with Two Year Terms Beginning July 1 Motion approved 6 to 1 (Toscano opposed).

Motion to Approve Charter Amendment 11-CR-02 to Repeal and Reenact Article III, "Mayor and Common Council," Section 301, "Number of Term of Office," and Section 304 "Meetings of Mayor and Council," and Article V, "Registration, Nomination, and Elections," Section 504 Elections of Said Charter to Provide for a Limit of Four Two Year Terms for the Office of Mayor, and to Change the Terms of Office so that Mayor and Council are All Elected with Two Year Terms Beginning July 1 Motion approved 6 to 1 (Toscano opposed).

Motion to Approve Charter Amendment 11-CR-02 to Repeal and Reenact Article III, "Mayor and Common Council," Section 301, "Number of Term of Office," and Section 304 "Meetings of Mayor and Council," and Article V, "Registration, Nomination, and Elections," Section 504 Elections of Said Charter to Provide for a Limit of Four Two Year Terms for the Office of Mayor, and to Change the Terms of Office so that Mayor and Council are All Elected with Two Year Terms Beginning July 1 Motion approved 6 to 1 (Toscano opposed).

Motion to Approve Authorizing the Town Attorney to Reconcile the Language of the Charter Amendment 11-CR-02 Motion approved 7 to 0. Attorney Ferguson said Mayor Tabori has ten or fifteen days to sign the ordinance.

Mr. Ed Lee, a Town resident, spoke very, very forcefully about the inequity of staggered elections, asked that the Mayor's term be extended from two years to three years,

and pointed out that staggered elections requires four wards to have to vote every year.

Ordinance 11-O-06 Compensation of Mayor and Council Motion to Approve Striking the Line in Article 1, Section 2-115 Under A(2) "Each Council Member Shall Receive as Compensation \$2,500 Per Year, Payable as a Salary on a Monthly Basis" Motion approved 6 to 1 (Toscano opposed).

CM Gekas said he thought that a Council Member should not receive any compensation. He recommended paying all of the monies to the Mayor. CM Gekas said that in his view, it should be an honor to serve as a Council Member. CM Cron seconded CM Gekas' view, as did CM Bradley Chacón. CM Toscano said that if there was no compensation for Council members, there should not be any compensation for the Mayor. She expressed concerns about how having an unpaid Council and a paid Mayor could have the effect of making serving on the Council less appealing. The goal should be to encourage people to serve equally.

Motion to Approve Amending Ordinance 11-O-06 to Enact Article 1, Section 2-115 "Compensation of Mayor and Council" to Allow Compensation to the Mayor in the Amount Of \$10,500, Payable as Salary on a Monthly Basis Motion approved 6 to 1 (Toscano opposed).

A proposal was made to amend the level of compensation to \$20,000. CM Carey declined to accept this motion as a friendly amendment.

CM Brosch said that he had considered the issues carefully. He said that Mayor Tabori has to act as both the Mayor and the town manager. His view is that the Town is getting a good deal, because the Town would not be able to hire a manager for \$20,000. CM Bradley Chacón said she would not object to a higher level of compensation for the Mayor, to attract better candidates. CM Gekas spoke in favor of a professional manager, with the necessary combination of skills.

Motion to Approve Amending Ordinance 11-O-06 to Enact Article 1, Section 2-115 "Compensation of Mayor and Council" to Allow Compensation to the Mayor in the Amount of \$15,000, Payable as Salary on a Monthly Basis Motion approved 6 to 1 (Toscano opposed).

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Attorney Ferguson read the final language of the legislative resolution, based on the previous two motions.

Motion to Approve Amending Ordinance 11-O-06, Section 2-115 "Compensation of Mayor" (A) Mayor Elected or Appointed to a Term Commencing After May, 2012 Shall Receive as Compensation \$15,000 Per Year Payable as Salary on a Monthly Basis. The Mayor May Decline the Compensation Set by this Paragraph Motion approved 6 to 1 (Toscano opposed).

CM Toscano reiterated that she was not in favor of the imbalance between a paid Mayor and an unpaid Council, and viewed this as unfair to the Council and a burden to the Mayor.

New Business

2012 University Park Proposed Council Meeting Schedule

Motion to Approve the Proposed 2012 University Park Council Meeting Schedule Motion approved 7 to 0.

Special Holiday Compensation for Town Employees

Motion to Approve a Special 2011 Holiday Compensation in the Amount of \$300.00 Net of Deductions for Each Current, Active Employee as of December 1 of that Year Motion approved 7 to 0.

CM Gekas asked how many employees the Town had. Mr. Baden said there were 26 employees.

The meeting adjourned at 10 PM.



January 9 Council Meeting Highlights

Present were Mayor Tabori; Council Members Brosch, Gekas, McPherson, Carey, Toscano (who arrived at the meeting at 7:30 PM), Cron, Bradley Chacón.

Note: The meeting was suspended from 7 PM to 7:34 PM due to a fire alarm in the building.

Permits

Application to Raze and Remove Stand-Alone One Car Garage, 4326 Woodberry Street Motion to approve/disapprove razing and removing the stand-alone one car garage, pending receipt of all county permits located at 4326 Woodberry Street. Motion approved 6 to 0.

Continuing Business

Amended Charter Resolution 11-CR-02

Motion to Approve Amended Charter Resolution 11-CR-02 to Repeal and Reenact Article III, "Mayor and Common Council," Section 301, "Number of Term of Office," and Section 304 "Meetings Of Mayor And Council" of Said Charter to Provide that All Elected Officials Take Office at the Last Regular Meeting in June and to Change the Term Limits for the Mayor from Three Consecutive Two-Year Terms to Four Consecutive Two-Year Terms Motion approved 7 to 0.

Mayor Tabori said he will sign the charter resolution and it will be posted tomorrow. Attorney Ferguson said the resolution must be posted for 40 days before it can come.

Council to Discuss and Finalize Conditions and Letter to be Submitted to the Prince George's County Planning Board on or Before January 12, 2012 for Cafritz Development Project A-10018

Mayor Tabori provided a PowerPoint presentation on the Cafritz Rezoning Application: Conditions, Covenants, and Agreements.

A Town resident asked about height restrictions on the buildings. Mayor Tabori said the height limit was six stories, due to the physical limitations of the stick-built construction materials.

There was general discussion about how the Town could ensure that the developer complies with the covenants. Attorney Ferguson said the Maryland-National Capital Parks and Planning Commission (M-NCPPC) would conduct oversight of the process. Mayor Tabori also discussed the issues around storm water management, and noted that typically the storm water management planning and county decision-making is not accessible or visible to the public. A benefit of this covenant agreement is that it will somewhat open up the storm water management part of the process to some public view.

A Town resident asked a question about access roads. He observed that a significant portion of the commercial and some of the residential construction would be completed before any new road access is created. Mayor Tabori explained that the current incentives dovetail with the developer's desire to realize the full economic potential of the site. A resident asked how the access road trig

TOWN COUNCIL MEETING

ger point was reached, and Mayor Tabori described the process.

At CM Brosch's request, Attorney Reed explained how the \$5 million for building the CSX bridge would be obtained. CM Gekas asked why there was a \$5 million cap on the funding coming from the developers. He wondered why the developer would not fund the entire amount, and why public funds had to be used to develop a bridge that directly benefits the developer. Mayor Tabori explained that tax incremental funding (TIF) is not a direct burden on the taxpayer. The tax funds generated from the new development on the property are used to pay for improvements to the property. Taxpayers outside the development area do not have to contribute funds to the improvements. At a future date, when the improvements are in place, the future tax revenue streams are used according to the budget priorities of the municipality (in this instance, Riverdale Park). Attorney Ferguson also discussed the TIF funding. The TIF is used to pay off the construction bond.

The Council and the Mayor continued the discussion of the covenants. CM Gekas asked for a change to page 8, section 21, CSX crossing item c, to add a paragraph that also required a letter from CSX allowing a crossing over their right-of-way.

Mayor Tabori explained that by result of the planning board saying a Mixed Use Town Center (MUTC) zoning is permitted for this site, University Park cannot force the site to revert to R-55 zoning if the CSX crossing is not put in place. By covenant, the developer will not be allowed to complete the development if a CSX crossing is not in place.

Ms. Warren raised the point that the Maryland Board of Public Works, which has oversight of University of Maryland property, would have to approve the CSX bridge crossing over onto their property.

CM Gekas returned to the point of the \$5 million funding for the bridge. He strongly expressed his view that the developer should bear the complete cost of the bridge. CM Bradley Chacón said she did not initially agree with a \$5 million cap or a 50-50 split of the costs. CM Carey noted that all three municipalities negotiated this point. He said he was not opposed to some level of TIF funding.

A Town resident raised the point about the lack of time for the public to review the proposed declaration of covenants, conditions and restrictions. She said the Mayor of Hyattsville has not had time to review the traffic implications of specialty grocery stores. Finally, she said the property does not meet the requirements of an MUTC. Mayor Tabori addressed the last point, by noting that Ms. Susan Lareuse, M-NCCPC planner, said the old CDZ zoning of the site is closely equivalent to the MUTC zoning.

CM Brosch addressed questions about item 9 on page 4 of the proposed declaration of covenants, conditions, and restrictions. He expressed concern about the 20% level for the traffic load. CM Toscano spoke in favor of the process that developed this declaration. Mayor Tabori discussed the background around the 20% level and the downstream requirements for the traffic studies, which will potentially generate more stringent conditions on the development.

CM Cron asked what the positions of the other municipalities were. Mayor Tabori said that Riverdale Park was expected to vote for approval with conditions. Mayor Tabori said the proposal being considered by University Park was conditional approval. College Park City Council member Ms. Stulich said she would vote to oppose approval at tomorrow night's College Park Council meeting. Her concern is the density of the development; that the density is too high and not appropriate for the Route 1 corridor communities.

Motion to Approve and Support Zoning Map Amendment Application No. 10018 on Condition that the Applicant Agree to and Sign Before the Planning Board Hearing an Agreement to Support Zoning Re-classification and a Declaration of Covenants and Restrictions, and that Applicant Agree to Consensus Conditions, all in Substantially the Form as Attached. The Mayor is Hereby Authorized to Send a Letter to the Planning Board Presenting the Town's Position and to Appear Before the Planning Board for the Same Purpose Motion approved 4 to 3. In favor: McPherson, Carey, Toscano, Bradley Chacon. Opposed: Brosch, Gekas, Cron.

The meeting adjourned at 10:10 PM.

Elizabeth Ness at Univ. Park Woman's Club

Monday, February 6, 11:30 AM

Elizabeth Ness, BSN, MS Director of Staff Development at the Center for Cancer Research, will highlight her work using technology to improve patient care. Ness trains nurses to bridge the gap between clinical care and technology. The goal is to enhance patient care and health outcomes. Learn more about this rapidly growing area of health care and the resources of NCI and NIH. The Center for Cancer Research is part of the National Cancer Institute (NCI) of the National Institutes of Health (NIH) in Bethesda.

The meeting begins with fellowship at 11:30 AM, lunch is at Noon and Ms. Ness speaks at 12:30 PM at Riverdale Presbyterian Church. Guests are welcome to visit club meetings; however, they are asked to make a reservation by calling Anna-Mae Kobbe at 301-277-0414.

**University Park Woman's Club
College Scholarships**

Doris McPhee Memorial Scholarship

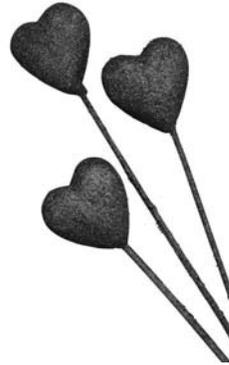
This award is open to graduating students of Northwestern High School with a minimum grade point average of 3.0. Economic need is a consideration. The applicants for this scholarship must complete parts A, B and C of the application and provide additional information requested in the checklist. (One Year) \$1000.

University Park Woman's Club Scholarship

This award is open to graduating students who are residents of University Park, or a non-resident child or grandchild of a member of the University Park Woman's

Club. Applications must have a minimum grade point average of 3.0. The applicants for this scholarship must complete parts A and B of the application and provide additional information requested in the checklist. (One Year) \$1000.

Applications and further information can be found at <http://www.upmd.org/?documents&id=651>, or call or email Anna-Mae Kobbe at 301-277-0414, amkobbe@aol.com. Completed applications must be received no later than Sunday, April 1, 2012.



Valentine Spaghetti Supper

Saturday, February 11, 5-8 PM

Candlelight, live music with the Stoney Run String Band and a bistro-like atmosphere complement the evening. No set charge, contributions requested. Please join us! University Park Church of the Brethren, 4413 Tuckerman Street.

Maryland's Queen for a Day

Thursday, February 16, 7:30-9 PM

Many UP residents still wonder about those two lovely ladies with a corgi and a convertible who were led through town by the Mighty Sound of Maryland Marching Band in the Town's 75th Birthday Parade. What was that all about? Town residents and their guests are invited to join UP's Historic Preservation Association for a special screening of *Maryland's Queen for a Day*. The story recounts a flawless autumn day in 1957 when royalty from across the pond rode through our realm after a gridiron victory--and what a victory! Snow or no snow. Custis Hall in Riverdale Presbyterian Church. Write ubanipm@gmail.com for more information.

Boy Scout Chili Supper

Monday, February 20, 5-7 PM

Troop 214 holds its annual chili supper at Riverdale Presbyterian Church, 6513 Queens Chapel Road. The dinner choices include meaty, veggie and spicy chili with homemade cornbread and dessert, salad and beverages. Take-out meals are available. All proceeds

help support Troop 214's activities throughout the year. The \$7 tickets will be available at the door. Free admission for children under 5 and for all Boy Scouts and Girl Scouts and Scout leaders who are in uniform. For more information, contact Russ Dickerson (russ@atmos.umd.edu, 301-405-5364, or 301-779-8511) or Susan Dorn (301-864-8989, susan.dorn@gmail.com).



OBITUARY

Pedro Armando Albrecht, formerly of Tuckerman and Woodberry Streets and most recently of Sunset Beach, North Carolina, died peacefully on Tuesday, December 27, 2011. Born in Porto Alegre, Brazil, Pedro studied in Switzerland, worked in Montreal and then obtained his doctorate in Civil Engineering from Lehigh University in Bethlehem, Pennsylvania. After graduating, he accepted a position as a professor at the University of Maryland, School of Engineering, where he taught civil engineering for over 25 years. He dedicated himself to being the best teacher he could be for his undergraduate students as well as a conscientious mentor for his many graduate students, and performed decades of research to further the field of structural engineering.

Pedro was an avid runner, having completed several 50-mile runs, numerous triathlons and approximately 50 marathons, including several Marine Corps Marathons and Boston Marathons. Out of concern for the physical fitness of the Town's residents, Pedro organized The University Park Jog and Run Society in 1975. Pedro conceived of and organized University Park's first Azalea Classic Run. It was held in spite of cloudy skies and a light drizzle on Saturday, May 7, 1975. Runners started at the Wells Parkway/College Heights Drive intersection and had to complete a 1-mile loop around Ward 6 twice. For the first place winners Pedro donated beautiful potted azaleas, in keeping with the name, Azalea Classic. In October 1975, Pedro started a Fall Fun Run and urged the students at University Park Elementary School to participate along with the adults. Winners of the Fall Fun Run were awarded patches to sew on their jackets; winning children also were given small plaques mounted on hardwood blocks.

Pedro found time to volunteer for a term as University Park's Ward One Town Council Member in 1977-1978 and served as Chair of the Streets Committee. He was instrumental in getting all the Town's streets properly identified and signed and in having the state update our traffic control signs to be more reflective. Pedro was a man of boundless energy and a love for life that was contagious. He loved his family, his friends and the many graduate students who carried on his work. Having led a full life, he died peacefully at his home in Sunset Beach, North Carolina, surrounded by his family. Survivors include his wife of 50 years, Maria Luisa Albrecht; his children, Markus Albrecht, Philippe (and Cherie) Albrecht, Anna Manuela (and Timothy) Hurley and Natalie

COMMUNITY CALENDAR

Albrecht (and Adrian Bell); and his grandchildren, Ryan Hurley, Samantha Hurley, Natalie Hurley, Madison Albrecht, Melanie Albrecht, Dean Albrecht and Jack Albrecht.



Hyattsville Library Winter Independent Film Series
Monday, February 27, 7 PM
The Boys of Baraka (84 min.) follows a group of 12-year old boys from the most violent ghettos of Baltimore to the Baraka School, an experimental boarding school in rural Kenya, where children live by strict guidelines, yet are given the freedom to grow. Refreshments will be served.

College Park Arts Exchange

All events are free and take place at the Old Parish House, 4711 Knox Road, College Park, unless otherwise noted. Parking passes are available. Contact info@cpae.org or 301-927-3013 for more information.

Waltz Workshop with Transatlantic Crossing *Friday, February 10, 7:30 PM* Learn the lovely motions of waltz and then dance to live fiddle and guitar music for a wonderful evening out. No experience necessary! Refreshments provided. Free, but donations accepted at the door. Sponsored in part by the City of College Park and the Prince George's Arts and Humanities Council.

The Unicycle Lady *Sunday, February 12, 3 PM* This unicycle expert will perform daring feats, with a workshop afterwards. Young unicyclists can learn a few new tricks. Event is free, workshop \$5.

CPAE Book Club *Friday, February 17, 7:30 PM* Discuss literary nonfiction by women at the CPAE Book Club. February: *Drinking: A Love Story*, by Caroline Knapp.

Children's Arts Drop-In Program *February 25, 10-12 AM and February 26 2-4 PM* Arts Specialist Aaron Springer leads fun arts workshops perfect for children ages 3-8 with their parents. February 25 session is at the College Park Community Center, 5051 Pierce Ave., CP.



COMMUNITY CALENDAR



Riversdale

Events take place at Riversdale House Museum, 4811 Riverdale Road in the town of Riverdale Park, Maryland. Call 301-864-0420 or email riversdale@pgparks.com for more information.

Tasting The Past: A Chocolate Sampler, Saturday, February 11, 2 PM Bring your sweetheart to Riversdale House Museum to enjoy something sweet as your taste your way through 200 years of chocolate history. Learn



about its beginnings in America as a spiced breakfast beverage and continue through to the confection we know today as you enjoy this guided tasting. This program is open to participants ages 21 and up. The fee is \$20 for residents of

Prince George's and Montgomery Counties and \$24 for nonresidents. Capacity is limited and registration is required by February 3. As a bit of added info for UP, we can tell you we're currently looking at featuring a chocolate liqueur, hot chocolate, chocolate sticks and Belgian waffles with chocolate sauce. Participants will also be able to spice their own chocolate sauce!

The Plummers' Kitchen & Closet Sunday, February 26, 12:30 PM The Calverts owned several slaves, including Adam Plummer. Plummer arrived at Riversdale as a child. Upon George's death, ownership of the estate and slaves passed to his son, Charles Benedict. His new master allowed Plummer to keep the profits from produce he grew on a part of the estate. Eventually, Plummer married an enslaved woman, Emily Saunders,

from Three Sisters Plantation in Lanham, MD. Plummer continued to live at Riversdale apart from his wife. However, after Maryland abolished slavery, Adam Plummer, reunited with his wife and family, remained at Riversdale as a paid overseer. Join the Riversdale Kitchen Guild for their monthly Seasonal Selections program in the dependency kitchen at Riversdale House Museum. Watch as they recreate early-to-mid 19th century traditional African



American foods. Participants will be able to view these dishes being made on the open hearth by costumed interpreters using period cookware. Seasonality of garden produce will also be discussed in reference to the Plummer's profit-generating produce sales. Inside the museum, an exhibit highlights how they would have dressed. Regular admission fees apply and include a tour of the house. \$3/adults, \$2/seniors, \$1/students 5-18, FREE ages 4 & under.

After 8 Book Group Tuesday, February 21

The After 8 Book Group, which is open to all town residents, meets the 3rd Tuesday of each month. The December selection is Sarah Blake's *The Postmistress*. For more info on the group, please call Laura Donnelly at 301-927-6550.



Lost Pet Database To register your pet, report a lost or found pet, please call Linda Verrill at 301-927-6743. Have your pets wear their tags or a microchip at all times so they can be identified.

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ANNUAL
UNIVERSITY PARK

Saturday, April 21, 2012

AZALEA CLASSIC

5K 1 MILE 1K



SAVE THE DATE.

JOIN THE FUN.

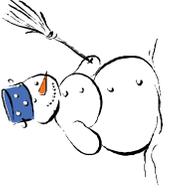
We have a run for everyone!

REGISTER TODAY

Register at www.azaleaclassic.com
or www.signmeup.com

Business sponsorships available!
Get info at www.azaleaclassic.com

*Brought to you by the Town of University Park and University Park Elementary PTA
Proceeds to benefit the University Park Elementary School PTA!*



February 2012

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			1	2 Recycling	3 Trash	4
5	6 Yard Waste Town Council UPWC 11:30 AM	7 Trash	8	9 Recycling	10 Trash	11 Valentine Spaghetti Supper 5-8 PM
12	13 Yard Waste	14 Trash	15	16 Recycling MD's Queen for a Day 7:30-9 PM	17 Trash	18
19	20 HOLIDAY No Yard Waste Pick up Boy Scout Chili Supper 5-7 PM	21 Trash After 8 Book Group	22 Yard Waste	23 Recycling	24 Trash	25
26	27 Yard Waste Town Council	28 Trash	29			



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 TDD 800-735-2258
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 Town Bus Status 301-927-4262 x 601
 Mayor John Rogard Tabori mayor@upmd.org
 Town Clerk townhall@upmd.org
 Public Works Dir. Mickey Beall mbeall@upmd.org
 Energy Coach Suzanne Parmet energycoach@upmd.org
 Chief Michael Wynnyk upchief@upmd.org

Police

Emergency 911
 Non-Emergency 301-352-1200
 Police Dept. Direct 301-277-0050
 Police Dept. Cell Phone 240-375-1077
 Chief Michael Wynnyk 301-277-0051
 Mayor Tabori home 301-779-6530

Town Council

Ward	Council Member	Phone
1	David C. Brosch	301-779-3168
2	James Gekas	301-864-2734
3	Susan E. McPherson	301-779-5249
4	Lenford C. Carey	301-864-1383
5	To be Announced	
6	Michael Cron	301-277-4718
7	Jacqueline B. Chacón	301-277-1767

NEWSLETTER

Wednesday, January 4 is the deadline for the February 2012 issue. The *University Park Newsletter* is published monthly, except for a combined July-August issue. Newsletter submissions may be made via the correct monthly form at www.upmd.org. Questions and comments may be emailed to univparknews@gmail.com. The *Newsletter* publishes the milestones of current and former UP families (births, weddings, obituaries, graduations, awards, etc.) plus events of interest to residents. Political or commercial advertising is not accepted. Please send letters of opinion or Town suggestions to Town Hall. The *Newsletter* is online at www.upmd.org > Documents.

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