

**TOWN OF RIVERDALE PARK
MONDAY, FEBRUARY 5, 2007
REGULAR LEGISLATIVE MEETING MINUTES**

- #3** Nominations of Election Judge, Alternates and Appeals Judge for each Ward
Prince Georges County Council-person District 3 Eric Olson arrived, Mayor Archer suggested that Council stop and return to this legislative action following Council-person Olson's introduction and comments.

Prince George's County Council Eric Olson ;
District 3 representative Prince Georges County Council-person Eric Olson arrived and introduced himself, stating that he wants to be involved and hear concerns. Council-person Olson stated that he is visiting communities and municipalities standing ready to assist anyway they can. Council-person Olson introduced his staff, Danielle Glaros- Legislative Aid and Wanda Brooks-Constituent Services Aid: Wanda knows who to contact for pot-holes, parking on the grass and any relative concern you may have. If we can assist you in anyway please contact us: email address- erolson@co.pg.md.us phone number- 301-952-3660

Mayor Archer thanked Council-person Olson for attending the meeting and for making himself available. Mayor Archer stated that Council-person Olson has been responsive and proactive.

CM Lingua thanked Council-person Olson for attending the January Storm Water Management meeting and listening to the issues. CM Lingua stated that he looks forward to working with Council-person Olson on this matter.

CM Kiernan had questions about the purple-line- CM Kiernan stated that the purple line was suppose to be a bus line and now is leaning towards a rail-line. CM Kiernan stated that this change will have an impact on the commercial district.

County-Council-person Olson replied to CM Kiernan that the Purple-line as a light rail-line makes sense. Council-person Olson stated that he is working with the effected/involved communities as well as with MDOT.

- #3** Nominations of Election Judge, Alternates and Appeals Judge for each Ward
CM Donaldson made Motion to approve nominations
CM Kiernan 2nd motion
Approved

Mayor Archer:

Kay Marcos- Taylor Road, Chief Election Judge
Lou King- Queensbury Road, Deputy Chief Election Judge
Kate Kelly- Tuckerman Street Appeals Judge

Ward1:

Geraldine Gee- Sheridan Street, Judge
Lissa Allen- Oliver Street, Appeals Judge
Bill Carr- 43rd Street, Alternate Judge

Ward 2:

Karen Proctor- Taylor Road, Judge
Jonah Blaustein- Somerset Road, Alternate Judge
Alan Thompson- Sheridan Street, Appeals Judge

**TOWN OF RIVERDALE PARK
MONDAY, FEBRUARY 5, 2007
REGULAR LEGISLATIVE MEETING MINUTES**

Attendance

Vernon S. Archer Mayor
CM Oppenheim Ward 1
CM Mary Donaldson Ward 2
CM David Lingua Ward 3
CM Lawrence Taylor Ward 4
CM Gerard Kiernan Ward 5
CM J. Alberto Morales Ward 6 Sworn in as new Council member

Town Administrator- Patrick J Prangley
Chief of Police- E. Thomas Parker
Director Public Works- L. Ron Goff

The Legislative Meeting for the Town of Riverdale Park began at 8:00p.m. The Pledge of Allegiance was recited followed by a moment of reflection directed by Mayor Archer.

Mayor Archer asked for a slight change to the agenda stating that there is a vacancy in the Ward 6 Council seat and he has a nomination for council approval. Mayor Archer stated that he would like to take care of this item of nomination first

Mayor Archer nominated J Alberto Morales of Spring Lane. Mayor Archer stated that Mr. Morales is an immigrant success story and a Soccer Champion.

CM Kiernan made motion to nominate J Alberto Morales

CM Lingua seconded motion

Approved

J.Alberto Morales was sworn in as Council member of Ward 6 by Mayor Archer.

Mayor Archer requested that as a point of courtesy to the Ward 2 Councilmember, who is recovering from complications from surgery, to hold all reports until the end and stated that Council will move to Legislative actions first.

CM Kiernan made motion

CM Taylor 2nd the motion

Approved

Legislative Items

#1 October 2006 Legislative Meeting Minutes
CM Taylor made a motion to approve minutes
CM Kiernan 2nd the motion
Approved subject to spell-check

#2 January 2007 Legislative Meeting Minutes
CM Lingua made a motion to approve minutes
CM Kiernan 2nd the motion
Approved subject to spell-check

TOWN OF RIVERDALE PARK
MONDAY, FEBRUARY 5, 2007
REGULAR LEGISLATIVE MEETING MINUTES

Ward 3:

Karen Howard --Nicholson Street, Judge

Joseph Mooney- Oglethorpe Street, Alternate Judge

Gregory Jenkins- Taylor Road, Appeals Judge

Ward 4

Mrs. McCullen- 54th Avenue, Judge

Ward 5

Len S. Perry -Riverdale Road, Appeals Judge

Ward 6

CM J. Alberto Morales stated that he has not yet had an opportunity to discuss with neighbors their interest to provide names for nomination at this point.

Mayor Archer stated that he will provide, to CM J. Alberto Morales, the names of the persons who assisted with the last election, and CM Oppenheim had an alternate or two and will provide those names as well.

#4 formally set the following matters:

| | |
|-----------------------|----------------------------|
| Use of: | Paper Ballots |
| Time of Election: | 7am to 8pm |
| Date of Elections: | Monday May 7 th |
| Location of Election: | Town Hall |
| Chief Judge Pay: | \$ 200.00 |
| Judges Pay: | \$ 125.00 |
| Training Day | \$ 25.00 |

Kay Marcos asked advertisement placed in paper March and April and allow laminated signs to be posted in each ward. Mayor Archer stated that this is standard practice. However, Kay Marcos wants to start a little earlier to allow for more time.

Kay Marcos discussed the change to State Law for absentee ballots. CM Kiernan stated that we are in compliance with our code and charter as it reads we will follow State Law, if the State Changes it we Change it. Removing Statement from absentee request form for reason of request

CM Kiernan made motion to approve all discussed election matters:

| | |
|-----------------------|----------------------------|
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CM Donaldson 2nd motion

Approved

#5 Authorizations to engage Mr. Colaresi and Team to provide title Search for Trolley Line

CM Oppenheim made motion to spend up to 12,000.00 to use Colaresi and Team to research the Titles on the Trolley Line

CM Lingua 2nd motion

Approved

CM Kiernan made motion to waive competitive bid process

**TOWN OF RIVERDALE PARK
MONDAY, FEBRUARY 5, 2007**

REGULAR LEGISLATIVE MEETING MINUTES

CM Lingua 2nd motion

Approved

Town Administrator discussed possible obtaining funding for project

CM Kiernan asked if this is considered engaging legal services as this may be a conflict with our Code/Charter in reference to Town Attorney and the hiring of other Counsel

Town Administrator stated that our town Attorney has been apprised and has raised no objection.

#6 Action to engage Milliman and Associates to conduct actuary studies on towns defined benefit plan. Town Administrator stated that the fee would be split in half \$ 5,000.00 from Board of Trustees and \$ 5,000.00 from Town

CM Taylor made motion / Amended motion to state 50/50 split between town and board of trustees

CM Donaldson 2nd

Approved

CM Kiernan made motion to waive competitive bid

CM Donaldson 2nd

Approved

CM Kiernan asked Town Administrator Patrick Prangle what is the principal of the account? Town Administrator Patrick Prangle stated that he did not have that in front of him but approximately 1.8 million.

CM Oppenheim requested that Items 7, 9 and 13 be discussed next

Mayor Archer agreed

#7 Approvals of 6ft Privacy Fence 4901 Madison Street

CM Lingua made motion to approve 6ft privacy fence/ fence beginning at the rear building-line which is based on the submitted drawings.

CM Kiernan 2nd motion

Approved

Resident of 4901 Madison, Mr. Eddy Najares discussed installation of fence.

#9 Approval of Ordinance Resolution 2007-OR-2 Compensation of Mayor and Council

CM Oppenheim made motion stating to amend the date to read June

CM Lingua 2nd motion

Discussion

CM Oppenheim made motion to amend date

CM Kiernan 2nd motion

Approved- amendment (Date to read June)

CM Lingua makes motion to Amend

Section A to read 600 dollars per month for the Mayor and

Section B to read 300 dollars per month for Council

CM Kiernan 2nd motion of Amendment

Section A

Ward 1 No, Ward 2 Yes, Ward 3 Yes, Ward 4 Yes, Ward 5 Yes, Ward 6 Yes = 5-1

Approved

Section B

Ward 1 Yes, Ward 2 Yes, Ward 3 Yes, Ward 4 Yes, Ward 5 Yes, Ward 6 Abstain = 5-0

Approved

**TOWN OF RIVERDALE PARK
MONDAY, FEBRUARY 5, 2007**

REGULAR LEGISLATIVE MEETING MINUTES

heart, and it should not come with a dollar figure attached to it to motivate someone. So I agree that if your going to do something do it with meaning not because there is a dollar figure attached to it. I agree with CM Kiernan.

Louis King
Queensbury

I don't believe that a dollar amount under several thousand dollars a month could motivate any body to put up with the abuse that you all take. You do something that I will not do and probably could not do. People go into politics do not go into that for money, having selected yourselves to serve. You should be justly compensated for resolving the problems we as a town present to you. We are taking about compensation stemming from 1995 we are talking about 2015 to discussing this again.

Jim Coleman
Somerset Road

Anyone who thinks they are going to get rich over nine-hundred dollars a month that's absolutely insane to me. Knowing the number of times that the Mayor is approached and prodded pretty much everywhere in town even considering lowering the amount come-on, I mean honestly.

Emily Fanning

I am in favor of the increase. I am for giving them their money.

Judy Glas

This is all about Investment, time is an investment. Those people who work for themselves, their time is an investment. For people who want to serve on the council they need that money

Delvin Fanning

I got to hear Emily's arguments over and over in the house. I am a retired University Professor, the average income of University Park over Riverdale Park. People who do want to take the

Danielle Glaros
Sheridan Street

This is the third time this has been presented. What I was startled about was the amount. The amount stands out remarkably. The jump is higher than the surrounding municipalities. I hope something passes tonight

CM Taylor asked if any consideration would be given to an amendment CM Lingua stated that the five years living here he wanted to be involved volunteering on the Rec-board to the point now sitting on the board by appointment. The compensation for Mayor and Council was set-up was more like a stipend. It was set-up that way and I see the other side and it makes sense this needs to be addressed. I thought the numbers were high and this is quite a jump. I think we need an increase to keep up with inflation

CM Lingua makes motion to Amend

CM J Alberto Morales stated that you do not get involved for the amount of compensation. Stating that a 50% increase is acceptable.

Mark Stauffer
Ravenswood Road

Would it be able to include a cost of living adjustment?

Mayor Archer stated that they would have to change the Charter.

**TOWN OF RIVERDALE PARK
MONDAY, FEBRUARY 5, 2007
REGULAR LEGISLATIVE MEETING MINUTES**

CM Oppenheim gave background on research of compensation of other Mayors and Council for municipalities of similar size and budget in the state of Maryland. CM Oppenheim stated that compensation in such municipalities is even higher than what is proposed here. CM Taylor stated that he has received emails in favor of a raise. CM Kiernan stated that there are also municipalities, such as University Park, where Mayor and Council receive no compensation; they do pay for the annual trip to the MML Convention. This is not a full-time job. I can see an increase based on inflation, however I feel tripling the salary is being greedy. I will not support this.

Mayor Archer asked if anyone in the audience is here to comment on this subject please come forward and speak now.

Bruce Warnick
Queensbury

Rob has a good point it's about time for an increase and Gerry also has made a point about inflations perhaps there is a common ground

Guy Tiberio
Taylor Road

An increase is in order but not one to this magnitude. I saw some comparisons used that should not have been used. I am in favor of reducing the amount to what CM Kiernan suggested.

Iris McLauren
Oliver Street

I have not researched this thoroughly –However, I take issue to people suggesting that council is doing it only for the money; I believe this is not the case. I could do so much more, if there was a stipend for all that I do. I am involved in several service organizations and can hardly pay my bills. I support the six-hundred dollars increase as I know first hand that I spend way beyond that with the service organizations I am involved with. Could someone explain if the expenses justify the six-hundred dollar increase? I support the increase. We understand serving on the Council is not a full-time job, but it could be.

Mayor Archer gave background and definition of various expenses
CM Kiernan discussed balance between home, work and town. Members need to find balance.
Mayor Archer stated we need to stay focused on policy.

Marita Novicky
Sheridan Street

I grew-up in politics. No amount of money can pay for the service energy and time that is provided by persons in politics. I do not think its being greedy asking for an increase. People who serve their communities are heroes. I think we need to be in keeping with surrounding municipalities. Does it agree with the budget, can the budget handle it? I think its deserved.

Christopher Henry
Silktree

I am currently the treasurer of the Madison Hill Home Owners Association. I agree with the chairman, I agree this is a volunteer position that if you are going to serve the community, it should come from the

**TOWN OF RIVERDALE PARK
MONDAY, FEBRUARY 5, 2007
REGULAR LEGISLATIVE MEETING MINUTES**

#13 Resolution of Support for Dumm's Corner project
CM Taylor made motion to support Dumm's Corner proposal

CM Donaldson 2nd motion
Approved

Mayor Archer gave background on presentation last Monday and where the Council stood, as far as a commitment to the Spiropolus family. Yet not having a full proposal how much support could we give- we can't completely endorse the project. We agreed to get with Park and Planning Fern Perrott who stated this is a familiar situation, Mayor asked Council to prepare a resolution, however reminding that until there is a formal proposal there is no legal binding obligation of approval by Mayor and Council. Mayor Archer read proposed resolution. (Copies available)

Legal Counsel for the Spiropolus family discussed miscalculations of Mayors reading also 5 spaces short on building 1 and 12 spaces on building 2 --17 parking spaces short at this point and would like to utilize the parking at the marc-train station lot for retail patrons.

Danielle Glaros
Sheridan Street
I thought it was only short 2 parking spaces

Legal Counsel stated yes that is what they originally thought as well; however Dineene Oconnor stated that they were about 17 short.

Ted Spiropolus
Yes, I think if we take into consideration of the community center space, we can take that into consideration for the parking allowance.

Mayor Archer stated that he was with the understanding that it was 5 or fewer parking spaces and now its 17 and no one until now has informed this body.

Legal Counsel stated that they will work together on the parking issues

Audio system interference discussion by CM Oppeheim inaudible
Ted Spiropolus I think the parking will work out

Mayor Archer since this uncertainty we may not want to take a position on this. 17 is a fair amount of space.
CM Oppeheim made a motion to table
No second

**TOWN OF RIVERDALE PARK
MONDAY, FEBRUARY 5, 2007**

REGULAR LEGISLATIVE MEETING MINUTES

Ted Spiropolus stated that tabling and postponing is ridiculous we have been waiting for 2 years, there are issues to be addressed and we will address them to the best of our ability. We need the Councils support. I was hoping we could get through this part and move on.

CM Kiernan gave background about the MUTC and background on this project. CM Kiernan stated that this is the first step to get the process started stating that he is for this project, there will be a lot to still go over but this is a first step.

Bruce Warnick

I believe Pete is asking a lot of this town. Gerry is stating that he will work with Pete to work out the details however; I agree with the Mayor that the parking is a big issue.

Ted Spiropolus parking is a big issue I agree, but we need to start somewhere and there is a lot to work-out we will address and be in compliance once we have clarification from Dineene. I thought we were voting on the big picture.

Guy Tiberio

Subject to meeting standards, with resolution passing they can go forward. You're saying everything else must conform to set guidelines/departures.

Town Administrator Patrick Prangle gave background and recommended perhaps making this subject to further review. This would be a non-binding voice of support.

Legal Counsel gave background of procedure and process that will be taking place.

Pete Spiropolus gave background of his intentions for his buildings and how he came to be here today.

Lou King

Queensbury

After last Mondays meeting on the town email was talk about traffic, now we are here tonight discussing parking. We already have a traffic problem and we are not discussing any mitigation solution, this is just going to put more stress on the traffic and parking situations.

Iris McCullen

My neighbor Roland stated that I spend more time in Hyattsville than in Riverdale. I watched Hyattsville embrace Franklins and its owner Mike. Pete is family. I think the town, I am speaking to my Ward Representative, should embrace Pete, he is family. I think something is missing when we can't embrace them and this project.

Mayor Archer weighed in at this point. Mayor stated that he is looking at all avenues for the best interest for the town. Mayor Archer stated that this project is good for this town and reviewed a check-list reiterating this fact. MUTC stated that this project is not exactly the vision but is within the vision.

Bruce Warnick

Cash on Cash which is my theory of Liquidity taking cash out from higher property for maximum return. I am not sure this property will turn around town center.

Town Administrator Patrick Prangle discussed the non-binding letter of support from the Mayor and Council for the Spiropolus family to produce to the financial lending institutions. CM Taylor stated that he agrees with Pat and wants to support this project.

TOWN OF RIVERDALE PARK
MONDAY, FEBRUARY 5, 2007
REGULAR LEGISLATIVE MEETING MINUTES

Fire Department

Fire Department gave statistic reports 220 emergency calls 4715 Riverdale Rd Chimney Fire, 5520 54th Avenue mattress Fire.

CM Kiernan discussed Section 14/ Article 33 of the Code

CM Kiernan made motion to waive residency requirement for the following positions

Vince Harrison Fire Chief

James Johns Assistant Fire Chief

Mark Fista Fire Marshall

CM Oppenheim 2nd motion

Approved

CM Oppenheim discussed the painting of the curb in front of the Fire Station

CM Kiernan stated Public Works can paint that.

#8 Police Employment Classification plan to include rank of Captain

CM Kiernan made a motion to include the rank of Captain

CM Taylor 2nd motion

Approved

#10 Approval for Historic signs in the Historic District

#11 Modify Chapter 55 / 56

Introduction of Chapter 55

CM Kiernan read introduction of Chapter 55

Introduced

#12 Introduction of Chapter 67 to add to Code ability to abate Health and Safety issues

CM Kiernan stated that there is a problem with the Appeals process, so that was changed and the appeals process will be same as Chapter 55 also the numbering in Chapter 67 runs from 67-1 to 6 then jumps to 67-10 why are the others missing make sure we resolve that question.

CM Kiernan read Chapter 67

Introduced

New Business

Support MCPG1907

Mayor Archer discussed proposed Mc-mansion legislation that would give municipalities the right to create zoning for single family homes, issues regarding parking and size of structures height, size and design. We might at some point in the future want to have some power to deal with these issues, we can. Send a resolution to the Prince Georges Delegation asking for passing of MCPG1907 Mc-mansion Legislation

CM Lingua made motion

CM Oppenheim 2nd motion

Approved

CM Kiernan discussed the vagueness, and what this legislation allows the town to do with authority: concerns over dictating lot coverage.

**TOWN OF RIVERDALE PARK
MONDAY, FEBRUARY 5, 2007
REGULAR LEGISLATIVE MEETING MINUTES**

CM Oppenheim discussed safety issues on Queensbury for the Fire House stating that the Council should perhaps take some interim steps for safety.

CM Oppenheim also discussed safety improvements to the railroad crossing on Queensbury. One suggestion is to close a small section of Lafayette leading traffic onto Natoli which would move the traffic back a ½ block from the railroad crossing. We could easily try this. At the same intersection, Lafayette/Natoli I would like to get some lights over there. Recently while crossing over the railroad tracks I realized how dark it is. Occasionally cars turn onto the railroad tracks thinking its Lafayette, one of the easiest solutions to improving the safety is to add lighting.

CM Oppenheim made a motion to add 2 streetlights to the South West Corner of Lafayette and Queensbury near the crossing, approximate cost of \$3,250.00

CM Lingua 2nd motion

Approved

Chief Parker gave testimony of the safety hazards and incidents at that intersection.

Ron Goff stated that CSX would light up intersection/safety crossing at no cost to the Town. I agree with the installation of 2 lights on Lafayette as well, but I will contact CSX if needed.

CM J. Alberto Morales discussed traffic and speeders going down Greenway, Spring Lane and 54th. CM Morales also discussed the construction sites on 54th requesting that the construction stones are hazardous. L. Ron Goff stated

CM Lingua discusses that the residents on Nicholson have presented a petition requesting speed humps. Mr. Goff if you would like to take a look and report back to me that would be great.

Town Administrator- Treasurer's report

Mr. Prangley stated that the Treasurers report copies are available

CM Kiernan made a motion to accept Treasurers Report subject to audit.

Motion 2nd by CM Taylor.

Approved

Police Department Report

There were a total of 867 calls for the month of January. Chief E. Thomas Parker gave the statistical breakdown of monthly police calls. Chief Parker gave statistic for 2006 showing a reduction in auto thefts and burglary. In the area of speed enforcement either by camera all revenue will go directly to Prince Georges County we are asking for that wording to be changed. It can be placed in a trailer and can operate 24 hours a day.

Public Works Department Director L. Ron Goff, yielded his time to the Town Administrator

Town Administrator Patrick Prangley stated that the Auditor is scheduled to come to the Town on Monday, February 26th .

Ward1 Rob Oppenheim Community Affairs

TOWN OF RIVERDALE PARK
MONDAY, FEBRUARY 5, 2007

REGULAR LEGISLATIVE MEETING MINUTES

The Trolley movie show and walk went well. Will send info to town staff on how to view the podcast of the event. [goto http://www.hyattsvilleh4x.com/index.php?post_id=178334]
Mayor stated it was great.

Ward 3 David Lingua Public Works

Brochures for residents of what you can do in your yard to assist storm water management. Will be meeting with Mr. Shoemaker for solutions on Parking Public Works Committee meeting February 28 @ 7:30 p.m. CM Lingua welcomed Mr. Goff

Ward 4 Lawrence Taylor Economic Development

At the next meeting I am looking forward to being able to share information about the pension fund as well as the numbers on the holiday market.

Ward 5 CM Kiernan Public Safety

No traffic committee meeting tomorrow. Public Safety committee meeting will be next Thursday. The Smith House is on the historic tour in June. MUTC meeting is on Wednesday the topic is the EYA project.

Ward 6 J. Alberto Morales Legislative

Nothing to report yet. I am looking forward to serving the community

Adjournment

CM Lingua made motion to adjourn

CM Taylor 2nd motion

Approved

Transcribed, Summarized and Typed from video tape of 02-05-07 Legislative Meeting.
VWS