

**Town of Perryville
Meeting Minutes
August 5, 2008**

ATTENDANCE: Commissioners: Barbara Brown, James Hansen, Gary Tennis and Alan Fox; Town Administrator: Denise Breder, Financial Coordinator: Peggy Rice, and Police Chief Chris Daly.

The Town Meeting was called to order at 7:03 p.m. by Commissioner Brown who officiated on behalf of the Mayor who was not in attendance.

Pledge to the Flag

APPROVAL OF THE MINUTES

Commissioner Brown had a couple of corrections on page 21, 1st with the first sentence where it reads “this issue before making a decision and at this point is not has not been”, should read this issue before making a decision and at this point it has not been. Also on paragraph 6 on the same page the middle section where it read “was already higher then the 40 feet, so the board wanted to confirm what the height if the building already is,” this should read “so the board wanted to confirm what the height of the building already is.”

MOTION was made by Commissioner Tennis and seconded by Commissioner Hansen to approve the July 1, 2008 Town Meeting Minutes with changes as read. **Three in favor; motion carried.**

(Note: Commissioner Fox arrived at 7:10 p.m., was not present for the approval of the minutes).

Commissioner Brown wanted to give employee recognition on behalf of the Mayor who is not here to a couple of employees who have completed additional training to assist with their jobs. Aaron Ashford successfully completed the OSHA-30 hour General Industry Outreach Training Program on July 18, 2008. Curtis Holcomb successfully completed OSHA-10 hour General Industry Outreach Training Program on June 9, 2008. Curtis also completed 9 units of continuing education in Water Distribution System Operation and Maintenance- August, 2007.

Town Recognition-

Cecil County Tourism presented the Partnership Appreciation Award, 2007/2008 to the Town of Perryville with Special Thanks.

COMMISSIONER'S REPORTS –

COMMISSIONER HANSEN'S REPORT-

PLANNING & ZONING UPDATE

August 2008

PLANNING & ZONING:

Planning & Zoning Meeting was held on 7/21/08 at 6:30pm.

New Business:

File No. FP2008-01- Final Site Plan/Plat Principio Health Center Phase II. PROPERTY OWNER: Perryville Medical Center I, LLC; APPLICANT: Clark Turner Construction, LLC; LOCATION: Route 40, Perryville, MD; Tax Map 29, Parcel 484 & 545, Zoned C-2.

Motion was made by Ms. Thompson and seconded by Ms. Hansen to accept the plan as is with the addition of URS comments and to confirm deed restrictions have been recorded that would require a sidewalk along the frontage when a sidewalk is constructed along adjacent properties, and for the applicant to recheck the number of overall required parking spaces, recheck overall proposed parking spaces, and to have that equal more overall parking to be kept within 10 spaces of those required.

File No. ZC2008-03 – Home Child Care Center. PROPERTY OWNER: Deborah Ingram; APPLICANT: Deborah Ingram; LOCATION: 1475 Clayton Street, Perryville, MD; Tax Map 800, Parcel 460, Zoned R-1.

Motion was made by Matthew Oberholtzer and seconded by Michael Fortner to approve the application for Day Care Center as reviewed by Town Staff and pending receipt of license from the State.

Residential Marine District:

Motion was made by Matthew Oberholtzer and seconded by Betty Thompson to approve the draft text amendment as written by Town Staff which states the building height at 40 feet and grade at the average.

R-2 District:

It was decided to provide further discussion between two proposed options:

1. Eliminate townhouses in the R-2 zone but allow townhouses in developments using PUD (Planned Unit Development).
2. Allow townhouses in the R-2 zone but with less density by having a smaller number of units in a block and larger setback requirements.

Mr. Rogers will propose both options to be discussed at the next meeting in August as a work session item.

BOARD OF APPEALS:

The Board of Appeals held a meeting on Monday, July 28th at 7:00pm.

File No. SE2008-02 – Special Exception Request for a Home-Based Business dba Sue’s Country Flower Shop at 728 Broad Street. PROPERTY OWNER & APPLICANT: Susan Hornbarger; LOCATION: 728 Broad Street, Perryville, MD; Tax Map 801, Parcel 553, Zoned TM.

Motion was made by Bob Matthews and seconded by Amy Chelelat to deny special exception to operate the florist shop due to not meeting the Town of Perryville’s Zoning Ordinance. The use isn’t specified in Section 192 Home-Based Business in either Type 1 or Type 2. Discussion involved retail sales of goods not made on the premises is prohibited, safety issues regarding delivery trucks, no exterior storage or display of goods, and all activities must be in a completely enclosed structure. Ms. Hornbarger was told that the appearance of her site was in disarray and needed to be cleaned up immediately. It was suggested she find a commercial site where zoning requirements would allow her to continue with her business.

COMMISSIONER TENNIS’ REPORT-

The Public Works Department picked up yard waste and bulk trash in accordance with the new schedule in July. Leaves were removed from the gutter pans and sidewalks throughout Town. Rodgers Tavern was cleaned up for the upcoming renovations and broken swings at the mini park were repaired. Helped with preparations for the Diamond in the Rough Triathlon with parking throughout Town. Low hanging branches were trimmed along Frenchtown Road. Water and Sewer is ready for the boat ramp comfort station and electric conduits were installed. Water meters throughout Town were read for the quarterly billing, and bumpers were replaced at the park to discourage parking on the grass. Commissioner Tennis reported that he attended the first of the informational meetings with the Penn National Gaming Group which was here at the Town Hall, which

will be the first of many. They had another one scheduled for last week which he did not attend. Commissioner Tennis believes they met with the American Legion last month and that they are scheduled to meet with the VFW in Port tomorrow night or next week.

COMMISSIONER FOX'S REPORT-

Commissioner Fox apologized for arriving late. Commissioner Fox reported that he along with the rest of the board attended the informational meeting with Stewart and Associates and the Penn National Gaming Group on July 18th at the Town Hall. On July 28th he met with Andy Faschnaught at the Wastewater Plant in the morning and with Larry Frazier at the Water Treatment Plant in the afternoon. Work is continuing at the Water Plant and the move into the new control building was completed last month. The construction has reached a point to where the plant is able to begin transmission to the newly completed areas working partly on the old system and partly on the new system. The plant started using Sodium Hypochlorite as a primary disinfectant for all raw water instead of chlorine which is significantly safer than the old method. At the Wastewater Facility the plant fluent discharge parameters continue to meet levels a lot lower than the permit requirements. The contractor that is going to be doing the construction has put trailers on the site for the new Water Treatment Plant. For the composting operation a local hauler and supplier was located and we usually use Ray's Logging for wood chips. Arrangements were made with the Cecil County Central Landfill to haul and utilize the compost. The County trucks were loaded by our staff with a total of 54 truckloads of compost hauled and used by the County landfill. Ed Class of the Maryland Department of the Environment completed the inspection of the compost operation and noticed two very small pools of standing water and a corrective action was performed in house by installing drains and downspouts. Due to the low flows and the amount of solids inventory we are currently operating only one primary tank with the other on standby mode. One member of the Wastewater staff is scheduled to take the Wastewater exam in September. Commissioner Fox on behalf of the Mayor wanted to thank Cathy McCardell for an outstanding job on revamping the water meter reading billing process months ago and as a result of her effort the time to complete the cycle in reading and billing has been reduced from a month to a week and a half. The continued replacement of old meters and employee training will only improve the process along with the in house billing instead of a third party. Commissioner Fox thanked Commissioner Brown for her effort in making the Triathlon a huge success.

COMMISSIONER BROWN'S REPORT-

Announcements:

- August 9, 2008 Boy Scout Troup 144 will be honoring Tyler S. Weber with an Eagle Scout Court of Honor. Tyler's project was to clear the overgrowth from the north end of the Boat Launch for additional parking.
- August 19, 2008 Two lotteries will be held for the use of the Duck Blinds, there is an early goose hunting season that starts September 1st. The regular duck hunting season has not been posted yet on the DNR website but you will get a chance to participate and learn the dates later. The drawing will be held here in this room at 6:30 p.m. on August the 19th.
Mayor and Commissioner's Work Session, 6:30 p.m., Meeting Room. All work sessions are open to the public.
- August 28, 2008 Perryville Greenway Committee Meeting, 10 a.m. Administrator's Office.

Project Updates:

1. We are working to hire a contractor to complete the electrical hook up at the restroom facility at the boat launch. Mr. Caldwell had to have surgery and that did not allow him time to finish the electrical work. DNR does not want us to wait for Mr. Caldwell's return and says they will pay for the work if we bid it. The bids are out and we hope to keep the project moving.
2. The new walks are continuing in the park as well as additional paving in the main ball field area. I had to wait for the new budget year to have the funds to do this work. This work has really cut down on the dust in the park and it would be nice when we can get it all done.
3. Official word was received yesterday from Richard E. Hall, of the Maryland Heritage Areas Authority, that our Capital Grant that was submitted by Nelson Campbell in March through the Lower Susquehanna Heritage Greenway in the amount of \$100,000 has been awarded for the project entitled "Rodgers Tavern Facilities Readiness Project." I also want to thank Ms. Mary Ann Lisanti, Executive Director of LSHG for presenting this grant before the MHAA Board. I asked her to bring home the bacon when she went to Annapolis and she did. The plans are edging closer to being sent to the

Easement Committee before we can move forward. I will mention also that Ms. Lisanti, Ms. Campbell and I are required to attend a “grantee start up meeting “being held on September 18 in Cambridge.

4. Yesterday we mailed a Community Parks and Playground Grant Application in the amount of \$80,925 that is actually for three separate projects- #1 to replace several sets of bleachers in the community park, add bike racks and some spring riders for 2-5 year olds; #2 to add some benches and bike racks on the new Roundhouse Drive property; #3 to add 2 new spring riders and a bike rack at the mini-park. This grant is for FY 2010 if we are successful.

Meetings & Events I Attended:

July 8, 2008 Attended a meeting of the Cecil County Commissioners concerning Fly Ash. Listened to a presentation by MDE on fly ash and what they seem to be doing as far as regulating the dumping of it. Was present when the County Commissioners passed an Ordinance banning the dumping of fly Ash within the critical area and certain other sensitive locations.

July 10, 2008 Attended Mayor and Commissioner’s work session.

July 12, 2008 Helped and worked with volunteers during the Triathlon. The event went extremely well and I want to thank all of those involved. You represented the Town admirably.

July 15, 2008 Attended the Economic Development Committee meeting at the County Office Building in Elkton. Listened to a slots presentation.

July 17, 2008 Attended the WILMAPCO picnic with Nelson Campbell. It was held in our town park. I have sent a letter to the Executive Director of WILMAPCO asking assistance with planning the inter-town trails/walk ways and we felt it would be good for us to get acquainted.

Attended the MML Harford/Cecil Chapter meeting in Georgetown.

July 18, 2008 Attended the Penn National/Stewart Associates public presentation in Town Hall at noon.
Checked on set up for Little League Championship game. I would like to express my heart felt congratulations on the efforts of the softball team. They played their best.

July 21, 2008 Met with Jim Calao, MD Dept. of Agriculture, to discuss spraying of

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Herbicides and fertilizer on Town park property.

- July 24, 2008 Prepared for and conducted the Perryville Greenway Meeting as Ms. Breder was on vacation. Worked with Nelson Campbell on finalizing a grant to the Cecil Arts Council.
Attended the Council of Governments Meeting at the Elkton Town Hall.
- July 25, 2008 Met at Rodgers Tavern with Nelson Campbell, Peter Pearee, and Mark Morhorst, of Hayles & Howe to discuss the repair of the damaged plaster and mortar at the Tavern.
- July 27, 2008 Attended the Tri-County installation of officers of the American Legion, The Ladies Auxiliary, and the Sons of the American Legion for posts from Elkton, Rising Sun and Perryville.
- July 28, 2008 Nelson Campbell and I attended a strategy meeting for the Maryland Heritage Areas in Easton. This was an important meeting to determine the effects that Heritage Areas have had in revitalization as well as what changes we would like to see. Perryville has done well. I estimate that we have received in excess of 2 million dollars.
- Aug. 4, 2008 Met with Trisha Tarantino, of the Erlich Company to discuss spraying for bag worms and invasive vegetation.
- Aug. 5, 2008 Attended the mandatory pre-bid meeting for completing the expanded parking to be done at the Boat Launch.

Event Form:

The Cecil District Boy Scouts of America want to host the Cecil Districts Fall Camporee in our Community Park. They will be camping overnight for two nights. They would like to use both pavilions, horseshoe pits, one ball field and the grounds inside the perimeter of the park to set their tents. They will be bringing in extra port-a-pots. If approved by this Board, I will ask that the port-a-pots be left in place through the 19th and that the water be left on through the 19th. They enclosed their Certificate of Insurance. There will be approximately 250 scouts and adults. I would like to waive the fees for the pavilions.

MOTION was made by Commissioner Fox and seconded by Commissioner Tennis to approve the request for the use of the park as presented by Commissioner Brown. **All in favor; motion carried.**

Water Distribution Progress Report-URS- Chris Curran

Mr. Curran reported that no additional work occurred at the project site; the contractor is waiting on completion of the new distribution pumps that are part of the Water Treatment Plant project. The operation and maintenance manuals along with as-built drawings were provided. A start-up meeting has been tentatively rescheduled for September 15, 2008.

A request for payment was received in the amount of \$3,000, which URS is recommending payment for from the Town.

MOTION was made by Commissioner Fox and seconded by Commissioner Tennis to approve the request for payment request #15 for the Water Distribution improvements. **All in favor; motion carried.**

Water Plant Project Progress Report-URS- Chris Curran

Mr. Curran reported that there were 106 days until substantial completion of the project and 136 days to final completion of the project. Work completed since the last report was the 6" water line was successfully tested and chlorinated to service the new Control Building and the Filter Building. The operators were relocated to the new control building. Demolition of the existing electrical and mechanical components on the main floor of the Filter Building was started. The flocculation tanks successfully passed the leakage test after the repairs were performed on both tanks. Flocculation Mixers, Telescoping Valves, Weir Boxes and 12" effluent piping from the tanks were installed. Start-up and testing of the Raw Water Pumps was completed. Mid Atlantic Electric has completed the lighting installation on both levels of the Raw Water Pump Station. A temporary 12" finished water line was installed in order to gain access to the existing finished water flow meter vault. The finished water flow meter was relocated to the existing pump gallery of the Filter Building. The existing underground piping adjacent to the sedimentation basin was relocated to install the foundation slab for the proposed Distribution Pump Building. Progress meeting number 14 is scheduled for August 6, 2008 at the project site. A request for payment was received in the amount of \$328,805.62, which URS is recommending payment for from the Town.

MOTION was made by Commissioner Fox and seconded by Commissioner Tennis to approve the request for the payment of request #15 for the Water Treatment Plant Project. **All in favor; motion carried.**

Mr. Curran reported that we do not have a request for payment yet for the Wastewater Contract, the start date was June 30th and it is a 540 day contract. They have secured their permits for the project and have trailers on site.

ADMINISTRATORS REPORT-Denise Breder

Town Administrator's Report Town of Perryville, MD August 5, 2008

- Water Treatment Plant and Distribution System Improvements Projects:
 - URS to give status updates on both the WTP-01-06 and WDSI-05-06 projects
 - A letter was sent to Greensburg Environmental in follow up to last month's Town meeting informing them of the result of their request to reduce the retainage on the WDSI-05-06 project.
 - The Water Supply Capacity Management Plan was sent to MDE's consultant. Mr. Larry Frazier completed most of the required document; I made some minor modifications before submitting. My thanks to Larry for his effort on this document.
 - Mr. Larry Frazier also completed the State II Disinfectant Byproducts plan and sent it to the EPA as required.
- Wastewater Treatment Plant:
 - Requested that URS prepare a listing of pumping station capacities as required by Mr. Randy Denny of MDE from the latest WWTP (and related facilities) full inspection. URS did prepare the listing, which was later revised to include peak factors, and forwarded the information to Mr. Denny.
 - Worked with the WWTP personnel for the acquisition of wood chips for composting.
 - Attended the first Construction Progress meeting that was held for the WWTP project. The meeting was on July 29, 2008 at 10am.
 - *The Final Loan Application was completed, signed and submitted to MDE for the Water Quality Revolving Loan Fund financing portion of the Wastewater Treatment Plant Upgrade project. **In speaking with Alice Scanlon, Loan Officer with MDE, the request will go before the Board of Public Works on August 20. The loan closing date is tentatively scheduled for late September.***
 - Forwarded additional documentation to Ms. Cheryl Guth as required for the loan closing – Mrs. Jackie Sample assisted in the preparation of this documentation and I thank her for that.

- Completed the “Loan Proceeds Questionnaire and Certificate: New Money” for the WWTP Upgrade project and forwarded it to Alice Scanlon, MDE Loan Officer.
- *Amtrak has forwarded a temporary license to utilize their roadway for access to the reed bed area of the WWTP construction project. Once fully reviewed and amended if necessary, the access license will be executed. We are still in process of getting a permanent access right-of-way for use of that roadway.*
The temporary access easement has been executed.
- Cecil County did waive the fees for the Town’s grading and building permits for the WWTP project. The permits have been issued.
- Wrote and sent a letter to Mr. Jag Khuman, Director of the MD Water Quality Financing Administration, regarding the taxability of the loan that the Town will be taking through the revolving loan fund for the WWTP Upgrade Project. Because the Town treats the VA’s sewer and the VA is such a large user, there was some question as to whether or not the Town passed the “private user test” for taxability. Cheryl Guth, the Town’s bond counsel, issued an opinion that the loan would still be tax exempt despite the relationship between the Town and the VA; however, she recommended that the MWQFA’s bond counsel give an opinion as well. I am awaiting the response.
- Annexation
 - Prepared and sent letters to the Department of Legislative Services and the Circuit Court for Cecil County notifying them of the annexation of the Susquehanna Overlook / Happy Valley property. The legal requirement is that the letters be sent to those agencies within 10 days of the effective date of the annexation – this was done.
 - Had some correspondence with the attorney for the proposed annexation of the Cedar Corner LLC property. Also, prepared and distributed packets of the documentation submitted by the petitioner for this annexation to the Board, Mr. Sussman, URS and Ms. Rice. I am awaiting comments on the packets. Also, as a point of clarification, the petitioner submitted an Engineering Analysis in October 2007. It was not forwarded to you previously because I told the petitioner that the fiscal analysis and the traffic study that were included in the analysis were lacking, that they did not meet the requirements set forth by the Town and they would need to be revised. Also, the Board had agreed to “tackle” each annexation consecutively and not concurrently.
- Pier Project update:
 - Participated in a conference call for this project on July 10th at 9am.
 - The Final Review Meeting invitation packets were overnighted to SHA and mailed to other interested parties. The meeting is scheduled for Friday, August 8, 2008 at 10am.

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- July 17th met with Mrs. Mary Ann Skilling to complete the NEPA package for the pier project. The NEPA packet was overnighted to SHA and delivered on Friday, July 18, 2008. Although, it apparently got lost in the SHA offices and was subsequently sent again.
- URS is currently working on the Sediment and Erosion Control Plans and the Storm Water Management Plans for this project.
- I am trying to locate the documentation to prove that the Town acquired the easement from Mr. Fred Linkous using Federal Procurement practices. The
- ROW needs to be approved as part of this project. If any of you has any related documentation, please provide it.
- The Employee Picnic Committee has sent out invitations to the picnic to be held on August 29th.
- July 1st participated in a conference call, set up by Ms. Nelson Campbell, regarding problems with the concession building at the Boat Ramp.
- July 2nd held a staff meeting.
- July 10th Prepared for and attended a Mayor and Commissioners work session.
- July 11th Participated, along with Mrs. Dianna Battaglia (P&Z Coordinator), in a final inspection of the Riverside Center property. The inspection was conducted by Mr. Joe Jones of URS. There were a few corrections that Mr. Georg needed to do; he completed those and I subsequently signed the Use and Occupancy Permit for the High Road School.
- July 15th Attended a Cecil County Economic Development Commission meeting in Elkton to see the presentation by Stewart / Penn National Gaming.
- July 17th Participated in a meeting with Mayor Eberhardt, Chief Daly and the Cecil Partnership for Youth organization. The meeting was to review the prior year grant and make some minor operating changes for the current year grant.
- July 17th Received the final documentation for the TNR program to be conducted in the Community Park, signed the amended proposal and forwarded it to All Paws.
- July 18th Attended a presentation by Penn National Gaming and the Stewarts (Principio Iron Co.) that was held in the Town Hall meeting room. Appropriate notifications were sent to the press prior to the meeting. Both the Cecil Whig and the Record newspapers attended the meeting.
- July 21st – 25th on vacation – Thank you.
- July 30th Attended a meeting with Mrs. Dianna Battaglia, Mr. Chris Rogers, Mr. Kevin Pampuch and Mr. Doug Hill for the Woodlands project.
- Mrs. Cathy McCardell and I prepared help wanted ads for the Planner and Code Inspector Jobs and advertised the positions.
- Corresponded with Ms. Fran McKee of Sprint and other Sprint representatives regarding the application to Cecil County for a Special Exception for the permanent monopole. Sprint's final plans were sent to URS for review. Once final comments are received, I will, as appropriate, sign the Sprint application to Cecil County on behalf of the Town. Additionally, requested from Ms. McKee the check for \$4000 as

required to be paid by Sprint for reimbursement to the Town for costs incurred as related to this project. Sprint did recently send the check.

- Corresponded with Gemcraft for the Frenchtown Crossing development and let them know that the final U&O's will not be signed by the Town until the street lights have been installed. The street lights were a condition of P&Z approval for the project and to date the lights have not been installed. Additionally, Mrs. Battaglia notified Gemcraft that the maintenance of the storm water management and drainage facilities needs to be done before the final U&O's are signed.
- Responded to a memo from ERM, Cecil County's consultant for the Comp Plan, regarding Perryville's goals.
- Cecil County is getting strict on temporary U&O's. A letter was sent by the County to Mr. Mitchell in relation to the temporary U&O's for the Perryville Station development. As a result, Mr. Mitchell did finally pay his past due balance of approximately \$34,000 for Inspection and Review fees.
- I also thank Commissioner Brown, who again chaired the Perryville Greenway Meeting so that I could go on vacation.

TREASURER'S REPORT-Peggy Rice

**Treasurer's Report
Town of Perryville, Maryland
August 5, 2008**

For the Month of July, 2008:

- 157 purchase orders were processed totaling \$282,683.66.
- 138 accounts payable checks were processed totaling \$370,279.10.
- Processed cash receipts totaling \$489,912.51.
- Prepared the June 2008 preliminary month-end closing entries and financial reports.
- Prepared most of the June 30 accounts receivable accruals for year-end.
- On July 2nd, attended a staff meeting with the Town Administrator.
- Received \$4,382.06 on July 10, 2008 from the Cecil County Treasurer's Office for Fiscal Year 2008 Real Estate Tax Revenues collected in June.
- On July 10th, attended the Mayor & Commissioners Worksession. Prepared an analysis for the offer to purchase Land Lease Easement.
- Processed Loan Payment Disbursement Requests 32 and 33 to MDE for the Water Plant Upgrade Projects in July totaling \$503,017.00.
- We received \$1,553,248 from MDE on July 17, 2008 for the Water Plant Upgrades

- We received \$161,682 from MDE on July 20, 2008 and \$122,235 on July 23, 2008 for the Waste Water Treatment Plant Upgrade BNR/ENR.
- Transferred payment to Greensburg Environmental Contracting Systems, Inc. in the amount of \$26,193.10 on July 22, 2008 for the Water Distribution System Improvements.
- Transferred payment to J.L.W. Associates, Inc. in the amount of \$476,824.12 on July 22, 2008 for the Water Treatment Plant.
- We received \$111,591.08 from the VA for FY08 second quarter. \$105,198.41 was for Sewer Service Charges and \$6,392.67 for Bay Restoration Fees. We billed \$82,952.42 to the VA on July 23 for 4th quarter FY08 services (\$74,898.75 in WWTP services and \$7,053.67 in BRF).
- Received our Fiscal Year 2009 Tax Roll. Taxes are due in the amount \$1,315,793.59 (budgeted-\$1,305,764.00)
- During the month, billings for 4th quarter Water totaled \$162,543.78 and Sewer totaled \$160,977.53 (\$146,816.53 Sewer and \$14,161.00 BRF) for a total billed of \$323,521.31.
- During the month, worked on various issues for the Juvenile Outreach Program.
- Reviewed Fiscal Impact Analysis of the Cedar Corner LLC and provided report the Town Administrator.
- Completed Expenditure report for State Highway Administration for Highway User Revenues.
- Completed Form 3 for the State Aid for Police Protection Grant for Fiscal Year 2008.

Ms. Rice stated that the Financial Statement Summary for the month of June 30 is a preliminary report. For the MTD for the General Fund was at a deficit of (\$200,749.75) and a YTD surplus of \$88,666.83. The water fund MTD was a surplus of \$147,325.07 and a YTD surplus of \$298,896.36. The sewer fund MTD was a surplus of \$394,257.41 and a YTD surplus of \$470,750.19.

The bank balances for PNC; the balance was \$786,033.13 for the MD Government Investment Pool the balance is \$2,842,203.02, for Bay First Bank it is \$705,214.76 for Bank First \$2,500.00, and for NBRS it is \$70,149.70, for a grand total of \$4,406,100.61.

Commissioner Brown inquired if the Bay 1st accounts were just going to rollover to PNC.

Ms. Rice replied that on Monday the 11th the PNC branch on Craigtown Road will close and reopen as PNC at the Bay 1st location.

Commissioner Brown inquired if the two accounts were going to be combined into one.

Ms. Rice indicated there will be two accounts at the same bank.

Perryville Police Department Outreach Program-

Chief Daly reported that there were 18 individual sessions and 5 parent sessions. Some activities scheduled were on July 1st and 2nd NYC Cultural Experience, a Lancaster Historic Ghost Tour, Community Service Day- setting up for the Triathlon and a trip to Medieval Times. Chief Daly thanked Officer Al Miller for donating Iron Bird tickets for the 7/10 game. On 7/17 Ms. Michelle met with Ann Stubb regarding a Mother/ Daughter Day retreat in September. On 7/23 home visits were completed. Interviews were completed this month for the part time job opening and a new hire will be announced shortly. Chief Daly announced on behalf of Ms. Michelle a new program that is being started which is a life skills class taught by Mr. Ernie. The areas range from anger management, abuse, driving a car to general health. These classes will be every Tuesday starting with the 5th of August. Director Michelle Lewis highly recommends these classes and although not mandatory they are imperative to gaining an upper hand on your child's life. Anyone that wants more information or has questions may contact Ms. Michelle at 410-642-6728 at the Outreach Building.

Monthly Police Report-July

MONTH	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEP	OCT
CRIME										
ROBBERY	1		0	2	0	0	0			
ASSAULT	8	2	8	5	4	5	4			
BURGLARY	1	0	0	3	1	0	0			
THEFT	21	12	17	10	13	15	17			
AUTO THEFT	0	2	1	0	0	0	0			
CDS	4	1	2	1	1	1	1			

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DISORDERLY	12	7	15	12	8	21	22
MDOP	10	6	12	2	10	6	14
ADULT ARRESTS	2	4	3	4	7	1	17
JUV. ARRESTS	2	0	3	0	0	4	3
TRAFFIC CITATIONS	12	3	15	9	18	15	11
WARNINGS	10	32	20	25	20	11	12
SEROS PARKING VIOLATIONS	8	9	5	8	10	6	5 3
BOAT RAMP VIOLATIONS							2
ACCIDE NTS	11	7		9	5	8	7
CALLS	220	122	236	209	220	207	256

Perryville Police Department Chief's Report-

On July 2nd attended a staff meeting and on July 15 a DES radio meeting, and on July 28 attended a meeting with school officials at Perryville Middle School.

Announcements:

On August 11, 2008 between 0800 and 1300 hours an Emergency Preparedness Drill will be conducted at the Perryville Middle School. This training involves Perryville Police Department, Perryville Fire Company, School Board, Department of Emergency services and surrounding Law Enforcement Agencies.

Commissioner Brown thanked the Police Outreach Group volunteers for their assistance with helping Mr. Semmel set up for the Triathlon, they started doing this last year and did a great job and did a great job again this year.

Commissioner Brown asked that the from the floor comments be limited to five minutes do to the amount of people that are present to speak and for Chief Daly to clock the time.

FROM THE FLOOR

Pamela Hancock, 1524 Frenchtown Road, commented that she is a Perryville Park cat feeder and possibly the first person to be banned from the park. Ms. Hancock believed that up until July 23rd she was part of the TNR project with Dr. Carletti, Ms. Calhoun, and Ms. Galasso. She stated that on various occasions Ms. Calhoun had called her to meet her at the park to ask her knowledge about the park cats or to identify cats brought to the vet. Mrs. Hancock stated that she and her husband were on their way to the park and Ms. Galasso pulled up beside them and indicated that she was glad to see her because she had been attempting to contact her throughout the weekend because they were going to be doing trapping that day. Ms. Galasso stated if she did not want to do that it would be fine she could go home. Mrs. Hancock agreed to stay and helped for about four hours and was going to have her husband pick her up later. Mrs. Hancock indicated that Officer Miller had arrived about an hour after they got there after receiving information that the cats were being trapped to make sure that the appropriate people were trapping them. Mrs. Hancock commented that Ms. Galasso offered to give her a ride back home at which time she shared with her that they did plan to embellish, (believed to mean eradicate), some of the cats at the park. Mrs. Hancock indicated that they were supposed to meet the next day at the park and she arrived at 7 am and waited for three hours for someone to show up. Mrs. Hancock indicated that Ms. Galasso had removed a cat from the park the day before that had kittens about a week and a half or so ago and Mrs. Hancock became concerned with the condition of the kittens and Ms. Galasso indicated that she would release the cat back to the park. Mrs. Hancock became more concerned when it was 10 a.m. and nobody had showed up and the forecast was calling for torrential rain. Mrs. Hancock went home and got a can of tuna and was on her way back to the park about an hour later when she came upon Ms. Calhoun and Ms. Galasso who stated that they had released the mother cat and had released some of the other cats that were trapped previously. Mrs. Hancock stated that she was a little upset that she was not there to know which cats got released.

Chief Daly notified Commissioner Brown that it had been six minutes.

Commissioner Brown gave Mrs. Hancock 60 more seconds to finish.

Mrs. Hancock stated that Commissioner Brown had pulled up as well and asked Ms. Galasso and Ms. Calhoun if everything was ok. Commissioner Brown walked away and met with the Park Warden. Mrs. Hancock was under the impression that they were trapping which was what she understood they were having her meet them for. Mrs. Hancock stated that when she inquired if that is they were trapping today Ms. Galasso walked away and said that they were not going to be trapping today. When Mrs. Hancock asked when the next day would be Ms. Galasso turned to her and stated that she knows Mrs. Hancock saw the contract. Mrs. Hancock indicated that she did not know what she

was talking about at the time so she asked her what she was talking about. Ms. Galasso said that her name was on the contract then scratched off.

Chief Daly indicated that the minute was up.

A resident, (believed to be Mrs. Hancock's spouse), stated that she could have his five minutes.

Commissioner Brown indicated that she was not going to get his five minutes if he wanted to speak he can take her place and she was to sit down.

The resident got up to the podium and stated that he would like Pam Hancock to speak in proxy for him.

Keith Baynes, the Town Attorney, indicated that he cannot do that.

Mrs. Hancock stated that she was simply trying to state her issues and find out what happened and why she was banned from the Perryville Park today and denied a Police Report by Chief Daly who informed her she would have to get a lawyer, file a lawsuit and get a subpoena on false criminal accusations.

Commissioner Tennis asked Mrs. Hancock if she was part of the TNR program.

Mrs. Hancock indicated that she thought she was.

Commissioner Tennis asked her if she signed the waiver that they had.

Mrs. Hancock asked them for it and they said that she needed to be an employee.

Commissioner Tennis indicated that this is the problem she has not signed on as part of the TNR program and this Government had given this organization the ok to run the TNR program.

Mrs. Hancock indicated that up until today she thought she was part of the program and that they never offered her the release.

Commissioner Tennis indicated that she is not part of the program then.

Mrs. Hancock stated that she was falsely accused of something and wants to know the reason that she was banned from the park she indicated that she did not have to be part of the TNR program.

Commissioner Brown indicated that we had received correspondence from the Police Chief and she is not going to make any comments concerning his actions simply because there may be future actions that she does not want to be part of. Commissioner Brown indicated that there are ways to request this information and this is not the place to do it.

Mrs. Hancock commented that she went to the County Commissioners office and the States Attorney's office who both advised her to come to a public forum. Mrs. Hancock indicated that she had offered her help and her help was taken then she gets banned from the park for just taking pictures.

Commissioner Brown asked Mrs. Hancock again to please sit down.

Chief Daly asked Mrs. Hancock to stop by his office in the morning.

Mrs. Hancock stated that she would not stop by his office in the morning if nobody will do anything in a public setting.

A resident stated that he was upset about how this was being handled. The resident indicated that Mrs. Hancock has picked up trash from the park for the past ten years and had volunteered for various cleanup projects throughout Town yet gets falsely accused of something and gets banned from the park. The resident indicated that no report was made or information given to her or investigation into it then gets rushed out of the Town Hall. The resident wished that the ban could be lifted.

Commissioner Brown indicated that she does not know the story behind it but if there is any pending legal action it is not up to this board to make any decisions as to why she was banned, I was not there and do not believe that any of these other board members were there. Commissioner Brown commented that Mrs. Hancock had indicated that Commissioner Brown was out at the park one of the days and Commissioner Brown stated that she was there to speak to the Park Warden.

Mrs. Hancock indicated that she would take this up at another forum since she feels she was shut down.

Mrs. Campbell was present to support Pam and all of the park volunteers who feed the animal's everyday no matter what the weather is. Mrs. Campbell requested that a separate meeting with the Mayor and Commissioners and the constituents of Perryville concerning the pets, whether cats or dogs in the Perryville Park based on concerns from her. Mrs. Campbell indicated that they have not seen much of what All Paws has been doing and would like to see some form of regulations on what is being done. Mrs. Campbell indicated that the cats have not been returned and she has heard that

it is because there have been threats made against the cats and that other agencies are trapping the cats to destroy them.

Chief Daly informed Commissioner Brown that it had been five minutes.

Mrs. Campbell requested that a sign be put at the entrance of the park by the Town that the dumping of animals of any kind is against the law and that people should be prosecuted to the fullest degree of the law if found guilty of dumping the animals.

Rev. John Gauger, who resides at 1473 Principio Furnace Road, inquired where the proper forum would be to discuss the issue of the citizen being banned from the park would be since Commissioner Brown indicated that this is not the proper forum.

Commissioner Brown indicated that her understanding from the Chief is that there is an ongoing issue with him and Mrs. Hancock with particulars that Commissioner Brown is not privy to. Commissioner Brown does not want to say or do anything tonight that may compromise anything that he has going on. Commissioner Brown wanted to state that Mrs. Hancock has not been the only person ever banned from the park; there have been many others for various reasons. Commissioner Brown commented that people breaking the law have the right to be removed from the park.

Mrs. Hancock took exception to that statement that she felt indicated she was breaking the law and became upset and was asked to leave the building.

Rev. Gauger inquired if it is possible that the Town is pursuing legal action.

Commissioner Brown did not know if they are or not the memo that she received as well as the rest of the board indicated that they could be and she does not want to do anything that will jeopardize whatever happens, it is a police issue.

Rev. Gauger inquired how an interested citizen could help assist Mrs. Hancock with her situation.

Commissioner Brown commented that when the program was voted on by the board there were parameters set on how the program was going to be run and the liability issues were believed to be answered by our council through the paperwork that All Paws and Dr. Carletti filled out. Commissioner Brown wants what is best for the cats and the program cannot work if there is interference or if people are not covered legally from a liability standpoint. It is my understanding from what I have heard Mrs. Hancock is not one of the people that turned in a form.

Rev. Gauger indicated that he would be willing to pursue talking to Chief Daly privately.

Chief Daly stated that he is trying to resolve this matter without any criminal charges being placed on anyone if he doesn't get cooperation that is difficult to do. Chief Daly informed Rev. Gauger that he would be available on Thursday morning if he wanted to talk to him.

Cory McCall, who resides at 1506 Frenchtown Road, questioned if Mrs. Hancock was ever given the legal release to be part of the program.

Ms. Breder indicated that the information was forwarded to All Paws and it was up to them to provide us with the documentation.

Ms. McCall indicated that Mrs. Hancock believed that she was part of the program and had assisted them a couple of hours on one of the days.

A representative from All Paws indicated that they were trying to get feeders involved but not offering to have them trap.

Commissioner Fox indicated that he walks every morning and saw Mrs. Hancock assisting them with trapping one morning without a release.

A representative from All Paws indicated that the first morning she did until the officer came in and said that only the people on the contract were allowed to trap.

Commissioner Fox inquired if she was then given the opportunity to sign a release.

The representative from All Paws indicated that Ms. Breder was on vacation and that she was under the impression that it was turned in to them and that we only wanted employees of All Paws were to sign the releases for liability reasons.

Ms. Breder indicated that Mrs. Hancock's name was on the original release as a feeder. Ms. Galasso had asked for her to be removed from that so when I returned the contract I crossed her name off and initialed it and sent it back to All Paws and asked them to initial it and return it back to me. It was my understanding that she was removed because no release was provided, whether one was offered to her is out of my hands.

Dr. Carletti commented that originally she had not been offered one because she had been actively involved in the same capacity that she had been for the past ten years in helping maintain the colonies.

Dr. Carletti commented that we are simply asking for cooperation when trapping the cats they need to be hungry to get trapped and once we spay and neuter them and document records according to the regulations established they are returned to the colony. We have returned over 20 cats since this started, every cat is inventoried.

Ms. McCall inquired why her name was omitted if she was originally part of the program as a feeder.

Dr. Carletti indicated that she did not sign the release.

Ms. McCall was informed that her five minutes was up at which time she stated that she thinks that there should be a separate meeting with the Mayor and the board to further discuss the issues since she does not feel Mrs. Hancock was given the opportunity to sign the release.

Commissioner Brown stated that Ms. McCall would have to set that up with the Mayor.

Austin Amos, 1544 Perryville Road, commented that he worked at Perry Point in 1960 and the cats were there then that were dropped off and the patients and employees would feed them which is why we have the colony of cats there today. Mr. Amos commented that regardless of how many you trap more will continue to be brought in unless the VA gets involved in the TNR program along with the Town.

Brenda Miller, who resides at 428 Susquehanna Avenue, discussed ongoing issues regarding a Tenant/Landlord Ordinance that the board was asked to initiate four years ago. Ms. Miller commented that there has been no action at all and feels that the area between Otsego and Elm Street does not exist to the Town. Mrs. Miller also was made aware that we do not have a code enforcement person at this time but feels that there are plenty of other people at Town Hall that should be able to handle that. Mrs. Miller commented that there is another vacant house left recently because they could not stand the area and a vacant house from two years ago not being attended to and not selling. Mrs. Miller stated that there is trash in people's yards and hoodlums in the street all of the time and police activity constantly. Mrs. Miller commented that you cannot even sit on your porch or drive down the street without getting stared at or heckled at. Mrs. Miller stated that it has also become a drag strip when the friends go by they peel wheels on the street and someone is going to get hurt one of these days. Mrs. Miller wanted to know what was going to be done to resolve these issues.

Commissioner Fox indicated that although he is new he did grow up in that part of Town and will do what is necessary to work with you. Commissioner Fox did have a

conversation with the Administrator about filling the position of the Code Enforcement Officer.

Christi Moore commented that she had filed two complaints and was told that Mr. Powell no longer worked there. She commented that if the person that did the paychecks quit somebody would have to do that. Ms. Moore indicated that this is not any different.

Ms. Breder commented that they have been reactionary with code enforcement they have advertised for the position and she has interviewed one person and is conducting two more interviews on Wednesday and hopefully the position will be filled and we will get some teeth into the codes.

Mrs. Miller asked who is going to do it now.

Ms. Breder indicated that she has been reactionary but cannot do everything.

Mrs. Miller commented that there are people in place to help you, there is a Maintenance Department that 25 years ago used to mow people's lawn that did not maintain there grass and give them a bill. Mrs. Miller wants to know what we are going to do now not in the future.

Commissioner Brown commented that this problem is not new it is bad up her way too she cannot sleep with the windows open because of the noise. Commissioner Brown commented that because the Code Enforcement Officer retired is not an excuse, a new one needs to get hired that will do Code Enforcement and she hopes that we are working on it. Commissioner Brown commented that we are not as aggressive as we could be and she is going to push forward in doing something about it.

Mrs. Miller inquired what her thoughts were about a Landlord/Tenant Ordinance.

Commissioner Brown believes that we do need an Ordinance and she has talked to some other towns that have them and we would need to make sure that it is totally enforceable. Commissioner Brown commented that we would also need to establish an absentee Landlord Agreement indicating that they are going to monitor their properties and rent to qualifying people not just collect a check. Commissioner Brown indicated that it will take a lot to do that and she and Commissioner Fox cannot do this by themselves.

Mrs. Miller indicated that if something is not done in the next few months her house will be going on the market too she cannot put up with it any longer.

Rev. Gauger inquired if there was a possibility of contracting a Code Enforcement Officer while we are looking for a permanent one or borrowing one from North East.

Ms. Breder indicated that she did look into contracting someone for Code Enforcement and could not find anyone for the Cecil or Harford County area, she found some for Baltimore County and City, Pennsylvania, which is why we then put the advertisement in to hire someone. Ms. Breder hopes to have someone hired within the next couple of weeks.

Mrs. Miller asked Ms. Breder if she had talked to her husband, she stated that he would have some input that could assist us. Mrs. Miller indicated that there has been junk that sits out in front of properties for months and the Town truck goes right by it.

Commissioner Brown commented that heavy trash must be called in to be collected on the bulk trash day they cannot just pick something up and have the owner come back and try to sue us for taking something that belonged to them.

Commissioner Brown commented that her five minutes had passed.

Mrs. Miller commented that one of the problem residents had made a false report about her at her work and she had asked Chief Daly for his assistance by having him send a letter to her bosses.

Chief Daly commented that he had sent a letter of recommendation explaining that Mrs. Miller was involved as a witness in a criminal case against one of the residents and that their accusations were totally unfounded.

Chief Daly offered to have the Police Department take over the Code Enforcement temporarily until we find a Code Enforcement Officer.

Commissioner Brown commented that she would not have a problem with it as long as Ms. Breder did not because by Charter the Code Enforcement is through her but as long as you are working with her I would not see a problem with that.

Ms. Breder commented that between the Police and Public Works they will have to disseminate to the appropriate people.

Sharon Alexander, who resides at 1526 Frenchtown Road, is asking that the Mayor and Commissioners take other Towns that are similar to our demographics and do a study to determine the impact that slots have had on them both positive and negative. Ms. Alexander commented that we would want to find out what revenue was promised to

them and if they really got what was promised and where the revenue was put and if it was worth it. Ms. Alexander commented that you would also probably have people coming in from other locations looking for jobs and renting from Absentee Landlords adding to the existing problems. Ms. Alexander commented that the Juvenile Outreach Program will probably be busting at the seams, you will need more things for teenagers to do and more after school programs. Ms. Alexander commented that she wants to see us be proactive on this by having a Plan A and Plan B & C to fall back on if the first plan does not work. Another issue that Ms. Alexander wanted to bring up was the shoes thrown over the wires and why we cannot get the Electric Company to take them down. Ms. Alexander commented that if you take them down they will stop doing it.

Ms. Breder commented that the Town has contacted the Government Affairs Office of Conectiv Power Company about having them remove the shoes that are placed over the wires. Ms. Breder commented that they did say that they would remove them although they did not say when; Verizon flat out refuses to remove them.

Commissioner Brown indicated that she intends to be proactive on the slots issue for whatever may come and at this point she does not know what that will be.

Ms. Alexander does not want to have them tell us what is good for the Town.

Commissioner Brown indicated that when the slots issue was originally presented by the past Governor a few years ago and we contacted the Dover Chamber of Commerce and businesses in the area to see what we could possibly be getting into. Commissioner Brown commented that the only feedback that they received was from the Mayor of Dover who stated that if we get them get enough out of them. Commissioner Brown commented that although she personally does like to gamble her decision will be based on what is best for the Town not her personal decision. Commissioner Brown commented that she has attended three meetings so far and encouraged everyone to attend those meetings.

A resident commented that they are not made aware when the meetings are being held.

Commissioner Brown commented that they did do a presentation for us and we tried to get the word out but unfortunately we were not given much notice either.

Commissioner Brown commented that the other meeting was with the Economic Development Commission that was in Elkton in which we get copies of their agendas and invitations. Commissioner Brown commented that the other one was sent to all Chamber members which she attended because she is a member of the Perryville Chamber of Commerce.

Rev. Gauger commented that he did not get one of those invitations for the Chamber members.

Commissioner Brown replied that she had heard that several Chamber members did not get theirs either.

Mrs. Miller inquired if there was an Ordinance about trash going into receptacles before being put out.

Ms. Breder commented that she believes that there is a Refuse Ordinance in the regular section not the zoning section.

Pam Roth, who resides at 359 Elm Street, commented that the reason they stay where they are is because of the good friends that they have made over the years and it upsets her to see people leaving because of the surroundings and hearing of their neighbors talking about leaving. Mrs. Roth commented that she does not even want to take her grandchildren out on the front porch because of the language being used. Mrs. Roth would appreciate anything that can be done to help with this situation. Mrs. Roth commented that her car was egged on Saturday in broad daylight between 8:30 a.m. and 10:30 a.m.

Commissioner Brown wanted to thank Mr. and Mrs. Roath with their help with the Triathlon. Commissioner Brown commented that unfortunately there are people in Town that just do not care and she sympathizes with those that are here to complain about it.

OLD BUSINESS-

Ms. Breder read a brief description of Ordinance 2008-2 as follows:

An Ordinance amending portions of Chapter 84 of the Code of Perryville, entitled Comprehensive Zoning Ordinance and Maps of the Town of Perryville, to permit multi-family apartments in the Residential Marine District (RM) with conditions and to revise the maximum height of all multi-family apartments in all zones to provide consistency with the height requirements in other sections of the Code.

Commissioner Brown commented that it was tabled last month and recalls that one of the things that we wanted to get was the recommendation of the Planning and Zoning Board.

Ms. Breder commented that Chris Rogers came before the board last month at the Work Session to explain the Ordinance and the Planning and Zoning board had made their recommendation which she believes Commissioner Hansen read earlier. Ms. Breder read the following recommendation: Motion was made by Matthew Oberholtzer and seconded by Betty Thompson to approve the draft text amendment as written by Town Staff which states the building height at 40 feet and grade at the average. All in Favor motion carried.

Commissioner Brown asked if anyone else on the board had any questions and did we ever determine the height of the buildings that have been built.

Ms. Breder commented that they could not locate Owen's Landing construction plans in time for the meeting. Perryville Yacht Club Phase I which was approved under the old Zoning Ordinance which had a grade elevation on the Roundhouse Drive side of 39 ½ ft which was from the ground level of the building to the mid point of the gable. Ms. Breder commented that from the rear of the building it was 48.5 ft. which according to what she is reading and what our consultant told us the building was consistent with the way the old Ordinance was written up. Ms. Breder commented that the front elevation facing old River Road at McMullan's Landing from the midway point of the roof is 36 ½ ft. The rear elevation to the midway point of the roof is 44 ½ ft meeting the requirements under the old Ordinance.

Mr. Amos was hearing that this Ordinance was allowing the height requirement to be 55 ft. high which brings up a concern for Fire Rescue.

Commissioner Brown commented that the height requirement came in question with the new waterfront properties development which with this new Ordinance was developed to bring the height in line with a 40 ft. maximum height requirement. Commissioner Brown commented that she was only aware of one other building getting a variance on the height which was the IKEA building because of specific circumstances, no people there and a sprinkler system.

Ms. Breder wanted to clarify that she believes that the 55 ft. that Mr. Amos mentioned came from a developer that went before the Planning and Zoning Board wanting a variance request for 55 ft. but was denied.

Mr. Amos also commented that there needs to be No Parking Signs put up in the Royal Farms area along Route 222 where truck drivers continue to park.

Commissioner Brown commented that she has been trying to get the State Highway to put up signs so that it can be enforced.

Officer Budnick indicated that they have been issuing traffic citations for that because it is part of the roadway now with the two lanes.

NEW BUSINESS-

Ms. Rice presented Resolution 2008-15 budget amendments to allocate funds for the purchase of a leaf blower and to reduce the budget for a property purchase that actually occurred in Fiscal Year 2008

MOTION was made by Commissioner Fox and seconded by Commissioner Tennis to approve Resolution 2008-15 budget amendments for fiscal year 2009. **All in favor; motion carried**

Ms. Breder presented a request from the Beacon Point Homeowners Association for the Mayor and Commissioner's to take over the payment of the Electric bill for the street lights. This request was presented last year and the board voted to take over the payments once the infrastructure would be turned over to the Town, which at this point still has not been done. Ms. Breder has been working with Crouse although over the last couple of months has not been getting any response from them. Ms. Breder commented that she believes that they had consulted with G.W. Stephens for preparing an as-builts punch list and we responded to them that they needed to do some monumentation and that Crouse had gotten some pricing from G.W. Stephens regarding the pricing for the monumentation and that was the last that she had heard from them. Ms. Breder commented that Mr. Baynes, the Town Attorney did look into the Public Works Agreement and the bonds and he informed us that we can proceed with having this work done under the bonds after taking the legal action necessary to draw down the bonds.

Commissioner Brown asked where that leaves us for the paying of these bills.

Mr. Baynes commented that the process would be at least a couple of months.

Commissioner Tennis inquired if the bond money can be used to pay the electric for the street lights.

Mr. Baynes stated that it could not be used for that it was for the construction requirements.

Commissioner Brown inquired if we had any idea what the amount of the bond was.

Ms. Breder indicated that she believed that it was over a million dollars.

MOTION was made by Commissioner Tennis and seconded by Commissioner Fox to start the process to draw on the bonds to get the job finished at Beacon Point so that we can take over the infrastructure. **All in favor; motion carried**

Ms. Breder inquired what we were to do with the Beacon Point request until then.

Commissioner Brown commented that we cannot legally pay the Utility bill until we take over the infrastructure and we will need to send them a letter explaining what we are going to do.

The petition for Garrett Island was not going to be presented; Ms. Barrow was not going to be able to attend. Commissioner Tennis commented that Ms. Barrow had started the petition to keep Garrett Island open and get the Blackwater Refuge people the information they need to open up the island. Commissioner Tennis commented that he is working to get a meeting scheduled and advertised to be held at the American Legion and for anyone that has signed the petition he will call and notify them if they left a contact number on there. Commissioner Tennis commented that they did offer the Blackwater Refuge group a kiosk at the new Comfort Station to distribute materials.

Commissioner Brown inquired if he has had any direct contact with the lady that they met with at the Firehouse or anyone from that organization. Commissioner Brown commented that she had talked to some members from the Cecil Land Trust who is also interested in getting an organization together. Commissioner Brown commented that they had sent correspondence to the Blackwater Refuge Group but had not gotten a response.

Commissioner Tennis commented that he does intend for Ms. Barrow to come to the next Town Meeting to present the Petition.

The next item on the agenda was a Professional Service Agreement with Stewart Associates and the Town of Perryville.

Commissioner Brown indicated that this agreement was prepared with suggestions from Ms. Breder on how we want to handle it. Commissioner Brown commented that this afternoon we received correspondence from Mr. Thomey in regard to the agreement. Commissioner Brown inquired if Mr. Thomey was representing both Stewart Associates and Penn National.

Ms. Breder was not sure; he has been the only legal contact that Mr. Sussman has had for this project.

Commissioner Brown commented that one of the recommendations that she saw from Mr. Sussman was to meet this planning consultant that we are looking to assisting

us. Commissioner Brown commented that she does not want to incur any cost until this agreement is signed even though this group said that they would pay any cost, it needs to be in writing. Commissioner Brown commented that we just received an amendment to this contract and there is no way she would be comfortable in signing this after reading the last page. Commissioner Brown indicated that we should pursue this contract but have Ms. Breder finish negotiations on this agreement the way that it should be. Commissioner Brown inquired if Ms. Breder was looking for a motion or how she wanted to handle this.

Ms. Breder commented that she would leave that up to Commissioner Brown and the board. Ms. Breder indicated that she would not be comfortable negotiating anything on number 14. Ms. Breder commented that after speaking to Mr. Vaughn from Stewart Associates he informed her that they just wanted to make sure that if this board decides to go with this agreement we would not then support another organization to do gaming in Perryville. Ms. Breder commented that is how she is reading it, it almost goes against another section in the agreement which states that we are not binding ourselves to anything.

Commissioner Brown indicated that she is not comfortable with this agreement as it is now. Commissioner Brown commented that she understands Ms. Breder not being comfortable with negotiating this that it probably needs to be a sit down to iron out the details, she inquired if we would be able to do this the night of the 19th at the Work Session and if so since it is a contract negotiation if it will be a closed session.

Ms. Breder commented that under the State Law it could possibly be a closed session given the popularity of the topic, she does not know if she would necessarily recommend it.

Mr. Baynes commented that although Mr. Sussman will be representing us on this issue although his opinion as Town Council the discussion and negotiations could be done in a private Executive Session and once the negotiations are finalized be presented in a Public Meeting.

Ms. Breder wanted to clarify what she meant by saying that she would not be comfortable with, she would be comfortable in negotiations with Mr. Sussman's Council to have an agreement to put before you. Ms. Breder commented that she would not be comfortable in saying that we are going to approve now whatever you are going to agree too. Ms. Breder commented that option number 1 was to get the agreement on the Agenda for the August Town Meeting and adopt it in concept and give someone the authorization to finish negotiations.

Commissioner Brown commented that this changed when we received the reply to the agreement.

Ms. Breder commented that she could continue to work on the negotiations and have something to put before them at the August Work Session or the next Town Meeting.

Commissioner Brown commented that we can have Denise continue to iron out some of the issues and if it can be ready for discussion at the August 19th Work Session and it needs to be an Executive Session we can say that at the time.

Betty Thompson inquired what Stewart and Associates were requesting.

Commissioner Brown commented that this is a Professional Services Agreement for an impact study regarding slots and that any cost incurred would be paid for by them, we are being proactive.

Mr. Baynes commented that it is to cover the Town costs during this process.

Commissioner Brown commented that this will happen whether the referendum happens or not, if it does not happen then we will stop whatever we are doing, if it does pass then we will have a step up to where we need to be.

Ms. Breder commented that as Commissioner Brown indicated previously she would not want to be comfortable entering into any type of agreement and incurring more financial liability to the Town until an agreement was signed with Stewart and Associates and P&G saying that they are going to reimburse the Town. Ms. Breder presented the Planning Consultant Proposal that would be hired to draft the zoning text amendments to allow the use of slots in that zone. Ms. Breder commented that there were two firms that Mr. Sussman recommended; however the other firm declined to participate in it.

Commissioner Brown commented that it was an impressive proposal and we will need to sit down and discuss this after the Professional Services Agreement is signed.

Commissioner Brown presented the next item on the agenda which was a Council of Governments Agreement. Commissioner Brown briefly summarized what the Council of Governments was. Commissioner Brown commented that a couple of years ago the County resurrected a group consisting of County Commissioners, some staff and usually the Mayors of the Towns in the County. Commissioner Brown commented that Mayor Eberhardt had asked her to also attend the meetings with him and to fill in when he is obligated to another meeting. Commissioner Brown commented that the draft document was brought before the Council of Governments at the last meeting and that there were a

few items that needed to be tweaked but would not change the basic concept of what the document is about. Commissioner Brown read the Mission Statement as follows: The Cecil County Council of Governments is a voluntary association of Municipal Governments in Cecil County organized to provide a forum for discussion and cooperative action on issues of common concern that go beyond jurisdictional boundaries. The goal of the Cecil County Government is to examine opportunities for further intergovernmental cooperative actions and provide cost-effective governmental services.

Commissioner Brown indicated that it is by-laws for the group which is basically set up for us agreeing to work together with this organization. Commissioner Brown was asking that we accept them in concept and when the finalized version comes in the Mayor will share them with us.

Mr. Baynes inquired how that worked, if the County gets three votes and the Municipalities are just allowed one.

Commissioner Brown commented that this concern was brought up at the meeting but they determined that even if the County has their three votes the Municipalities could out vote them if they needed to. Commissioner Brown indicated that the attendance by the County Commissioners has not been too good.

MOTION was made by Commissioner Fox and seconded by Commissioner Tennis to accept the Council of Governments Bylaws in concept. **All in favor; motion carried**

Ms. Breder presented a Donation request that was previously submitted in May for the June Town Meeting for Cecil County Outstanding Teen, Aleesha Noel. The board had brought up concerns regarding who the donation would be made payable to. Ms. Breder indicated that she had finally received notification from the Executive Director for the Miss Cecil County, Miss Northern Maryland, and Miss Cecil County's Outstanding Teen Pageants that the check could be made payable to the Miss Cecil County Scholarship Organization.

Commissioner Brown inquired if there were any stipulation that the money go as a scholarship.

Ms. Breder indicated that it would probably go to her to answer her original request to help her so that she could participate in some of the events which are rigorous and she wants to represent Cecil County.

MOTION was made by Commissioner Fox and seconded by Commissioner Tennis not donate to this Organization. **All in favor; motion carried**

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MOTION was made by Commissioner Fox and seconded by Commissioner Tennis to adjourn the August 5, 2008 Town Meeting at 9:45 p.m. **All in favor; motion carried**

Respectfully submitted,

Jackie Sample,
Town Clerk

