

**Town of Perryville  
Meeting Minutes  
August 7, 2007**

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

Pledge to the Flag

**APPROVAL OF THE MINUTES**

**MOTION** was made by Commissioner Brown and seconded by Commissioner Tennis to approve the July 3, 2007 Town Meeting Minutes. **All in favor; motion carried.**

**MAYOR'S REPORT-**

Mayor Eberhardt reported that there was a great turnout for the Triathlon event on July the 8<sup>th</sup>; as well as the Captain John Smith and the 125<sup>th</sup> Town Anniversary Celebration event that took place on July 21st. Mayor Eberhardt reported that the movie making is still in progress and should be finishing up here this week.

Mayor Eberhardt inquired if they were finished filming yet.

Commissioner Brown stated that they have one more day.

Mayor Eberhardt reported that on Monday he attended the first Municipal subcommittee of the BRAC State sub cabinet, the Governor appointed a sub cabinet to handle the BRAC and they got a local subcommittee started which he is a part of. We are going to give them our wish list on what we would like to see accomplished. Mayor Eberhardt was proud to report that some awards were given out last month to the 9/10 yr. old Softball Team winning the State Championship and the Blazer Majorettes won several awards at Notre Dame at a competition and Lauren Glenn of Perryville was named Miss Majorette of America. Mayor Eberhardt wanted to let the citizens know that they are looking to fill a vacancy for the Board of Appeals.

**COMMISSIONER'S REPORTS –**

**COMMISSIONER BROWN'S REPORT-**

**ANNOUNCEMENTS:**

Commissioner Brown announced an opportunity sponsored by Cecil County Tourism and the Cecil County Arts Council called "JUST A DAYDREAM AWAY".

Town Meeting Minutes  
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The town is participating to get a local artist to produce a piece of art and hopefully they will be reimbursed. The Arts Council will put up \$150 and the town will put up \$100 if the project is selected. There is a timeline on this so if anyone knows of anybody that would be interested in this there will be applications with the rules here and at Town Hall.

August 13, 2007      Perryville Parade Committee Meeting, 4:30 p.m., Town Hall Meeting Room

August 30, 2007      Perryville Greenway Committee Meeting, 10 a.m. Administrator's Office.

I have had two meetings with Mike Caldwell and other interested parties, to look at the feasibility of putting in the two multi-purpose fields for which we have funds that have been sitting due to bids received being over the funding that we have. I was amazed at how positive everyone's "Can Do" attitude was in doing the task. We have assigned the jobs; we have priced and even ordered the materials for the drainage system and silt fence. We have applied for a grading permit from the County which was approved and hopefully we can start the project soon. We would like to have the job finished by the end of September so that it can be seeded before winter.

I have also been working with Mr. Caldwell and Curtis Bowe of Delmarva Power Company to get electricity installed at the boat launch facility. Hopefully that is ready to move forward soon also. Next is to get the water and sewer on site. We are also looking into a precast restroom/storage facility. Tyler Webber of Boy Scout Troop 144 is working on his Eagle Scout Project by clearing the upper end of the launch site. I will be pursuing the ability to fill that site with the necessary state agencies in order to further expand our parking.

Being a new budget year, I have ordered BBQ grills and trash receptacles for the picnic grove in the Community Park at Stump's Point. I have also ordered some recycle receptacles for the pavilions in the park. I would like to do more, but I want to try to see if visitors will properly use them and not just put any trash in them. The more we recycle, the more we can save on trash removal as well as the environment.

We are still awaiting the results of a recommendation for the HVAC system for the Tavern. Ms. Campbell, our Grants Administrator, is shaking their tree weekly. We want to set up a meeting with the Architect for the Tavern and move forward with

recommendations from the structural report as well as the Heating and Air Conditioning systems. I'd really like to see us get a plan to address the needs for the entire building.

Filming for the movie is taking place now in the Park and on the fishing pier, and weather permitting should be finished by Thursday at the latest. The end of the pier has not been accessible to the public due to removal of the railing and benches. However, a new railing and benches will be replaced when shooting is completed. I have found the film company very easy to work with. They change their minds every 15 seconds, but they do what they say and go out of their way to please and have kept me informed of their every move in the park.

Commissioner Brown wanted to bring up an article that she read in the Letter to the Editor section of the local paper regarding needing prompter police reaction. Commissioner Brown is not blaming our Police Force she wants the Chief to be aware that the dispatch system that the County uses is not working properly. Commissioner Brown suggested to the Mayor that we should be talking to the County; we paid a lot of money for this system to have it not working properly is unacceptable.

Chief Daly commented that he saw the editorial and is aware of the dispatching problem and he does have a radio meeting scheduled next week where he will address the issue. Chief Daly commented that his officers do respond to calls when they are dispatched but cannot respond when they are not dispatched. He will let us know what the results of the meeting are.

Commissioner Brown is aware that citizens have complained about not getting a response, she wants them to understand that people are being told that they will notify an officer and then the officer does not get dispatched making it look as if we are not responding to the person filing the complaint.

Mayor Eberhardt commented that we invested in the County to dispatch us and we do not want our officers sitting in the office taking phone calls.

Willard McCardell, who resides on Broad Street, asked how we get hold of our Police Department.

Mayor Eberhardt commented that you call the Sheriff's Department and they should dispatch them.

Mr. McCardell asked why it did not happen with the incident in the article.

Mayor Eberhardt replied that he is not sure what happened in that incident the man that wrote it was visiting from Georgia and the article did not mention a date or a time when it happened.

Mr. McCardell commented that it apparently happened a couple of times not just the one time.

Mayor Eberhardt reiterated that the Chief would be attending the radio meeting next week to address these issues and he is sure that other jurisdictions are having similar issues as well.

Commissioner Brown commented that a lot of other towns have had problems with the system as well, the system was to be the answer to our problems and it is not. Commissioner Brown commented that Port Deposit cannot even get a signal with their system.

Austin Amos, who resides on Perryville Road, commented that he recently attended a Fireman's meeting where they stated that they are still working on the radio systems. The Director of the Emergency Management commented that they have done everything that we have asked it to do. Mr. Amos commented that he called the 996 number this past weekend about a camera crew setting up on the railroad and they commented that it may be the film crew that is in town to film a movie. Mr. Amos commented that he would rather be safe then sorry you do not know what somebody is up to that is taking pictures of a railroad. Mr. Amos commented that if the County's 996 number is not working then something needs to get done.

Mayor Eberhardt commented that we need those comments for the Chief to take up to the meeting next week. Mayor Eberhardt inquired if the Fire Department was going to be a part of that meeting.

Chief Daly commented that it is just for Police Departments.

John Strause, representing the Fire Department, commented that they are not having as much problem. The one problem that we have is that you used to be able to hear exactly what is going on in the County so if you called for a police officer and you knew that car was busy you expected him to be a little late. Mr. Strause commented that now you call dispatch and they tell you they will notify someone instead of telling you that they are busy and you sit around and wait and nobody shows up until an hour or so later.

Mayor Eberhardt commented that one of the things that the Chief may ask about is their performance record showing when they get a call and how long it takes them to respond.

Commissioner Brown inquired how the cooperative agreement with other town's works if we do not have someone on duty the County should be dispatching the Sheriff's Department or the MD Department of Transportation.

Chief Daly commented that they are supposed to dispatch one of those other departments.

## **COMMISSIONER HANSEN'S REPORT-**

### **PLANNING & ZONING UPDATE**

**August 2007**

#### **PLANNING & ZONING MEETING:**

- The Planning & Zoning Commission met on Monday, July 16, 2007
- The preliminary plan for Sumpter Woods was tabled pending more information.
- The revised preliminary plan for Principio Health Center received approval with conditions.
- The next Planning and Zoning meeting has been rescheduled and will be held on Monday, August 27, 2007. There will be a public hearing at 6:30pm for a text amendment to the Industrial zone, L-2, height restrictions. The applicant is asking for an allowance of a building height of 120 feet in this district from the current 75 foot allowance. The regular Planning and Zoning meeting will follow the public hearing.

#### **BOARD OF APPEALS:**

- The Board of Appeals met on Monday, July 23, 2007. Due to a lack of a quorum the meeting has been rescheduled for Tuesday, August 14<sup>th</sup> at 7pm. The Board will be considering an appeal of a denied zoning certificate for a single family home proposed to be located off of Roundhouse Drive in the Commercial Marine District. The public is invited to attend this meeting.

Mayor Eberhardt commented that he thought that the Union Hospital item had come before the board.

Commissioner Hansen commented that he did refer to them in his report they are the Principio Health Center.

Mayor Eberhardt asked for clarification on the location of the Sumpter Woods project, if it was on the corner of Frenchtown where the house was torn down.

Commissioner Hansen replied that it was.

John Strause inquired where the 120 foot building was going to go that was coming before the Board of Appeals.

Mayor Eberhardt commented that it was going up at the IKEA location.

#### **COMMISSIONER TOLBERT'S REPORT-**

Commissioner Tolbert wanted to make note of the passing of Dominick Cilfaldo a long time Commissioner and past President of the board who had been a valuable asset to the Town. Commissioner Tolbert announced that Frenchtown Road between St. Marks Church Road and Water Plant Drive would be closed beginning August 13-September 14, Monday thru Friday between 7 am and 5 pm daily to install a new 16" water main. Earlier in the month he attended a meeting with two representatives from M.E.S. regarding the wastewater plant. Work is progressing at the new Water Tower site and the new Water Plant. Another item that Commissioner Tolbert wanted to address was the overtime issue which some of the guys had asked him to look into. Commissioner Tolbert believes that it had been addressed with previous boards. Commissioner Tolbert commented that when an employee has overtime during the week and they take a vacation or sick day then the overtime is removed from them. Commissioner Tolbert commented that you are given annual leave and sick leave so that deduction should take place but you should be given your overtime.

Commissioner Brown commented that you cannot plan when you are going to get sick.

Mayor Eberhardt commented that he has seen that policy included in annual leave but not in sick leave.

Commissioner Tolbert commented that he thinks this came about two Town Administrators ago and thought it had gotten rectified but apparently not.

Commissioner Tolbert commented that the Water Plant, the Sewer Plant and the Police Department work in irregular tours and anything outside of their scheduled tour should be overtime, with any leave taken deducted from their totals.

Commissioner Brown commented that she agrees to that as long as any overtime made is sanctioned by their supervisor.

Mayor Eberhardt is assuming that it is not written that way in the Employee Manual.

Ms. Breder commented that it was not very clear in the Employee Manual and Cathy went by the F.S.L.A. standards requiring overtime pay for anything over 40 hours and the staff needs guidance on how to handle that.

Ms. McCardell commented that in the F.S.L.A. guidelines it is after 40 working hours.

Mayor Eberhardt had commented that Commissioner Tennis and he had discussed forming a personnel committee on the various personnel issues that we had and he would like to see Commissioner Tennis tackle that issue as the first issue and he knows there is another one but the first one seems to have some urgency.

Ms. Breder commented that several years ago we had contacted a company on preparing a personnel manual and we are working on a digital version of that which is definitely an update of our current one, it has not been adopted yet and once we get that it should help Commissioner Tennis and that committee.

Mayor Eberhardt inquired if there was new language in the new one that referenced the overtime.

Ms. Breder or Mrs. McCardell had reviewed it and did not recall seeing anything in the newer version.

Mayor Eberhardt asked them to take a look at the draft version first to see if there is anything in there about it that would help us.

Commissioner Tennis commented that MML may have something as well.

Ms. Sample inquired about holiday hours that may fall on a week that you are called in for overtime.

Commissioner Tennis commented that most companies do not recognize Holiday hours or paid leave hours as time worked which is always a problem.

Commissioner Brown inquired if we were going to get to a point where we have a personnel manual that an employee can have to be referenced.

Ms. Breder commented that we do have one it is just not that great of one. Ms. Breder commented that every employee that is hired signs for and receives a personnel manual.

Commissioner Brown commented that she had asked for one for three years and never got one.

Ms. Breder commented that you have not asked me and I have a copy I can give to you.

Commissioner Brown commented that she has had employees come to her about different issues and she cannot answer them if she doesn't have the employee manual.

Ms. Breder commented that every new employee is given a manual which they must sign for to get along with standard paperwork for Health Insurance.

Mrs. McCardell commented that it is the standard packet that they get along with their Cobra packet and other paperwork and she has plenty of extra copies, she will make sure she gets one.

Commissioner Brown commented that it could be but she has never been given one.

Commissioner Tolbert commented that in light of the additional new employees and different department scheduling we need to come up with a solution to this issue.

Mayor Eberhardt had a question regarding whether accommodations were made for the one resident north of Water Plant Drive to get into their residence during construction.

Mr. Prouty commented that there is to be a plate put in to accommodate a resident that they can cross if needed, it just needs to be enforced.

## **COMMISSIONER TENNIS' REPORT-**

### Public Works Report-

Public Works trimmed and chipped trees and prepared park for the triathlon. They replaced rotten boards on the front porch steps and they replaced rotten boards on the back porch and steps of Rodgers Tavern. The meters throughout town were read for the quarterly water and sewer billing. The trail and other areas around town were cleaned in preparation of the John Smith/Town 125<sup>th</sup> Anniversary Celebration. McGuirk Construction paved Broad Street from Front to Roundhouse Drive and a section of Bayscape Drive. They have been working with Commissioner Brown on starting the multi-purpose fields at the park. The materials have been ordered and some have been delivered. Moved the Perryville accounting department from Rodgers Tavern to the Cedar Corner Business Building.

Commissioner Hansen inquired if the guys could pick up the debris on the grass before they start cutting it up front because brush is still lying on the sidewalks in the center of town here.

Commissioner Tennis commented that he will say something to them.

Commissioner Tolbert stated that the problem on Sunday was the sewer stopped up coming from Sumpter Drive.

Commissioner Hansen also inquired if Mr. Caldwell had gotten a chance to look at the problem regarding water coming into Patchell's front yard when it rains on McLhinney Street since the road has been paved.

Mayor Eberhardt commented that the street was raised almost to the sidewalk and he believes that he had Mike McGuirk look at it but does not know what the results were.

## **TOWN ADMINISTRATOR REPORT-Denise Breder**

Ms. Breder summarized her report as follows:

**Town Administrator's Report  
Town of Perryville, MD  
August 7, 2007**

- Water Treatment Plant and Distribution System Improvements Projects:

RFQ for Construction Phase Engineering Services – a package of information was submitted to Maryland Department of the Environment requesting approval on the Town's procurement procedures for this portion of the project – received verbal approval – awaiting written approval.

- Completed and submitted Loan Payment Disbursement Request forms to MDE for the second WTP invoice from JLW Associates and the second WDSI invoice from Greensburg Environmental. Approval from MDE for the second invoice from WTP contractor JLW has been received; however, we are still waiting on approval from MDE of the second invoice from the WDSI contractor Greensburg Environmental.
- The loan closing for the Water System Improvements Project was held on July 19<sup>th</sup> in Baltimore. I attended and returned with our first disbursement check from MDE in the amount of \$266,791.00, which covered the first invoices from both contractors (JLW & Greensburg).
- July 11, 2007 had an impromptu meeting with Mr. Mark Gradecak and Mr. John Leocha of MD Dept. of Planning and Mr. Mike Caldwell of DPW to discuss (& supply) items needed for the successful completion of the Town's Comprehensive Plan update being prepared by Mr. Gradecak. Have had subsequent email correspondence with Mr. Leocha where he has requested various information, which was compiled by Shawn Patchell at the WWTP, Craig Willison at the WTP and me and supplied to him.
- I have been working with Jimmy Halsey of Crouse Construction, attorney-Dennis Clower, and URS to get the public infrastructure for Beacon Point and Courtyards at Olde Towne dedicated to the Town. Additionally, Keith Baynes will be preparing the title work and deed for Lot 1 (on Roundhouse Drive), which the Town will officially acquire from Crouse Construction once the Courtyards development public improvements are deeded to the Town.

Mayor Eberhardt commented that there is a meeting on Thursday at the Council of Governments where they will be discussing the tributary plans which will have to be part of the Comprehensive Plan. Mayor Eberhardt wants to assure that we have representation present at that meeting.

Ms. Breder commented that we will have someone attend and Mr. Gradecak had attended the last meeting and is aware that we have yet another thing to be added to our Comprehensive Plan.

Mayor Eberhardt was not sure if that was part of the House Bill 1141 or not that got passed.

Ms. Breder was not sure it was her jury duty day so Heather Erickson attended on her behalf.

Mayor Eberhardt's understanding of the payment process for the water tank and the water distribution contractors is that they submit a bill to be approved by us at the monthly meeting; we submit it to M.D.E. for a payment request. Mayor Eberhardt inquired what the time frame was and if it is getting out of line on paying on time.

Ms. Breder commented that the town fronts the payments waiting for M.D.E. to reimburse them.

Mayor Eberhardt commented that is not quite the process, we pay and then go to M.D.E. for reimbursement.

Ms. Breder commented that we generally wait for the time to elapse in order to pay the contractor hoping to get reimbursed.

Ms. Breder commented that there was one person that was processing our payment requests who is now working exclusively for Baltimore City which is why the second payment got lost somewhere in the process.

#### **TREASURER'S REPORT-Peggy Rice**

Ms. Rice read the bank balances for Mercantile County Bank the balance was \$393,909.06 for the MD Government Investment Pool the balance is \$2,166,983.23, for Bay First Bank it is \$376,917.25 and for NBRS it is \$67,761.45, for a grand total of \$3,005,570.99.

Ms. Rice reported for the Financial Summary that for the month of May the MTD for the General Fund was at a net deficit of (\$86,785.72) and an YTD surplus of \$467,271.73. The water fund was at MTD deficit of (\$184,942.66) and an YTD deficit of (\$42,802.85). The sewer fund is at a MTD surplus of \$138,634.15 and an YTD surplus of 5,952.59.

#### **Treasurer's Report Town of Perryville, Maryland August 7, 2007**

For the Month of July, 2007:

- 195 purchase orders were processed totaling \$337,653.31.
- 123 accounts payable checks were processed totaling \$203,105.93.
- Processed 502 cash receipts totaling \$243,084.02
- Prepared the June 2007 month-end closing entries and preliminary financial reports. Accruals and adjustments will be prepared as required for the annual audit.

- No proposals were submitted in response to our RFP for auditing services for the Fiscal Year 2007 audit. Our previous auditor will be performing this audit only, and next year we will expand the scope of our advertising for this service
- Prepared Budget Amendments to be voted on this evening.
- Performed preliminary close on accounting system for Fiscal Year 2007.
- Wired payment to Greensburg Environmental Contracting Systems, Inc. in the amount of \$502,377.30 on July 25, 2007.
- Wired payment to J.L.W. Associates, Inc. in the amount of \$30,776.20 on July 25, 2007.
- Researched alternatives and then coordinated the move from Rogers Tavern for four staff to the Cedar Corner Building at 1001 Cedar Corner Road.
- Billed the Veteran's Administration for Sewer Services in the amount of \$133,013.15 for the fourth quarter 2007.
- Billed fourth quarter water & sewer service fees in the amount of \$332,900.43 (Water: \$164,334.84 and Sewer: \$168,565.59). These amounts will be accrued for Fiscal Year 2007.

Mayor Eberhardt suggested that we look at some of the bigger towns such as Aberdeen and Elkton to see who they use as an auditor since we are getting too big for our auditor.

Ms. Rice commented that we will plan on doing that process sooner for the next years RFP audit service request.

## **POLICE DEPARTMENT REPORT**

### **Perryville Youth Outreach Program- July 2007**

There were nine events for the youth in Perryville

8 Individual Appointment with youth  
4 parent meetings

On July 6 a bunch of the youth helped set up for the Triathlon.

### **Upcoming events for the month of August**

- Stop Smoking Class will be 8/15 at 1:00 pm at Town Hall
- Trip to Washington DC on 8/22
- Chiefs Challenge Basketball Tournament on 8/25 (This will be the last chance to qualify for the September 8<sup>th</sup> Championship Tournament)

- August 7 Career Information Session at Cecil Community College
- Trip to the Health Department for a tour of the facility and educate youth on the services offered there. Date Pending
- Fishing date pending on getting a day license for the youth participating

\*Our youth have developed a new program called "Officer of the Month." This program allows our teens to honor a different officer each month and plan a special day to spend together. This month we are proud to announce Sean Hackett as our first recipient of this award.

### Monthly Police Report

#### July 2007 Stats

<b>CRIME</b>	<b>MONTH</b>	<b>JAN</b>	<b>FEB</b>	<b>MAR</b>	<b>APR</b>	<b>MAY</b>	<b>JUNE</b>	<b>JULY</b>	<b>AUG</b>	<b>SEP</b>	<b>OCT</b>
ROBBERY		0	0	0	1		0	0			
ASSAULT		2	2	2	4	5	4	2			
BURGLARY		3	0	0	0	5	2	0			
THEFT		6	9	11	6	8	12	9			
AUTO THEFT		1	1	0			0	1			
CDS		2	0	3		1	1	2			
DISORDERLY		21	8	15	14	19	26	45			
MDOP		3	2	1	14	9	8	9			
ADULT ARRESTS		4	6	12		7	4	10			
JUV. ARRESTS		2	0	0	4	4	1	0			
TRAFFIC											
CITATIONS		3	8	6	9	12	26	13			
WARNINGS		12	14	17	10	14	15	21			
SEROS		1	1	0	1	3	4	3			
PARKING		4	0	0	1						
VIOLATIONS											
BOAT RAMP		0	0	0	4						
VIOLATIONS											
<b>ACCIDENTS</b>		4	4	7	2	4	3	15			
<b>CALLS</b>		187	143	152	144	166	211	292			

**Police Chief's Report**

July 7            Worked the Triathlon  
July 10          Radio Meeting at D.E.S.  
July 13          Attended an Active Shooter Presentation at Villa Julie College which highlighted the Nickle Mine and Virginia Tech shooting so in light of this we will be adding additional training and equipment to deal with active school shooters.  
July 21          Worked the Captain John Smith event

Mayor Eberhardt inquired if the radio meeting on the 10<sup>th</sup> of July was on the subject of the dispatching issues.

Chief Daly commented that there were not specific issues brought up at the time but since then several issues have presented themselves so he will bring them up at the next meeting.

Mayor Eberhardt inquired if they still have their Chief's Meetings.

Chief Daly commented that they do although they have been put off for a couple of months, he expects they will resume again in September.

Commissioner Tennis inquired if the radio meeting was a monthly meeting that he attends.

Chief Daly commented that he does try to attend them each month.

Mayor Eberhardt inquired who the new D.E.S. chief was since Frank is retiring.

Jane Weaver commented that he is still there until September.

Commissioner Brown commented that we have been taught to call 911 in the past, now we are told to call 996-5500, she inquired if that can be brought up at the next meeting to still be able to call 911.

Chief Daly replied that 911 is still used in the event of an emergency such as, car accident, house on fire, house break-ins, etc.

Commissioner Tolbert inquired whose van was at the Police Station.

Chief Daly commented that the van belonged to JAVA for Ms. Lewis to utilize for the Juvenile Outreach Program since they only use it once a month.

**MD. TRANSPORTATION AUTHORITY- Geoff Kohlberg and Sam Triandos**

Mayor Eberhardt commented that he had asked Mr. Kohlberg and Ms. Triandos to give bridge updates in light of the recent event involving the bridge collapse in Minneapolis and since they are about to undergo work on both the Tydings and Hatem bridges.

Mr. Kohlberg explained a little about the structure of the bridge in Minneapolis that collapsed. He explained that it was a four lane interstate with a deck truss, which means that it sits on top of a steel structure used at the time to accommodate the length of the span of the bridge, at this point they do not know the cause of the collapse. Mr. Kohlberg commented that the Hatem and Tydings bridges both have similar characteristics of that bridge. As a result of this the Secretary of Transportation has asked for extra inspections of bridges with those types of details. The Transportation Authority inspects our bridges once every year which is more than the Federal Government requirement of once every two years. When the MD Department of Transportation knows of a problem they act on it, there are about 83 engineers with consultants in town, they use all of the technology that is available for them to use. The work that is planned for the Hatem Bridge is to have the deck replaced which will be done in stages causing the lanes to be reduced from four lanes to two lanes during the construction. We use a two step method to qualify the contractors making sure that they have done similar work to the redecking that will be done to the Hatem Bridge. The process is underway and one cycle of the process has been completed on receiving tech and price proposals and we have done a reevaluation of the proposals and asked for resubmittals with the best and final offer to compare apples to apples, hopefully to be contracted by Fall of this year for a partial notice to proceed. We are juggling this with the work to be done at the Tydings Bridge which is behind schedule; we are trying to get them back on schedule so that both of them will not be restricted at the same time. Mr. Kohlberg commented that the Mayor has sat in on Cecil/Harford Bridges Work Group meetings in which emergency service issues have come up. They are modifying the intersection on Route 40 and Route 222 to allow a double left onto Route 222 and making modifications to the signal as part of that contract. We are also supporting E.M.S by helping to supply them with radios and help them purchase radios to better assist them during this time.

Mayor Eberhardt inquired if the double left was going to be permanent.

Mr. Kohlberg replied that it would be permanent.

Mayor Eberhardt inquired if that was going to be the same contractor.

Mr. Kohlberg replied that it would be and that will be the first order of work. The double left will merge to one lane at the first street on Route 222.

Mayor Eberhardt asked what we would be seeing in the way of the partial mobilization.

Mr. Kohlberg commented that the contractor would be doing several measurements on replacing the grid deck which was originally concrete filled and will need to be fabricated to match what we are asking for and what the dimensions show. They will need to provide shop drawings with the materials being used and the dimensions. They will also need to put something down to catch the debris so that it does not fall onto other people's properties or the river.

Mayor Eberhardt inquired if the double left was going to be done by that time.

Mr. Kohlberg commented that it will be one of the first things to be done.

Mayor Eberhardt inquired where the staging area was going to be.

Mr. Kohlberg commented that they usually leave that up to the contractor to lease an area but will more than likely be provided an area for a trailer off to the side at the Toll Facility and some of the equipment they will be using will be stored on the bridge.

Chief Daly inquired if there will be a lane for left turns to Franklin Street on the double left going to Route 222.

Mr. Kohlberg commented that it will be two lanes plus the left turn lane. The left turn lane, one going through and a merge lane.

John Strause, a representative from the Fire Company asked that they please do not disable the Opticom system that we have up there so that the Fire Apparatus and other equipment can use Aiken Avenue when needed.

Gary Thompson, who resides on Clayton Street, commented that a double left will bring even more traffic to the already high volume of traffic on Route 222; he commented that a solution to alleviate the bridge traffic would be to allow A.V.I. stickers on I-95 during the construction.

Ms. Triandos commented that they would not be able to do that it would be a huge loss of revenue to be able to do the repairs to the bridge and we could not restrict the A.V.I. use to just the local residents it would have to be open to everybody and that would create too much of a loss.

Jane Weaver commented that there was talk at one time about selling the A.V.I. stickers at other locations such as the Perryville Town Hall.

Ms. Triandos commented that we cannot do anything that appears that we are favoring any place by selling them from their locations. We had looked at it from many other perspectives and could not legally offer a discount to a certain group and we could not afford the significant loss of revenue.

Mr. Thompson inquired if the tractor trailer weigh scales could be up and running simultaneously for I-95 and Route 40 so that they are not getting on their cb's and notifying other truckers when I-95 is shut down creating more traffic on Route 222.

Mr. Kohlberg commented that he can pass that along but it takes the resources to be able to man those facilities.

Commissioner Brown commented that in one of the meetings she recalled some discussion about restricting the truck traffic on the Hatem Bridge, she inquired if that ever went anywhere.

Mr. Kohlberg commented that it will be part of the contract that they will be limited to straight single unit trucks unless it is a local delivery and that will have to be worked out, we cannot do that forever but it can be done during construction.

Austin Amos, inquired if they were going to eliminate the tractor trailers from parking on the road in front of Royal Farms when this change happens because right now there is just a white line there which does not mean anything.

Mr. Kohlberg commented that he will talk to the State Highway Department about putting a couple of no parking signs up and it would have to be enforced.

Mr. Amos commented that the traffic will be backed up even further from the toll plaza to Havre De Grace with this double left turn lane.

Mayor Eberhardt is concerned about this as well because you have so many people trying to get over to the left lane who may not have an A.V.I. after they pay the toll, along with trucks that will block traffic trying to get over.

Betty Thompson asked for clarification on the double left lanes onto Route 222.

Mr. Kohlberg explained that the way it is to be set up is the left side of the double left will be turning left on Franklin Street; the right lane of the double left will be merging to the single lane before the bridge on 222. Mr. Kohlberg commented that we

could possibly bring a plan sheet to a future meeting to show how it is going to work.

A member of the audience inquired if there was a special EZ pass for using I-95 for local residents for reduced fare.

Mayor Eberhardt commented that they do sell a book of tickets that gives you a reduced rate.

Ms. Triandos inquired if he had purchased a commuter plan with the EZ pass.

The gentleman explained that he does have a commuter plan with the EZ pass.

Mayor Eberhardt commented that what the gentleman is saying is that when he goes through the Tunnel he gets a reduced rate using the EZ pass with his plan but with I-95 he does not get a reduced rate.

The gentleman explained that he would much rather use I-95 during the Hatem construction if he had a reduced rate for the EZ pass since he has a commuter plan and stays within his parameters of the plan.

Ms. Triandos commented that if he gives her his information she will get back to him on that.

Commissioner Hansen inquired if when they plan on repairing the bridge if they are going to do one half of the bridge at a time; then do the other half or are they going to do all the way across.

Mr. Kohlberg commented that the four lanes will be down to two lanes which will be wider and separated by a barrier and the contractor will work in that area adjacent to it closest to traffic but will not be able to work the entire length of the bridge because of emergency services.

Commissioner Hansen commented that the concern a lot of people have is the concrete deteriorating on the outside of the bridge and the MD Transportation Authority has tried to prevent it in some spots by putting plywood in the I-beams to keep it from falling down. Commissioner Hansen does not believe that it was done all the way over the water though.

Mr. Kohlberg commented that it had not been done all the way over the water.

Commissioner Hansen commented that they are not thinking about the boaters then.

Mr. Kohlberg commented that when they do their annual inspections they identify the areas that have loose materials and repair as necessary.

Commissioner Hansen commented that with the construction there will be vibrations from the contractor when he is doing the work causing more loose material to fall.

Mr. Kohlberg commented that the contractor will have to rig the whole underside of the bridge; it will not necessarily be with plywood sometimes they use cable and chain link fence and tarps.

Commissioner Hansen expressed concern with diverting the traffic to I-95 that a lot of the 18 wheelers do not realize what little bit of steel is on the outside lane and that it is primarily for emergency vehicles.

Mr. Kohlberg commented that they do have the strength but not for all of the time.

Mayor Eberhardt inquired if the contractor will be required to rig the whole underside.

Mr. Kohlberg commented that they are not allowed to drop anything in the water.

Ms. Breder asked that we be sent the information for the member of the audience who had questions regarding the EZ pass when they get it.

A member of the audience inquired if they will be fixing underneath while replacing the decking.

Mr. Kohlberg commented that it will be done simultaneously and in the long term we will have a contract to repaint the structure.

Mayor Eberhardt inquired if we will still have the Jersey barriers on both sides and down the middle.

Mr. Kohlberg commented that they will have them.

Mayor Eberhardt commented that we have had an ongoing maintenance issue with a drainage pipe that comes through our boat launch that comes from the Hatem Bridge causing erosion.

Mayor Eberhardt commented that George Fish had done some patchwork on it at one point.

Ms. Triandos commented that she believed that the drainage pipe was not part of the Transportation Authorities responsibility that it was the Town of Perryville's.

Mayor Eberhardt commented that it was put in by David Wildroutd and that it was considered theirs to maintain, then a new guy got involved who claimed that it was not theirs to maintain it belonged to us. Mayor Eberhardt got David Rudolph involved to assist us with this issue and asked that we be shown proof that it does not belong to them and that it is ours to maintain and nothing has been shown to prove that it is ours to maintain.

Commissioner Brown commented that her grandparents used to live next to that bridge and she used to play there and the drainage pipes that come down the piers ran into a drainage system that was open and it came down all the way to the river. In the pipe that the Mayor is referring to is where it fed into and years ago someone decided to cover it over and forget about it. There is still a pipe there and there is still water draining from that bridge and it definitely belongs to the State it is coming off of that bridge.

Mr. Kohlberg commented that he will follow up on that and if it is theirs they will put it in as part of the contract and have it repaired.

Commissioner Brown commented that one of the other items she has been trying to get for a couple of years now is a stormwater pond under that bridge to take care of that water as a quality control issue.

Mr. Kohlberg commented that now we are getting past his redecking contract.

Commissioner Brown commented that she just wants them to be aware of this since she has been trying to get this accomplished for a few years now and is not getting any response.

Mrs. Sample, the Town Clerk inquired what the rating of the bridge was based on the information that she saw on their website.

Mr. Kohlberg commented that with the Federal Highway Administration as part of the criteria for bridge inspections and prioritizing which bridges will get the funding to repair them have two classifications, functionally obsolete and structurally deficient. A bridge that is functionally obsolete would be three lanes of highway going up to it but the bridge would only be two lanes and if the road leading up to it has shoulders and the bridge does not it can also fall into that category. The other classification would be the

structurally deficient which is based on three elements, the decking, the super structure which is the truss, the sub structure which is the support to hold up the bridge. They get a rating of 1-9 with the number four and below as prioritizing for Federal funding to be fixed. The decking on the Hatem Bridge is a number five, the super structure is a seven and the sub structure is a six and the Tyding's Bridge is all sevens.

Mr. Stause inquired if they perceived any bridge closings at any given time.

Mr. Kohlberg commented that they do not anticipate that, they may have to get a police officer to slow traffic at certain times for the contractor to get materials onto the bridge but they should not be closing it.

Mr. Strause commented that they were very restricted when work had been done on the bridge in 1980 and in order to get their equipment across they would have to call ahead of time and if it was not a high priority we were to take I-95.

Mr. Kohlberg commented that this is why the Authority has agreed to purchase the radios for better communication in the event of emergencies for you to be able to communicate with the contractors.

Mr. Strause reminded him that Harford and Cecil Counties are two different systems and frequencies and everything.

Mr. Kohlberg commented that they are providing for both sides.

Mayor Eberhardt wanted clarification that if I-95 was to get closed that Perryville and Havre De Grace will not be the diversion that it will be North East or Aberdeen.

Mr. Kohlberg commented that if I-95 was to get closed it will be marked and the diversion will not be Perryville or Havre De Grace.

#### **COMMUNITY FIRE COMPANY-John Strause**

##### July 2007 Stats

Calls	47
Avg. Response Time	4.6 Min
Avg. Personnel/Call	16.4

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Total Man-Hours 407.3

EMS Calls

Calls 78  
Avg. Response Time 5  
Total Man-Hours 248  
County Upgrade 33

Totals

Emergency Calls 125  
  
Man-Hours 655  
Training Hours 56  
Fund Raising 75  
Station/ Equip. Repair 148

**Total Man Hours Donated 934  
To the Community**

Hydrant Water Use\*\* 5000

Mr. Strause reported that they purchased a new Assistant Chief's car a Dodge Durango. We agreed to purchase a used car from the Sheriff's Department to replace the old Chevrolet that is not in very good shape. Mr. Strause also wanted to stress his concern for the parking situation at the MARC Train station. People are parking all over the place and if a Fire Truck needed to get through there they would not be able to and it is private property so we don't have control of it.

Mayor Eberhardt commented that he has brought that up to the Transit Authority and has a letter to MARC as part of the BRAC project for additional MARC train parking.

Chief Daly commented that they are not properly marked either.

Commissioner Hansen commented that with the commuters arriving late and taking up the parking spaces on Broad Street it poses a problem for the residents who have homes there for emergency vehicles to get to them if needed.

Mayor Eberhardt thanked the Fire Department for their support for the Triathlon and for supplying an ambulance for the John Smith event.

### **FROM THE FLOOR**

Gary Thompson, who resides at 1459 Clayton Street, commented that it is in reference to the ongoing issue regarding the motorcycles, although now there is a new problem with gas fumes in his house as a result of the motorcycles riding between his house and the neighbor's house. He commented that if an Ordinance is presented tonight it should include that no off road motorcycles should be ridden within 300 ft. of a residence. He commented that they were on the road today.

Mayor Eberhardt commented that they will be covering that later in the meeting.

Willard McCardell, who resides at 431 Broad Street, brought up the Locust trees and brush growing up on the Hawkins Court development project.

Mayor Eberhardt asked Ms. Breder to follow up with that.

Austin Amos, who resides on Perryville Road, commented that two tractor trailers were parked in front of Royal Farms and a pickup was trying to pull out and they almost got hit. Mr. Amos commented that this problem needs to be addressed regarding putting no parking signs in front of Royal Farms. Mr. Amos commented that the State Highway representative had been approached previously when he was on the board and informed them that there are white lines there which Commissioner Amos feels does not mean anything.

Mayor Eberhardt commented that it does appear to be worse across from the 7-11 because they do at least go past the 7-11 now and park.

Mr. Amos commented that there is supposed to be a no parking sign just prior to the 7-11 now so if that can be done on that side they should be able to do it on the other side as well.

Commissioner Brown commented that when they park in front of Perryville Crossing and a vehicle is coming over the hill and wants to make a right it is almost impossible to see and there is no clearance.

Commissioner Amos inquired if the white line means no parking.

Chief Daly has made note of that and will have to check the Traffic Code but believes yellow means no parking but will check to make sure.

Mr. Amos commented that there are white lanes in front of the Chinese Restaurant on Route 40 just as you go into Elkton on both sides but there are also no parking signs.

**OLD BUSINESS-**

Ms. McCardell summarized the Owen's Landing abatement request which was put on the agenda again following additional information that was received after a test was performed from the American Leak Detector Company on July 31, 2007. They are now registering below a half gallon which they feel may be a seepage at the valve and they do not plan on coming to the town to request any additional abatements. They now feel that the town will consider the original request for the abatement in the sewer portion of our first quarter bill. The board has authorized an additional \$2,000 to be sent in payment of the remainder of that bill.

Commissioner Brown inquired what period of time this bill covered.

Ms. McCardell commented that this covers January, February and March.

Commissioner Brown inquired if we will be getting it again for the next quarter.

Ms. McCardell replied that they would not be they are back to normal now.

**MOTION** was made by Commissioner Tolbert and seconded by Commissioner Brown to approve the sewer abatement in the amount of \$6,099.88. **Four in favor; 1 abstained (Commissioner Tennis) motion carried.**

**NEW BUSINESS-**

Mr. Prouty, from U.R.S., commented that as of July 21st his progress report shows the services rendered for the Water distribution project and the request for payment to the contractor in the amount of \$176,286.79 which U.R.S. recommends being made. There is 385 days remaining for substantial completion of the project and 446 days to final completion.

Mr. Prouty also reported that the Water Treatment Plant project had 390 days for substantial completion and 420 days to final completion there request was rather low since a lot of it involved moving equipment onto the site. The amount of their request for payment is \$9801.00 which we recommend be paid.

Mayor Eberhardt inquired about the retainage fee which is not included in this payment if we are requesting reimbursement for that from the State yet.

Ms. Breder commented that we are not drawing on that yet.

**MOTION** was made by Commissioner Tolbert and seconded by Commissioner Brown to approve the payment to Greensburg Environmental for \$176,286.79. **All in favor; motion carried.**

**MOTION** was made by Commissioner Tolbert and seconded by Commissioner Brown to approve the payment to J.L.W. for \$9801.00. **All in favor; motion carried.**

Ms. Breder commented that a couple of months ago we had put in a request for qualified engineers for these projects and had six firms put in for it. We narrowed it down to three and U.R.S. was one of the contracts. We accepted their proposal so this is the contract for their services.

Mayor Eberhardt inquired if the amount was any different from what we had previously seen.

Ms. Breder commented that there was a variance within five dollars.

**MOTION** was made by Commissioner Tolbert and seconded by Commissioner Tennis to approve the U.R.S. contract for engineering services for the Water Treatment Plant and the Distribution System Improvements. **All in favor; motion carried.**

Ms. Breder commented that Ordinance 2007-4 is only a draft regarding off road vehicles was put on the agenda for discussion and comment not as an introduction.

Mayor Eberhardt commented that in earlier drafts he had seen not to ride vehicles within 300 ft. of residents but is not seeing that on this one.

Keith Baynes, the Town Attorney, commented that it can be written that way but he wrote it to be that riding off road vehicles on private property was prohibited rather than put 300 ft. or anything else.

Chief Daly commented that he likes this version because this is clear cut if you have to go to court they can't say they were 350 ft. away.

Mr. Baynes commented that they are all different, some require registration, some require the 300 ft. from residents and permission from the property owner, and some require helmets. Mr. Baynes commented that under the MD. Transportation code only the Baltimore County and Cities have the authority to regulate off the road motorcycles, so he is careful in how he is wording this to read off road vehicles.

Mayor Eberhardt commented that he will be asking him for further information as we go along since he will be serving on the Municipal League Legislative Committee.

Ms. Breder inquired who the Municipal infraction is given to.

The way he tried to work it is you can give the person who is on the vehicle a citation as well as the owner of the property if they are allowing them to ride on their property.

Commissioner Hansen inquired if that would mean he would not be able to use his four wheeler to plow snow in the winter time.

Mr. Baynes commented that we could add exceptions if needed, he had only put in for police or government all terrain vehicles.

Mayor Eberhardt commented that he sees these little electric cars and things in yards he inquired if they would be included in this.

Mr. Baynes commented that his definitions did not go that far, this is basically for gas driven vehicles; those are more of a toy.

Commissioner Tennis wanted clarification regarding the paragraph that referenced within the town if that was meant to be within Town limits not just a person having a Perryville address.

Mr. Baynes commented that it does cover within Town limits.

Commissioner Brown inquired about the violation and penalties and fines if after the third violation you are free to go for \$100 each subsequent fine after the final penalty of \$500.

Mr. Baynes commented that it is meant to read an additional fine of \$100 on top of the final fee of \$500 for each subsequent violation.

Commissioner Brown commented that she would rather see them loose the vehicle for good after the third time.

Commissioner Tennis inquired how the fines would be imposed.

Mr. Baynes commented that it would be a Municipal infraction imposed by the Town; if they did not pay the fine then they may need to go to court.

Chief Daly inquired if this would go as a lien against the property until it is paid.

Mr. Baynes commented that it can be.

Chief Daly commented that this is why he likes this Ordinance because it gives them the ability to confiscate the vehicle until the fine is paid.

Commissioner Brown commented that this is what she would like to see done, if they choose not to pay the fee then it would mean nothing if they did not have other consequences.

Mayor Eberhardt is still inclined to put something in regarding internal combustion distinguishing from a little electric car or residents that use electric wheelchairs on the street.

Mr. Baynes commented that this was a draft for their comments and it gives them some things to think about and to add too if necessary.

Ms. Breder commented that she would be the point of contact for the board to email her if they have any additional item they would like to see added and she will forward them to Mr. Baynes.

#### **BUDGET AMENDMENT- Peggy Rice**

Ms. Rice presented Resolution 2007-14 a budget amendment to offset contingency and recognize additional expense to lease the Cedar Corner Building for the Administrative Department and the Planning and Zoning Department. The second request is for office furniture from non-capital to capital and the third is to reclassify the lease expenditure for a copier from capital outlay to the Administrative Department.

**MOTION** was made by Commissioner Brown and seconded by Commissioner Hansen to approve Budget Amendment Resolution 2007-14. **All in favor; motion carried.**

Ms. Rice introduced the lease agreement for a new copy machine which is a Kyocera 4050 and it is a 50 month lease which also does faxing and can be set up for emailing, hopefully to email purchase orders. The machine will move upstairs to this building after the temporary use of the Cedar Corner building. The fee would be \$287 a month; we only have eleven months to this budget year so the \$3,200 would cover it.

Mayor Eberhardt did not see \$287 he is seeing \$247.

Ms. Rice commented that she added two of the options at \$20 a piece including a faxing option and two extra paper drawers.

Mayor Eberhardt inquired why this was before the board to vote on.

Ms. Breder commented because this lease goes over multiple years and in order to secure funds you can only go budget year to budget year so that is why the board has to vote on it.

**MOTION** was made by Commissioner Brown and seconded by Commissioner Tennis to approve the expense of copy machine #2. **All in favor; motion carried.**

#### **TOWN HALL PARKING - Denise Breder**

Ms. Breder reported on a problem with the overflow parking from the MARC train commuters behind Town Hall, a lot of times there is little or no parking when the employees come in for work in the morning. Ms. Breder was looking to possibly assign parking spaces.

Mrs. Hansen commented that they also take over the street parking as well.

Mayor Eberhardt commented that he is afraid that would cause them to take over even more of the street parking if that was done.

Mayor Eberhardt suggested taking the wall down and making the patio area into more parking spaces, he was unsure of how we would assign parking.

Ms. Breder commented that this may be a good option to add a few more spaces.

Chief Daly had suggested the areas that the railroad people are laying fresh stone be designated as overflow parking, the commuters could be directed by his officers in the morning to park in those areas instead of the parking lot.

Mr. Hansen commented that if a lady was to park in the area with those large stones and gets out with high heels and walks to the station she could possibly lose her footing and break her ankle.

Ms. Breder wanted it be known that she is not asking for an assigned space for herself she is asking for the other employees as well as visitors coming to the Town Hall.

Mayor Eberhardt inquired how many we will be gaining by the library closing; he guessed it would be their employees and the library patrons.

Ms. Breder commented that they are most likely not having much luck by the time they come in and open up either with parking. Ms. Breder commented that the library is closing on the 30<sup>th</sup> and they will be having a bookmobile in the parking lot every Saturday at specific times until the new library opens.

Ms. Breder wanted to put something out there for them to think about while we are still submitting numerous correspondences to the MARC train officials to expand their parking lot across the street.

Mrs. Hansen commented that the sign over there does state that overflow parking is at the Town Hall.

Mayor Eberhardt and Ms. Breder both were not aware of how and when that came about, but the mayor did state that it would be creating another problem of street parking if they were not allowed to park in designated areas here. Mayor Eberhardt is inclined to believe that once the library is closed that it will ease up some.

Mr. Stetina commented that if they extended the MARC train service to Elkton it would alleviate a lot of the problem too.

Mayor Eberhardt commented that he had talked to the MARC representatives about that and that they would only be extending service to Elkton after BRAC to accommodate BRAC and that is not definite and he relayed that we would still need their parking lot expanded.

Commissioner Brown commented that the town is growing with or without BRAC and she has witnessed on many occasions during the day people illegally parked in the back parking lot to go to the library or whatever. Commissioner Brown commented that tonight was a good example it was difficult to find a spot to park tonight. It is not good for people who want to come to Town Hall or attend functions we cannot even use our own building.

Ms. Breder announced the Town of Perryville will be holding a lottery for the right to use the three duck hunted blinds located off of our Community Park during the hunting season for in town residents. The lottery will be held on Tuesday, September 4, 2007 at the Town Meeting. They will need to show their drivers license to show residency and the hunting license with the State and Federal stamps. So far the only seasons posted from DNR are for the early resident goose season of September 1-September 15. We will start ours after the drawing on the fourth. They are generally split into two seasons more information will follow once it is posted.

Mayor Eberhardt commented that we may have to do a second drawing then.

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Ms. Breder commented that DNR should have it posted by the Town meeting.

Mayor Eberhardt had been approached about the Town possibly doing a fourth duck blind although he is not sure if that could be done or what the process would be or if we have the area or not.

Ms. Breder commented that she is not sure what that process would entail either but is fairly confident that it would not be able to be done by this years seasons, it would have to be considered for next season.

Mr. Thompson inquired what the time frame is for people to sign up.

Ms. Breder commented that it will be advertised in the newspaper and on the Sign Board but the deadline will possibly be the Friday before the Town meeting.

Motion was made by Commissioner Tennis and seconded by Commissioner Hansen to adjourn the August 7, 2007 Town Meeting at 9:25 p.m. All in favor; Motion carried.

Respectfully submitted,

Jackie Sample,  
Town Clerk

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