

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

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.

**The Town Meeting was called to order at 7:05 p.m.**

**APPROVAL OF THE MINUTES**

**MOTION** was made by Commissioner Hansen and seconded by Commissioner Tennis to approve the January 8, 2008 Town Meeting Minutes. **All in favor; motion carried.**

**MAYOR'S REPORT-**

Mayor Eberhardt attended the Work Session on the 15<sup>th</sup> of January where they reviewed plans for Happy Valley and the Chesapeake Center and addressed other issues. On the 24<sup>th</sup> of January Mayor Eberhardt attended a joint meeting of the Economic Development Department and the Council of Governments in which he gave an update on Economic Development in Perryville.

**COMMISSIONER'S REPORTS –**

**COMMISSIONER BROWN'S REPORT-**

**Announcements:**

February 9, 2008      Perryville Outlet Center will be having a Valentine's Day Cooking Demonstration. Chef Eric Lidums of the Grist Mill will prepare a 4 course meal to include Oyster Stew Rockefeller, Blackened Chicken w/ Penne Pasta and Creme Brule. Please RSVP to the Management office at 410-378-5758. There is no cost and there will be prizes given away.

February 28, 2008      Perryville Greenway Meeting, 10 a.m., Ms. Breder's Office.

**Meetings I Attended:**

January 9, 2008      I attended the Cecil County Tourism Board of Directors meeting

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held at the Perryville Outlet Center. We toured the space the tourism office will occupy. Plans are underway and preparation has begun to ready the site for opening in a couple of months. We would like to remain open on the weekends and possibly extend the length of the day to promote Cecil County. We will be accepting volunteers to greet visitors, pass out brochures, maps, etc. If anyone is interested, please let me know so that I can pass your name and contact information on to Sandy Turner, Tourism Coordinator. It's an honor to have this office here in Perryville.

January 10, 2008

Nelson Campbell, Peter Pearre, Eric Grubb and I met with Paragon Engineering. They are the firm that will be doing the design work for the heating and AC at Rodgers Tavern.

January 15, 2008

Attended the work session here. As part of the discussion for the Happy Valley Annexation Proposal, I volunteered to meet with Rowan Glidden, their architect, to give him a tour of the park amenities that have worked well for us and that they might incorporate into the park they may be building for the town on their site. He was impressed with the information packet I had prepared for him and was grateful for the tour.

January 18, 2008

Ms. Breder and myself along with representatives of the VA, a Representative of Bay Land Consultants and an architect from the Polt Design Group hired by the VA, Mr. Steve Elinsky of the Corps of Engineers, Mr. Reggie Graves from the Maryland Department of the Environment, a representative of the Maryland Fish and Wildlife Service attended a meeting on the proposed Shoreline repair that the Veterans Administration may be undertaking either in whole or part. It was an interesting meeting. Later in the afternoon Ms. Breder and myself met with the same representative from Bay Land Consultants and took him to the park to look at our shoreline. The purpose of that visit was to work up a proposal to address our shoreline erosion concerns.

January 22, 2008

I attended the Planning and Zoning meeting for presentation and discussion of the draft Comprehensive Plan.

January 24, 2008

Attended the Perryville Greenway meeting.

January 28, 2008

Nelson Campbell and I met with Mary Ann Lisanti to discuss the next MHAA grant application for Rodgers Tavern.

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- January 29, 2008 Nelson Campbell, Eric Grubb, Brian Goudy, Peter Pearre and I met with Richard Brand of the Maryland Historic Trust at Rodgers Tavern. The purpose of this meeting was to get his concurrence, in person and in writing that we could continue with the design phase of our work in order not to lose our grant funding and at the same time try to resolve the issues with the archaeology so that we could work outside the building. We have received a letter stating we can do the design work. We are also working on the issues with the archaeology and pray it all comes out together.
- January 29, 2008 Ms. Breder and I met with the President of the Perryville Little League and the President and Assistant of the Northern Chesapeake Baseball League to work out a plan for both organizations to use the senior field in the park. A contract will be done after we have the Little League schedule in March.
- January 31, 2008 Met with Rowan Glidden concerning Happy Valley Park issues.
- January 31, 2008 I attended the last informational meeting on the different forms of Government possibly being considered for Cecil County. It was held in their new office building in Elkton and was well attended. I learned a lot and would suggest if others are interested, there is a DVD that the library has that gives the same presentation and you can watch it in your own home.
- February 4, 2008 I attended the Cecil County Chamber Legislative Breakfast to learn the latest from our delegation. I can't say I learned much good news.

**NOTES:**

Our new Park Warden, Jared Armington is on the job. Weather permitting; he will be starting on a new project in the park to replace the old blacktop interior walkways. Now is a good time to take up the blacktop, install a good base and let it settle. Then when the weather breaks, we hope to pour the concrete.

We are waiting on the approved plans to come to us from the County for the boat launch and we will send out the RFP's for that project. I had hoped to have a lot of that work done, but final plans and approvals have been slow. I want it to be out of the way by boating time. I hope we can.

**COMMISSIONER HANSEN'S REPORT-**

**PLANNING & ZONING UPDATE**

**February 2008**

**PLANNING & ZONING MEETING**

- A concept plan for Perryville Yacht Club Phase II was reviewed by the Planning and Zoning Board in the month of January. This concept plan proposes two condominium buildings with a total of 39 units, a pavilion, bathhouse, pool and the relocation of the marina office. The developer will take the comments received from that meeting and draft a Preliminary Plan for the Planning Commission and Cecil County Technical Advisory Committee review.
- This month's regular Planning and Zoning meeting falls on a holiday, therefore the next meeting will be held on Tuesday, February 19<sup>th</sup> at 6:30pm. The concept plan for the Woodlands Perryville project will be reviewed at this meeting.

**BOARD OF APPEALS:**

- No applications were received for the month of January or February therefore no Board of Appeals meetings were held.
- The Comprehensive Plan workgroup met on January 22<sup>nd</sup> to review the draft Comp Plan. Comments on the plan have been compiled and sent to Maryland Department of Planning to process and include in the document. A public hearing in front of the Planning Commission will be scheduled once the document has been updated.

Mayor Eberhardt inquired if they were going to update the Comp Plan with an addendum.

Ms. Breder commented that at this point they will be doing an addendum for the Public Hearing and once they get through that they are going to put through one Comprehensive document.

Commissioner Brown inquired if some of the other board members had copies because if not it is a lot of reading to go through and cannot be done in just a couple of days.

Ms. Breder was hoping to be able to get a good document to the board but it does not appear that she will be able to.

Commissioner Tennis inquired if extra copies were going to have to be reproduced for the public hearing to be available for the public.

Ms. Breder stated that we have a few extra copies so extra copies may be needed.

Mayor Eberhardt inquired if there was a deadline set for receiving comments back from the Planning and Zoning board.

Ms. Breder stated that Ms. Erickson had set a deadline which has passed but it has been extended to get more feedback.

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

Commissioner Tolbert reported that tomorrow at the corner of Franklin Street and Aiken Avenue extended a contractor will be installing a new water main valve beginning at 8 a.m. so water will be off for a few hours. Commissioner Brown told him that the reverse 911 system seemed to have worked alerting those in the vicinity that they may have their water turned off for a period of time the next morning. Commissioner Tolbert commented that there was a pre-bid meeting for that Wastewater Treatment Plant in which a good amount of contractors and equipment suppliers attended. Commissioner Tolbert stated that last month they received a violation notice from MDE regarding their ammonia and solid limit. We are going through the proper procedures of a response to them explaining why and then we will hear back from them.

Commissioner Tolbert commented that he believes there are a couple of employees that either are or are near thirty years of employment.

Ms. Breder stated that two employees had both just passed the thirty year mark.

Commissioner Tolbert inquired about Mr. Hathaway since he should be getting close to the thirty year mark as well.

Ms. Breder believes that he has twenty seven or twenty eight years of service.

Commissioner Tolbert inquired if the board was going to do anything to acknowledge the two employees for their thirty years of service.

Ms. Breder indicated that they did do bonus checks in the amount of \$500 for the two employees who reached the thirty year mark, one of which is waiting for the check to be cut.

Ms. Tome asked the names of the individuals who will have thirty years of service.

Commissioner Tolbert commented that they are Ron Powell and Steve Bennett.

Ms. Breder indicated that we can do a certificate of appreciation, a plaque or whatever they decide.

Commissioner Brown indicated that is another reason she feels that these issues should be addressed in the personnel manual so that these practices will be in place when these things come up.

Mayor Eberhardt stated that we will have a plaque, a certificate and the \$500 check done for them.

Mayor Eberhardt inquired when the bid opening was scheduled to begin.

Ms. Breder indicated that currently it is scheduled for February 26<sup>th</sup>.

Commissioner Tolbert commented that they are looking to possibly have that date pushed back due to the length of time that the contractors felt that they needed to get a good bid packet together.

Ms. Breder commented that it was originally scheduled for the 19<sup>th</sup> then it got pushed back a week to the 26<sup>th</sup>. At the pre-bid meeting is when they realized that it may need to get pushed back again after hearing from the contractors that there is another project that is being bid out at about the same time. They were asking for some extra time to put a good bid together.

Mark Prouty indicated that there is another large project in Crofton, MD that is about the same time. There was some discussion about adding another week to our schedule to have a two week gap between the two projects instead of one. Mr. Prouty commented that a notice will go out to all plan holders as an addendum if things are changed from the February 26 to March 4.

## **COMMISSIONER TENNIS' REPORT-**

### Public Works Report-

A new section of Water Line was installed on Turnpike Drive by H.I.E. as a necessity for the new water tower project. The line has been pressure tested and flushed to meet the necessary standards for installation. The existing line has been chlorinated and de-chlorinated and bactii samples have been sent for testing.

Remodeling for the new offices on the second floor of the Town Hall has nearly been completed. The second floor is now available for 5 offices, a Mayor and Commissioners room, and a conference room. The offices are in need of only carpet and phone line installation.

Roof Extensions have been installed at the Town Hall (Front and Back) and at the Community Center (both doors).

Plowed and salted streets during this month's snow storm.

Removed an unsafe tree from the playground at the park.

Repaired flotation pontoon on the bottom of the Community Boat Ramp.

Shut off water on Aiken Avenue Extended and Clayton/Sumpter so a valve and section of the pipe could be installed for the new water meter project.

Read meters throughout Town for the quarterly water billing.

Commissioner Tennis also attended the Work Session held on January 15<sup>th</sup> and he wanted to remind everyone that next Tuesday is the Primary Election to come out and vote.

## **Water Distribution Progress Report-Mark Prouty**

Mr. Prouty reported on the progress of the Water Distribution System. The project is now at 264 days until final completion.

Previously installed 16" water main is currently undergoing a pressure test. Valve Vault 7 was set and tapping sleeve and valve installed and complete. Installation of Valve Vault No. 6 is complete.

Valve Vault No. 3 is complete.  
Removal of derrick crane from the tank.  
The tank panels are erected and complete.  
Welding of the tank ball is complete and is waiting for sand blasting and painting when the weather permits.  
Progress meeting No. 8 was held on January 15, 2008, the next meeting is February 12, 2008.

U.R.S. is recommending payment No. 9 to Greensboro Environmental in the amount of \$93,857.93.

Mayor Eberhardt indicated that Mark has let him know that it is time to inform them on how we want the lettering and the Town logo to be displayed on the tank. Mayor Eberhardt indicated that with the way that it sits and the site lines it would probably work the best with having the Town logo facing towards 222 and the lettering facing I-95 if that is acceptable to everyone. The board concurred.

**MOTION** was made by Commissioner Tolbert and seconded by Commissioner Brown to approve payment request No. 9 in the amount of \$93,857.93 to Greensburg Environmental. **All in favor; motion carried.**

### **Water Treatment Plant Progress Report-Mark Prouty**

Mr. Prouty reported on the progress of the Water Treatment Plant. This project is currently at 304 days until completion.

The work completed since the previous report was as follows:

The gypsum board ceiling and walls in the control building were installed, and the painting, sub-contractor completed painting in the control building.

All fiberglass interior and exterior doors were installed in the control building.

The Electrical Contractor installed the lighting, rough wiring, emergency lighting and switches, etc. within the office area of the control building.

The mechanical sub-contractor installed the heating unit with associated piping as well as the hose bibs for the building.

Non-ventilated soffit ceiling system was installed in the Filter Building Extension. Electrical sub-contractor installed the lighting in this building.

The mechanical sub-contractor installed the hot water heater, eye wash and utility sink, water piping to hose bibs, and future water service to the building.

JLW started demolition of existing suspended ceiling system, heating system, partition walls and boiler within the existing Filter Building.

Sub-contractor poured concrete for new mezzanine floor to house the future membrane pumps in the existing Filter Building.

The electrical sub-contractor installed the electric heaters within the space to allow for the demolition of the existing hot water heating system in the Filter Building.

They are hoping to be able to move into the Control Building soon.

A leakage test was performed on the Reject Holding Tanks and a leak was detected within Tank #1. The contractor is in the process of repairing the leak.

The roofing sub-contractor completed the metal roof installation at the Raw Water Pump Station and the existing Chemical Building.

Progress meeting No. 8 was held on January 29, 2008 at the project site.

The contractor has submitted payment request number 9 in the amount of \$195,569.66 which we have reviewed and recommend payment of that amount.

Mayor Eberhardt commented that Mr. Prouty indicated that they would be moving into the Control Building soon, he inquired what he meant by soon.

Mr. Prouty indicated that they asked that question in the progress meeting and he believes they said it may be a month to six weeks and they will push for that to happen quicker.

Mayor Eberhardt commented that he spoke to Dave Katzmire and he was going to set up a good day for a progress tour for the board members.

**MOTION** was made by Commissioner Tolbert and seconded by Commissioner Brown to approve payment request No. 9 in the amount of \$195,569.66 to JLW Associates. **All in favor; motion carried.**

Mr. Prouty commented that after the pre-bid meeting that was held yesterday the contractor's were taken to the site. Mr. Prouty indicated that some of the questions that

are asked by the contractors not everybody in the group gets to hear, he stated that what is said on site does not mean anything it needs to be in writing in an addendum that everybody gets before it is a reliable statement. One of the things that he pointed out at the site and in the meeting was that the bridge crossing the stream at the Treatment Plant is going to be getting a lot of traffic during construction and he knows that it was just rebuilt. It has been put on the drawing that the contractor needs to know the weight limit of that bridge and that it is usually video taped prior to construction and after and the contractor will be responsible for any repair.

Commissioner Brown inquired if he knew there was another way around.

Mr. Prouty commented that he was aware of that and did inform them that there is another way that trucks use when going into Perry Point.

Commissioner Brown wanted him to know that we are constructing a trail segment off of the truck entrance to Perry Point and if the trucks are too heavy they will have an alternate route, they may need to put some stone in but it can be done. If they run into a problem let her know and she will show them how they can do it.

Mr. Prouty indicated that the design contract for the design work on that site is just about complete and they are a little over \$100,000 less than the proposed amount so we are pleased with that.

Mayor Eberhardt inquired if he has a feel for the number of bids that we may be getting.

Mr. Prouty indicated that there was a lot of interest and that we could possibly get 10 bids out of it. Mr. Prouty indicated that they have put out about 25 sets of documents.

## **ADMINISTRATORS REPORT-Denise Breder**

### **Town Administrator's Report Town of Perryville, MD February 5, 2008**

- Wastewater Treatment Plant:
  - The Advertisement for Bids for the Wastewater Treatment Plant was placed in six newspapers, two construction journals, on the Department of General Services web site, and emailed to various Disadvantaged Business Enterprise (DBE's) Organizations on January 18, 2008. Additionally, the ad was faxed

directly to construction companies who do this type of work and are certified by the MD Dept. of Transportation, the City of Baltimore and/or the Small Business Administration as being a minority / women's business enterprise or a small business on January 18<sup>th</sup>. The reason for the extensive advertisement of the project is that the procurement process for this project must meet Federal Standards which includes the six-affirmative action steps for seeking M/WBE and SBA participation in the project. At this writing 17 companies have requested bid sets (11 of which we believe are contractors).

- Pier Project update:
  - The non-tidal wetlands license for this project was received from the MD Dept. of the Environment. The next step in the process is for consultant John Klein to put together the package for Phase I submission to State Highway Administration for review.
  - Copies of both the tidal and non-tidal wetlands permits have been forwarded to Ken Ropp of DNR's Waterway Improvement Fund.
  
- Annexation issues:
  - Sent additional information to Ms. Georgeanne Carter of the Department of Legislative Services regarding the IKEA annexation as requested. Additionally, forwarded to her information regarding the annexation of Town's water plant property.
  - Just a reminder, the hearing date for the proposed Susquehanna Overlook Annexation is currently scheduled for March 25, 2008 at 6:30 pm. We will know within the next week whether or not that date needs to be adjusted.
  - Met with Mr. Geraghty and his attorney, Mr. Stover, on January 14<sup>th</sup> regarding the proposed annexation of the Cedar Corner LLC property to discuss the timing of the annexation process and the information that the Town requires from the petitioner prior to proceeding with the annexation process.
  
- January 15, 2008 Ms. Heather Erickson, Mr. Michael Caldwell and I met with Mr. Greg Speakman to discuss problems with the construction of the single family home on Aiken Avenue. A Stop-Work Order had been placed on the project from January 11-15 because of various problems (blocking the road, work hours, the conditions of the site at the end of the work day...).
  
- January 23, 2008 Prepared for and attended a staff meeting. The next meeting is to be held on February 27<sup>th</sup> at 10am.
  
- January 25, 2008 Mrs. Cathy McCardell, Ms. Peggy Rice and I met with representatives from PNC Bank to discuss problems that the Town has experienced since the transition from Mercantile to PNC as well as the services that the bank provides to the Town.
  
- January 28, 2008 Ms. Heather Erickson, Mr. Chris Rogers, Mr. Kevin Pampuch and I met with the team from Town Point Development to discuss the Concept Plan for the "Woodlands" property. The development that had been proposed by the previous

owners of the property are very different from the Concept Plan that is being submitted by the new owner and development team. Mr. Doug Hill is here tonight to give you an overview of the new developer's plans.

- There were two utilizations of the Reverse 911 service one was on January 24<sup>th</sup> pertaining to water shut offs, one was related to the project and the other is to repair a valve tomorrow morning as Commissioner Tolbert had indicated earlier.
  - Regarding the land that was deeded to Mr. Gary Potter in error, Mr. Thomey prepared a quit-claim deed reversing the deed that had previously been recorded. The Town and Mr. and Mrs. Potter executed the deed and it has been forwarded to Mr. Dwight Thomey for recording. The money paid for the property by the Potters to the Town has been refunded.
  - I have not yet received a response from Mr. Richard Lindsay of SHA regarding the US 40 speed limit letter that was sent to him at the beginning of January.
  - At the next Work Session which is to be held on February 21 on Thursday at 6:30 p.m. instead of the 19<sup>th</sup> because of the holiday on the agenda will be Sprints plan. Mr. DiStefano submitted proposed plans for the placement of both the temporary and permanent monopoles used for Sprint's communication equipment at the site.

Mayor Eberhardt inquired if there is a price tag on that yet.

Ms. Breder indicated that there was not.

- Asked the Courtyards at Olde Towne Home Owners Association to inspect the drain at the end of Front Street (near the intersection with Roundhouse Drive) and make any necessary repairs since there seems to be some safety concerns with that drain.

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

Ms. Rice read the bank balances for PNC; the balance was \$1,225,748.02, for the MD Government Investment Pool the balance is \$3,596,345.17, for Bay First Bank it is \$692,780.05, for Bank First \$2,946.27, and for NBRS it is \$68,720.32, for a grand total of \$5,586,539.83.

Ms. Rice reported on the Financial Statement Summary for the month of December the MTD for the General Fund was at a deficit of (\$253,459.66) and a YTD surplus of \$864,374.26. The water fund MTD was a surplus of \$505,236.69 and a YTD surplus of \$796,858.86. The sewer fund MTD was a surplus of \$152,019.86 and a YTD surplus of \$31,589.83.

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

For the Month of January, 2008:

- 155 purchase orders were processed totaling \$281,832.60
- 106 accounts payable checks were processed totaling \$273,975.68.
- Processed 654 cash receipts totaling \$273,975.68.
- Prepared the December 2007 month-end closing entries and financial reports.
- Prepared and distributed December 2007 monthly department expenditure reports.
- Transferred payment to Greensburg Environmental Contracting Systems, Inc. in the amount of \$136,725.70 on January 14, 2008 for the Water Distribution System Improvements.
- Transferred payment to J.L.W. Associates, Inc. in the amount of \$605,896.70 on January 14, 2008 for the Water Treatment Plant.
- Processed Loan Payment Disbursement Requests 17 and 18 to MDE on January 10, 2008 totaling \$742,623. Received reimbursement from MDE on 2/1/08.
- Received \$231,318.92 from Cecil County Treasurer's Office for FY08 Real Estate Tax revenues collected in December.
- Met with NBRS representatives on January 11 and January 25 to evaluate banking services that they offer. We also met with PNC bank and are expecting a proposal from them. We will be evaluating which bank can offer us the best return and customer services for our structure.
- Attended a staff meeting on January 23, 2008.
- Prepared and mailed fifteen 1099 Miscellaneous Income forms totaling \$307,179.99 on January 24, 2007. Also, submitted the 1096 Annual Summary and Transmittal Form.
- Employee W-2's were distributed on January 29, 2008.
- Billed the Veterans Administration \$105,022.01 for Wastewater Treatments services for the Fiscal Year 2008 second quarter (October, November, December 2007) and \$6,392.67 for Bay Restoration Fees.

Mayor Eberhardt inquired if Ms. Rice was going to be doing an article in the upcoming newsletter in regards to the Homestead Tax Credit.

Ms. Rice stated that she has done that and has turned it in to Ms. Altwater.



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SEROS PARKING VIOLATIONS BOAT RAMP VIOLATIONS	8
<b>ACCIDENTS CALLS</b>	11 220

Chief Daly reported that on January 10<sup>th</sup> at approximately 2145 hours the Perryville Police Department, the MD State Police, Port Deposit Police, Rising Sun Police and the Hatem Bridge Police executed simultaneous search warrants for the 300 block of Elm Street. He wanted to give credit to his officers, Armington, Hoffman, Miller, and Butler, who executed the search warrants even with last minute changes. He also credited the civilian staff that had taken care of four children that were taken from the residence.

#### **FROM THE FLOOR**

Betty Thompson, who resides at 1646 Ingleside Avenue, commented that they have noticed a decrease in their water pressure at the end of Ingleside Avenue; she asked if the pumping station could get checked to see if it is working accurately or not. Mrs. Thompson indicated that it worked really well when the pumping station was first put in. Mrs. Thompson also commented that previously she had requested that double yellow stripes be put onto Cedar Corner Road because people are crossing over into the opposite lanes, she noticed that Clayton Street has a little bit of it.

Mayor Eberhardt commented that the State Highway probably had done the little amount of striping on Clayton Street when they did Perryville Road; he indicated that Cedar Corner Road is a mixed road.

Mrs. Thompson indicated that it is a County Road when you get past Al Wein's house and it is striped but it is very light.

Mayor Eberhardt commented that maybe we could talk to the County about restriping their portion and potentially continuing onto our portion.

Mary Jackson, who resides on Front Street, commented that the spot on Cherry Street still has not been fixed.

Mayor Eberhardt indicated that he was not sure where she was talking about because he could not find it and Commissioner Hansen indicated that he could not find it either.

Ms. Jackson commented that it is in between Arch and Front, she commented that they could come to her house and she would show him, she indicated that a truck may have been parked in front of it.

Ms. Jackson commented that she recently read something in the Cecil Whig about some signs getting taken down she inquired what that was about.

Ms. Bellmeyer, from the Cecil Whig, commented that it was an article about resident parking in town.

Ms. Jackson commented that everybody on Front Street needs resident parking, when people across the street get visitors there are 10 or 15 cars lined up on the street. Ms. Jackson commented that some people have a garage and a driveway and they still park on the street.

Ms. Jackson commented that she had some tests done lately at Harford Memorial Hospital and noticed they had a picture of the bridge with some history indicating that it was the only double decker bridge in the Country. Ms. Jackson believed that some of the information was incorrect; it has it as Perryville going across on a separate section of the bridge and coming from Havre De Grace coming across a separate section of the bridge. Ms. Jackson commented that a lot of people do not know that it was a draw bridge at one time.

Commissioner Brown commented that she believes that there was a lower section and a higher section, one was going to Havre De Grace and one was coming from Havre De Grace but she is not sure which one did what.

Mayor Eberhardt asked Ms. Jackson if she would consider writing a historical article for the newsletter.

Ms. Jackson had some information regarding the pump at the lift station that she wanted us to get a copy of and some other articles that she had.

Ms. Jackson inquired how far away a building has to be away from Power lines; she commented that somebody needs to look at where the new condos are going and how close they are to the wires.

Mrs. Hansen commented that all of the plans were looked at and approved.

Mayor Eberhardt commented that Ms. Jackson is welcome to come to the next planning and zoning meeting when they go over the plans in more detail.

Ms. Jackson inquired if they were looking at just the plans and not reviewing the location.

Mrs. Hansen who is on the Planning and Zoning board indicated that they look at the plans and go to the site and review the location.

Ms. Jackson indicated that nobody on the board would want to have this across the street from where they live she feels that anything goes in her part of town.

### **OLD BUSINESS**

Ms. Breder summarized an abatement request for a property located at 741 Aiken Avenue which was tabled last month until additional information regarding the new bill was available since it effected two quarters. Ms. McCardell did provide a sheet with the new charges; the bills have not actually gone out yet. The current bill will be for \$924.40, with the two bills combined as being \$1,781.40. Ms. Breder commented that Ms. Barrow was requesting an abatement in the amount of \$1,293.26. Ms. Breder commented that technically this does not meet the requirements to get an abatement because it is not an underground leak but they are appealing the denial.

Ms. Barrow, who owns the property at 741 Aiken Avenue, commented that the leak was assumed to have been inside since the issue was resolved once the toilet was fixed. Ms. Barrow indicated that there is a 78 year old disabled elderly man that lives in there and he is hard of hearing and was unaware of a problem. Ms. Barrow stated that she is a responsible landlord and the repair was made as soon as she found out there was a problem. Ms. Barrow indicated that there was a letter sent from the Town which stated that she had high usage which was what alerted her to the problem, she had not yet received the bill at that time. It was about a month and a half after the quarter that she received the bill. Ms. Barrow does not know why it matters if the leak is inside or outside. Ms. Barrow met all of the other criteria, it was over 300% of usage and it was not due to her negligence.

Mayor Eberhardt inquired if the usage is back to normal since the repair.

Ms. Breder indicated that our guys had taken a reading after Ms. Barrow had the repair work done and it was not leaking when our staff took the reading.

Mayor Eberhardt commented that part of the reasoning for the leak having to be inside is that they are using the water and it is being treated at our Sewage Treatment Plant where if it was an outside leak it would not be treated at the Sewage Treatment Plant.

Commissioner Tennis inquired if water and sewer was part of his rent.

Ms. Barrow commented that she pays for the water and sewer she gets one bill for three units which is an average of \$284 which she feels is a lot for three tenants, because it is a minimum payment required. Ms. Barrow indicated that she has been paying for water here for years that she has not used including an empty lot before Box Car Avenue was built.

Commissioner Tolbert commented that if she is paying \$284 dollars a quarter for water for three units which are about \$95 a quarter, this works out to be about a dollar a day for water. He feels that this is a reasonable amount.

Ms. Barrow commented that she just received her water bill from Havre De Grace and it was for \$38.

Commissioner Tolbert indicated that he was not interested in Havre De Grace.

Ms. Barrow commented that the reason she is pointing that out is because there is 90 days in their quarter as well and he is saying that a dollar a day is reasonable.

Mayor Eberhardt inquired if the board had a recommendation for a motion or if it was going to be tabled.

**MOTION** was made by Commissioner Tolbert and seconded by Commissioner Tennis to deny the abatement request because it does not come under the qualifications.

Ms. Barrow commented that it does meet all of the other qualifications, it meets the 300% above normal, she has provided documentation and is a responsible landlord and she feels that an exception can be made for it not being an outside leak.

Commissioner Tolbert indicated that they are not arguing the fact that she is a responsible landlord but the water had gone through the pipes through the meter and down the drain.

Ms. Barrow indicated that they gave abatements last month to other people, one was the laundromat and the other was a private resident.

Commissioner Tennis indicated that it is a case by case basis.

Ms. Barrow indicated that \$1,700 is a lot of money that she does not have, her money goes back into the maintenance of the properties, and she feels that we should be doing what we can to assist the citizens of the town.

Commissioner Tolbert inquired if she left her lights on all of the time if she would be asking them for an abatement for her electric bill.

Ms. Barrow commented that she would know if her lights were left on all of the time, she was not aware of this until a month in a half later.

Ms. Barrow inquired what the cost was to process that amount of water.

Ms. Breder indicated that she would have to get the budget out and look at it to be able to give her that amount.

Mayor Eberhardt commented that the bottom line is that we break even we are not making any money, we are covering costs.

Ms. Barrow commented that you were making money when you were charging for water that I had not used at all for a vacant lot, which was over \$1,000 a year.

Mayor Eberhardt commented that the rates are set that we are not making anything off of it and it cannot be subsidized with the general fund, it is a stand alone fund and the rates are set to recapture expenses.

Ms. Barrow commented that she feels like she is being discriminated against because there were abatements issued last month and they went through their pipes too.

Commissioner Tennis indicated that they still have to pay for their water.

Mayor Eberhardt commented that there still has to be some responsibility on the other side too, you have mentioned that you had another property with a problem like this before. Mayor Eberhardt commented that because of the consequences and the financial loss you wanted your tenants to notify you immediately of any leaks, you have a tenant that just sat there and let the water run, somebody needs to take the responsibility. It was not until we notified you that there was a problem that you were aware of it.

**MOTION** was made by Commissioner Tolbert and seconded by Commissioner Tennis to deny the abatement request because it does not come under the qualifications. **Four in favor, 1 nay (Mayor Eberhardt); motion carried.**

Ms. Barrow questioned what recourse she would have after this process; she is just expected to pay it with no questions asked.

A citizen sitting in the audience yelled out that she could go to the Attorney General of the State of Maryland.

Commissioner Brown indicated that there is recourse but it is not going to be cheap, she commented that a lot of people including her being a single homeowner have been paying the minimum rate for water that they have not used for many years it is not just her. Commissioner Brown commented that Ms. Barrow might have stood a better chance of catching this leak if the units were metered individually, although that is not a cheap fix.

Ms. Barrow commented that it is an older building and it would cost too much to have individual meters placed.

Mayor Eberhardt commented that having the tenants pay for their own utilities would be another suggestion.

Ms. Barrow indicated that she is obviously not pleased with this result and she was hoping that we would work with her. She indicated that she has worked with both Aberdeen and Havre De Grace and they have worked with her. It does not encourage her to look around for more properties in Perryville if you are not going to work with the citizens. Ms. Barrow inquired when this bill was going to be expected to be paid.

Ms. Breder indicated that we can work out a payment plan for her.

Ms. Barrow still wanted the fact that the water bills are coming out a month and a half later to be addressed, she indicated that Havre De Grace gets theirs out in two and a half weeks.

Ms. Breder indicated that we may be able to streamline things a little bit more but because of the process that they do, they get the initial readings, they download them, they print out a report, they do rereads if necessary and high usage letters are generated if necessary, this all takes time.

Ms. Barrow indicated that we may want to contact Havre De Grace and Aberdeen and find out how they do it. Ms. Barrow commented that when she had an issue with a building with five units that she has in Aberdeen, she called them they came out and figured out the problem and started the paperwork for the abatement and she was done. She did not have to come to a Town Meeting and spend the time that she did getting all of her paperwork together.

Mayor Eberhardt commented that there are abatements that Ms. Breder can approve without going through this process based on the criteria set and under a certain amount. The ones that come through here are the ones that do not meet the criteria and are denied by Ms. Breder. If the citizen does not agree with the denial that is when they must come before the board for consideration for abatement.

Ms. Barrow commented that she feels that the system is failing to help its citizens.

Mayor Eberhardt commented that one of the biggest responsibilities that we are to do is to cover the costs for the citizens of this town; if one citizen accrues a significant amount of cost it is not fair to spread it out to everyone else to pay.

## **NEW BUSINESS**

### Susquehanna Overlook Annexation

Resolution 2008-2 was introduced regarding the request to enlarge the Corporate Boundaries of the Town of Perryville by annexing land owned by Susquehanna Overlook, LLC. consisting of approximately 112 acres located at 50 Happy Valley Road, seventh eleventh district, Cecil County, MD, which is contiguous to and adjoining the boundaries of the existing corporate area of the Town of Perryville. After the introduction there will have to be advertisements, a public hearing and a meeting to approve or deny the annexation.

Mayor Eberhardt inquired what section I in the first sentence was referring to when it said and the same.

Denise indicated that she believes it refers to the Corporate Boundaries.

Mayor Eberhardt indicated that you should be able to take that portion out of it out that reads and the same.

Ms. Breder indicated that she can mention that to Mr. Sussman.

Mayor Eberhardt inquired where the agreement was that it was referring to.

Ms. Breder commented that it is not available yet, the terms and conditions are not completely hammered out yet it will be available at the Public Hearing.

Town Point Development (Formerly Woodlands Project)-Doug Hill

Mr. Hill passed out some literature regarding his presentation. Mr. Hill wanted to thank Heather and Denise for their cooperation over the past two months in providing information that was needed as we approached expanding on the project formerly known as the Woodlands project now known as Woodlands Perryville.

Mr. Hill read a letter which is summarized below:

He introduced himself as Douglass Hill here tonight as a representative of Perryville Property Holdings, LLC; the owner of what was formerly referred to as the “Goldberg Property” located in the Town of Perryville on Coudon Boulevard. His firm is Town Point Development and will act as the community developer of what we call “Woodlands Perryville”. They developed a mission statement to communicate the vision they have which reads; “To create a sustainable master planned community that provides a sense of place and identity while respecting the environment and enhancing the quality of life in Perryville”. In order to accomplish the project mission they are attempting to incorporate the history, planning tools and comprehensive plan elements into the land plan of “Woodlands Perryville”. He was here tonight to ask the Town of Perryville Staff, elected officials and residents to support the planning process of creating the land plan for what should be an extension of Perryville. They will host a public design charrette in the month of March. The forum will promote the thoughts and concepts of residents, professionals, elected officials and Town staff. Please find a draft schedule and a brief description of the design charrette process. Please visit [www.woodlandsperryville.com](http://www.woodlandsperryville.com) for further updates and further information.

Mr. Hill and his father had come through originally about five years ago with an approved plan and at this point he is taking a different approach by trying to make the project an extension to the Town. Mr. Hill indicated that they received a copy of a study called Smart Growth of Perryville done by the University of Maryland and based on some of those elements and concepts contained in the study they submitted a concept plan last week to the Town of Perryville.

A member from the audience inquired what kind of development it was going to be, 55 and over, condos or what?

Mr. Hill commented that the aim of the development is to bring an extension to the Town for people with different types of housing and different income levels, as well as some retail development, offices, etc. Mr. Hill indicated that the Town needs to grow to its existing scale.

The member from the audience indicated that the small Town appeal is what attracts people to Perryville she hopes that he takes that into consideration. She believes that is why people get disgruntled about big buildings going up because they feel that

nobody cares about the people that have lived next to where they are being built for generations. She stated that just because the board votes for something does not mean that it is right.

Mr. Hill indicated that is why he is here tonight to inform the Town that they have set up the charrette and to invite the Town to participate in the charrette. Mr. Hill indicated that he does not live here and is not an intricate part of the community but he is a catalyst for change. He is asking for input from the Town on what the design of what they want built.

Mayor Eberhardt indicated that he had a mixed use development approved for Coudon Boulevard and you plan on changing that.

Mr. Hill commented that the plan is to completely redesign the project incorporating properties from the hair studio up to the former Woodside Mobile Home property.

Mayor Eberhardt inquired if the Perryville Property Holdings LLC. has acquired the old Woodside Mobile Home property.

Mr. Hill commented that they have acquired a contract for the Woodside Mobile Home Park; we have not acquired the property, but we have made contacts with all of the other property owners except for Bob's Seafood.

Mayor Eberhardt inquired how he planned on getting this information out to the general public about the charrette.

Mr. Hill commented that it will be advertised in the newspaper, there will be presentations scheduled for the next month with the Chamber of Commerce of Perryville and Cecil County. He will be making presentations to the Cecil County Historical Society and the library and posting signs on the Goldberg property on Coudon Boulevard.

Mayor Eberhardt indicated that he does not see a location for the charrette on his schedule.

Mr. Hill commented that he does not have that secured yet but hopes to be close to the property.

Lisa Tome, from the Rising Sun Herald indicated that we have been listening to their original plan for five years and up until now they were known as Hillside Development, she inquired what that was all about.

Mr. Hill commented that a couple of years ago he and his dad decided to split up their business interests. They no longer own the Goldberg property as of November; it belongs to Perryville Property Holdings LLC. owned by William Saienai with whom he is working with to help develop.

Betty Thompson commented that he would need to notify the Planning and Zoning Board on where he plans on having these meetings so that they may attend.

Mr. Hill commented that he will be at the next Planning and Zoning meeting on the 19<sup>th</sup> of this month and hopefully he will have the location and exact schedule for the meetings.

Commissioner Brown commented that she has been involved with several charrettes pertaining to the Town of Perryville; she does not have an understanding of some of the groups that they want to be a part of this process. One of the groups that he mentioned was the Cecil Historical Society, she inquired what his thinking was on their involvement, what they would have that some of the people in Perryville might want.

Mr. Hill commented that they would know things that he may not know and he is trying to incorporate some of the history into the project.

Commissioner Brown indicated that in reality he is looking for them to give them a history of Perryville as they tell it.

Commissioner Brown commented that the charrettes are a good thing she just wants to get a feel for the results that we will get out of it this time.

Mr. Hill indicated that the last time that the Town had a charrette they had a group of interested parties and the University of Maryland to develop a plan but did not have a property owner involved in the process this time it will.

Ms. Rice summarized Resolution 2008-3 regarding budget amendments to be reviewed and approved by the Mayor and Commissioners. The first item was in the General Fund to reclassify funds for the General Services Department for benefits higher than anticipated with offset to Contractual Services expense account. The second was to recognize grant revenues and expenditures in the new "Juvenile Outreach" Department. The expenditures were originally budgeted in the Police Department. This amendment transfers a portion of the original expenditures budgeted in the Police Department to the new Juvenile Outreach Program Department and recognizes the new grant income and expenditures. The third reclassifies funds required for MES contract for supervisory services, repairs to the Pump Building and the Tarby Pump with offset to related Salaries and Benefits and other expenses projected to be lower than anticipated. The fourth one is

to reclassify funds for the Front Street Grouting and Lining with offset to Contractual and Contractual I & I.

**MOTION** was made by Commissioner Brown and seconded by Commissioner Tolbert to approve Resolution 2008-3 Budget Amendments. **All in favor; motion carried.**

Ms. Breder commented that about a month and a half ago they decided that more supervision was needed at the Wastewater Plant. Ms. Breder contacted MES to submit a proposal for the supervisory services. MES submitted a field authorization budget amendment that lists additional expense for expanded supervisory coverage requested on December 27, 2007 at the Perryville Wastewater Treatment Plant. It includes an additional thirty-one hours for a total of forty hours per week of Supervision at the WWTP. This authorization would amend the executed proposal signed by the Mayor on November 6, 2007.

**MOTION** was made by Commissioner Tolbert and seconded by Commissioner Brown to approve the MES budget amendment request. **All in favor; motion carried.**

#### Planning and Zoning Appointments

The current term for Evelyn Hansen expired February 1, 2008 and the term for Matthew Oberholtzer will expire on March 2, 2008 for serving on the Planning and Zoning Board. They have both expressed interest in serving on the Board for another term. The board reappointed each member to serve another three year term.

**MOTION** was made by Commissioner Brown and seconded by Commissioner Tennis to appoint Evelyn Hansen and Matthew Oberholtzer to the Planning and Zoning Board for a three year term as listed above. **All in favor; motion carried.**

#### Election Board Appointments

The current terms for the Election Board will be ending on March 1, 2008; the current members are Connie Wilson, Robert Lay, Carol Loveless, and alternate Beverly Caldwell. They have been contacted and have expressed interest in serving again. The board reappointed each member to serve again the terms would begin on March 1, 2008 and end on March 1, 2009.

**MOTION** was made by Commissioner Brown and seconded by Commissioner Hansen to appoint Connie Wilson, Robert Lay, Carol Loveless, and Beverly Caldwell to the Election Board for a one year term. **All in favor; motion carried.**

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An event form requesting permission for the Perryville Little League to have a parade with the fee waived on April 19, 2008 beginning at the Middle School and ending at the Town Hall was submitted.

Commissioner Brown wanted to make sure that Chief Daly was working on getting the paperwork needed from the State Highway permitting them to have the parade.

Ms. Breder stated that Chief Daly had to leave but she would remind him of it.

**MOTION** was made by Commissioner Brown and seconded by Commissioner Hansen to approve the request for Perryville Little League to waive the fees and have a parade on April 19, 2008 provided they get the permit from the State Highway Administration. **All in favor; motion carried.**

**MOTION** was made by Commissioner Hansen and seconded by Commissioner Brown to adjourn the February 5, 2008 Town Meeting at 9:15 p.m. **All in favor; motion carried.**

Respectfully submitted,

Jackie Sample,  
Town Clerk

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