

**Town of Perryville  
Meeting Minutes  
June 3, 2008**

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

**The Town Meeting was called to order at 7:00 p.m.**

**Pledge to the Flag**

**APPROVAL OF THE MINUTES**

**MOTION** was made by Commissioner Brown and seconded by Commissioner Tennis to approve the May 6, 2008 Town Meeting Minutes. **All in favor; motion carried.**

**MAYOR'S REPORT-**

Mayor Eberhardt reported that on May 7 he attended an informational meeting regarding the Hatem Bridge. On May 8th two interviews were conducted for the Police Department in which you will see one of the results of those interviews tonight. Mayor Eberhardt attended the Spring Fling on the 10<sup>th</sup> of May. On May 13<sup>th</sup> attended a Legislative update for the State and the Perryville Elections were held. The Mayor attended the budget work shop on the 15<sup>th</sup>. On the 16<sup>th</sup> went to the Perryville Elementary School for Career Day along with the Police Chief. The Swearing in Ceremony was on the 19<sup>th</sup> of May. On May 20<sup>th</sup> there was the Lower Susquehanna Board Meeting and a work session on the budget. On May 20<sup>th</sup> Mayor Eberhardt also attended a Garrett Island informational meeting that was presented by the US Fish and Wildlife regarding some of the closings on some of the areas on Garrett Island. We have a resident here tonight who has a petition on the back table for anyone that would want to sign it and also some signs that someone could take with them for a petition to keep portions of Garrett Island open. We particularly want to keep the Sandy Beach portion of the island open. On the 21<sup>st</sup> of May we briefed our Comprehensive Plan that we are developing to the County along with the other Municipalities in Cecil County. Ms. Erickson did that briefing and did a great job of presenting it. On the 22<sup>nd</sup> of May there was another budget work shop. On the 26<sup>th</sup> of May attended one of the best Memorial Services at the American Legion, on the following day the legion held there annual Homeland Security and Defense meeting. On the 28<sup>th</sup> we attended an awards ceremony for volunteers at the new Tourism Office which is now located at the Perryville Outlet Center. We received two plaques from the Tourism office, one for supporting their effort to relocate their office to Perryville, and the other for the John Smith event that we held last year. On the 29<sup>th</sup> the mayor attended a Budget Public Hearing. This past Saturday we had a couple more interviews for the Police

Department. One of the things that we are going to do is start hiring recruits that are fresh out of the Academy for the Chief to mold. On the 16<sup>th</sup> of June the two new officers will be coming on board and will immediately begin attending the Comparative Training Program for five weeks.

Chief Daly stated that the Comparative Training Program is now held at the Elkton Police Department, not at Cecil Community College. Once they have finished that program they will start getting field training.

Mayor Eberhardt stated that tonight they are Swearing in a new Police Officer whose name is Kara Zagol who is coming from the University of Pennsylvania Police Department and worked part time at the borough of Yaden and North Coventry Police and is a graduate of Elon University with a Bachelors Degree in accounting with a minor in Criminal Justice and Business and is a graduate of the Delaware Police Academy.

Mayor Eberhardt performed the Swearing in Ceremony for Ms. Zagol.

Mayor Eberhardt wanted to mention that he had a discussion with Commissioner Brown about forming a committee on revamping the rules for the Duck Blind Lottery; anyone interested may contact Commissioner Brown.

Commissioner Brown indicated that she has a tentative date for a Duck Blind Committee Meeting here at 6 p.m. on Monday June 16<sup>th</sup> if anyone is interested in attending the first meeting.

## **COMMISSIONER'S REPORTS –**

### **COMMISSIONER BROWN'S REPORT-**

#### **Announcements:**

June 11, 2008 Open House & Ribbon Cutting for the Cecil County Tourism & Visitors Center 3-5:30 p.m.

June 25, 2008 Diamond in the Rough Volunteer Meeting, Town Hall Meeting Room, 6 p.m.

June 26, 2008 Perryville Greenway Meeting, 10 a.m., Administrator's Office.

July 4, 2008 Community Park will be open for the fireworks viewing in Havre De Grace.

- July 5, 2008 Community Block Party presented by the First Baptist Church of Perryville, to be held on the Town property adjacent to Rodgers Tavern, 6-9 p.m., games, music, food, prizes, open to the public.
- July 12, 2008 Diamond in the Rough Triathlon, 8 a.m. until 1 p.m., Community Park and throughout Town. Please support these visitors by waving and cheering them on.

**Project Updates:**

1. The foundation is in place for the arrival of the building at the boat launch. We are waiting on learning the delivery date. The stone given to us from removal of the damaged bridge pier in the river has been put in place in our jetty. It looks very nice. The parking lot has been temporarily striped. Adding the new parking area is still in the planning stages.
2. Hopefully the settlement on the waterfront property we have a contract on will take place this month.
3. The interior sidewalk replacement at the Community Park is 85% finished. The partial parking lot re-paving is ready to proceed and should be done this month.
4. The process to repair the roadway that was used as an access to the dirt stockpile for the fields will be done this month and hopefully the last of the dirt will be disbursed and the area re-seeded. Grass seems to be coming on the fields and hopefully we can wrap the project up soon. One thing that I want to say is that two years ago we bid that project and the low bid came in at \$112,000 + dollars. We had a grant for \$56,000 to build those fields. That was some shortfall, but by having our Public Works men do some of the work and sub-contracting the balance, I secured permission from our funder to allow us to build these fields ourselves. We will have built them for the \$56,000 which includes Public Works time reimbursement and paying the sub-contractor. To date we have received approximately 75% of those costs in reimbursement which includes our employee's wages. The remaining 25% will follow.
5. I have been working with the VA to secure written permission for the Town to remove two large dangerous and dead trees from the Park. The trees will require dropping them on VA property to safely get them down. That agreement has been signed and now I'm waiting on pricing from our tree removal contractor.
6. The tree planting is complete and the landscaper has agreed to water and monitor these trees throughout the summer in order that they get a good start and survive

the summer.

7. The new swings have been received and I believe are all in place now.
8. We finally got word from the MD Historic Trust that the Phase II archaeology has been accepted. What this means is that we can now move forward with planned work that will require some trenching on the property. However, we must have archaeologist on site when that is done in case a discovery is made. I am working on lining up that archaeologist. The packing is almost complete and the moving of contents will begin in earnest soon.
9. Two grant requests have been submitted in anticipation of acquiring waterfront property owned by Mr. John Meck. These grants are preliminary studies to any actual development of that property.

**Meetings I Attended:**

May 7, 2008 Cecil County Tourism Monthly Board Meeting held at the Perryville Library.

May 14, 2008 Met with Eric Grubb, Peter Pearre, Nelson Campbell at Rodgers Tavern to go over plans for the renovation.

May 15, 2008 Attended the Cecil County Chamber of Commerce Luncheon to honor Dr. Carl Roberts & attended the Public Hearing on the budget.

May 20, 2008 Attended our Work Shop and the Garrett Island Information Meeting with the U.S. Fish & Wildlife Service.

May, 27, 2008 Met with a group of visitors (Sons of the American Revolution members) for a tour and discussion of the Rodgers Tavern Project.

May 29, 2008 Attended the opening of the Audit Bid and the Public Hearing for Susquehanna Overlook Annexation.

April 30, 2008 Hosted Grade 3 of the Perryville Elementary School here at Town Hall and again at Rodgers Tavern for their annual tour of the Town.

**Proposed Meeting Date:** Parade Committee Meeting Wednesday, June 18, 2008, 6 p.m. here at this meeting room. We are in need of some volunteers to be a part of this committee.

Commissioner Brown stated that she received a copy of a book called “The Perryville Commuter” by a local author named Larry Willis who lives in Port Deposit that discusses his daily commute on the MARC train and using the Metro. Commissioner Brown indicated that it was a very interesting book that she would like to see this gentleman get exposure for because it is specifically about Perryville.

## **COMMISSIONER HANSEN’S REPORT-**

### **PLANNING & ZONING UPDATE**

**June 2008**

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

- At the May Planning and Zoning meeting the Planning Commission held a public hearing on the Preliminary Plan and Rezoning request from R1/R2/C2 to Mixed Use Development Floating Zone for Woodlands Perryville. The Planning Commission made a recommendation to the Mayor and Commissioners of approval of both the plan and the rezoning request. The Planning Commission also reviewed an application for 1424 Clayton Street in regards to the Highway Corridor Overlay District regulations. No conditions were applied to that application.
- No new applications were received for the month of June; therefore, the Planning Commission will not meet this month.

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

- No Board of Appeals meetings were held in May and no applications were received for the June agenda.

Commissioner Hansen also attended the Work Sessions last month and is working to get the parking spaces re-painted again on Broad Street after finding out whose responsibility it is.

## **COMMISSIONER TENNIS' REPORT-**

### Public Works Report-

Preparations were made for the Spring Fling at the Community Park. The trail and flower beds in Town were mulched, as well as planting flowers throughout Town. Installed the children playing sign at Beacon Point and Gotham Bush. Began stripping the paint off the porch at Rodgers Tavern in preparation for a fresh coat of paint. Replaced a damaged section of sidewalk on Cherry Street. Installed concrete pads for trash receptacles at the Mini Park. Worked with Commissioner Brown on cleaning out Rodgers Tavern for renovations. Painted fresh stripes for parking at the Community Boat Ramp. Repaired and re-hung a broken volleyball net at the Community Park. Cleaned up an area on Turnpike Drive from previous digs during the Water Tank project. Commissioner Tennis also attended the informational meeting regarding Garrett Island. The group that actually maintains the island is out of Caimbridge and they are looking for a local group to help in looking at the conditions on the island and seeing the habitat area and the aquatic plants and animals. Commissioner Tennis asked that anyone that is interested in being a part of the friends of Garrett Island to sign the petition and they will make sure they get a call. Commissioner Tennis met with Mike Caldwell, the Public Works Supervisor, on the upcoming budget and they are looking to find the money in the future to move the Public Works building to another location and looking at bids for different types of buildings. Commissioner Tennis wanted to thank Commissioner Brown and the Mayor for going to Annapolis to obtain the funding to purchase the property next to the boat launch facility that Commissioner Brown mentioned earlier that they hope to close on this month.

Mayor Eberhardt also commented that one thing he did not mention was that the Fire Hydrants were painted and are much brighter now.

Commissioner Brown thanked the Public Works employees who helped put the recycle containers in the park they have gotten a lot of use.

Mayor Eberhardt introduced Commissioner Fox, the new board member, who will be giving his first report tonight and that since he is taking the place of Commissioner Tolbert he would like to have him resume the responsibilities of the Water and Wastewater facilities.

## **COMMISSIONER FOX'S REPORT-**

Commissioner Fox wanted to thank the board and the Town staff for their help and assistance with guiding him along in this new position that he has taken on. Commissioner Fox attended the Work Session on the 20<sup>th</sup> and also attended the Garrett

Island meeting and he hopes that Margaret Barrow has success with her petition to keep a part of the island open. On the 29<sup>th</sup> of May Commissioner Fox along with Ms. Breder and the Mayor toured the Water and Sewer facilities in town. They met with Dave Katzmire from URS and Larry Frazier at the Water Plant to get an update on the progress of the new water project. Later they went to the wastewater facility and met with Andy Fasnacht to tour that facility.

Mayor Eberhardt mentioned that Andy was not able to fill Commissioner Fox in too much in regards to the new wastewater facility so at some point he would like to get him up to speed on what we are about to award.

Mr. Prouty, representing URS, mentioned that he would see about getting that set up along with a tour of a water facility that is similar to the one that we are getting.

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

Mr. Prouty stated that the Water Distribution Project was 83 days until final completion with a date of August 26, 2008 and 143 days until final completion with a date of October 25, 2008. The work accomplished since the previous report is valve vault 8b pipe work is complete; the work area has been restored. The tank sand blasting, primer and intermediate coat is complete. The tank final exterior paint application is in progress. The tank site has been straw mulched and seeded, grass is growing. Progress meeting number 12 was held on May 13, 2008, the next meeting is not scheduled until August 12, 2008 because most of the construction and demolition that remains involves the new Water Plant producing the water. The contract sum to date is \$3,672,515.41. The contractor is requesting payment in the amount of \$23,629.60 in which URS is recommending the board to approve.

Mayor Eberhardt wanted to mention that Dave Katzmire did not show a lot of the water distribution system and new tank to Commissioner Fox so since he is setting something up for the new wastewater facility he may want to schedule a tour of the water distribution system.

Mr. Prouty commented that Kevin Pampuch from their office would be the one to coordinate that with since he is overseeing that part of the project.

**MOTION** was made by Commissioner Fox and seconded by Commissioner Brown to approve the payment amount of \$23,629.60 for the contract WDSI-05-06, Water Distribution. **All in favor; motion carried.**

**Water Plant Project Progress Report-URS- Mark Prouty**

Mr. Prouty reported that the Water Plant project is 164 days until substantial completion on November 2, 2008 and 194 days until final completion on December 2, 2008. Mr. Prouty reported that the waste force main was successfully tested from the Recycle Pump Station to the tie in at Frenchtown Road. The Flocculation tanks failed the leak test. Numerous leaks were observed at the repaired precast concrete joints. URS rejected the tanks and requested replacements. The 12" and 14" DIP finished water lines were tested unsuccessfully. Additional excavation was required in order to make the necessary repairs. The lines were re-tested at 350 PSI but failed after about 30 minutes. JLW is working to identify the cause and repair. The existing concrete curb on the filter building main floor was removed around the tank and all cassette supports were installed. The stainless steel headers for the membrane cassettes were partially constructed. The sluice gates inside the filter tanks were also installed. Epoxy coating inside the filter tank was completed. The 10" DIP filter tank overflow pipes were installed. Construction of 10" and 12" DIP permeate pipes at the pump gallery are continuing. A meeting was scheduled with Delmarva Power Company to discuss the schedule and method of transferring the new power to the site. The work was scheduled for May 28<sup>th</sup> but it did not occur because of some problems that occurred with the power cabling which is being repaired then Delmarva will follow thereafter. Mid Atlantic Electric was installing power supply wire from the Electrical Room to the Automatic Transfer Switch out to the generator. Concrete duct bank adjacent the Raw Water Flow Meter was installed in order to provide power to the Raw Water Pump Station. Progress meeting number 12 was held on May 27, 2008 at the project site. The contractor is requesting payment in the amount of \$1,529,618.24 which URS is recommending that the board approve.

Mayor Eberhardt inquired if the reason for the large payment request was because of the Zenon filters being received on site.

Mr. Prouty commented that \$1,000,000 of the payment request is for the Zenon System at the Filter Plant for materials alone.

Mayor Eberhardt mentioned that when they did the walk through with Commissioner Fox and Dave Katzmire one of the operators had suggested that a splash guard be placed under the chemical piping that is above the doorway in the event of a rupture.

Ms. Breder indicated that it was mentioned at the progress meeting and she believes that Mr. Katzmire and Chris Curran were working on that, if Mr. Prouty wants to check on that with his office.

**MOTION** was made by Commissioner Fox and seconded by Commissioner Brown to approve the payment amount of \$1,529,618.24 for the contract WTP-01-06, Water Treatment Project. **All in favor; motion carried.**

Mr. Prouty indicated that they were in the process of setting up a chance for some of the operators to look at a new Zenon Plant in Kent Island next to Harrisburg; they are looking to schedule this for June 17<sup>th</sup>.

**OLD BUSINESS-**

Mayor Eberhardt stated that Resolution 2008-7 was a Resolution to approve an Annexation Agreement associated with the Annexation of 112 acres of land, more or less, into the corporate limits of the Town of Perryville.

Fred Sussman, the Town's Annexation Attorney, stated that the Resolution involves an agreement between The Town of Perryville and Susquehanna Overlook, LLC regarding the amount of 112 acres, more or less, located at 50 Happy Valley Road, Port Deposit, MD 21904. There was a Public Hearing held last week where a reference was made to an Exhibit F and it should have been Exhibit D. Mr. Sussman also dated the agreement for today and removed any reference to draft that he has provided to Ms. Sample which will be attached to the original Resolution once it is signed.

**MOTION** was made by Commissioner Brown and seconded by Commissioner Tennis to approve Resolution 2008-7 the Annexation Agreement for Susquehanna Overlook LLC. **Four in favor; 1 opposed (Commissioner Fox): motion carried.**

Mr. Sussman asked for a recess in order for three original copies of the Agreement to be signed and notarized to proceed with the next step of the process. Mayor Eberhardt adjourned for a 10 minute recess at 7:51 p.m.

The meeting reconvened at 8:02 p.m. after the signatures were completed.

Mr. Sussman summarized Resolution 2008-2 which was to actually annex the land of Susquehanna Overlook, LLC, the 112 acres more or less, subject of the Annexation Agreement previously approved. This Resolution includes Exhibit A which is a description of the land, dated November 7, 2005, Exhibit B, which is an Exhibit plat for Annexation into the Town of Perryville and Exhibit C which is a full and complete copy of the Annexation Agreement that you previously adopted.

Mayor Eberhardt questioned Exhibit B showing some old facilities, he wanted to make sure that there were no inhabited buildings on the property.

Mr. Sussman commented that there are no residents on the property as represented from the applicant and the engineer at the time the petition was filed through tonight.

Mr. Sussman indicated that pursuant to the Annexation Agreement that was just approved the applicant has agreed to pay all of the Town costs and expenses associated with the entire Annexation process. Mr. Sussman indicated that it is his understanding that the Town just provided the applicant with the invoice today of all of those expenses which has not allowed the applicant time to process the payment to provide tonight. Mr. Sussman has been advised that the applicant has agreed to the invoice amount and will be providing payment by next Monday morning.

**MOTION** was made by Commissioner Brown and seconded by Commissioner Tennis to approve Resolution 2008-2 the Annexation Resolution for Susquehanna Overlook LLC. **Four in favor; 1 opposed (Commissioner Fox): motion carried.**

Mr. Sussman summarized the next item regarding the Annexation process which is the Annexation Plan related to the Susquehanna Overlook property, a new requirement as a result of legislation adopted by the General Assembly in 2006. The Annexation Plan is Resolution 2008-8.

**MOTION** was made by Commissioner Brown and seconded by Commissioner Tennis to approve Resolution 2008-8 the Annexation Plan Resolution for Susquehanna Overlook LLC. **Four in favor; 1 opposed (Commissioner Fox): motion carried.**

Mayor Eberhardt introduced Stephanie Garrity who is the new Director of the Cecil County Health Department. Mayor Eberhardt wanted to thank Ms. Garrity and her department that have given us in support of our programs in Perryville; in particular our Outreach Program addressing at risk kids whom we realize takes some courage to support. The Health Department has come to the Outreach Program with Stop Smoking Clinics, Parenting Programs, and information on sexually transmitted diseases. Mayor Eberhardt wanted to thank Bonnie Ryan, Melissa Milner and Joe Berry from the Health Department who hosted those programs and for donating supplies to the soldiers that the Outreach Program participants are collecting to send to Iraq.

#### **Cecil County Health Department- Stephanie Garrity**

Ms. Garrity stated that their mission is to improve the Health of Cecil County which cannot be done alone; she summarized some of the programs that they offer. Ms. Garrity explained that they have six primary responsibilities at the Health Department. The first is to prevent epidemics and the spread of disease, protecting against Environmental Hazards, preventing injuries, encouraging good mental health, responding to disasters and assisting communities in recovering. They also work to assure the quality

and accessibility of health care. The Health Department does this with funding from several sources, such as the Federal Government, funding from the State for specific programs and services, and we also receive funding from the County. There are also fees charged for some of the services and we also try to get Health Care reimbursement for some services that we offer. We also receive private foundation grants for some of the services that we offer. Ms. Garrity indicated that their agency provides six main services. One is their Addiction Service which offers group and individual counseling. Another is their Administrative Services which offers information and technology, budgets, Human Resources and Medical Assistance Transportation. The Community Health Service provides paternal and child care services, immunizations for back to school, as well as, seasonal flu shots family planning services, and communicable disease control. The Environmental Health Service protects the food that you eat in restaurants, also groundwater protection, rabies control and burning permits. Health Promotion Department provides cancer and heart disease screening programs and stop smoking programs. The Special Populations Department provides case management and monitoring for the Counties most vulnerable residents. All of their personal are trained to respond to an emergency, whether it is a hurricane, flooding, or a man made emergency such as a bioterrorism event. There is a web site available which is [www.cecilcountyhealth.org](http://www.cecilcountyhealth.org) and she also has some brochures which are available. Ms. Garrity encouraged the Town to send someone to one of their Health Advisory Meetings to be a part of the Health Planning Process.

Ms. Garrity also wanted to mention that she had previously rode on the MARC train for nine years and that she always felt safe getting on and off at Perryville.

#### **ADMINISTRATORS REPORT-Denise Breder**

Ms. Breder summarized highlights of her report and the full report will be on file if anyone needs to review it.

- Water Treatment Plant and Distribution System Improvements Projects:
  - Attended a construction progress meeting at the water plant, on May 27, 2008.
  - The Town received notification from MDE that an Emergency Response Plan for the dam at the abandoned Reservoir Road water plant needs to be updated. I have requested that URS give the Town a proposal to update that ERP.
  - Received notice from MDE that the Water Appropriation permit for the Reservoir Road water plant was about to expire. Larry Frazier completed the renewal application for the appropriation permit and it was forwarded to MDE. It seems best, until we decide what to do with the Reservoir Road plant, that we keep our options open to its future use.
  - May 23, 2008 Wrote and sent a letter to Ronald Freeland, Executive Secretary for MDTA requesting that MDTA reimburse the Town for costs associated

- with the additional work that was done to the water line at the Administration Building in order to be able to utilize the line for our Water Distribution System Improvements Project. This letter was sent in follow up to the Board's contingent approval of the increase in costs to the engineering contract with URS for Construction Inspection and review services.
- Wastewater Treatment Plant:
  - Maryland Department of the Environment has sent a letter to the Town approving the procurement efforts by the Town for the Wastewater Plant Upgrade project. I anticipate the Notice of Award being issued this week to Wickersham Construction with Notice to Proceed following shortly thereafter (once the contract is executed).
  - Began working on the Final Loan Application for submittal to MDE for the Water Quality Revolving Loan Fund financing portion of the Wastewater Treatment Plant Upgrade project. This application is due to MDE by the end of this week, so I need to allocate some time to finish it up and send it to Alice Scanlon by then.
  - MDE also approved the contract with URS for Construction Inspection and Review Services for the Wastewater Plant Upgrade project.
- Pier Project update:
  - I sent an email to John Klein of CoastWatch Engineering and Victor Barreira of SHA inquiring as to the status of SHA's review of this project. The comments from SHA were to have been received no later than May 28<sup>th</sup>. No comments have been received to date.
- Annexation issues:
  - Prepared for and attended the annexation hearing for the Susquehanna Overlook proposed annexation held on May 29, 2008.
  - May 16, 2008 Met with Brad Stover and Kevin Geraghty to discuss the processes and scheduling of the proposed annexation of the Jackson Farm / Cedar Corner LLC property.
  - Subsequent to my meeting with Brad Stover and Kevin Geraghty, URS began coordinating with CNA for the sewer study for the proposed annexation of the Jackson Farm property / Cedar Corner LLC.
- May 8, 2008 Participated in interviews (along with Mayor Eberhardt and Chief Daly) of two candidates for the patrol officer vacancies in the police department.
- May 12, 2008 Met with Nelson Campbell, Commissioner Brown and Barbara Ballard to give some guidance to Nelson and Barbara Ballard regarding the completion of the grant application for the art on the trail.
- May 15, 2008 Attended the Mayor and Commissioner's Budget Worksession with Department Heads
- Wrote a letter to Dr. Mindy Carletti regarding follow up to her proposal to conduct a voluntary Trap-Neuter-Return program for the feral cats at the Community Park. The

- letter, along with a release prepared by Keith Baynes was sent to Dr. Carletti on May 16, 2008.
- May 20, 2008 Prepared for and attended the Mayor and Commissioner Work Session.
- Prepared an overview of important Town issues for Commissioner Fox, which was forwarded to him on May 22, 2008.
- May 22, 2008 Prepared for and attended the Perryville Greenway Committee meeting. The next meeting is currently scheduled for June 26<sup>th</sup> at 10 am to be held in my office.
- May 22, 2008 Attended the Public Hearing on the Budget.
- Researched proposed SRBC rate increase to the Consumptive Use Mitigation Fee and prepared a letter opposing the increase. The letter was sent to SRBC on May 23, 2008. (SRBC's proposal is to double the fee from \$0.14 / 1000 gallons to \$0.28 / 1000 gallons.)
- May 27, 2008 Participated in a tour of the water and wastewater facilities with newly elected Commissioner Alan Fox and Mayor Eberhardt.
- Advertised for both the Town Planner vacancy and the Planning & Zoning Coordinator soon to be vacated position.
- Met with Ms. Heather Erickson for approval of zoning certificates.
- Follow up to prior reports:
  - The as-builds for the Beacon Point and Court Yards at Olde Towne developments have been received and reviewed by URS Corp. The Town requires that monuments or iron pins be placed at property corners and at utility easements so that the Town can discern its property (the road way right-of-way and utility easements) from private property. The developer needs to do this prior to acceptance of the public infrastructure. The as-built comments were sent by URS to Crouse's consultant (Smart Growth Land Management). I had occasion to speak with Jim Halsey who works directly for Crouse related to a resident complaint received during the month and he had not yet received the comments to the as-builds. So, on May 16<sup>th</sup> I forwarded copies of the comments directly to Jim Halsey. On May 29<sup>th</sup> the comments to Beacon Point Phase 2a and 2b as-builds were sent to Crouse's consultant by URS. I forwarded those comments to Jim Halsey today and requested an update on the as-built comments that had been previously submitted for both Beacon Point Phase I and Court Yards at Olde Towne / River Road.

Mayor Eberhardt inquired if most of the comments are regarding just the Monumentation.

Ms. Breder indicated that there were a couple of minor comments but the Monumentation was the big thing.

Mayor Eberhardt asked the Attorney at what point we invoke their bond. The Electric bill is going to the Homeowners until we own it.

Ms. Breder indicated that she received a phone call from John Denver from Delmarva Power Company at 4:30 pm. this afternoon inquiring the status of the payment of that bill. Ms. Breder indicated that she had sent a letter to the Beacon Point HOA explaining to them that the Town would be taking over the payment of the Electric bill for the lights once the public infrastructure was turned over to the Town, but not until then. Ms. Breder was under the impression that the HOA would be paying for the Electric bill until then, but Mr. Denver stated that the bill was not up to date. Ms. Breder tried to call the HOA representative at their property management office this afternoon, but it had already closed.

Mayor Eberhardt commented that something needs to be done, this project is about ten years old now and it is beginning to be a safety issue with these lights. We budgeted to begin paying for the lights in July, but he is not sure if that is going to happen now or not. Mayor Eberhardt indicated that we clearly have enough in the bonds to cover the remaining punch list items.

Ms. Breder indicated that we do have enough in the bond money but is not sure if we can use it for that purpose.

Mr. Baynes indicated that we would have to take a look at the Public Works Agreement and if the bonds were to secure the Public Works Agreement.

Mayor Eberhardt is not sure if the Monumentation was in the Public Works Agreement or not, if it was that specific.

Ms. Breder indicated that she is not sure if it is that specific which is why we should have the attorney review it and determine if they can be used for that purpose. Ms. Breder indicated that it does cost Crouse a significant amount of money each year to continue with those bonds and it is a good thing that they were held at such a high level.

Mayor Eberhardt indicated that he wants Keith to look into this and determine what action can be taken to get this resolved.

Ms. Breder indicated that she would try to contact Ms. Ellison tomorrow to see what the HOA intends to do with the light bill.

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

**Treasurer's Report  
Town of Perryville, Maryland  
June 3, 2008**

For the Month of May, 2008:

- 167 purchase orders were processed totaling \$241,822.71.
- 115 accounts payable checks were processed totaling \$196,831.37.
- Processed cash receipts totaling \$925,398.47.
- Prepared the April 2008 month-end closing entries and financial reports.
- Processed Loan Payment Disbursement Requests 25 through 29 to MDE for the Water Plant Upgrade Projects in May totaling \$598,353.
- Transferred payment to Greensburg Environmental Contracting Systems, Inc. in the amount of \$30,206.89 on May 21, 2008 for the Water Distribution System Improvements.
- Transferred payment to J.L.W. Associates, Inc. in the amount of \$316,594.62 on May 21, 2008 for the Water Treatment Plant.
- Received \$990,202 from MDE during the month of May.
- Received \$11,573.40 on May 9, 2008 from the Cecil County Treasurer's Office for Fiscal Year 2008 Real Estate Tax Revenues collected in April.
- Received payment from the VA in the amount of \$86,233.03 for the third quarter. (January – March 2008) sewer services and \$7,122.33 for Bay Restoration Fees.
- Attended the Mayor and Commissioner's Budget Work Session with the department Heads on May 15<sup>th</sup>.
- Attended the Public Hearing on the Budget on May 22, 2008.
- Attended the Mayor & Commissioners meeting regarding Auditing Services Proposals on May 29, 2008.

The bank balances for PNC; the balance was \$459,920.11 for the MD Government Investment Pool the balance is \$2,591,024.29, for Bay First Bank it is \$855,746.90, for Bank First \$2,500.00, and for NBRIS it is \$69,642.96, for a grand total of \$3,978,834.26.

The Financial Statement Summary for the month of April 30 the MTD for the General Fund was at a deficit of (\$301,460.93) and a YTD surplus of \$188,485.08. The water fund MTD was a surplus of \$54,271.55 and a YTD deficit of \$(80,741.82). The sewer fund MTD was a surplus of \$75,866.59 and a YTD surplus of \$96,679.44.

Mayor Eberhardt inquired about the status regarding banking proposals.

Ms. Rice indicated that she still has not received one from PNC but had received one from NBRIS and had some questions for them regarding transactions.

Mayor Eberhardt indicated that with PNC and Bay First merging in August he would like to see the funds distributed evenly to some of the other banks in Town.

**Perryville Police Department Chief's Report-**

**Juvenile Outreach Program**

There were 29 individual sessions and 7 parent meetings for the Month of May. There were 14 activities scheduled for the youth in May. There were four classes taught by the Cecil County Health Department which he thanked Ms. Garrity for her assistance with those programs. On the 22<sup>nd</sup> of May the staff attended training in D.C. a certification program to teach life skills. On the 31<sup>st</sup> of May they held the Chief's Challenge Basketball Tournament. The date to donate items to the troupes that the Outreach Program adopted has been extended and he handed out a list of the needed items.

Monthly Police Report-May

| <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> |
|-------------------|------------|------------|------------|------------|------------|-------------|-------------|------------|------------|------------|
| <b>CRIME</b>      |            |            |            |            |            |             |             |            |            |            |
| ROBBERY           | 1          |            | 0          | 2          | 0          |             |             |            |            |            |
| ASSAULT           | 8          | 2          | 8          | 5          | 4          |             |             |            |            |            |
| BURGLARY          | 1          | 0          | 0          | 3          | 1          |             |             |            |            |            |
| THEFT             | 21         | 12         | 17         | 10         | 13         |             |             |            |            |            |
| AUTO THEFT        | 0          | 2          | 1          | 0          | 0          |             |             |            |            |            |
| CDS               | 4          | 1          | 2          | 1          | 1          |             |             |            |            |            |
| DISORDERLY        | 12         | 7          | 15         | 12         | 8          |             |             |            |            |            |
| MDOP              | 10         | 6          | 12         | 2          | 10         |             |             |            |            |            |
| ADULT ARRESTS     | 2          | 4          | 3          | 4          | 7          |             |             |            |            |            |
| JUV. ARRESTS      | 2          | 0          | 3          | 0          | 0          |             |             |            |            |            |
| TRAFFIC CITATIONS | 12         | 3          | 15         | 9          | 18         |             |             |            |            |            |
| WARNINGS          | 10         | 32         | 20         | 25         | 20         |             |             |            |            |            |

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|---|-----|-----|-----|-----|-----|
| SEROS<br>PARKING<br>VIOLATIONS<br>BOAT RAMP<br>VIOLATIONS | 8   | 9   | 5   | 8   | 10  |
| <b>ACCIDE<br/>NTS<br/>CALLS</b>                           | 11  | 7   |     | 9   | 5   |
|   | 220 | 122 | 236 | 209 | 220 |

**Perryville Police Department Chief's Report-**

On May 8<sup>th</sup> the Chief attended the Cecil Partnership for Youth and Families Banquet. On May 15<sup>th</sup> Chief Daly attended the Chief's Meeting and the Town budget meeting. On May 20 he attended the Cecil County Gang Task Force Meeting. On May 21 he attended the Hatem Tabletop Exercise. On May 24 Chief Daly met with two new applicants. On May 31 Chief Daly interviewed two new applicants. The bicycles are back and are equipped with LED lights and sirens. Chief Daly commented that there was a crash on Route 40 and 222 involving a tractor trailer that caught fire. He wanted to personally thank his officers for extending their shift and responded from their residence, the MTA, SHA, Perryville Fire Company, Perryville Fire Police, Collette's Towing, the Phone Company, the Power Company, Perry Point VA Fire Company & Police, and the MDTA Hatem bridge detachment and things went very smoothly considering the size of the crash and the intersection having to be shut down.

Mayor Eberhardt indicated that we are also seeking reimbursement from the Insurance Company for the overtime involved.

Commissioner Brown commented that she noticed some bicycles that had been put in between the enclosures and the dumpster over at the park at the senior field, she inquired if there were any missing bikes that have been reported.

Chief Daly indicated that he was not aware of any but he would have it checked out.

**FROM THE FLOOR**

Margaret Barrow, who resides at 328 Broad Street, was present to gain support for keeping the Sandy Beach open for Garrett Island. She is looking for people to help get the petition out there. Ms. Barrow indicated that they have about 400 signatures now and

about 160 of them Perryville. Ms. Barrow indicated that she would think that we would probably need about 2,000 signatures to make a significant difference.

Ms. Barrow is looking to work with somebody in the Town to help get a letter out to other Town's, such as Havre De Grace, Port Deposit and North East.

Mayor Eberhardt inquired if she had a contact number or email address for those who would like to get more information.

Ms. Barrow indicated that she would contact the local press tomorrow and give them her phone number. Ms. Barrow commented that they have the petition at Box Car Avenue and at Town Hall.

Commissioner Brown inquired if she had asked about putting one at the Food Lion or the Library.

Ms. Barrow indicated that they have it at Subworks and one of the boat Marinas.

Matthew Roth, who resides at 437 Sumpter Drive, brought up a problem with a motorcycle speeding up and down Sumpter Drive also on Roundhouse Drive.

Chief Daly stated that he will have people out there.

Sheila Lee, a representative of Beacon Point HOA, wanted to give an update on the status of the Electric bill. She stated that the HOA had met last week and made a motion to pay the bill. Ms. Lee also stated that they have a new property manager whose name is Kay Kellar, with the same management company.

Ms. Lee also wanted to advise Chief Daly that some of the residents in the neighborhood observed one of the Town Police going about 40 to 50 miles per hour in the 25 mile per hour zone the day before yesterday.

Chief Daly asked her approximately what time of day was that observed.

Ms. Lee indicated that it was about 4 p.m.

Chief Daly stated that he would take care of that.

Mayor Eberhardt that the Public Works Department had recently installed Children at Play signs at Beacon Point as reported earlier in the Public Works report.

Betty Thompson, 1646 Ingleside Avenue, indicated that it is difficult to maneuver around a vehicle parked next to the corner of Susquehanna and Otsego Street where Margaret White's store used to be. She feels that the yellow parking stripe is too close to the curb, that it should be moved back to allow more swing room it is really tight getting around that corner. Mrs. Thompson also indicated that her husband was traveling toward 222 from Cedar Corner Road and when coming around the corner of Cedar Corner Road another car was coming at him completely on the left side of the road and had he not been going the speed limit he would not have been able to get out of the way in time.

Mayor Eberhardt commented that they had contacted the County several months ago about the striping and they indicated that they use the State to make those lines and indicated that it is not done until summertime. Mayor Eberhardt indicated that we will have to follow up with them since it is summertime now.

Mrs. Thompson also stated that the water pressure is very low on Ingleside Avenue and that a neighbor had called her the other day to tell her that he could not get his toilet to flush properly on the second floor. Mrs. Thompson commented that she is not sure if it is the Pumping Station or the construction that is going on.

Chief Daly stated that he believes that the Ordinance states that parking is to be fifteen feet from the intersection and he will take a look at it tomorrow to see what it is.

#### **OLD BUSINESS-**

##### Trash Removal Bids

Ms. Rice stated that the board had asked that the trash removal bids be resubmitted based on the dumpsters being emptied one time a week.

Commissioner Tennis saw that one of the bids stated that there was no fuel surcharge. He inquired if this would remain that way for the length of the contract.

Mayor Eberhardt indicated that if that is the way that they bid it that is the way he would expect it to be and Mr. Baynes concurred.

**MOTION** was made by Commissioner Tennis and seconded by Commissioner Brown to accept Tristate Waste Solutions bid of \$232,425.60 for the trash service contract for the upcoming budget year. **All in favor; motion carried.**

## **NEW BUSINESS-**

### **Budget Adoption-Ms. Rice**

Resolution 2008-12 was presented which was the adoption of the budget for July 1, 2008-June 30, 2009. Ms. Rice indicated that there have been several work sessions and a Public Hearing on the Budget on May 22<sup>nd</sup> and they are presenting a balanced budget here tonight in the amount of \$19,795,000 in all four funds.

Ms. Breder wanted to add that the budget is being adopted in summary form with the full detail as backup to make it easier for budget transfers. She also wanted to thank Ms. Rice for the job that she did on the budget she put a lot of time and effort into presenting a professional budget.

Mayor Eberhardt also thanked the Department Heads who were very forthcoming in their efforts to cut some of the things that they could live without for the year

**MOTION** was made by Commissioner Brown and seconded by Commissioner Fox to adopt Resolution 2008-12 the budget for Town of Perryville for the coming fiscal year in summary form that Ms. Breder stated previously. **All in favor; motion carried.**

### **Budget Amendments - Ms. Rice**

Ms. Rice presented Resolution 2008-13 for budget amendments to the General Fund to reclassify funds for actual expenditures for the Town Hall second floor remodeling and to repair the air conditioning compressor.

**MOTION** was made by Commissioner Brown and seconded by Commissioner Fox to approve Resolution 2008-13 budget amendments. **All in favor; motion carried.**

### **Auditor Selection- Ms. Rice**

Ms. Rice stated that two proposals were received for the Auditor selection, one was from Wm. C. Saddler & Co., P.A., and the other one was from Weyrich, Cronin, & Sorra. The board evaluated the two firms and has determined that the contract for auditing services for Fiscal Year 2008 will be awarded to Wm. C. Saddler & Co., P.A. Ms. Rice asked that the board pass a motion to select the firm for the Fiscal Year 2008 auditing service contract.

**MOTION** was made by Commissioner Brown and seconded by Commissioner Fox to accept the bid for the auditing service contract to Wm. C. Saddler & Co., P.A. for fiscal year 2008. **All in favor; motion carried.**

### **Ordinance 2008-1-Wastewater Facility Financing**

Ms. Breder introduced Ordinance 2008-1 regarding the Wastewater Facility Financing. The authorizing notice allows the Town of Perryville to borrow up to 6,250,000 from the MD Water Quality Financing Administration for planning, design and construction for the biological nutrient removal and the enhanced nutrient removal facilities at the existing 1.65 million gallons a day at the Perryville Wastewater Treatment Plant. It also allows the Mayor and the Town Clerk to execute a loan agreement attached to the Ordinance to evidence the loan. The loan will be amortized over 19 years after completion of the project at level debt service and is expected to bear interest at 25% of the average of the bond buyer eleven bond index which is currently averaging 4 to 4 and 1/2% for the month preceding the loan closing. The interest will be payable semi-annually.

Ms. Breder noted that this is a 20 year amortization schedule she believes that we had a 30 year for the Water Plant.

Commissioner Tennis indicated that is what he had a question about the reasoning behind it being a 20 year schedule because they are normally 30 years.

Ms. Breder indicated that she asked Alice Scanlon, who is our loan officer, and she stated that they do not do anything greater than 20 years. Ms. Breder indicated that tonight is the introduction for the Ordinance and next month if passed it will be effective 20 days after the adoption in between that time the final loan application will be sent to MDE and Ms. Scanlon will get us put on the Board of Public Works to get the financing lined up.

Mayor Eberhardt inquired if the Water and Sewer rate schedule based on the impending construction of the water and wastewater was based on a twenty year payback.

Ms. Breder was not sure but when that was done three years ago we did not know exactly what the cost of those plans would be and we did say we would have to revisit the rate schedule and we are in our third year now. Ms. Breder indicated that we anticipate closing in August on the loan. Ms. Breder indicated that we do have to have expenditures before you can actually close on the loan so we do have to proceed with issuing the notice of award and anticipate that everything will fall into place.

### **Corporate Banking Resolutions- Ms. Rice**

Ms. Rice presented three Corporate Banking Resolutions, Resolution 2008-9 for Bay First Bank, Resolution 2008-10 for PNC Bank, and Resolution 2008-11 for NBRFS Financial which allows the Mayor and Commissioners as signers on the bank accounts of the Town of Perryville.

**MOTION** was made by Commissioner Brown and seconded by Commissioner Tennis to approve Corporate Banking Resolution 2008-9 for Bay First Bank. **All in favor; motion carried.**

**MOTION** was made by Commissioner Brown and seconded by Commissioner Tennis to approve Corporate Banking Resolution 2008-10 for PNC Bank. **All in favor; motion carried.**

**MOTION** was made by Commissioner Brown and seconded by Commissioner Tennis to approve Corporate Banking Resolution 2008-11 for NBRFS Financial. **All in favor; motion carried.**

### **Chemical Bids**

**MOTION** was made by Commissioner Brown and seconded by Commissioner Fox to accept Delta Chemical for the Aluminum Chloride Bid, Univar for the Chlorine, Polydyne for the Polymer, Univar for the Soda Ash Light, Coyne Chemical for the Soda Ash Dense, Univar for the Sulfur Dioxide. Coyne Chemical for the Aqua Mag, Univar for Citric Acid 50% Solution, Delta for the Poly Aluminum Chloride 35% Solution, Univar for the Sodium Bisulfate 38%, Tilley Chemical for the Sodium Hydroxide 50% Solution, Univar for the Sodium Hypochlorite 10-15% Solution. **All in favor; motion carried.**

### **Abatement Request-Owen's Landing Condo Association**

Cathy McCardell stated that she received a letter from Barbara Ballard, President of the Owen's Landing Condo Association, dated May 2, 2008 requesting an abatement for the sewer portion only in the amount of \$4,969.22 due to an underground outside leak. Ms. Ballard has also attached the readings from the past couple of quarters. Ms. McCardell summarized the history of Owen's Landing Condos beginning with March 6, 2007 in which they received an abatement in the amount of \$6,595.92 for the billing period of July 1, 2003-December 31, 2004. On May 18, 2007 we received a letter from Barbara Ballard, President of Owen's Landing Condo Association, requesting an abatement for the first quarter billing January-March 2007, in which they received an abatement in the amount of \$6,099.88 for in August 2007. May 2, 2008 received a letter

from the President of the Owens Landing Condo Association, requesting an abatement for the first quarter billing (January- March 2008). Ms. McCardell stated that they do stay on top of the monitoring of their water and sewer meters.

Ms. Ballard indicated that with the meter in they have now been averaging between four and five thousand gallons a day which would make the quarter between 350,000 gallons and 450,000 gallons which means the leak has been fixed.

Commissioner Tennis indicated that he would not be voting on this because he does live there and it would affect him. Commissioner Tennis stated that the residents did have a special assessment put on them because of the water system. We did order a remote read water meter from the Town so that they do not have to pull up the manhole cover. The residents have put up a considerable amount of cost to repair the problem.

**MOTION** was made by Commissioner Fox and seconded by Commissioner Brown to approve the abatement request for the sewer portion only for Owen's Landing Condo Association for the 1st quarter 2008 billing. **Four in favor; 1 abstained (Commissioner Tennis): motion carried.**

Ms. McCardell commented that they had requested a payment plan for the balance; they have been paying the minimum amount of what a normal amount would be.

Ms. Ballard indicated that they could pay it by June 30<sup>th</sup>.

**MOTION** was made by Commissioner Fox and seconded by Commissioner Brown to allow the payment be extended to June 30<sup>th</sup> for Owen's Landing. **Four in favor; 1 abstained (Commissioner Tennis): motion carried.**

Ms. Breder summarized a request for a donation from an individual named Aleesha Noel who will be competing in the Miss Americas Miss Maryland Pageant, Ms. Breder indicated that most of the requests that we receive are from organizations. The letter did not come in on letterhead so Ms. Breder went on-line and sent an email to the organization that she would fall under which was The Miss America Organization and they did respond asking that the Town would support her.

Mayor Eberhardt indicated that he does question who the check would go, if there was a Miss Cecil County Inc. or organization that the check would be made payable to. It is not clearly spelled out.

Ms. Breder's understanding is that it would be made directly to her.

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Commissioner Tennis indicated that he does not know how we would approve public funds to an individual.

Mayor Eberhardt indicated that we would need to find out more information regarding who it would go to.

Commissioner Brown indicated that we would want to make sure that it is a sanctioned organization.

Mayor Eberhardt indicated that there will be several events going on throughout the year with this organization he does not see the urgency in voting on it tonight, we may want to look into an organization that it could be made payable to if decided on at a future time.

**MOTION** was made by Commissioner Tennis and seconded by Commissioner Brown to table the request for a donation. **All in Favor: motion carried.**

**MOTION** was made by Commissioner Brown and seconded by Mayor Eberhardt to close the Town Meeting at 9:30 p.m. **All in favor; motion carried.**

Respectfully submitted,

Jackie Sample,  
Town Clerk

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