

Town of Perryville
Meeting Minutes
January 3, 2006

ATTENDANCE: Town Administrator Denise Breder, Mayor James Eberhardt, Commissioners: Austin Amos, Richard Baker and Tim Tolbert; and Police Chief Chris Daly.

The Town meeting was called to order at 7:00 pm by Mayor Eberhardt.

Pledge to the Flag

APPROVAL OF THE MINUTES

Mayor Eberhardt commented that he had a change on page 4 regarding the first paragraph, the last sentence should read Acting Police Chief Chris Daly and I had a meeting with Sheriff Janney, State Police Barracks Commander and Sergeant Benham.

Commissioner Amos commented that a change needed to be made on page 12 regarding the films that he has, they belong to the Harford and Cecil Fireman's Association, not the credit union.

MOTION was made by Commissioner Baker and seconded by Commissioner Amos to approve the December 6, 2005 Town Meeting minutes with the corrections as stated. All in favor; motion carried.

TREASURER'S REPORT/ TOWN ADMINISTRATOR REPORT-Denise Breder

Acting Town Administrator's Report & Treasurer's Report
Town of Perryville, MD
January 3, 2006

During the prior month, the following items were processed:

- Approximately \$11,793 was collected and \$24,549 was billed in Personal Property Taxes.
- URS reviewed the survey RFP and the one response from which Chris Rogers made the recommendation to re-bid the project.
- Prepared for and attended the Perryville Greenway Committee Meeting. Also, along with Commissioner Brown, made revisions to the Perryville section of the

Maryland Scenic Byways book. In the near future, a new edition of the

- book is to be published and the LSHG is looking to make some corrections and add additional information about the towns in Cecil County.
- Forwarded the following to MDE related to the water treatment plant upgrade
 - Information related to the public's participation / input in relation to this project; this was submitted in response to MDE's comments from the Environmental Information Document (EID) submitted by the Town to get the State Environmental Review Process (SERP) started. The SERP will allow the Town to proceed with financing the project through MDE's revolving loan fund (DWSRF).
 - A revision to the original MDE pre-application for funding. The revision, as requested by Alice Scanlon, the loan officer assigned to the Town, showed changes to the budget and schedule. The original pre-application showed a total budget of \$7.4 million – the revision showed \$10.5 million, and a schedule with a completion date of November 2004 – the revision January 2008. Ms. Scanlon is requesting additional funding on behalf of the Town.
 - Updated water rate schedule and calculation spreadsheet to support the need of the Town to be considered a disadvantage community by MDE in order to get a lower interest rate and longer term on the bond.
 - Had numerous other discussions and correspondence with MDE related to water treatment and wastewater treatment plant issues. A meeting is scheduled with MDE for Wednesday, January 11, 2006 at 2pm here at Town hall to discuss the proposed consent order for the water treatment plant.
 - Anticipated shut off date for non-payment of water and sewer bills is Tuesday, January 10, 2006. As of this afternoon, there remained 60 unpaid accounts.
 - Met with Mayor Eberhardt, Commissioner Brown and Mr. Steve Miller of the Boys and Girls Club to discuss the lease agreement for the Cifaldo Community Center. The Boys and Girls Club will be paying for ½ of the utilities and the entire phone bill for the Community Center. In the past, the Club did not pay anything; in the future Mr. Miller anticipates the Club to be in better financial standing in order to pay for 100% of the utilities.
 - Forwarded the proposed agreement for water with Cecil County to Fossett and Brugger. I am waiting on a response from that law firm to move forward with the review of the contract.
 - Had numerous discussions, correspondence and meetings with developers regarding some of the projects that are happening or will potentially happen in Town (notably Perryville Station, Riverside Center, Mr. Mackie whose proposal is for a fast food restaurant in Town, Cecil County Public Library related to the Perryville branch, and Brown, Brown and Young who represent a client that wishes to annex into the Town for residential development)
 - Chief Daly and I met with Lt. Bowman (Ret.) and an auditor from the Maryland

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State Police to review the State Aid for Police Protection grant request that was submitted by the Town.

- Mr. Thomey prepared the release for the former owners of 305 Roundhouse Drive to sign – as soon as the check is cut and the release signed, that situation, as discussed at last Town meeting, will be resolved.
- We received a letter from the State about changing the destination signs on I-95 and requesting information from the Town – I responded to that letter.
- Worked on the Boat Ramp Expansion project / grant – including a meeting with Commissioner Brown and Mr. Ken Ropp of DNR and some follow-up correspondence and discussions.
- Along with the Mayor, Dwight Thomey and Chris Rogers, I met with the VA to discuss many issues, including billing and the upgrades to the wastewater treatment plant.
- The executed agreement with Norfolk Southern for the underground pipeline that crosses their property has been received. This is related to the wtp upgrades.
- Help wanted ads were placed to fill the police officer and financial coordinator position vacancies.
- Along with Commissioner Brown, met with IKEA to discuss the signs requested by Commissioner Baker and other issues.

Mayor Eberhardt wanted to let everyone know that this was the first month that Ms. Breder gave her report as the Town Administrator.

County Bank			
<u>G/L Account #</u>		<u>Account Name</u>	<u>Balance</u>
1025		General Checking	346,665.08
1030		Payroll	35,000.00
1035		General Savings	9,071.44
1040		Community Act. Comm.	26,537.20
2035		General Savings-W&S	20,794.68
3045		W&S Improvement Fund CD	268,459.01
			706,527.41
Maryland Local Government Investment Pool			
<u>G/L Account #</u>		<u>Account Name</u>	<u>Balance</u>
1036		General	1,497,149.94
3030		W&S Improvement	379,861.92
2036		W&S Fund account	5,920.60
			1,882,932.46

First National Bank of North East		
<u>G/L Account #</u>	<u>Account Name</u>	<u>Balance</u>
3026	Water & Sewer Improv. Fund	657,780.61
1042	Parade Committee Account	13,552.21
		671,332.82
NBRS Financial		
<u>G/L Account #</u>	<u>Account Name</u>	<u>Balance</u>
3046	Water & Sewer Improv. Fund	208,674.78
	TOTAL	3,469,467.47

MAYOR'S REPORT

Mayor Eberhardt reported on meeting with the VA, shortly after last month's meeting and it was one of the most productive meetings, which they have had. Mayor Eberhardt reported we now know where we are going with them as far as the financing for the Wastewater Treatment Plant. Shortly after meeting with them, we received a check for \$100,000 for payment of their sewage bills. They were very agreeable if we pursued a permanent connection for the inter- connecting water line and providing electric to the park in the future.

Mayor Eberhardt reported that they also had a discussion regarding the patient population ending up in our community; they are willing to work with us on this issue. The Hippa Laws restrict them on what kind of information they can provide. We let them know of the concerns with the citizens of Perryville, basically, more knowledge of the population that is in our community. The VA Administration is interested in having a deer hunt, and would like us to partner with them in holding a controlled deer hunt. Mayor Eberhardt commented that we would need to talk to DNR and have them discuss in more detail regarding herd management. We will be having our desktop exercise with our first responders and the railroad on January 20. Next week the mayor will be judging the Geography Bee contest at the Elementary School. There is also a Cecil Land Use Forum, which is being held at Cecil Community College on Monday January 9, 2006 for anyone who may be interested in attending. Mayor Eberhardt commented that Commissioner Brown was ill this evening but wanted him to mention that the chipper was here.

COMMISSIONER'S REPORT

Commissioner Baker's Report-

Commissioner Baker thanked Commissioner Brown for her help in receiving a grant to purchase the chipper, which we received about a week ago and the employees received some training on running the equipment. Commissioner Baker wanted to thank Commissioner Tolbert for his efforts in purchasing a new dump trailer for the citizens of the town to use when they want to clean out their basements or a large amount of large items. This will allow the other dump truck to be readily available in the event of a water main break or other emergencies. There were three water main breaks this month, one being on December 8th on Frenchtown Road, one on December 18th on Elm Street, the third being at Chesapeake Landing.

Commissioner Tolbert's Report-

Commissioner Tolbert reported that we received a letter from the Maryland Department of the Environment on December 12 notifying us that we have a violation at our Water Treatment Plant. The plant has levels of total Trihalomethanes averaging 88.6 parts per billion; the normal average is 80 parts per billion. Commissioner Tolbert reported that part of the requirement from MDE is to make a two- tier notice to the public. The first one is through a notice in the local newspaper, which ran 12/19; the second notice will be received with the water bill. It is basically a by product of mixing chlorine with the drinking water, it is a naturally occurring organic substance present in the water in the summer months when the water temperature is elevated. It is not an immediate health risk but Trihalomethanes in excess of the MCL over many years may have an increase risk of getting cancer. We are making the notifications and part of the plan of attack to resolve this is to continue increased testing, and work with the engineers on the design of the new plant.

Mr. Howard, residing at 610 Aiken Avenue, asked if this just means that there is too much chlorine in the water.

Commissioner Tolbert replied no, it is the organics that is in the water when it comes into contact with the chlorine.

Mr. Howard commented that it was no big deal then.

Commissioner Amos's Report-

Commissioner Amos wanted to wish everyone a Happy New Year. I also wanted to thank the Public Works employees for the work done with the water main break on Frenchtown Road and for having to shovel snow right after the work was done. The Planning and Zoning meeting scheduled for January 16 will be held on January 17 due to the Martin Luther King Holiday. On December 19, there was a special exception request for 432 Aiken Avenue, for an art gallery and art center, including associated education with such activities. A motion was made by Al Wein and seconded by Betty Thompson to recommend approval to the Board of Appeals; All in favor, motion was carried. Commissioner Amos commented that another item he wanted to mention was meeting with the school board and the library board to discuss the entrance to the new library. He discussed some issues he had with traffic, they did address some of the issues. They may have to change some of the traffic patterns once they evaluate the area more to determine the traffic patterns.

Mayor Eberhardt performed the Swearing in Ceremony for Police Chief Chris Daly.

POLICE REPORT

Monthly Police Report

December 2005

MONTHLY POLICE REPORT

	MONTH	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
CRIME										
ROBBERY		0	0	0	0	0	0	0	0	0
ASSAULT		5	4	7	4	10	3	7	6	4
BURGLARY		2	1	1	4	1	2	2	3	2
THEFT		11	5	12	9	12	10	7	8	7
AUTO THEFT		1	0	0	0	0	1	0	0	2
CDS		0	4	2	1	1	0	0	0	0

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DISORDERLY	17	8	10	15	16	24	12	16	20
MDOP	1	1	9	1	3	4	6	5	1
ADULT ARRESTS	9	6	4	9	8	9	8	9	11
JUV. ARRESTS	1	4	3	2	2	4	0	1	2
TRAFFIC CITATIONS	6	5	10	10	12	8	12	10	8
WARNINGS SEROS	14	18	12	12	13	15	6 1	21	5
ACCIDENTS	5	4	9	3	7	4	3	5	6
CALLS	164	133	161	140	178	211	135	209	202

CRIME	MONTH	OCT	NOV	DEC	TOTAL
ROBBERY		0	0	0	0
ASSAULT		6	2	2	60
BURGLARY		5	2	2	27
THEFT		10	3	3	29
AUTO THEFT		0	0	0	13
CDS		1	0	0	9
DISORDERLY		2	0	0	140
MDOP		7	0	1	39
ADULT ARRESTS		5	1	3	82
JUV. ARRESTS		3	1	0	23
TRAFFIC					
CITATIONS		6	5	2	94
WARNINGS		2	0	2	120
SEROS		1	0	0	1
ACCIDENTS		5	2	2	2
CALLS		199	86	51	1,869

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Chief Daly reported that the Perryville Police Department just received 200 gunlocks from project Child Safety, which is a nationwide program supported by the U.S. Department of Justice Grant. We have some here in a box, and there are more at the Police Department.

Mayor Eberhardt asked Chief Daly if the lower numbers this month could be a result of the Maryland State Police and the Sheriff's Department taking the calls and following through with the reports.

Chief Daly reported that these numbers do not reflect the calls that the other departments may have handled.

Mayor Eberhardt asked Chief Daly if he would like to discuss the comparative training program for hiring new police officers. As stated in last month's meeting we are in the process of trying to hire certified police officers. Chief Daly has had several occasions where people have applied for the position who have had what we call comparative training. This means that they are a certified officer in another jurisdiction, in order to be certified in Maryland they must go through the comparative training, which is a five-week course.

Chief Daly commented that this course brings the officers up to speed on Maryland State Law, traffic law, first aid, firearms. The Elkton Police Department is getting ready to start their own Comparative Compliance School in January or February, and it probably would not cost us anything. The other school that we looked at was a \$600 tuition. I have a young man who approached the Town Administrator who is ready to go through the five week course without any pay, to make sure he passes it he is willing to front any money for his training. He put himself through the Pennsylvania Police Academy, paying about \$5,600 to go to that Academy. We are just not getting the applicants for the positions that we need.

Mayor Eberhardt commented that what we are looking for tonight is approval to hire someone who may not be certified in Maryland, but will go through the Comparative Training Program, as well as additional field training. Mayor Eberhardt commented that this is not stating that we are going to stop hiring certified police officers, but we also want to have the ability to hire a candidate that looks like they will pan out, to go through Comparative Training Program. I believe that most agencies have an employment retention contract in place for hiring personnel in training, which we might want to look into.

Chief Daly had a copy of the Elkton Police Department contract for reference, which is a three-year contract, to give to the attorney and have him review it. If the

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candidate would leave during the first year they would owe so much back in uniform and training costs, the second year would be adjusted for the year.

Commissioner Baker questioned how that would work, if someone went through the five-week training while receiving no pay, he questioned if they would be reimbursed or compensated once they passed the training.

Ms. Breder commented that when she spoke to the individual who is interested in the training program, he did state that he would like to be paid for the five-week period if he did complete the Comparative Training Program.

Commissioner Baker commented that he feels that would be justification for paying him.

Commissioner Amos inquired where that would leave us if the individual does not pan out as far as the contract.

Chief Daly commented that the terms of this contract states if they leave on their own, it does not cover dismissal. He advises that the board talk to the Town Attorney about covering dismissal, whether it is his fault, our fault, or even if he goes to another agency, to cover all angles.

Mayor Eberhardt commented that although we will continue to look for certified officers he would like to make a motion to the board to approve accepting Comparative Training candidates.

MOTION was made by Mayor Eberhardt and seconded by Commissioner Baker to approve accepting Comparative Training candidates for the Perryville Police Department. All in favor; motion carried.

Mayor Eberhardt brought up that at last month's meeting Mr. Strause had reported on one of the major fires in town, which was on Sumpter Drive. Mayor Eberhardt wanted to commend Mike Potter, who is a neighbor for helping the resident out of the house.

COMMUNITY CORNER-John Strause

Community Fire House
2005 Totals

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Calls	41	416	
Avg. Response Time	5.25 Min		4.5625
Avg. Personnel/Call	13.3	16	
Total Man-Hours	470		3637.5

EMS Calls

Calls	63	891	
Avg. Response Time	5.5		4.97
Total Man-Hours	96		1731.4
County Upgrade	25		336

Totals

Emergency Calls	104		1307
Man-Hours	566		5368.9
Training Hours	90		1942
Fund Raising	380		4162

Total Man Hours Donated To the Community	1036		11472.9
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Hydrant Water Use**	6000		14750
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(**Estimates)

Mr. Strause reported that the 5,000 gallon portable tank has been ordered, the valves will be refitted, inspections and tags, the lettering will need to be done, the estimation is between \$5,000 and \$10,000 to get it on the road. This will be spread out over a period of three or four months. January 18th there will be E.M.S. training, and on January 20th, the first responders desktop exercise is scheduled.

Commissioner Amos asked Mr. Strause if he had an estimate of the cost of the tank if it would have been purchased new.

Mr. Strause commented that it would have been about \$120,000 for the truck and and approximately \$20,000 for the tank. The second hand one cost us approximately \$40,000 for the truck and about \$10,000 to \$12,000 for the tank.

FROM THE FLOOR

Jerry Roope, residing at 331 Elm Street referred to a question he had asked the commission in June of 2005 about what is being done to support the new police department, and he was basically told that they were looking to hire more police officers. Mr. Roope commented that since that time we have lost the Chief of Police, as well as some police officers. Mr. Roope commented that listening to the talk of the Compliance Training Program tonight is probably the first time we have heard anything regarding support for the police department. Mr. Roope once again posed his question to the board as to what was being done to support the police department other than hiring and training new police officers.

Mayor Eberhardt replied that we got a new police building, the new cage was put in, and the new police vehicles were purchased that were needed. Mayor Eberhardt commented that it is a national problem, there are cities that are offering housing incentives and hiring bonuses, they are hard to get. Mayor Eberhardt reported that we had the Sheriff's Department and the MD State Police here last month to discuss the agreements we have reached with them, to provide service to the Town of Perryville, while we are low on staff.

Mr Roope commented that he was not here to beat anybody up about this. Mr. Roope stated that he had talked to several Law Enforcement officials and agencies and understands the difficulties in retention. Mr. Roope commented that he has spoken to several police officers from the County, State and municipalities throughout the county and outside of Maryland who have been previously approached by the former Chief or have thought about coming to the Perryville Police Department. Mr. Roope commented that the comments that he has been getting from people is the salary is not sufficient, to compete with the other local municipalities in the area.

Mayor Eberhardt commented that this was also another item that the board had authorized, one of the highest starting salaries of any police department in this area. Mayor Eberhardt asked Chief Daly if he concurred with his statement.

Chief Daly commented that this was true; the starting salary range now is \$33,000 to \$37,500, with \$ 37,500 being the highest starting salary. This is for certified officers coming on-board. The Town of Elkton is going to negotiate now for their salaries, they are looking at what the Town of Perryville has, because we are the highest around.

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Mr. Roope commented that what he is talking about are the officers throughout the county who are making more than our starting salary.

Chief Daly commented that those officers are going to be making more if they have ten or fifteen years of service behind them. We are not in a position to match a \$45,000 or \$50,000 starting salary for an officer. You have to work your way up to a higher salary.

Mayor Eberhardt commented that Sheriff Janney commented at last month's meeting that Perryville's salary is very competitive with the Sheriff Departments salaries.

Mr. Roope commented that he would concede that point.

Mayor Eberhardt replied that it is a very slippery slope when you get into a bidding war with other police municipalities, and is probably not the way to go.

Mr. Roope commented that he sees a problem with the sharing of resources across the county; he just wants to understand what is being done. Mr. Roope had an incident, which occurred over the 4th of July with fireworks and recently with his wife's car window getting broken out, he phoned the Perryville Police Department and got an answering machine. He is aware that Chris works very hard and does a great job, but he is only one officer. He commented that when you call the State Police they reply that they are running low on officers.

Mr. Howard, from the audience, asked Mr. Roope what that tells him, if they do not have any officers to put up, doesn't that tell you something?

Mr. Roope commented that it does tell him something, but he is asking the Town Administration to help alleviate the problem.

Mr. Howard replied that he just told him what they were doing; he believes that Mr. Roope is just here to criticize people.

Mr. Howard asked Mr. Roope if he has ever offered his suggestions.

Mr. Roope commented that when he gets his five minutes he could come up there and talk.

Mr. Howard commented that Mr. Roope had been there for fifteen minutes

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Lisa, from the Rising Sun Herald, commented that on Friday afternoon she was hit by a drunk driver, and Rising Sun has six police officers and she did not get a response. Even though they have the officers, there was not one on at the time of my accident.

Mr. Roope thanked Lisa for her personal story, but all he would like to know is how we can get from one police officer to more than one.

Mr. Howard commented that they did give him some answers.

Mr. Roope replied that he did understand that.

Mr. Howard commented that he has been to two meetings and at both meetings Mr. Roope has stood up and criticized and offered nothing, we did not come here to hear you make a speech.

Mr. Roope commented that he did not come here to make a speech; he came here to get some answers.

Mr. Howard, once again asked what he has to offer, he commented that he has criticized every commissioner that we have had, he asked him what he has done for this town and what he has done since he has moved here?

Mr. Roope commented that he used to be a commissioner.

Mr. Howard asked him what he did when he was a commissioner.

Mr. Roope commented that this information was not pertinent; this is becoming a public debate.

Mayor Eberhardt asked Mr. Roope if he had any specific recommendations.

Mr. Howard commented that he would like to hear his recommendations.

Mr. Roope then replied that he might be able to say them if Mr. Howard would "shut the hell up!"

Mr. Howard commented that he has been talking for fifteen minutes and has not been saying a word.

Mayor Eberhardt, asked Mr. Roope to sit back down and informed him he could get back up later, just take a few minutes.

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Mr. Roope commented as he was leaving the podium that it is his public right to speak.

Mr. Howard commented that he sure does enough of that without saying anything.

Mr. Roope again asked Mr. Howard to shut up, calling him an old windbag; Mr. Roope did not stay at the meeting.

Betty Thompson, who resides at 1646 Ingleside Avenue, inquired about an issue regarding a rut in the road in front of Paul Williams house, it has caused damage to her vehicle, she asked if something could at least be filled in temporarily until a proper job can be done, or at least put reflectors there so that people know that something is there. She commented that if someone walks that way in the evening and they step into that, they could really hurt themselves.

Commissioner Baker commented that he would have Mike look at it tomorrow.

OLD BUSINESS

Ms. Breder summarized the Ordinance 2006-1, which was introduced at the December Town Meeting allowing them to appoint additional parties as code enforcement officers for the Town of Perryville.

Commissioner Amos commented that he was not comfortable with voting on this tonight, although he is aware that Denise could use some relief, he feels that there are personnel issues regarding staffing that need to be addressed.

Mayor Eberhardt tabled the Ordinance since a motion was not made.

NEW BUSINESS

Ms. Breder commented that there was a vacancy on the Election Board for an alternate member; if anyone is interested in serving as an alternate Election Board member, they can see Jackie Sample at the Town Hall.

Ms. Breder also announced that there was a Planning and Zoning vacancy, Al Wein was not going to be seeking reappointment for his term. Anyone interested may submit his or her resumes to the Town Hall.

Ms. Breder brought forward the request from U.R.S. for an increase to the budget due to the additional scope of work needed regarding the changes to the design of the

water treatment plant expansion. She commented that Mark Prouty from U.R.S. was present tonight to discuss the plans.

Mr. Prouty commented that he was here to address any questions that the board may have.

Mayor Eberhardt asked for more details on the fee increases.

Mr. Prouty explained when they initially started the design services they were told that the flood plain elevation was one foot below the existing structure, during permitting FEMA determined that it is higher than the concrete pad cover. Based on the new information it had to be redesigned, which included notifying the core of engineers and changing the architectural, electrical and structural design.

Mr. Prouty proceeded to explain that they had indications from Zenon early on that they would be providing design drawings that were more complete than what we were able to get from them. M.D.E. required more information for the permit process than what Zenon was providing. This required modifications to buildings, waste piping, chemical feed, and electrical due to changes by Zenon. Due to the additional information, responses, and reports to M.D.E., our fees have increased to 7.0% of the projected construction cost, we had originally proposed around 5.0%. Mr. Prouty commented that they have received some acceptance to their reports from M.D.E. One thing not in the regulations, but someday in the future may be in the regulations, that we may want to have the ability to add to the design would be ultraviolet disinfections if the issue comes up.

Mayor Eberhardt commented that he had spoken to Secretary Philbreck about the extensive responses we are required to submit to M.D.E. Mayor Eberhardt wanted to relay to him that he wants M.D.E. to realize that we are pioneers of this process, and that we have to put out a lot of extra money because of that. He would like to establish a program with them to attempt to recoup some of the money.

Mr. Prouty asked what Mr. Philbreck's response was to his request.

Mayor Eberhardt commented that at that time he really did not have as much detailed information to give him, so he did not get much of a response.

Mr. Prouty reported that they also had to make modifications to the railroad crossing elevation design, as well. There may be additional changes due to increases in production capacity to 2.0 MGD to meet the County needs. The current permit request is presently in to MDE for 1.0 MGD, it will be modified if the Town directs us to do so.

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MOTION was made by Commissioner Tolbert and seconded by Commissioner Baker to approve the proposal from U.R.S. All in favor; motion carried.

Commissioner Amos commented that he is disappointed that the Police Department is not further along in being established. He reiterated that Sheriff Janney reported at the last meeting, and it was again established tonight that the salary range is competitive with everybody else. We are still experiencing the same problems we did originally, when the department was established, getting qualified people to apply. Commissioner Amos commented that there have been statements made tonight about qualified people wanting to come here, he would like to know where they are at, and why they are not talking to the Police Chief.

MOTION was made by Commissioner Amos and seconded by Commissioner Tolbert to adjourn the Town Meeting at 8:10 p.m. All in favor; motion carried.

Respectfully submitted,

Jackie Sample
Town Clerk

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